VI. Other CEQA Considerations

VI. Other CEQA Considerations

1. Significant Unavoidable Impacts

Section 15126.2(b) of the CEQA Guidelines requires that an EIR describe any significant impacts which cannot be avoided. Specifically, Section 15126.2(b) states:

> *Describe any significant impacts, including those which can be mitigated but not reduced to a level of insignificance. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, should be described.*

As evaluated in Section IV, Environmental Impact Analysis, of this Draft EIR, and summarized below, implementation of the Project would result in significant impacts that cannot be mitigated with respect to regional air quality during construction; on-site and off-site noise sources during construction; and vibration from on-site and off-site construction with respect to the significance threshold for human annoyance. Furthermore, as evaluated in Section IV, Environmental Impact Analysis, of this Draft EIR, the following cumulative impacts would be significant and unavoidable: regional air quality impacts during construction; construction noise impacts from on-site and off-site noise sources; and vibration impacts associated with off-site construction, pursuant to the significance threshold for human annoyance.

a. Air Quality

(1) Construction

As discussed in Section IV.A, Air Quality, of this Draft EIR, the Project would exceed the South Coast Air Quality Management District (SCAQMD) regional significance threshold for nitrogen oxides (NO_X) during construction due to overlapping phases (i.e., combined demolition and grading/excavation, combined grading/excavation and concrete foundation, and combined grading/excavation and concrete mat foundation) over an approximate 12 month duration, which presents a worst case scenario. Implementation of all feasible mitigation measures would reduce, but not eliminate, impacts under this scenario. As such, Project construction would result in significant and unavoidable impacts with regard to regional NO_X emissions.

According to the SCAQMD, individual construction projects that exceed the SCAQMD's recommended daily thresholds for project-specific impacts would cause a cumulatively considerable increase in emissions for those pollutants for which the Air Basin is in non-attainment. As discussed above, construction-related daily emissions at the Project Site would exceed the SCAQMD's regional significance threshold for NO_X during construction due to overlapping phases, under the most conservative (worst case) assumption. Consequently, the Project would have a cumulative impact due to construction-related regional NO_X emissions, and such impacts would also be significant and unavoidable.

b. Noise

(1) On-Site Construction Noise

As discussed in Section IV.I, Noise, of this Draft EIR, the estimated on-site noise levels during all phases of Project construction would exceed the noise significance threshold at all off-site receptor locations, with the exception of receptor location R4 (which is the location used to represent the Elysian residential building). Implementation of Mitigation Measure NOI-MM-1 (installation of temporary sound barrier) would reduce the noise generated by on-site construction activities at the off-site sensitive uses. With implementation of Mitigation Measure NOI-MM-1, the estimated construction-related noise levels at off-site sensitive receptor locations R1, R3, R4, R5, and R7 would be reduced to below a level of significance. The temporary sound barrier specified for receptor R6 would not be effective in reducing the construction-related noise levels for the upper levels of the residential buildings along Sunvue Place (up to four stories), due to the higher ground elevation relative to the Project Site. In order to be effective, the temporary noise barrier would need to be as high as the building (i.e., four stories), which would not be feasible (i.e., cost prohibitive). Similarly, the temporary sound barrier would not be effective in reducing the construction-related noise at the upper levels of the Elysian residential building (seven stories) or at the upper levels of R6 (four stories). In order to be effective, the temporary noise barrier would need to be as high as the buildings (i.e., four or seven stories), which would not be feasible (i.e., cost prohibitive). With the implementation of Mitigation Measured NOI MM-1, the construction-related noise at receptor location R2 would still exceed the significance threshold by 7.3 dBA. Section V, Alternatives, of this Draft EIR, includes approaches that were considered to reduce these impacts. However, these approaches were rejected from further consideration as they would not substantially reduce or eliminate these significant impacts. There are no other feasible mitigation measures to further reduce the construction noise at receptor locations R2, R6, and the Elysian to below the significance threshold. Therefore, construction noise impacts associated with on-site noise sources would remain significant and unavoidable.

Construction-related noise levels from the related projects would be intermittent and temporary and it is anticipated that, as with the Project, the related projects would comply with the construction hours and other relevant provisions set forth in the LAMC. Noise associated with cumulative construction activities would be reduced to the degree reasonably and technically feasible through proposed mitigation measures for each individual related project and compliance with locally adopted and enforced noise ordinances. However, there would potentially be cumulative noise impacts at the nearby sensitive uses (e.g., residential uses) located in proximity to the Project Site and Related Project No. 29 (Sunset Everett Mixed Use Project), in the event of concurrent construction activities. As discussed above, implementation of Mitigation Measure NOI-MM-1 would reduce the Project and cumulative construction noise levels to the extent feasible. However, cumulative construction noise impacts associated with on-site noise sources would remain significant and unavoidable.

(2) Off-Site Construction Noise

As discussed in Section IV.I, Noise, of this Draft EIR, noise impacts associated with off-site construction trucks from the Project could occur. The hourly noise levels generated by construction trucks during all stages of Project construction would be consistent with the existing daytime ambient noise levels along Alvarado Street, Main Street, Temple Street, Grand Avenue, Beaudry Avenue, Sunset Boulevard, and Cesar Chavez Avenue (between the Project Site and the nearest freeway onramps) and therefore would be below significance criteria of 5-dBA increase over the ambient noise level. However, the estimated construction trucks noise along Alpine Street, Figueroa Terrace, and College Avenue (between the Project Site and the cement plant) would exceed the 5-dBA significance threshold during the concrete pour (Figueroa Terrace, College Avenue, and Alpine Street) and during all other construction phases (Alpine Street). Section V, Alternatives, of this Draft EIR, includes approaches that were considered to reduce these impacts. However, these approaches were rejected from further consideration as they would not substantially reduce or eliminate these significant impacts. In addition, conventional mitigation measures, such as providing temporary noise barrier walls to reduce the off-site construction truck traffic noise impacts, would not be feasible as the barriers would obstruct the access and visibility to the properties along the anticipated haul route(s). There are no other feasible mitigation measures to reduce off-site construction noise impacts from construction trucks. Therefore, Project-level off-site construction noise impacts would remain significant and unavoidable.

Any additional number of trucks from the Project and related projects would incrementally increase the noise levels, which would contribute to cumulative impacts. Related Project No. 66 (Kaiser Medical Center) located at 765 College Street (adjacent to one of the Project's truck routes) could utilize the same truck routes (i.e., College Street and Figueroa Terrace) as the Project (construction truck route Option 5). Therefore,

cumulative noise due to construction truck traffic from the Project and other related projects has the potential to exceed the ambient noise levels along the haul route by 5 dBA. There are no feasible mitigation measures to reduce the temporary significant noise impacts associated with cumulative off-site construction trucks. Therefore, cumulative construction off-site noise impacts would be significant and unavoidable.

(3) On-Site Construction Vibration

As discussed in Section IV.I, Noise, of this Draft EIR, Project-level vibration impacts from on-site construction activities would exceed the 72 VdB significance criteria for human annoyance at receptor locations R1 and R2 and at the on-site Elysian residential building. Mitigation measures considered to reduce vibration impacts from on-site construction activities with respect to human annoyance included the installation of a wave barrier, which is typically a trench or a thin wall made of sheet piles installed in the ground (essentially a subterranean sound barrier to reduce noise). However, wave barriers must be very deep and long to be effective and it is cost prohibited for temporary applications, such as construction, which is considered infeasible. In addition, constructing a wave barrier to reduce the Project's construction-related vibration impacts would, in and of itself, generate ground-borne vibration from the excavation equipment. As such, there are no feasible mitigation measures to reduce the potential vibration human annoyance impacts. In addition, Section V, Alternatives, of this Draft EIR, includes approaches that were considered to reduce these impacts. However, these approaches were rejected from further consideration as they would not substantially reduce or eliminate these significant impacts. Therefore, Project-level vibration impacts from on-site construction activities with respect to human annoyance would remain significant and unavoidable.

(4) Off-Site Construction Vibration

As discussed in Section IV.I, Noise, of this Draft EIR, the estimated vibration levels generated by construction trucks traveling along the anticipated haul route were assumed to be within 25 feet of the sensitive use (i.e., residential and motel uses) along the anticipated truck routes (Alvarado Street, Sunset Boulevard, Cesar Chavez Avenue, Figueroa Terrace, Alpine Street, Beaudry Avenue, Temple Street, Grand Avenue, Figueroa Street, Figueroa Terrace, College Avenue, and Main Street). The temporary vibration levels could reach approximately 72 VdB periodically as trucks pass sensitive receptors along the anticipated haul route(s) at 25 feet. As such, the residential and motel uses along the anticipated haul routes would be exposed to temporary ground-borne vibration levels, which exceed the 72-VdB significance criteria from the construction trucks. Section V, Alternatives, of this Draft EIR, includes approaches that were considered to reduce these impacts. However, these approaches were rejected from further consideration as they would not substantially reduce or eliminate these significant impacts.

Furthermore, as related projects would be anticipated to use similar trucks as the Project, it is anticipated that construction trucks would generate similar vibration levels along the anticipated haul route(s), which would have a potential to result in cumulative impacts. Specifically, Related Project No. 29 (utilizing Sunset Boulevard), Related Project No. 66 (utilizing College Avenue), Related Project No. 82 (utilizing Alvarado Street) could utilize the same truck routes as the Project. It would not be feasible to install a wave barrier, as described above, along the public roadways for the off-site construction vibration impacts. There are no other feasible mitigation measures. Therefore, there are no feasible mitigation measures that would reduce the potential vibration impacts with respect to human annoyance. As such, Project-related and cumulative off-site construction vibration impacts with respect to human annoyance would be significant and unavoidable.

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

In addition to identification of a project's significant unavoidable impacts, Section 15126.2(b) of the CEQA Guidelines requires that an EIR describe the reasons why a project is being proposed, notwithstanding the effects of the identified significant and unavoidable impacts. The reasons why the Project has been proposed are grounded in a comprehensive list of project objectives included in Section II, Project Description, of this Draft EIR.

As provided in Section II, Project Description, of this Draft EIR, the underlying purpose of the Project (under both development scenarios) is to is to revitalize an underutilized site by providing a high-density, mixed use and transit- and pedestrian-oriented development that provides a mix of new housing opportunities that are integrated with commercial and office uses that provide new employment and commercial opportunities for the surrounding community. As discussed in Section IV.H, Land Use and Planning, of this Draft EIR, the underlying purpose and objectives of the Project are closely tied to the goals, objectives, and policies set forth in the Central City North Community Plan (Community Plan). In addition, the Project would support the objectives and policies of SCAG's 2016–2040 Regional Transportation Plan/Sustainability Communities Strategy (RTP/SCS), the City's General Plan Housing Element, the General Plan Framework Land Use Chapter, and the Urban Form and Neighborhood Design Chapter of the City of Los Angeles General Plan Framework Element.[1]

[1] *The Project would also support the goals of the 2020–2045 RTP/SCS as they similar to those of the 2016–2040 RTP/SCS. As the 2020–2045 RTP/SCS was adopted by SCAG subsequent to circulation of the Notice of Preparation (NOP) for the Project on May 21, 2018, this section and the balance of this Draft EIR provide analysis of Project consistency with the 2016–2020 RTP/SCS.*

Consistent with the policy of the Community Plan to encourage multi-family residential development in commercial zones, the Project would provide multi-family residential and commercial uses within a commercially zoned property. In addition, in accordance with the objective of the Community Plan to preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods, the Project would provide a mix of architectural structures that are compatible with the varied scale of surrounding uses. Pursuant to the Community Plan's objective to promote and insure the provision of adequate housing for all persons regardless of income, age, or ethnic background, the Project would construct affordable housing units and units for rent and for sale by providing up to 737 residential units, including up to 76 restricted affordable housing units under the Mixed Use Development Scenario and up to 827 residential units, including 76 affordable housing units under the No Hotel Development Scenario. The Project would also provide up to 180 hotel rooms under the Mixed Use Development Scenario as well as up to 48,000 square feet of office space, and up to 95,000 square feet of general commercial floor area under both development scenarios in accordance with the Community Plan's objective to conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services. Unless otherwise noted, the Project reference encompasses both development scenarios where these scenarios do not result in a difference as to the impact or descriptor at issue.

Pursuant to Community Plan objectives and policies to locate new housing in a manner which reduces vehicular trips and makes it accessible to services and facilities and to encourage alternative modes of transportation to the use of single occupant vehicles in order to reduce vehicular trips, the Project would encourage the use of local bus services, provide 436 bicycle parking spaces under the Mixed Use Development Scenario and 421 bicycle parking spaces under the No-Hotel Development Scenario, enhance the pedestrian environment by developing a mix of land uses (i.e. hotel [under the Mixed Use Development Scenario], restaurant, and retail uses), improve the streetscape and pedestrian paths, and minimize barriers and links between the Project Site and external streets. The Project would also provide a 20,925 square-foot courtyard referred to as The Hill and other common areas throughout the Project Site in order to increase pedestrian activity. The Hill would include active and passive recreation spaces such as family play features and a lawn with lounge furniture and views to the Downtown skyline.

The Project would also support the goals of the 2016–2040 RTP/SCS to maximize the productivity of the region's transportation system as well as to protect the environment and health of the region's residents by improving air quality and encouraging active transportation (e.g., bicycling and walking). Specifically, the Project would be developed within an existing urbanized area that provides an established network of roads and freeways that provide local and regional access to the area, including the Project Site. In addition, the Project Site is served by a variety of nearby mass transit options, including a

number of bus lines. The availability and accessibility of public transit in the vicinity of the Project Site is documented by the Project Site's location within a designated SCAG High-Quality Transit Area and City of Los Angeles Transit Priority Area, as defined in the City's Zoning Information File No. 2452. In addition, the Project would provide bicycle parking spaces for the proposed uses that would serve to promote walking and use of bicycles. The Project would also include adequate parking to serve the proposed uses and would provide charging stations to serve electric vehicles. The Project would also provide dedicated curb-side passenger loading areas and an off-street pick-up/drop-off area in front of the Sunset Building. Furthermore, as part of the Project, a dedicated Transportation Center would be placed near pedestrian access to the commercial uses to provide support for and access to alternative transportation modes such as a Metro Bike Share station and/or other personal transportation modes. As such, consistent with SCAG's goals and objectives, the Project would maximize mobility and accessibility by providing opportunities for the use of several modes of transportation, including convenient access to public transit and opportunities for walking and biking.

With regard to the General Plan Housing Element, the Project would support the City's objective to produce an adequate supply of housing as well as promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services, and transit through the development of up to 737 residential units under the Mixed Use Development Scenario and up to 827 residential units under the No-Hotel Development Scenario, along with hotel guest rooms (under the Mixed Use Development Scenario), office space, and commercial uses within one site in an area well-served by public transit. The Project would also promote the construction of sustainable buildings by including high-efficiency plumbing fixtures and weather-based controller and drip irrigation systems to promote a reduction of indoor and outdoor water use, Energy Star–labeled appliances, and water-efficient landscape design. The Project would incorporate other sustainable design features, including water conservation features, alternative transportation programs, and pedestrian and bicycle-friendly site, and waste-reduction measures.

The Project would also support objectives and policies of the General Plan Framework Element Land Use Chapter. In particular, the mixed use nature of the Project, as well as development of the proposed uses in an area with convenient access to public transit and opportunities for walking and biking, would promote an improved quality of life by facilitating a reduction of vehicle trips and vehicle miles traveled (Objective 3.2). The Project would also support Policy 3.13.5 by incorporating a variety of open space and recreational areas with the mix of uses proposed by the Project, thereby reducing the Project's impacts to parks and recreation. In addition, the Project would support the City's Policy 3.7.1 to accommodate the development of multi-family residential units in areas designated in the community plans through the development of new multi-family residential units within a site permitted for such uses. The mixed use nature of the Project would also facilitate a reduction of vehicle trips thereby minimizing the impacts of traffic (Policy 3.13.6).

The Project would promote the City's goals, objectives, and policies of the General Plan Framework Urban Form and Neighborhood Design Chapter by enhancing the livability of the Project Site and neighborhood (Objective 5.5) as well as through proper design and effective use of the built environment to increase personal safety (Objective 5.9). Specifically, the Project would replace existing vacant structures and unmaintained landscaped areas with a new, modern development providing a mix of uses to serve the surrounding neighborhood as well as publicly-accessible open space areas. The Project would also incorporate elements that promote individual and community safety such as controlled access to all building elevators, hotel rooms, residences, and resident-only common areas; proper lighting of building entries and walkways to provide for pedestrian orientation and clearly identify secure pedestrian travel routes between the parking areas and points of entry into the buildings; sufficient lighting of parking areas to maximize visibility and reduce areas of concealment; and designing entrances to, and exits from buildings, open spaces around buildings, and pedestrian walkways to be open and in view of surrounding sites.

Furthermore, as detailed in Section V, Alternatives, of this Draft EIR, other than the No Project/No Build Alternative, none of the alternatives would eliminate all of the Project's significant and unavoidable impacts. In addition, the No Project/No Build Alternative would not achieve the Project's underlying purpose to provide a high-density, mixed use and transit- and pedestrian-oriented development that provides a mix of new housing opportunities that are integrated with commercial and office uses, or the associated project objectives. Furthermore, as discussed in detail in Section V, Alternatives, of this Draft EIR, the environmentally superior alternative, Alternative 6 (Residential Townhomes Alternative), would not eliminate the Project's significant construction noise and vibration impacts. In addition, Alternative 6 would not fully meet the underlying purpose of the Project to provide for a high-density, mixed use and transit- and pedestrian-oriented development. Alternative 6 would also not achieve the Project objectives set forth in the Community Plan regarding strengthening commercial development in the community and reducing vehicle trips through the provision of infrastructure for walking, cycling, ride-sharing and transit.

Based on the above, the Project reflects a development that is consistent with the overall vision of the Central North City Community Plan as well as with other primary land use plans such as SCAG's 2016–2040 RTP/SCS, the City's General Plan Housing Element, the General Plan Framework Land Use Chapter, and the Urban Form Chapter of the City of Los Angeles General Plan Framework Element. As such, the benefits of the Project, including housing, employment, and opportunities for people to live, work, and recreate within one site, would outweigh the effects of the significant and unavoidable impacts of the Project, the majority of which are temporary construction impacts.

3. Significant Irreversible Environmental Changes

Section 15126.2(c) of the CEQA Guidelines indicates that an EIR should evaluate significant irreversible environmental changes that would be caused by implementation of a proposed project. As stated in CEQA Guidelines Section 15126.2(c), "[u]ses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified."

The Project would necessarily consume a limited amount of slowly renewable and non-renewable resources that could result in irreversible environmental changes. This consumption would occur during construction of the Project and would continue throughout its operational lifetime. The development of the Project would require a commitment of resources that would include: (1) building materials and associated solid waste disposal effects on landfills; (2) water; and (3) energy resources (e.g., fossil fuels) for electricity, natural gas, and transportation. As demonstrated below, the Project would not consume a large commitment of natural resources or result in significant irreversible environmental changes.

a. Building Materials and Solid Waste

Construction of the Project would require consumption of resources that do not replenish themselves or which may renew so slowly as to be considered non-renewable. These resources would include certain types of lumber and other forest products, aggregate materials used in concrete and asphalt (e.g., sand, gravel, and stone), metals (e.g., steel, copper, and lead), and petrochemical construction materials (e.g., plastics).

As discussed in Sections XVIII.f and XVIII.g, Utilities and Service Systems—Solid Waste, of the Initial Study included as Appendix A of this Draft EIR, pursuant to the requirements of Senate Bill 1374, the Project would implement a construction waste management plan to recycle and/or salvage a minimum of 75 percent of non-hazardous demolition and construction debris. In addition, the Project would provide adequate storage areas in accordance with the City of Los Angeles Space Allocation Ordinance (Ordinance No. 171,687), which requires that development projects include an on-site recycling area or room of specified size.[2] The Project would also comply with Assembly Bill

[2] *Ordinance No. 171,687, adopted by the Los Angeles City Council on August 6, 1997.*

939, Assembly Bill 341, Assembly Bill 1826 and City waste diversion goals, as applicable, by providing clearly marked, source-sorted receptacles to facilitate recycling. Thus, the consumption of non-renewable building materials, such as lumber, aggregate materials, and plastics, would be reduced. Furthermore, as discussed in the Initial Study prepared for the Project and included as Appendix A of this Draft EIR, Project impacts with respect to solid waste generation and compliance with federal, state, and local solid waste regulations would be less than significant.

b. Water

Consumption of water during construction and operation of the Project is addressed in Section IV.N.1, Utilities and Service Systems—Water Supply and Infrastructure, of this Draft EIR. As evaluated therein, during construction of the Project, water would be required intermittently for dust control, equipment cleaning, and soil grading and preparation during the early construction phases. The latter phases of construction normally require less water usage. Given the temporary nature of construction activities, the short-term and intermittent water use during construction of the Project would be less than the new water demand estimated for the Project at buildout. As part of the Project, a new water distribution system consisting of new water distribution lines would be required to supply water to the proposed uses. Prior to buildout of the new water distribution system, temporary water supply needs during construction may be obtained from existing metered water connections or fire hydrants, with approval from LADWP and the City. As concluded in Section IV.N.1, Utilities and Service Systems—Water Supply and Infrastructure, of this Draft EIR, the existing off-site LADWP water infrastructure system would be adequate to provide for the water flow necessary to serve the Project during construction.

During operation, the estimated water demand for the Project would not exceed the available supplies projected by LADWP. Specifically, it is estimated by the Water Supply Assessment (WSA) prepared for the Project that the Project under the Mixed Use Development Scenario would result in an average daily water demand of approximately 224,374 gallons per day,[3] including water savings as required by the LAMC and additional

[3] *It should be noted that LADWP determined that a development scenario, referred to herein as the Mixed Use Development Scenario with 737 residential units, 180 hotel rooms, 48,000 square feet of office space, and 95,000 square feet of commercial uses would generate the greatest demand for water (224,374 gallons per day). As such, for the purpose of a conservative analysis, Section IV.N.1, Utilities and Service Systems—Water Supply and Infrastructure, of this Draft EIR considers the development scenario with the greatest water demand, consistent with the WSA prepared for the Project by LADWP. Whereas, the development scenario, referred to herein as the No-Hotel Development Scenario with 827 residential units, 48,000 square feet of office space, and 95,000 square feet of commercial uses would generate only 192,330 gallons per day, is well within the 224,374 gallons per day approved for the Mixed Use Development Scenario.*

water saving features as set forth in Project Design Feature WAT-PDF-1. Project Design Feature WAT-PDF-1 includes implementation of additional water conservation measures beyond those required by the Los Angeles Municipal Code (LAMC), as amended by Ordinance No. 184,248. The WSA for the Project concluded that the projected water supplies for normal, single-dry, and multiple-dry years reported in LADWP's 2015 Urban Water Management Plan would be sufficient to meet the Project's estimated water demand, in addition to the existing and planned future water demands within LADWP's service area through the year 2040. Therefore, with respect to water supply during operation, the impacts would be less than significant.

Thus, as evaluated in Section IV.N.1, Utilities and Service Systems—Water Supply and Infrastructure, of this Draft EIR, while Project construction and operation would result in some irreversible consumption of water, the Project would not result in a significant impact related to water supply.

c. Energy Consumption

During ongoing operation of the Project, non-renewable fossil fuels would represent the primary energy source, and, thus, the existing finite supplies of these resources would be incrementally reduced. Fossil fuels, such as diesel, gasoline, and oil, would also be consumed in the use of construction vehicles and equipment. As discussed in Section IV.C, Energy, of this Draft EIR, construction activities for the Project would not require the consumption of natural gas but would require the use of electricity and fossil fuels. The electricity demand at any given time would vary throughout the construction period based on the construction activities being performed and would cease upon completion of construction. When not in use, electric equipment would be powered off so as to avoid unnecessary energy consumption. In addition, trucks and equipment used during construction activities would comply with CARB's anti-idling regulations as well as the In-Use Off-Road Diesel-Fueled Fleets regulation. Further, on-road vehicles (i.e., haul trucks, worker vehicles) would be subject to federal fuel efficiency requirements. Therefore, the Project would not result in the wasteful, inefficient, and unnecessary consumption of energy resources.

During operation, the Project's increase in electricity and natural gas demand would be within the anticipated service capabilities of LADWP and the Southern California Gas Company (SoCalGas), respectively. Specifically, the Project's electricity demand would represent 0.03 percent, respectively, of LADWP and SoCalGas' projected sales in 2024. As discussed in Section IV.C, Energy, of this Draft EIR, in addition to complying with CalGreen requirements, the Project would implement various project design features to reduce electricity consumption. Specifically, as discussed in Section IV.N.1, Utilities and Service Systems—Water Supply and Infrastructure, of this Draft EIR, the Project would implement Project Design Feature WAT-PDF-1, which states that the Project would

incorporate water conservation features, such as high-efficiency toilets with a flush volume of 1.1 gallons or less, residential bathroom faucets with a maximum flow rate of 0.5 gallon per minute and showerheads with a maximum flow rate of 1.5 gallons per minute or less, among others. Furthermore, as discussed in Section IV.E Greenhouse Gas Emissions, of this Draft EIR, the Project would comply with the City's EV charging requirements which specify that 10 percent of new parking spaces would require EV charging equipment. In addition, 30 percent of all new parking spaces would be required to be EV "ready" which will be capable of supporting future EV charging equipment.[4] It is anticipated that these measures would further reduce the Project's energy demand. In addition, as discussed in Section II, Project Description, of this Draft EIR, the Project would incorporate energy-efficient design methods and technologies, when feasible, including, but not limited to, high-efficiency plumbing fixtures and weather-based controller and drip irrigation systems to promote a reduction of indoor and outdoor water use; Energy Star–labeled appliances; and water-efficient landscape design. Therefore, the Project would not cause the wasteful, inefficient, and unnecessary consumption of electricity during operation.

With regard to natural gas, as discussed above, in addition to complying with applicable regulatory requirements regarding energy conservation (e.g., California Building Energy Efficiency Standards and CALGreen), the Project would implement project design features to further reduce energy use. Specifically, the Project Applicant would implement GHG-PDF-1 which would prohibit the use of natural gas-fueled fireplaces in the proposed residential units. Furthermore, as discussed above, the Project would be designed and constructed to incorporate environmentally sustainable design features, including energy efficient and Energy Star-rated products and appliances. Therefore, the Project would not cause the wasteful, inefficient, and unnecessary consumption of natural gas during operation.

With regard to transportation fuel, Project characteristics, including increasing density, increasing the diversity of urban and suburban developments, increasing destination accessibility, increasing transit accessibility, improving design of development, providing pedestrian network improvements, and incorporating traffic calming measures would reduce vehicle miles traveled (VMT). In addition, the Project Site is located in an area well-served by public transit provided by Metro and LADOT. As discussed in Section IV.L, Transportation, of this Draft EIR, within 0.25 mile of the Project Site are multiple bus routes from various agencies such as LADOT Commuter Express, DASH, and Foothill Transit. The Project would also encourage and promote bicycle use through the provision of 436 bicycle parking spaces under the Mixed Use Development Scenario and 421 bicycle parking spaces under the No-Hotel Development Scenario as well as through the dedicated curb-side passenger loading areas and an off-street pick-up/drop-off area in front

[4] *City of Los Angeles Ordinance No. 186,485. December 11, 2019.*

of the Sunset Building. In addition, as part of the Project, a dedicated Transportation Center would be placed near pedestrian access to the commercial uses to provide support for and access to alternative transportation modes such as a Metro Bike Share station and/or other personal transportation modes. Additionally, the Project Site was designed to encourage walkability. As discussed in Section II, Project Description, of this Draft EIR, pedestrian access and circulation across the Project Site would be enhanced by the Project through new pedestrian walkways from White Knoll Drive, Alpine Street, Beaudry Avenue, and Sunset Boulevard. A 20,925 square-foot courtyard, referred to as The Hill, would be located at the center of the Project Site and would include active and passive recreation spaces such as family play features and a lawn with lounge furniture and views to the Downtown skyline. Additional gardens and terraces would be provided throughout the Project Site. Interior common areas within Towers A and B would include resident amenities such as fitness areas, game rooms, lounges and meeting rooms. Furthermore, a spa, other common areas such as a lobby with an outdoor terrace, lounge, meeting spaces, restaurants, and a roof top pool would be included as part of the Sunset Building. Consistent with urban planning policies established by local and regional plans, these improvements would encourage and increase pedestrian activities in the area.

Based on the above, the Project would not cause the wasteful, inefficient, and unnecessary consumption of energy and would be consistent with the intent of Appendix F to the CEQA Guidelines. In addition, Project operations would not conflict with adopted energy conservation plans. Refer to Section IV.C, Energy, of this Draft EIR, for further analysis regarding the Project's consumption of energy resources.

d. Environmental Hazards

The Project's potential use of hazardous materials is evaluated in Section IV.F, Hazards and Hazardous Materials, of this Draft EIR. As discussed therein, during demolition, on-site grading, and building construction, hazardous materials, such as fuel and oils associated with construction equipment, as well as coatings, paints, adhesives, and caustic or acidic cleaners, could be used, handled, and stored on the Project Site. During operation, the Project would use potentially hazardous materials typical of those used in residential and commercial uses. The use, handling, and storage of these materials could increase the potential for hazardous materials releases and, subsequently, the exposure of people and the environment to hazardous materials. However, all potentially hazardous materials would be used and stored in accordance with manufacturers' specifications and instructions, thereby reducing the risk of hazardous materials use. In addition, the Project would be in full compliance with all applicable federal, state, and local requirements concerning the use, storage, and management of hazardous materials. Therefore, it is not expected that the Project would cause irreversible damage from environmental accidents associated with the use of typical, potentially hazardous materials.

e. Conclusion

Based on the above, Project construction and operation would require the irretrievable commitment of limited, slowly renewable, and non-renewable resources, which would limit the availability of these resources and the Project Site for future generations or for other uses. However, the consumption of such resources would not be considered 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 a wasteful manner. Therefore, although irreversible environmental changes would result from the Project, such changes are concluded to be less than significant. Considering that the Project would consume an insubstantial amount of natural resources, and it is replacing an existing vacant urban use on an infill redevelopment site, the limited use of non-renewable resources is justified.

4. Growth-Inducing Impacts

Section 15126.2(d) of the CEQA Guidelines requires that growth-inducing impacts of a project be considered in a Draft EIR. Growth-inducing impacts are characteristics of a project that could directly or indirectly foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. According to the CEQA Guidelines, such projects include those that would remove obstacles to population growth (e.g., a major expansion of a waste water treatment plant that, for example, may allow for more construction in service areas). In addition, as set forth in the CEQA Guidelines, increases in the population may tax existing community service facilities, thus requiring construction of new facilities that could cause significant environmental effects. The CEQA Guidelines also require a discussion of the characteristics of projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. Finally, the CEQA Guidelines also state that it must not be assumed that growth in an area is necessarily beneficial, detrimental, or of little significance to the environment. Growth can be induced or fostered as follows:

- Direct growth associated with a project;
- Indirect growth created by either the demand not satisfied by a project or the creation of surplus infrastructure not utilized by a project.

As discussed in Section IV.J, Population, Housing, and Employment, of this Draft EIR, the Project proposes two development scenarios—the Mixed Use Development Scenario and the No-Hotel Development Scenario. Under the Mixed Use Development Scenario, up to 737 residential units, up to 180 hotel rooms, up to 48,000 square feet of

office space, and up to 95,000 square feet of general commercial floor area are proposed. Under the No-Hotel Development Scenario, a maximum of up to 827 residential units would be constructed along with up to 48,000 square feet of office space, and up to 95,000 square feet of general commercial floor area. Based on a household size factor of 2.41 persons per household, the Mixed Use Development Scenario is anticipated to generate a residential population of approximately 1,777 persons at full buildout.[5] Based on SCAG's 2016–2040 RTP/SCS[6], the estimated population of 1,777 persons generated by the Mixed Use Development Scenario would represent approximately 0.13 percent of the projected growth in the SCAG region between 2018 and 2028 (i.e., the Project's baseline and buildout years), and 0.65 percent of the projected growth in the City of Los Angeles during the same period. As such, the 1,777 new residents constitute a small percentage of City and regional growth and would be consistent with contemplated growth in the region.

By switching out the hotel floor area proposed under the Mixed Use Development Scenario for residential floor area, the No-Hotel Development Scenario would result in approximately 217 more permanent residents on the Project Site compared to the Mixed Use Development Scenario. Specifically, based on a household size factor of 2.41 persons per household, the No-Hotel Development Scenario is anticipated to generate a residential population of approximately 1,994 persons at full buildout.[7]

Based on SCAG's 2016–2040 RTP/SCS, the estimated population of 1,777 persons generated by the Mixed Use Development Scenario would represent approximately 0.13 percent of the projected growth in the SCAG region between 2018 and 2028 (i.e., the Project's baseline and buildout years), and 0.65 percent of the projected growth in the City of Los Angeles during the same period. As such, the 1,777 new residents constitute a small percentage of City and regional growth and would be consistent with contemplated growth in the region.

Based on SCAG's 2016–2040 RTP/SCS, the estimated population of 1,994 persons generated by the No-Hotel Development Scenario would represent approximately

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[5] *Based on a household rate of 2.41 persons for multi-family units based on the 2018 American Community Survey 5-Year Average Estimates. Source: Jack Tsao, Data Analyst II, Los Angeles Department of City Planning, June 12, 2020.*

[6] *In September 2020, SCAG adopted the 2020–2045 RTP/SCS, which includes a long-range visioning plan with strategies that are similar to the 2016–2040 RTP/SCS. As the 2020–2045 RTP/SCS was adopted by SCAG subsequent to circulation of the NOP for the Project on May 21, 2018, this Draft EIR focuses on the 2016–2020 RTP/SCS.*

[7] *Based on a household rate of 2.41 persons for multi-family units based on the 2018 American Community Survey 5-Year Average Estimates. Source: Jack Tsao, Data Analyst II, Los Angeles Department of City Planning, June 12, 2020.*

0.14 percent of the projected growth in the SCAG region between 2018 and 2028 (i.e., the Project's baseline and buildout years), and 0.73 percent of the projected growth in the City of Los Angeles during the same period. As such, the 1,994 new residents constitute a small percentage of City and regional growth and would be consistent with contemplated growth in the region.

With regard to housing, the 737 residential units proposed under the Mixed Use Development Scenario would represent approximately 0.14 percent of the projected household growth in the SCAG region between 2018 and 2028 and 0.57 percent of the projected household growth in the City of Los Angeles during the same period. The up to 827 residential units proposed under the No-Hotel Development Scenario would represent approximately 0.15 percent of the projected household growth in the SCAG region between 2018 and 2028 and 0.63 percent of the projected household growth in the City of Los Angeles during the same period. Therefore, Project-related household growth under both development scenarios would be consistent with contemplated growth in the region. Accordingly, both development scenarios would not cause housing growth to exceed projected/planned levels for the Project's buildout year.

With regard to indirect growth, construction workers would not be expected to relocate their households' places of residence as a direct consequence of working on the Project. The work requirements of most construction projects are highly specialized so that construction workers remain at a job site only for the time in which their specific skills are needed to complete a particular phase of the construction process. Therefore, given the availability of construction workers throughout the region, the Project would not be considered growth-inducing from a short-term employment perspective, but rather the Project would provide a public benefit by providing new employment opportunities during the construction period.

As previously mentioned, the Mixed Used Development Scenario could include up to 737 residential units, up to 180 hotel rooms, up to 48,000 square feet of office space, and up to 95,000 square feet of general commercial floor. The No-Hotel Development Scenario could include up to 827 residential units along with up to 48,000 square feet of office space, and up to 95,000 square feet of general commercial floor area. Based on the generation rates provided by the City of Los Angeles VMT Calculator Documentation, the Mixed Use Development Scenario would generate approximately 582 employees.[8] The additional

[8] *Based on the City of Los Angeles VMT Calculator Documentation Guide, Table 1, May 2020, the employee generation rate 0.5 employee per room for "Hotel" land use is applied to the 180 hotel rooms, the rate 0.002 employee per square foot for "General Retail" land use is applied to the 18,200 square feet of commercial uses, the rate 0.004 employee per square foot for "Supermarket" land use is applied to the 27,300-square-foot grocery store, the rate 0.001 employee per square foot for "Health Club" land use is applied to the 14,500-square-foot health club/spa, the rate 0.004 employee per square foot for "High-*

(Footnote continued on next page)

582 employees generated by the Mixed Use Development Scenario would represent approximately 0.07 percent of the employment growth forecasted in the SCAG region between 2018 and 2028 and 0.34 percent of the employment growth forecasted in the City during the same period. The No-Hotel Development Scenario would generate approximately 492 employees.[9] The additional 492 employees generated by the No-Hotel Development Scenario would represent approximately 0.06 percent of the employment growth forecasted in the SCAG region and 0.29 percent of the employment growth forecasted in the City between 2018 and 2028. Therefore, Project-related employment generation would be consistent with SCAG's employment forecasts for the SCAG Region and the City of Los Angeles.

Both the uses proposed under the Mixed Use Development Scenario and the No-Hotel Development Scenario would include a range of permanent and part-time positions that may be filled, in part, by persons already residing in the vicinity of the workplace and who generally do not relocate their households due to such employment opportunities and other persons who would commute to the Project Site from other communities in and outside of the City. As such, the Project would not indirectly induce substantial population growth.

The area surrounding the Project Site is already developed with a mix of residential and commercial uses, and the Project would not remove impediments to growth. All roadway improvements planned for the Project would be tailored to improve circulation flows and safety throughout the area, consistent with the Project's impacts and objectives. The Project would require the upsizing of the existing 8-inch line on Beaudry Avenue, or equivalent improvement, as determined by LA Sanitation, to ensure adequate sewer capacity is available in the vicinity of the Project Site to meet the requirements of the Project. In addition, the Project would require local infrastructure upgrades to maintain and improve electricity and natural gas lines on-site and in the immediate vicinity of the Project Site. However, such improvements would be intended primarily to meet Project-related demand and would not necessitate regional utility infrastructure improvements that have not otherwise been accounted for and planned for on a regional level. The Project

Turnover Sit-Down Restaurant" land use is applied to the 35,000-square-foot restaurant, and the rate 0.004 employee per square foot for "General Office" land use is applied to the 48,000 square feet of office uses.

[9] *Based on the City of Los Angeles VMT Calculator Documentation Guide, Table 1, May 2020, the employee generation rate 0.002 employee per square foot for "General Retail" land use is applied to the 18,200 square feet of commercial uses, the rate 0.004 employee per square foot for "Supermarket" land use is applied to the 27,300-square-foot grocery store, the rate 0.001 employee per square foot for "Health Club" land use is applied to the 14,500-square-foot health club/spa, the rate 0.004 employee per square foot for "High-Turnover Sit-Down Restaurant" land use is applied to the 35,000-square-foot restaurant, and the rate 0.004 employee per square foot for "General Office" land use is applied to the 48,000 square feet of office uses.*

employees' demand for convenient commercial goods and services would be met by new retail, service, and other resources included as part of the Project or already located within close proximity to the Project Site. No new development specifically to meet the Project's scale of commercial demand would be needed.

Overall, the Project would be consistent with the growth forecast for the SCAG Region and the City of Los Angeles and would be consistent with regional policies to reduce urban sprawl, efficiently utilize existing infrastructure, reduce regional congestion, and improve air quality through the reduction of vehicle miles traveled and with proximity to public transit options. Therefore, growth-inducing impacts would be less than significant.

5. Potential Secondary Effects of Mitigation Measures

Section 15126.4(a)(1)(D) of the CEQA Guidelines states that "if a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure shall be discussed but in less detail than the significant effects of the project as proposed." With regard to this section of the CEQA Guidelines, the potential impacts that could result with the implementation of each mitigation measure proposed for the Project were reviewed. The following provides a discussion of the potential secondary impacts that could occur as a result of the implementation of the proposed mitigation measures, listed by environmental issue area.

a. Air Quality

Mitigation Measures AIR-MM-1 to AIR-MM-6 are included in Section IV.A, Air Quality, of this Draft EIR, to reduce the Project's air quality regionalized impacts during construction, particularly those impacts related to NO_X emissions. Specifically, Mitigation Measure AIR-MM-1 would require that all off-road diesel-powered equipment greater than 50 hp used during Project demolition, grading/excavation, and concrete foundation activities shall meet USEPA Tier 4 final emissions standards. Mitigation Measure AIR-MM-2 would require that operator(s)/construction contractor(s) commit to using 2010 model year or newer engines that meet CARB's 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and 0.20 g/bhp-hr of NO_X emissions or newer, cleaner trucks for (1) haul trucks associated with demolition and grading activities; and (2) concrete delivery trucks during concrete mat foundation pours. Mitigation Measure AIR-MM-3 would require that construction equipment shall be properly tuned and maintained in accordance with the manufacturer's specifications. Mitigation Measure AIR-MM-4 would require that contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. In addition, Mitigation Measure

AIR-MM-5 would require that construction activity utilize electricity from power poles rather than temporary diesel power generators and/or gasoline power generators to the extent possible. Finally, Mitigation Measure AIR-MM-6 would require that the Project include the use of solar-powered generators during construction to the extent available and feasible. These mitigation measures would reduce air quality impacts during construction and would not result in adverse secondary impacts.

b. Biological Resources

Mitigation Measure BIO-MM-1 is included to ensure that raptors are protected if found nesting on the Project Site at the time construction activities for the Project commence. In addition, with implementation of Mitigation Measure BIO-MM-2, the potential impact to nesting birds would be reduced to less than significant level. These mitigation measures would not result in adverse secondary impacts.

c. Cultural Resources

Mitigation Measure CUL-MM-1 requires that prior to the start of Project ground disturbance, including demolition, digging, trenching, plowing, drilling, tunneling, grading, leveling, removing peat, clearing, augering, stripping topsoil or a similar activity ("Ground Disturbance Activities") at the Project Site, a qualified archaeologist be retained in order to prepare a written Cultural Resource Monitoring and Treatment Plan in accordance with the Secretary of the Interior's Standards for Archaeological Documentation, to reduce potential Project effects on unanticipated archaeological resources unearthed during construction, with an emphasis on potential historical-period materials. This mitigation measure requires archaeological monitoring until Ground Disturbance Activities encounter bedrock which is anticipated to be between one foot and 16 feet. This mitigation measure would reduce potential Project-level impacts associated with archaeological resources to a less-than-significant level. Implementation of Mitigation Measure CUL-MM-1 would be beneficial in reducing Project impacts on archaeological resources and would not result in adverse secondary impacts.

d. Geology and Soils (Paleontological Resources)[10]

Mitigation Measure GEO-MM-1 (previously included as Mitigation Measure CUL-MM-2 in the Initial Study and revised) would require that the services of a qualified paleontologist be retained prior to excavating, digging, trenching, plowing, drilling, tunneling, grading, leveling, removing peat, clearing, augering, stripping topsoil or a similar activity ("Ground Disturbance Activities") associated with the Project in order to develop a site-specific Paleontological Resource Mitigation and Treatment Plan. This mitigation measure would reduce potential Project-level impacts associated with paleontological resources. Implementation of Mitigation Measure GEO-MM-1 would be beneficial in reducing Project impacts on paleontological resources and would not result in adverse secondary impacts.

e. Hazards and Hazardous Materials

Mitigation Measures HAZ-MM-1 through HAZ-MM-3 included in Section IV.F, Hazards and Hazardous Materials, of this Draft EIR, would ensure potential impacts associated with the discovery of buried oil wells is less than significant. Specifically, Mitigation Measure HAZ-MM-1 may require an additional surface geophysical survey be conducted to attempt to locate the oil wells on the Project Site following demolition of existing structures (as the prior survey did not locate any existing oil wells and existing structures can potentially limit geophysical survey capabilities and/or access in some areas of the site). If located, as per HAZ-MM-2, the wells would be unearthed and inspected by a licensed Petroleum Engineer and would be reported to CalGEM to assess and prescribe abandonment procedures based on their observed condition, as well as the Petroleum Administrator, the Los Angeles City Certified Unified Program Agency, and Los Angeles Department of City Planning. Therefore, a soil and site management plan would be developed and implemented pursuant to Mitigation Measure HAZ-MM-3 to address the potential identification and abandonment of the oil wells, if encountered during earthwork activities. In addition, as provided in the Updated Methane Report, the Project would include implementation of Mitigation Measures HAZ-MM-4 and HAZ-MM-5, to ensure potential impacts related to subsurface gases and associated potential impacts to soil and groundwater is less than significant. Specifically, Mitigation Measure HAZ-MM-4 would install controls during construction at the Project Site to mitigate the effects of subsurface gases on workers and the public and Mitigation Measure HAZ-MM-5 would require the

[10] *In January 2018, OPR proposed comprehensive updates to the CEQA Guidelines which revised thresholds for aesthetics, air quality, cultural resources, geology and soils, hydrology and water quality, land use and planning, noise, population and housing, transportation, and utilities and service systems. Prior to the release of the revised thresholds, the question or threshold related to potential impacts to paleontological resources was considered under cultural resources. This threshold has since been moved and is now addressed under geology and soils.*

Applicant install a Passive System that would include a standard de-watering system or a reinforced concrete mat slab to accommodate hydrostatic pressure, as well as a sub-slap vapor collection and ventilation system. Implementation of these mitigation measures would address impacts associated with the release of hazardous materials into the environment. The physical aspects of these measures would be implemented in accordance with regulatory oversight. As such, they would not result in adverse secondary impacts.

f. Noise

Mitigation Measure NOI-MM-1 included in Section IV.I, Noise, of this Draft EIR, would require that a temporary and impermeable sound barrier be erected during construction of the Project. The installation of this sound barrier would include limited construction activities associated with its installation. Any noise associated with this installation would not result in additional noise beyond what has already been disclosed in the discussion of construction impacts. In addition, as discussed in Section I, Aesthetics, of the Initial Study, included as Appendix A of this Draft EIR, temporary construction fencing would be placed along the periphery of the Project Site to screen construction activity from view at the street level. This would include screening of the temporary sound barrier. Furthermore, the sound barrier would reduce the Project's noise impacts from construction. As such, implementation of this mitigation measure would not result in adverse secondary impacts.

g. Tribal Cultural Resources

Mitigation Measure TCR-MM-1, in coordination with CUL-MM-1, would require that prior to commencing any ground disturbance activities including demolition, excavating, digging, trenching, plowing, drilling, tunneling, grading, leveling, removing peat, clearing, augering, stripping topsoil or a similar activity ("Ground Disturbance Activities") at the Project site, the Applicant, or its successor, shall retain a tribal monitor that is qualified to identify subsurface tribal cultural resources to monitor Ground Disturbance Activities. The monitoring shall continue until Ground Disturbance Activities encounter bedrock which is anticipated to be between one foot and 16 feet. In the event that any subsurface objects or artifacts that may be tribal cultural resources are encountered during the course of any Ground Disturbance Activities, all such activities shall temporarily cease within the area of discovery, the radius of which shall be determined by a qualified archeologist, in consultation with the tribal monitor, until the potential tribal cultural resources are properly assessed and addressed pursuant to the mitigation measure. Implementation of this mitigation measure would reduce impacts with regard to tribal cultural resources and would not result in adverse secondary impacts.

6. Revisions to State CEQA Guidelines Appendix G

The California Natural Resources Agency adopted revisions to the CEQA Guidelines that became effective on December 28, 2018. These revisions resulted in an updated Guidelines' Appendix G—Environmental Checklist Form (Appendix G). The revisions to Appendix G were adopted largely to reduce redundancy, provide additional clarity and to align Appendix G with California appellate court and Supreme Court decisions and changes to the Public Resources Code. These updates to Appendix G revised the checklist questions related to aesthetics, air quality, cultural resources, geology and soils, hydrology and water quality, land use and planning, noise, population and housing, transportation, and utilities and service systems and included additional thresholds to address wildfires. This Draft EIR considers the revised thresholds for the environmental topics addressed herein in Section IV, Environmental Impact Analysis. In addition, the new topic of telecommunications facilities added to the revised thresholds for utilities and service systems as well as the new thresholds addressing wildfires are discussed below.

a. Telecommunications Facilities

As provided in Section IV.N.1, Utilities and Service Systems—Water Supply and Infrastructure, of this Draft EIR, the revised threshold (a) under utilities and service systems set forth in Appendix G of the State CEQA Guidelines is as follows: 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.

The Project would require construction of new on-site telecommunications infrastructure (phone lines, internet connections, etc.) to serve new buildings and potential upgrades and/or relocation of existing telecommunications infrastructure. Construction impacts associated with the installation of telecommunications infrastructure would primarily involve trenching in order to place the lines below surface. However, the Project would prepare a Construction Management Plan pursuant to Project Design Feature TR-PDF-1 included in Section IV.L, Transportation, of this Draft EIR, which would ensure safe pedestrian access as well as emergency vehicle access and safe vehicle travel in general, to reduce any temporary pedestrian and traffic impacts occurring as a result of construction activities. In addition, when considering impacts resulting from the installation of any required telecommunications infrastructure, all impacts are of a relatively short duration (i.e., months) and would cease to occur when installation is complete. Installation of new telecommunications infrastructure would primarily take place on-site, with minor off-site work associated with connections to the main public system. No upgrades to off-site telecommunications systems are anticipated. Any work that may affect services to the existing telecommunications lines would be coordinated with service providers.

b. Wildfire

Wildfires are briefly addressed in the Initial Study included as Appendix A. However, the revisions to Appendix G include more detailed questions regarding wildfires. These new thresholds are as follows:

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a. *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

b. *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?*

c. *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 or ongoing impacts to the environment?*

d. *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?*

The Project Site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. The Project Site is located in an urbanized area, and there are no wildlands located in the vicinity of the Project Site. In addition, the Project Site is not located within a City-designated Very High Fire Hazard Severity Zone, nor is it located within a City-designated fire buffer zone. Impacts related to wildfire would be less than significant.

7. Effects Not Found To Be Significant

Section 15128 of the CEQA Guidelines states that an EIR shall contain a brief statement indicating reasons that various possible significant effects of a project were determined not to be significant and not discussed in detail in the EIR. An Initial Study was prepared for the Project and is included in Appendix A of this Draft EIR. The Initial Study provides a detailed discussion of the potential environmental impact areas and the reasons that each environmental area is or is not analyzed further in this Draft EIR. The City of Los Angeles determined through the Initial Study that the Project would not have the potential to cause significant impacts related to aesthetics; agriculture and forestry resources; objectionable odors; biological resources; the disturbance of human remains; landslides;

soil erosion; the ability of underlying soils to support the use of septic tanks; safety hazards within an airport land use plan or private airstrip; wildlands hazards; placing housing or structures within a 100-year flood plain; flooding as a result of a levee or dam failure; inundation by seiche, tsunami, or mudflow; physical division of an established community; conflict with an adopted habitat conservation plan or natural community conservation plan; mineral resources; excessive noise levels within an airport land use plan or 2 miles of a public airport or private airstrip; displacement of housing and people; change in air traffic patterns; and solid waste.[11] A summary of the analysis provided in the Initial Study included in Appendix A for these issue areas is provided below.

a. Aesthetics

As discussed in the Initial Study, included as Appendix A of this Draft EIR, pursuant to Senate Bill 743 and the City's Zoning Information File No. 2452, the Project's aesthetic impacts shall not be considered significant impacts on the environment. As discussed in the Initial Study, pursuant to SB 743 and ZI 2452, aesthetic impacts, including impacts related to scenic vistas, scenic resources, visual character or quality, shading, light, and glare, are not considered significant.

b. Agriculture and Forestry Resources

The Project Site is located in an urbanized area of the City of Los Angeles. The Project Site is zoned by the LAMC as C2-2D (Commercial Zone, Height District 2 with Development Limitation), which permits a variety of commercial uses. No agricultural uses or operations occur on-site or in the vicinity of the Project Site. The Project Site also does not include any forest or timberland. In addition, the Project Site and surrounding area are not mapped as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency Department of Conservation. The Project Site and surrounding area are also not enrolled under a Williamson Act Contract. As such, the Project would not convert farmland to a non-agricultural use, conflict with any zoning for agricultural uses or a Williamson Act Contract, conflict with existing zoning for, or cause rezoning of, forest land or timberland, result in the loss or conversion of forest land, or result in the conversion of farmland to non-agricultural use or in the conversion of forest land to non-forest use. No impacts to agriculture and forestry resources would occur.

[11] *At the time the Initial Study was published, the Appendix G thresholds did not address telecommunications facilities and wildfire. The City has since adopted the revised Appendix G thresholds and these topics are evaluated above.*

c. Air Quality (Odors)

No objectionable odors are anticipated as a result of either construction or operation of the Project. Construction of the Project would involve the use of conventional building materials typical of construction projects of similar type and size. Any odors that may be generated during construction would be localized and temporary in nature and would not be sufficient to affect a substantial number of people or result in a nuisance as defined by SCAQMD Rule 402. In addition, the Project would not involve the types of land uses typically associated with odor complaints, such as agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Furthermore, on-site trash receptacles would be contained, located, and maintained in a manner that promotes odor control, and would not result in substantial adverse odor impacts. As such, potential odor impacts during construction and operation of the Project would be less than significant.

d. Biological Resources

As discussed in the Initial Study, included as Appendix A of this Draft EIR, due to the developed nature of the Project Site and the surrounding area, as well as the lack of large expanses of open space in the vicinity of the Project Site, species likely to occur on-site are limited to small terrestrial and avian species typically found in developed settings. Therefore, the Project would not have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Impacts to any special species would be less than significant.

Additionally, no riparian or other sensitive natural community exists on the Project Site or in the immediate surrounding area. Therefore, the Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community, and no impact would occur.

Similarly, no water bodies or federally protected wetlands as defined by Section 404 of the Clean Water Act exist on the Project Site or in the immediate vicinity of the Project Site. As such, the Project would not have an adverse effect on federally protected wetlands, and no impact would occur.

Furthermore, as the areas surrounding the Project Site are fully developed and there are no large expanses of open space areas within and surrounding the Project Site which provide linkages to natural open spaces areas and which may serve as wildlife corridors, development of the Project would not interfere substantially with any established native resident or migratory wildlife corridors. As discussed in the Initial Study, the Project Site

includes groundcover, trees, and shrubs that have the potential to support nesting birds and nesting raptors. As discussed above, Mitigation Measure BIO-MM-1 is included to ensure that raptors are protected if found nesting on the Project Site at the time construction activities for the Project commence. In addition, with implementation of Mitigation Measure BIO-MM-2, the potential impact to nesting birds would be reduced to less than significant.

As part of the Project, the 105 existing on-site trees (including 104 non-protected trees and one protected tree) and 9 non-protected street trees would be removed to accommodate development of the Project. Due to a combination of factors, including age, size and conditions, these trees are not appropriate for transplant.[12] The City requires that the non-protected tree species located on site be replaced at a 1:1 ratio and the protected tree species be replaced at a 4:1 ratio. In addition, the City requires that street trees that are not protected be replaced at a 2:1 ratio. The Project would be consistent with the Street Tree replacement requirement by providing 18 new street trees. The Project would not be able to provide all 108 of the trees required by the on-site replacement rules and thus requests a deviation. Specifically, pursuant to LAMC. Section 12.21-G.3, the Applicant requests that the Director of Planning approve a landscape plan with 262 trees planted on site in lieu of the development tree planting requirement defined by LAMC 12.21-G.2.(a).[3] This determination results in a reduction of 49 replacement trees for the Mixed Use Development Scenario in lieu of the 311-tree requirement[13] or a 71-tree reduction of the tree replacement rules for the No-Hotel Development Scenario's 333-tree requirement[14] when compared with the City's tree replacement and planting requirements. With approval of this determination, the Project would not conflict with any local policies or ordinances protecting biological resources, including a tree preservation policy or ordinance, and impacts would be less than significant.

Lastly, the Project Site does not support any habitat or natural community. Accordingly, no Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plans apply to the Project Site. Thus, the Project would not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other related plans, and no impacts would occur.

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[12] *The Tree Resource, Protected Tree Report, January 5, 2021. See Appendix B of this Draft EIR.*

[13] *LAMC Open Space trees (185) plus replacement trees (126) equals 311 trees.*

[14] *LAMC Open Space trees (207) plus replacement trees (126) equals 333 trees.*

e. Cultural Resources (Human Remains)

As discussed in the Initial Study, included as Appendix A of this Draft EIR, no known traditional burial sites have been identified on the Project Site and the likelihood that human remains of historical or prehistoric age are preserved within the Project Site is low. In addition, no references to burials on the property in association with previous uses, specifically the operation of the Sisters' Hospital (St. Vincent Hospital) were found. Further, extensive disturbances associated with the construction of the MWD complex have likely removed both historical-period deposits associated with the former hospital as well as any prehistoric deposits that may have existed within the Project Site. The possibility of encountering human interments from the prehistoric era is, therefore, also unlikely. While the uncovering of human remains is not anticipated, if human remains are discovered during construction, such resources would be treated in accordance with state law, including CEQA Guidelines Section 15064.5(e), Public Resources Code Section 5097.98, and California Health and Safety Code Section 7050.5. Specifically, if human remains are encountered, work on the relevant portion of the Project Site would be suspended, and the Los Angeles Department of Public Works (LADPW) as well as the County Coroner would be notified immediately. If the remains are determined by the County Coroner to be Native American, the Native American Heritage Commission (NAHC) would be notified within 24 hours, and NAHC guidelines would be adhered to in the treatment and disposition of the remains. Compliance with these regulatory standards would ensure appropriate treatment of any potential human remains unexpectedly encountered during grading and excavation activities. Therefore, the Project's impact on human remains would be less than significant.

f. Geology and Soils (Landslides, Erosion, Expansive Soils, and Septic Tanks)

Landslides generally occur in loosely consolidated, wet soil and/or rocks on steep sloping terrain. While the Project Site has a grade difference of approximately 51 feet from the Project Site's eastern portion to the Project Site's western portion, the Project Site is currently mostly paved and developed with four vacant buildings and the Elysian apartment building. Therefore, the Project Site does not currently include expanses of exposed soils which could result in a landslide during a rain event. In addition, the Project Site is not located in a landslide area as mapped by the State or by the City of Los Angeles. Furthermore, the Project would not alter exposed soils on a hill, nor inject water into the soil upslope that could cause a landslide downhill. As such, the Project Site would not be susceptible to landslides. No impacts associated with landslides would occur.

Although Project development has the potential to result in the erosion of soils, this potential would be reduced by implementation of standard erosion controls imposed during site preparation and grading activities. Regarding soil erosion during Project operations, the potential is relatively low since the Project Site would be fully developed and no soils

would be left exposed. Therefore, with compliance with applicable regulatory requirements, impacts regarding soil erosion or the loss of topsoil would be less than significant.

As discussed in the Initial Study, the on-site geologic materials are in the very low to low expansion range. In addition, the Project would not inject water into the soil that could cause the swelling and drying of water. Therefore, the Initial Study concluded that impacts related to unstable and expansive soils would be less than significant.

The Project would not require the use of septic tanks or alternative wastewater disposal systems. Therefore, the Project would have no impact related to the ability of soils to support septic tanks or alternative wastewater disposal systems.

The Project Site is currently developed with vacant structures, the Elysian apartment building, and surface parking. There are no unique geologic features on the Project Site. Therefore, the Project would not directly or indirectly destroy a unique geologic feature.

g. Hazards and Hazardous Materials (Airport, Airstrip, and Wildfires)

The Project Site is not located within an area subject to an airport land use plan or within 2 miles of an airport. The closest airport to the Project Site is the Bob Hope Airport, located approximately 14 miles northwest of the Project Site. In addition, the Project Site is not located within a designated Airport Influence Area as designated by the County of Los Angeles Land Use Committee. Therefore, the Project would not have the potential to exacerbate current environmental conditions that would result in a safety hazard associated with the Project Site's proximity to an airport, and no impacts would occur.

Similarly, the Project Site is not located within 2 miles of a private airstrip. The nearest private airstrip is the Los Alamitos Army Airfield, located approximately 20 miles southeast of the Project Site. Therefore, the Project would not have the potential to exacerbate current environmental conditions that would result in a safety hazard associated with the Project Site's location relative to a private airstrip, and no impacts would occur.

The Project Site is located in an urbanized area of the City of Los Angeles, and there are no wildlands located in the Project area. Furthermore, the Project Site is not located within a City-designated Very High Fire Hazard Severity Zone. Therefore, the Project would not subject people or structures to a significant risk of loss, injury, or death as a result of exposure to wildland fires, and the proposed residential and commercial uses would not create a fire hazard that has the potential to exacerbate the current

environmental condition relative to wildfires. Impacts associated with wildland hazards would be less than significant.

h. Hydrology and Water Quality (Flooding)

The Project Site is not located within a 100-year flood plain as mapped by the Federal Emergency Management Agency or by the City of Los Angeles. Thus, the Project would not place housing or other structures within a 100-year flood plain, and no impacts would occur.

As discussed above, the Project Site is not located within a designated 100-year flood plain area. Therefore, the Project would not place structures that would impede or redirect flood flows within a 100-year flood plain.

Furthermore, the Project Site is not located adjacent to or in proximity to the ocean and the Safety Element of the City of Los Angeles General Plan does not map the Project Site as being located within an area potentially affected by a tsunami. The Los Angeles River is located approximately 1.2 miles east of the Project Site, but includes a sunken concrete lined channel; therefore, inundation as a result of seiche is unlikely, particularly given the Project Site's elevation above mean sea level. In addition, the Project Site is not mapped by either the State or the City as being located in an area prone to landslides. As such, the potential for the Project Site to be inundated by mudflows is low. Therefore, the Project Site's impact with regard to seiche, tsunami, or mudflow events would be less than significant.

i. Land Use and Planning (Community Division and Conservation Plans)

The Project Site is located in a highly urbanized area with a mix of commercial and residential uses. The Project would replace the existing vacant structures within the Project Site with a new infill mixed use project. In addition, while the Project would merge a portion of Beaudry Avenue and Sunset Boulevard adjacent to the Project Site, access would continue to be available through Beaudry Avenue at Sunset Boulevard. In addition, the Project does not propose a freeway or other large infrastructure that would divide the existing surrounding community. Therefore, the Project would not physically divide an established community. Impacts related to the physical division of an established community would be less than significant. As previously discussed, the Project Site does not support any habitat or natural community. Accordingly, no Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plans apply to the Project Site. Thus, the Project would not conflict with the provisions of an adopted

habitat conservation plan or natural community conservation plan, and no impacts would occur.

j. Mineral Resources

No mineral extraction operations currently occur on the Project Site. Furthermore, the Project Site is not located within a City-designated Mineral Resource Zone where significant mineral deposits are known to be present, or within a mineral producing area as classified by the California Geologic Survey. The Project Site is also located within the Los Angeles City Oil Field. As discussed in the Initial Study, eight oil well heads were located onsite in 1903, including five standard oil wells and three well heads. Wells in the East Field produced satisfactorily at the start but waned quickly, operating only between two and 13 years. Oil drilling on a portion of the Project Site continued through the early 1900s under a 10-year lease; however, oil drilling and extraction on the Project Site has not occurred since then and no producing oil wells exist on the Project Site. Therefore, the Project would not result in the loss of availability of a mineral resource or a mineral resource recovery site and impacts to mineral resources would be less than significant.

k. Noise (Airport and Airstrip)

The Project Site is not located within an area subject to an airport land use plan or within 2 miles of an airport. The closest airport to the Project Site is Bob Hope Airport, located approximately 14 miles northwest of the Project Site. The Project Site is also not located within the designated Airport Influence Area of the Los Angeles International Airport as designated by the County of Los Angeles Land Use Committee. Therefore, the Project would not have the potential to expose people residing or working within and in the vicinity of the Project Site to excessive noise levels from an airport, and no impacts would occur.

The Project Site is not located within the vicinity of a private airstrip. The nearest private airstrip is the Los Alamitos Army Airfield, located approximately 20 miles southeast of the Project Site. Therefore, no impacts associated with noise generated from a private airstrip would occur.

l. Population and Housing (Displacement)

The Elysian apartment building is located within the Project Site but are not part of the Project and would remain. No other housing currently exists on the Project Site. Therefore, the Project would not displace any existing housing or any persons, which could require the construction of housing elsewhere. No impacts related to displacement of housing or persons would occur.

m. Transportation/Circulation (Air Traffic)

As previously discussed, the Project Site is not located within the vicinity of any private or public airport or planning boundary of any airport land use plan. Additionally, the Project does not propose any uses that would increase the frequency of air traffic. The Project would have a maximum height of approximately 572 feet. As such, the Project would be required to comply with applicable Federal Aviation Administration requirements regarding rooftop lighting for high-rise structures. In addition, the Project would be required to comply with the notice requirements imposed by the Federal Aviation Administration for all new buildings taller than 200 feet, and would complete Form 7460-1 (Notice of Proposed Construction or Alteration). Given the distance between the Project Site and the nearest airport, and compliance with applicable regulatory requirements and, impacts to air traffic patterns would be less than significant.

n. Utilities and Service Systems (Solid Waste)

Pursuant to the requirements of Senate Bill 1374, the Project would implement a construction waste management plan to recycle and/or salvage a minimum of 75 percent of non-hazardous demolition and construction debris. Materials that could be recycled or salvaged include asphalt, glass, and concrete. Debris not recycled could be accepted at the unclassified landfill (Azusa Land Reclamation) within Los Angeles County and within the Class III landfills open to the City. After accounting for mandatory recycling, the Project under the Mixed Use Development Scenario would result in approximately 2,751 tons of construction and demolition waste. In addition, after accounting for mandatory recycling, the Project under the No-Hotel Development Scenario would result in approximately 2,756 tons of construction and demolition waste. Given the remaining permitted capacity the Azusa Land Reclamation facility, which is approximately 57.72 million tons, as well as the remaining 163.39 million tons of capacity at the Class III landfills open to the City, the landfills serving the Project Site would have sufficient capacity to accommodate the Project's construction solid waste disposal needs under either scenario.

Upon full buildout, the Project under the Mixed Use Development Scenario would generate approximately 2,896 tons of solid waste per year. The Project under the No-Hotel Development Scenario would generate approximately 2,824 tons of solid waste per year. The estimated solid waste is conservative because the waste generation factors used do not account for recycling or other waste diversion measures such as compliance with Assembly Bill 341, which requires California commercial enterprises and public entities that generate four cubic yards or more per week of waste, and multi-family housing with five or more units, to adopt recycling practices. Likewise, the analysis does not include implementation of the City's upcoming Zero Waste LA franchising system, which is expected to result in a reduction of landfill disposal Citywide with a goal of reaching a Citywide recycling rate of 90 percent by the year 2025. The estimated annual net increase

in solid waste that would be generated by the Mixed Use Development Scenario represents approximately 0.002 percent of the remaining capacity for the County's Class III landfills open to the City of Los Angeles.[15] In addition, the estimated annual net increase in solid waste that would be generated by the No-Hotel Development Scenario also represents approximately 0.002 percent of the remaining capacity for the County's Class III landfills open to the City of Los Angeles.[16] As such, the landfills that serve the Project Site would have sufficient permitted capacity to accommodate the solid waste that would be generated by the construction and operation of the under both development scenarios.

The Project would be consistent with the applicable regulations associated with solid waste. Specifically, the Project would provide adequate storage areas in accordance with the City of Los Angeles Space Allocation Ordinance (Ordinance No. 171,687), which requires that development projects include an on-site recycling area or room of specified size.[17] The Project would also comply with AB 939, AB 341, AB 1826, and City waste diversion goals, as applicable, by providing clearly marked, source-sorted receptacles to facilitate recycling. Since the Project would comply with federal, State, and local statutes and regulations related to solid waste, impacts would be less than significant.

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[15] *(2,896 tons per year/163.39 million tons per year) x 100 = ~0.002%*

[16] *(2,824 tons per year/163.39 million tons per year) x 100 = ~0.002%*

[17] *Ordinance No. 171,687, adopted by the Los Angeles City Council on August 6, 1997.*