I. Executive Summary

I. Executive Summary

In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15123, this section of this Draft Environmental Impact Report (EIR) contains a brief summary of the proposed 2159 Bay Street Project (Project) and its potential environmental effects. More detailed information regarding the Project and its potential environmental effects is provided in the following sections of this Draft EIR. Also included in this section is an overview of the purpose and focus of this Draft EIR, a description of the organization of this Draft EIR, a general description of the Project, a general description of areas of controversy, a description of the public review process for this Draft EIR, a list of the project design features and mitigation measures to be implemented as part of the Project, and a summary of the alternatives to the Project evaluated in this Draft EIR, including identification of the Environmentally Superior Alternative.

1. Purpose of this Draft EIR

As described in Section 15121 of the CEQA Guidelines, an EIR is an informational document that will inform public agency decision-makers and the public of the significant environmental effects of a project, identify possible ways to minimize any significant effects, and describe reasonable project alternatives. Therefore, the purpose of this Draft EIR is to focus the discussion on the Project's potential environmental effects that the City of Los Angeles (City), as the Lead Agency, has determined to be, or potentially may be significant. Feasible mitigation measures are recommended, when applicable, that could reduce or avoid the Project's significant environmental impacts.

This Draft EIR serves as the environmental document for all actions associated with the Project. This Draft EIR is a "Project EIR," as defined by Section 15161 of the CEQA Guidelines. Furthermore, this Draft EIR complies with Section 15064 of the CEQA Guidelines, which discusses determining the significance of the environmental effects caused by a project.

2. Draft EIR Focus and Effects Found Not to Be Significant

In accordance with Section 15128 of the CEQA Guidelines, an EIR shall contain a brief statement indicating reasons that various possible significant effects of a project were

determined not to be significant and not discussed in detail in the Draft EIR. An Initial Study was prepared for the Project and a Notice of Preparation (NOP) was distributed for public comment to the State Clearinghouse, Governor's Office of Planning and Research, responsible agencies, and other interested parties on August 24, 2018, for a 30-day review period ending on September 24, 2018. The Initial Study, NOP, and NOP comment letters are 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 determined, through the Initial Study, that the Project could potentially result in significant environmental impacts in the following environmental issue areas which are evaluated in this EIR:[1]

- Air Quality
- Cultural Resources
- Energy[2]
- Geology and Soils (paleontological resources)
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services (fire protection, police protection)
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems (water supply//infrastructure, energy infrastructure)

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[1] *At the time the NOP was issued, the Appendix G checklist did not include a category about Wildfire. Refer to Section 4, Thresholds of Significance, below for further details on the December 2018 updates to Appendix G. Wildfire impacts are addressed in Section VI, Other CEQA Considerations, of this Draft EIR.*

[2] *At the time the NOP was issued, the Appendix G checklist did not include a category about Energy. The Initial Study prepared for the Project did, however, note that Energy would be evaluated in the Draft EIR in accordance with Appendix F of the CEQA Guidelines. Refer to Section 4, Thresholds of Significance, below for further details on the December 2018 updates to Appendix G.*

The City determined through the Initial Study that the Project would not have the potential to cause significant impacts related to: aesthetics; agriculture and forestry resources; air quality (odors); biological resources; geology and soils (excluding paleontological resources[3]); hazards and hazardous materials (excluding foreseeable accidental release, emission of hazardous materials near a school, airport/airstrip hazards, impairment/interference with emergency response/evacuation plans; wildland fires); hydrology and water quality (flood zone, impede/redirect flood flows; flooding as a result if dam failure; and inundation by seiche/tsunami/mud flow); land use and planning (physical division of an established community, conflict with habitat conservation plan)[4]; mineral resources; noise (airport/airstrip noise); population and housing; public services (school, parks, other); recreation; transportation (hazards due to design features, inadequate emergency access); utilities (wastewater, solid waste); and wildland fires. Therefore, these areas were not further analyzed in this Draft EIR. The Initial Study, which demonstrated that no significant impacts would occur for these issue areas, is included in Appendix A.1 of this Draft EIR.

3. Draft EIR Organization

This Draft EIR is comprised of the following sections:

I. Executive Summary. This section describes the purpose of this Draft EIR, Draft EIR focus and effects found not to be significant, Draft EIR organization, Project summary, areas of controversy and issues to be resolved, public review process, summary of alternatives, and a summary of environmental impacts and mitigation measures.

II. Project Description. This section describes the Project location, existing conditions, Project objectives, characteristics of the Project, and requested permits and approvals.

III. Environmental Setting. This section contains a description of the existing physical and built environment and a list of related projects anticipated to be built in the vicinity of the Project Site.

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[3] *Paleontological Resources was moved from Cultural Resources to Geology and Soils as part of the December 28, 2018 CEQA updates.*

[4] *At the time the NOP was issued, the Appendix G checklist included a threshold related to habitat conservation plans and natural community conservation plans. This threshold was deleted as part of the December 2018 updates to Appendix G and these issues are now addressed solely under Biological Resources.*

IV. Environmental Impact Analysis. This section contains the environmental setting, Project and cumulative impact analyses, mitigation measures (where necessary), and conclusions regarding the level of significance after mitigation for each of the following environmental issues: air quality, cultural resources, energy, geology and soils (paleontological resources); GHGs; hazards and hazardous materials; hydrology and water quality; land use and planning; noise, public services (fire protection, police protection); transportation, tribal cultural resources; and utilities (water supply//infrastructure, energy infrastructure).

V. Alternatives. This section provides an analysis of a reasonable range of alternatives to the Project including: Alternative 1—No Project/No Build Alternative; Alternative 2—Existing Zoning Compliant Alternative; and Alternative 3—25% Reduced Project Alternative.

VI. Other CEQA Considerations. This section provides a discussion of significant unavoidable impacts that would result from the Project and the reasons why the Project is being proposed notwithstanding the significant unavoidable impacts. An analysis of the significant irreversible changes in the environment and potential secondary effects that would result from the Project is also presented here. This section also analyzes potential growth-inducing impacts of the Project and potential secondary effects caused by the implementation of the mitigation measures for the Project. Lastly, a summary of the possible effects of the Project that were determined not to be significant within the Initial Study is provided.

VII. References. This section lists the references and sources used in the preparation of this Draft EIR.

VIII. Acronyms and Abbreviations. This section provides a list of acronyms and abbreviations used in this Draft EIR.

IX. List of Preparers. This section lists the persons, public agencies, and organizations that were consulted or contributed to the preparation of this Draft EIR.

This Draft EIR includes the environmental analysis prepared for the Project and appendices as follows:

- Appendix A—Initial Study, NOP (Notice of Preparation), and NOP Comment Letters
  - Appendix A.1—Initial Study

  - Appendix A.2—Notice of Preparation (NOP)
  - Appendix A.3—NOP Comment Letters
- Appendix B—Air Quality and Greenhouse Gas Emissions
  - Appendix B.1—Air Quality and Greenhouse Gas Emissions Methodology
  - Appendix B.2—Air Quality Worksheet and Modeling Output Files
  - Appendix B.3—Greenhouse Gas Worksheets and Modeling Output Files
- Appendix C—Archaeological Resources Assessment Memo
- Appendix D—Historical Resources Report
- Appendix E—Energy Calculations
- Appendix F—NHMLA Paleontological Records Search
- Appendix G—Hazardous Materials
  - Appendix G.1—Phase I Environmental Site Assessment
  - Appendix G.2—Limited Phase II Subsurface Investigation
  - Appendix G.3—Source Area Removal Report
  - Appendix G.4—County of Los Angeles Fire Department Review of Reports
  - Appendix G.5—Corrections to Phase I Environmental Site Assessment
- Appendix H—Water Resources Technical Report (Hydrology Report)
- Appendix I—Land Use Plans Consistency Analysis Tables
- Appendix J—Noise Calculations
- Appendix K—Los Angeles Fire Department Response Letter
- Appendix L—Los Angeles Police Department Response Letter
- Appendix M—Transportation
  - Appendix M.1—Transportation Assessment
  - Appendix M.2—LADOT Transportation Assessment Letter
  - Appendix M.3—Project Driveways Change Memo

  - Appendix M.4—Updated LADOT Transportation Assessment Letter
- Appendix N—Tribal Cultural Resources
  - Appendix N.1—Tribal Cultural Resources Report
  - Appendix N.2— AB 52 Consultation
- Appendix O—Utility Infrastructure Technical Report: Water
- Appendix P—Utility Infrastructure Technical Report: Wastewater
- Appendix Q—Dry Utilities
  - Appendix Q.1—Dry Utility Report
  - Appendix Q.2—LADWP Electricity Will-Serve Letter
  - Appendix Q.3—SoCalGas Natural Gas Will-Serve Letter
- Appendix R—VMT Calculator Runs for Alternatives

4. Thresholds of Significance

In 2006, the City published the L.A. CEQA Thresholds Guide (Thresholds Guide) as a guidance document for preparing CEQA analyses for projects within the City. The Thresholds Guide includes two sets of criteria to evaluate project impacts: screening criteria, which provide direction in determining the appropriate environmental document required for a project; and significance thresholds, which assist in determining whether a project's impacts generally would be significant under normal circumstances and would therefore require mitigation. Although intended as a voluntary tool, the Thresholds Guide offers a consistent set of evaluation criteria applicable to most discretionary projects in the City, and the Los Angeles Department of City Planning (DCP) has typically used both the screening criteria and significance thresholds as the basis for project analyses in its CEQA documents. However, the Thresholds Guide clearly indicates the Lead Agency—in this case, the DCP—retains the authority to determine significance thresholds on a case-by-case basis, dependent upon unique environments, evolving regulatory requirements, and the nature of each project. In addition, the Thresholds Guide states it is not intended as a substitute for the use of independent judgment to determine significance or the evaluation of the evidence in the record. Moreover, it states "[b]ecause evaluation practices continue to evolve due to changing regulations, scientific methods, and court decisions, the project

evaluator and lead City agency should always use the best information and evaluation methods available, including those from sources other than the Thresholds Guide."[5]

In light of an evolving regulatory environment, recent case law, new topics such as greenhouse gas emissions and tribal cultural resources that are now addressed in Appendix G of the State CEQA Guidelines (Appendix G), and the age of the Thresholds Guide, the DCP has begun to update its CEQA guidance. At this point in time, the DCP has chosen to rely on the Appendix G questions as thresholds of significance. As noted above, the City has discretion in choosing appropriate significance thresholds. Therefore, throughout this Draft EIR, the thresholds contained in Appendix G are used. The factors and considerations set forth in the Thresholds Guide are utilized where appropriate to assist in answering the Appendix G threshold questions.

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. The update also added energy and wildfire questions to Appendix G. The updated CEQA Guidelines became effective on December 28, 2018, and are reflected throughout this Draft EIR.

5. Existing Project Site Conditions

The Project Site comprises a 74,063-square-foot lot (1.70 acres) at 2136–2148 and 2159 E. Bay Street, and 2145–2161 E. Sacramento Street. The Project Site is currently developed with three buildings (referred to herein as Building 1, Building 2, and Building 3) comprising a total of 39,328 square feet of floor area. Building 1 includes 7,106 square feet of office uses, Building 2 includes 6,584 square feet of light industrial uses, and Building 3 includes 25,638 square feet of light industrial and creative office uses. Other smaller structures at the Project Site include shipping containers that have been converted into offices and conference rooms, tents used for welding operations and meetings, and stacked parking systems. In addition, designated areas for storage of industrial byproducts and materials associated with on-site uses are located on the south side of Building 3. The Project Site also includes surface parking on the northern and eastern portions of the Project Site. Vehicular access to the Project Site is available via a driveway along Bay Street. The Project Site is relatively flat with limited ornamental landscaping.

The Project Site is located within the planning boundary of the City's Central City North Community Plan area.[6] The Project Site is designated as Heavy Industrial and is

[5] *City of Los Angeles, L.A. CEQA Thresholds Guide, 2006, p. 3.*

zoned M3-1-RIO. The M3 designation indicates that the Project is located in a Heavy Industrial zone, which permits a wide variety of industrial, manufacturing, and storage uses, as well as office and commercial uses. The "1" indicates that the Project Site is located in Height District 1, which does not specify a building height limit, but limits the FAR to 1.5 to 1. The RIO designation is for the City's River Improvement Overlay (RIO) district, which is designed to provide for preservation of tributaries and rivers in the City of Los Angeles by promoting river identity, supporting local species, and convenient access, among many other aspects. The Project Site is also located within the City's Community Redevelopment Agency (CRA) Central Industrial Redevelopment Project area, Central City Parking Area, a Transit Priority Area (TPA) as defined by ZI File No. 2452, and a Tier 3 Transit Oriented Communities (TOC) area.[7]

6. Description of the Proposed Project

The Project would include the development of a creative office campus comprised of a 10-story commercial high-rise building, a two-story commercial building, a one-story commercial building, and a one-story electrical enclosure, which would together include approximately 222,189 square feet of floor area (i.e., 217,189 square feet of creative office floor area and 5,000 square feet of retail and restaurant floor area) and result in a 3.0:1 floor-area ratio (FAR). The Project also would provide a total of 711 vehicle parking spaces within up to four subterranean parking levels and one ground floor parking level. To accommodate the Project, all existing buildings and uses on-site would be removed, including the three existing buildings that total 39,328 square feet of office and industrial floor area.

The Project would create a pedestrian environment along Bay Street and Sacramento Street, an area that currently lacks pedestrian infrastructure, by constructing new sidewalks, planting new street trees, creating ground floor commercial space with storefront glazing, and a lobby entrance for the office/creative office tenants along a pedestrian paseo. Vehicular access to the Project would be provided from driveways located on Bay Street and Sacramento Street, and a lay-by for passenger drop-off and pick-up on Bay Street. The roof level of the 10-story building would include an outdoor

[6] *The City is currently in the process of updating the Central City North Community Plan in conjunction with an update to the Central City Community Plan, in a combined plan referred to as the DTLA 2040 Plan. The purpose of the DTLA 2040 Plan is to develop and implement a future vision for Downtown that supports and sustains ongoing revitalization while thoughtfully accommodating projected future growth. The draft DTLA 2040 Plan was released in June 2019 and updated in November 2020, an associated Draft EIR was released in August 2020, and the CPC voted to recommend approval of Plan and new Zoning Code in September 2021. The draft DTLA 2040 Plan is still undergoing City review.*

[7] *City of Los Angeles Department of City Planning, Zoning Information and Map Access System (ZIMAS), Parcel Profile Report for 2159 East Bay Street, http://zimas.lacity.org, accessed March 12, 2019.*

landscaped terrace for the building's office tenants, and a pedestrian paseo would be provided at the ground level in the eastern portion of the Project Site.

Refer to Section II, Project Description, of this Draft EIR for a detailed description of the Project and the requested permits and approvals.

7. Areas of Controversy

Based on the NOP comment letters provided in Appendix A.3 of this Draft EIR, issues known to be of concern include, but are not limited to, Project impacts associated with air quality, GHGs and transportation.

8. Public Review Process

The City prepared an Initial Study and circulated an NOP for public comment to the State Clearinghouse, Office of Planning and Research, responsible agencies, and other interested parties on August 24, 2018, for a 30-day review period ending on September 24, 2018. The Initial Study, NOP, and NOP comment letters are included in Appendix A of this Draft EIR.

This Draft EIR is being circulated for a 45-day public comment period. Following the public comment period, a Final EIR will be prepared that will include responses to the comments raised regarding this Draft EIR.

9. Summary of Environmental Impacts

Table I-1 on page I-10 provides a summary of the environmental impacts of the Project evaluated in this Draft EIR. Based on the analysis in Section IV, Environmental Impact Analysis, of this Draft EIR, implementation of the Project would result in the following significant and unavoidable impacts: on- and off-site construction noise; and on- and off-site construction vibration (human annoyance). The following cumulative impacts would also be significant and unavoidable: on- and off-site construction noise; off-site construction vibration (human annoyance); and off-site operational noise. However, cumulative construction noise impacts would only occur if: (1) completion of Related Project No. 9 is delayed; and (2) the proposed mixed-use development at receptor location R2 is built and occupied prior to or during concurrent construction of Related Project No. 9 and the Project.

Table I-1
Summary of Impacts Under the Project

Environmental Issue	Proposed Project Impact
A. AIR QUALITY	
Regional Emissions	
Construction	Less Than Significant
Operation	Less Than Significant
Localized Emissions	
Construction	Less Than Significant
Operation	Less Than Significant
Toxic Air Contaminants	
Construction	Less Than Significant
Operation	Less Than Significant
B. CULTURAL RESOURCES	
Historical Resources	Less Than Significant
Archaeological Resources	Less Than Significant
C. ENERGY	
Wasteful, inefficient, or unnecessary consumption of Energy Resources	
Construction	Less Than Significant
Operation	Less Than Significant
Conflict with Plans for Renewable Energy or Energy Efficiency	Less Than Significant
D. GEOLOGY AND SOILS	
Paleontological Resources	Less Than Significant w/Mitigation
E. GREENHOUSE GAS EMISSIONS	
Greenhouse Gas Emissions	Less Than Significant
F. HAZARDS AND HAZARDOUS MATERIALS	
Hazards and Hazardous Materials	Less Than Significant
G. HYDROLOGY AND WATER QUALITY	
Water Quality Standards/Waste Discharge Requirements	Less Than Significant
Groundwater Supplies/Recharge	Less Than Significant
Erosion/Siltation, Flooding, Stormwater Infrastructure Capacity	Less Than Significant
Impede/Redirect Flood Flows	Less Than Significant
Water Quality Control Plan/Sustainable Groundwater Plan	Less Than Significant
H. LAND USE AND PLANNING	
Conflict with Land Use Plans	Less Than Significant
I. NOISE	
Construction[a]	
On-Site Noise	**Significant and Unavoidable**
Off-Site Noise	**Significant and Unavoidable**
On-Site Vibration (Building Damage)	Less Than Significant w/Mitigation
On-Site Vibration (Human Annoyance)	**Significant and Unavoidable**
Off-Site Vibration (Building Damage)	Less Than Significant
Off-Site Vibration (Human Annoyance)	**Significant and Unavoidable**

Table I-1 (Continued)
Summary of Impacts Under the Project

Environmental Issue	Proposed Project Impact
Operation	
On-Site Noise	Less Than Significant
Off-Site Noise	Less Than Significant
Vibration (Building Damage and Human Annoyance)	Less Than Significant
J. PUBLIC SERVICES	
Fire Protection	
Construction	Less Than Significant
Operation	Less Than Significant
Police Protection	
Construction	Less Than Significant
Operation	Less Than Significant
K. TRANSPORTATION	
Conflict with Plans	Less Than Significant
Vehicle Miles Traveled	Less Than Significant w/Mitigation
Hazardous Design Features	Less Than Significant
Emergency Access	Less Than Significant
Freeway Safety Analysis	Less Than Significant
L. TRIBAL CULTURAL RESOURCES	
Tribal Cultural Resources	Less Than Significant
M. UTILITIES AND SERVICE SYSTEMS	
Water Supply and Infrastructure	
Construction	Less Than Significant
Operation	Less Than Significant
Energy Infrastructure	
Construction	Less Than Significant
Operation	Less Than Significant

[a] *In addition to the Project-level noise and vibration impacts identified for the Project and the development alternatives (i.e., Alternatives 2-4), cumulative noise and vibration impacts for the Project and the development alternatives would be less than significant before mitigation, except that the following cumulative noise and vibration impacts would be significant unavoidable: (1) cumulative on- and off-site construction noise; (2) cumulative off-site construction vibration (human annoyance); and (3) cumulative off-site operational noise. However, cumulative construction noise impacts would only occur if: (1) completion of Related Project No. 9 is delayed; and (2) the proposed mixed-use development at receptor location R2 is built and occupied prior to or during concurrent construction of Related Project No. 9 and the Project.*

Source: Eyestone Environmental, 2022.

10. Project Design Features

The following project design features would be implemented as part of the Project:

a. Air Quality

Project Design Feature AQ-PDF-1: Electricity to serve the Projects non-emergency operational needs will be supplied to the Project Site by LADWP and will be obtained from LADWP power poles and electrical lines rather than from temporary gasoline or diesel powered generators.

b. Cultural Resources

Project Design Feature CUL-PDF-1: Prior to commencement of construction activities for the Project, the construction contractor and construction personnel will attend and complete Workers Environmental Awareness Program (WEAP) training conducted by a qualified archaeologist. The WEAP training will identify: (1) the types and characteristics of archaeological materials that may be identified during construction and explain the importance of and legal basis for the protection of cultural resources; (2) proper procedures to follow in the event that cultural resources are uncovered during ground-disturbing activities, including procedures for work curtailment or redirection; and (3) protocols for contacting of the site supervisor and archaeological monitor upon discovery of a resource and the (principal archaeologist if a monitor is not present).

c. Greenhouse Gas Emissions

Project Design Feature GHG-PDF-1: The design of the new buildings will incorporate the following sustainability features:

- Incorporate energy-saving technologies and components to reduce the Project's electrical use profile. Examples of these components include the use of light emitting diode (LED) and other efficient lighting technology, energy saving lighting control systems such as light- and motion-detection controls (where applicable), and energy efficient heating, ventilation, and air conditioning (HVAC) equipment.
- HVAC mechanical systems and building lighting shall be controlled with timing systems to prevent accidental or inappropriate conditioning or lighting of unoccupied space.

- Demand control ventilation shall be utilized in HVAC systems, and refrigerants in HVAC equipment shall have low GHG emission rates. In particular, the HVAC system shall be designed to optimize exterior and interior air-flow to ensure healthy indoor air quality.
- Incorporate energy-efficient design methods and technologies such as a centralized chiller plant with rooftop ventilation, high performance window glazing, passive design and façade shading devices, high efficiency domestic water heaters, and enhanced insulation to minimize solar heat gain.
- Use of water-efficient plantings with drought-tolerant species.
- Allocate preferred parking for alternative-fuel vehicles, low-emitting, and fuel-efficient and ride-sharing vehicles.

d. Hydrology and Water Quality

Project Design Feature HYD-PDF-1: An on-site storm runoff detention system will be installed to hold flow rates in excess of 3.36 cubic feet per second for a 50-year storm event.

Project Design Feature HYD-PDF-2: The building finish floor will be raised two (2) feet above the existing grade on Bay Street, and four (4) feet above existing grade on Sacramento Street.

e. Noise

Project Design Feature NOI-PDF-1: Power construction equipment (including combustion engines), fixed or mobile, shall be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards). All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.

Project Design Feature NOI-PDF-2: Project construction shall not include the use of driven (impact) pile systems.

Project Design Feature NOI-PDF-3: All outdoor mounted mechanical equipment shall be enclosed or screened from off-site noise-sensitive receptors. This project design feature does not apply to at-grade transformers per LADWP access requirements.

Project Design Feature NOI-PDF-4: Outdoor amplified sound systems, if any, shall be designed so as not to exceed the maximum noise level of 65 dBA ($L_{eq\text{-}1hr}$) at a distance of 25 feet from the face of the amplified speaker sound systems at the outdoor terrace, paseo and forum at

Level 1 and 85 dBA (L_{eq-1hr}) at a distance of 25 feet at the Penthouse Terraces.[8] A qualified sound system/acoustic consultant shall provide written documentation that the design of the system complies with these maximum noise levels.

Project Design Feature NOI-PDF-5: All loading docks shall be screened from off-site noise-sensitive receptors.

f. Public Services—Police Protection

Project Design Feature POL-PDF-1: During construction, the Applicant will implement temporary security measures including security fencing, lighting, and locked entry.

Project Design Feature POL-PDF-2: The Project will include private on-site security, alarm systems, a closed circuit security camera system, and keycard entry for the building and the parking areas.

Project Design Feature POL-PDF-3: The Project will provide proper lighting of building entries and walkways to facilitate pedestrian orientation and clearly identify a secure route between parking areas and points of entry into buildings.

Project Design Feature POL-PDF-4: The Project will provide sufficient lighting of parking areas, elevators, and lobbies to maximize visibility and reduce areas of concealment.

Project Design Feature POL-PDF-5: The Project will design entrances to, and exits from buildings, spaces around buildings, and pedestrian walkways to be open and in view of surrounding sites.

Project Design Feature POL-PDF-6: Prior to the issuance of a building permit, the Applicant will submit a diagram of the Project Site to the LAPD's Newton Area Commanding Officer that includes access routes and any additional information that might facilitate police response.

g. Transportation

Project Design Feature TR-PDF-1: A detailed Construction Management Plan and Worksite Traffic Control Plan shall be prepared and submitted to LADOT for review and approval prior to the issuance of any demolition, grading, or building permits. These plans shall include sidewalk/lane closure information, a detour plan, haul routes, and a staging plan to formalize how construction would be carried out and to identify specific actions required to reduce effects on the surrounding community. The

[8] *The sound limits are provided to ensure the amplified sound system would not exceed the significance criteria at any off-site noise-sensitive receptor locations.*

plans shall also identify all traffic control measures, signs, delineators, and work instructions to be implemented by the construction contractor through the duration of demolition and construction activity. The plans shall be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site.

h. Utilities and Service Systems—Water Supply and Infrastructure

Project Design Feature WAT-PDF-1: The Project design will incorporate environmentally sustainable building features required by the Los Angeles Green Building Code and CALGreen and be designed to meet the requirements for LEED Silver or equivalent. The following design features to support water conservation are in addition to those required by codes and ordinances for the entire Project:

- High-Efficiency Toilets for commercial projects with a flush volume of 1.0 gallon per flush.
- High-Efficiency Showerheads with a flow rate of 1.5 gallons per minute.
- Self-Closing Valves for faucets and drinking fountains. The flow rate for all indoor faucets will be 0.4 gallon per minute except for kitchen faucets for commercial use, which will be 1.8 gallons per minute.
- ENERGY STAR–Certified Appliances.
- Domestic Water Heating System located in close proximity to point(s) of use.
- Tankless and On-Demand Water Heaters for common areas and commercial uses.
- Leak Detection System for reflecting pools, swimming pools, and jacuzzi, if proposed for development.
- Drip/Subsurface Irrigation (Micro-Irrigation).
- Proper Hydro-Zoning/Zoned Irrigation (groups plants with similar water requirements together).
- Landscape Irrigation—micro-spray nozzles.

Project Design Feature WAT-PDF-2: Fire sprinkler suppression systems meeting City design standards will be installed in the proposed Project buildings.

i. Utilities and Service Systems—Energy Infrastructure

Project Design Feature EI-PDF-1: A 34.5 kV electrical line meeting LADWP standards will be extended from the west along the north side of Bay Street to serve the Project.

11. Mitigation Measures

The following mitigation measures would be implemented as part of the Project:

a. Geology and Soils

Mitigation Measure GEO-MM-1: The services of a qualified paleontologist shall be retained prior to earthmoving activities associated with the Project in order to develop a site-specific Paleontological Resource Mitigation and Treatment Plan. The plan shall specify the levels and types of mitigation efforts based on the types and depths of earthmoving activities and the geologic and paleontological sensitivity of the Project area. This plan shall be written in conformance with the guidelines of the Society of Vertebrate Paleontology and prepared to the satisfaction of the curatorial staff of the Vertebrate Paleontology Section of the Natural History Museum of Los Angeles County. If artificial fill, significantly disturbed deposits, or younger deposits too recent to contain paleontological resources are encountered during construction, the Project paleontologist may reduce or curtail monitoring in the affected areas, after consultation with the proponent and the City of Los Angeles. The plan shall also include a description of the professional qualifications required of key staff, communication protocols to be followed during construction, fossil-recovery protocols, sampling protocols for microfossils (if required), laboratory procedures, reporting requirements, and curation provisions for any collected fossil specimens.

Mitigation Measure GEO-MM-2: Prior to the start of any ground-disturbing activities, a preconstruction meeting shall take place during which the qualified paleontologist shall provide all construction personnel with paleontological sensitivity training via a Worker Environmental Awareness Program (WEAP). This training program will provide information regarding the potential to encounter subsurficial paleontological resources during grading and excavation activities and the need to protect such resources. The training will inform construction personnel of the location(s) and boundaries of any areas with a high paleontological resource potential. Instruction will be provided as to the appropriate procedures and notifications to be undergone should paleontological resources be discovered during Project construction. The training will also emphasize that

unauthorized collections or disturbances of protected fossils on or off the Project area are prohibited and may result in criminal penalties and fines. The qualified paleontologist or qualified paleontological monitor may attend tailgate meetings to brief the construction crew on paleontological monitoring protocols.

Mitigation Measure GEO-MM-3: A qualified professional paleontologist should attend any pre-construction meetings to consult with grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues. Communication protocols will be established to ensure that all grading and excavation activities are monitored and assessed to comply with the paleontological resource mitigation plan.

A paleontological monitor shall be on-site at all times during excavation where the original cutting of previously un-disturbed deposits of high paleontological resource potential (e.g., Quaternary old alluvial fan deposits) may occur to inspect exposures for contained fossils. The paleontological monitor will work under the direction of a qualified professional paleontologist. Screening of sediments may be required onsite at the discretion of the paleontological monitor or qualified professional paleontologist.

If paleontological resources are discovered during construction, the monitor will have the authority to temporarily divert or direct ground-disturbing activities in the immediate vicinity around the find until they are assessed for scientific significance and recovered (i.e., collected). Work may continue outside the buffer area.

Mitigation Measure GEO-MM-4: The paleontological monitor shall collect all significant paleontological resources encountered during monitoring, which will then be prepared in a properly equipped fossil-preparation laboratory. Preparation will include the removal of rock matrix from fossil materials as well as the stabilization, consolidation, and repair of specimens, as necessary. Fossil preparation will be done to the point that specimens are ready for curation. Specimens will be identified to the finest taxonomic level that is reasonably feasible before being sorted and catalogued as part of the mitigation program.

Once prepared, fossils should be deposited (as a donation) with an appropriate public, nonprofit scientific institution with permanent paleontological collections (such as a natural-history museum), along with copies of all pertinent field notes, photographs, and maps. The cost of curation and accession of fossil specimens at such a repository will be the responsibility of the Project owner and is required for compliance with the mitigation program.

Mitigation Measure GEO-MM-5: At the conclusion of paleontological monitoring effort, the qualified professional paleontologist shall prepare a final report detailing the paleontological resources recovered, their

significance, treatment, and arrangements made for their curation in a manner that meets the standards published by the Society of Vertebrate Paleontology. The final report shall be filed with the Applicant, the lead agency, and the curatorial staff of the Vertebrate Paleontology Section of the Natural History Museum of Los Angeles County.

b. Noise

Mitigation Measure NOI-MM-1: A temporary and impermeable sound barrier shall be erected at the locations listed below. At plan check, building plans shall include documentation prepared by a noise consultant verifying compliance with this measure.

- Along the western property line of the Project Site between the construction areas and proposed mixed-use development at 2110 Bay Street on the west side of the Project Site (receptor location R1, located adjacent to the Project Site to the west). The temporary sound barrier shall be minimum 16 feet high and designed to provide a minimum 15-dBA noise reduction at the ground level of receptor location R1. In the event the 2110 Bay Street project is not completed and occupied prior to or during Project construction, this mitigation measure shall not be required.
- Along the northeastern property line of the Project Site between the construction areas and proposed mixed-use development at 2143 Violet Street, north of the Project Site (receptor location R2, located on the north side of Violet Street, north of the Project Site). The temporary sound barrier shall be minimum 8 feet high and designed to provide a minimum 5-dBA noise reduction at receptor location R2. In the event the 2143 Violet Street project is not completed and occupied prior to or during the demolition phase of Project construction, this mitigation measure shall not be required.

Mitigation Measure NOI-MM-2: Prior to start of construction, the Applicant shall retain the services of a structural engineer or qualified professional to visit the existing single-story commercial/industrial buildings adjacent to the Project Site to the east and west to inspect and document the apparent physical condition of the buildings' readily-visible features.

Prior to construction, the Applicant shall retain the services of a qualified acoustical engineer to review proposed construction equipment and develop and implement a vibration monitoring program capable of documenting the construction-related ground vibration levels at the off-site nearby/adjacent buildings during demolition and grading/excavation phases. In the event that consent is not provided from the adjacent property owners, the vibration monitoring shall be made at the Project Site property line. The vibration monitoring at the

Project property line would provide a conservative reading, as it would be closer to the construction equipment. The vibration monitoring system shall continuously measure and store the peak particle velocity (PPV) in inch/second. The system shall also be programmed for two preset velocity levels: a warning level of 0.16 PPV and a regulatory level of 0.20 PPV. The system shall also provide real-time alert when the vibration levels exceed the warning level.

In the event the warning level (0.16 PPV) is triggered, the contractor shall identify the source of vibration generation and provide feasible steps to reduce the vibration level, including but not limited to halting/staggering concurrent activities and utilizing lower vibratory techniques.

In the event the regulatory level (0.20 PPV) is triggered, the contractor shall halt construction activities in the vicinity of the building and visually inspect the building for any damage. Results of the inspection must be logged. The contractor shall identify the source of vibration generation and provide feasible steps to reduce the vibration level. Construction activities may then restart.

c. Transportation

Mitigation Measure TR-MM-1: The Project shall prepare and implement a TDM Program with the following measures subject to review and approval by LADOT:

- *Parking cash-out*. The Project shall require employers to offer employees the opportunity to "cash-out" the monthly value of their free or subsidized parking space with 75 percent of employees assumed eligible.
- *Education & Encouragement—Promotions and Marketing*. The Project shall use marketing, educational and promotional tools, and materials (such as posters, info boards, or a website with information) to educate and inform travelers about site-specific transportation options and the effects of their travel choices with 100 percent of employees eligible.
- *Commute Trip Reductions—Ride-share Program.* The Project shall provide a rideshare program to include ride-share matching services, designating preferred parking for ride-share participants, adequate passenger loading/unloading and waiting areas for ride-share vehicles, and providing a website or message board to connect riders and coordinate rides with 100 percent of employees eligible.

- *Shared Mobility—Car-share and bike share.* The Project shall provide 10 on-site bike share spaces to allow people to have on-demand access to a bicycle, as needed.
- *Bicycle Infrastructure.* The Project shall implement/improve on street bicycle facility through the contribution of $100,000 to LADOT's Bicycle Trust Fund for LADOT to implement improvements for the bicycle network and/or facilities in the Project area; provision of bicycle parking per LAMC requirements; and provision of secure bike parking and showers.
- *Neighborhood Enhancement—Pedestrian Network Improvement*. The Project shall enhance pedestrian circulation by providing an on-site pedestrian paseo connecting Bay Street and Sacramento Street.

12. Summary of Alternatives

This Draft EIR examined three alternatives to the Project in detail which include: Alternative 1—No Project/No Build Alternative; Alternative 2—Existing Zoning Compliant Alternative; and Alternative 3—25% Reduced Project Alternative. A general description of these alternatives is provided below. Refer to Section V, Alternatives, of this Draft EIR for a more detailed description of these alternatives, a comparative analysis of the impacts of these alternatives with those of the Project, and a description of the alternatives considered but rejected as infeasible.

a. Alternative 1: No Project/No Build Alternative

In accordance with the CEQA Guidelines, the No Project Alternative for a development project on an identifiable property consists of the circumstance under which the project does not proceed. Section 15126.6(e)(3)(B) of the CEQA Guidelines states in part that, "in certain instances, the No Project Alternative means 'no build' wherein the existing environmental setting is maintained." Accordingly, for purposes of this analysis, Alternative 1, the No Project/No Build Alternative, assumes that the Project would not be approved, no new development would occur on the Project Site, and the existing on site uses would be retained. Specifically, the Project Site, which is currently developed with three buildings totaling 39,328 square feet of creative office, office and light industrial uses, as well as surface parking, would be retained in its current condition.

Alternative 1 would avoid the Project's significant and unavoidable environmental impacts related to on- and off site construction noise impacts, on- and off site construction vibration (pursuant to the significance criteria for human annoyance), cumulative on- and off site construction noise; cumulative off site operational noise, and cumulative off site construction vibration (human annoyance). Alternative 1 would also avoid all of the

Project's remaining less-than-significant and less-than-significant impacts with mitigation as no changes to the existing on- or off site conditions would occur under this alternative (although operational energy impacts in terms of the wasteful and inefficient use of energy, and operational water quality impacts due to the lack of existing water quality BMPs at the Project Site, would be greater under this alternative).

b. Alternative 2: Existing Zoning Compliant Alternative

Alternative 2, the Existing Zoning Compliant Alternative, would include development of the Project Site in accordance with that permitted by the existing M3-1-RIO zoning designation of the Project Site. Specifically, Alternative 2 would develop 106,095 square feet of creative office uses and 5,000 square feet of retail/restaurant uses, resulting in a total gross floor area of 111,095 square feet (a reduction of 111,094 square feet of floor area compared to the Project). This alternative would provide 355 vehicular parking spaces within a two-level subterranean parking garage (a reduction of two subterranean levels compared to the Project's four levels of subterranean parking). Thirty-eight bicycle parking spaces would also be provided. As with the Project, the proposed uses would be provided within three buildings; however, the buildings would range in height from one to four stories compared to the Project's maximum building height of 10 stories. Alternative 2 would also involve removal of the existing uses on the Project Site, resulting in a total net floor area of 71,767 (with removal of the 39,328 square feet of existing on site creative office, office, and light industrial floor area) and an FAR of 1.5:1 compared to the Project's total net floor area of 182,861 square feet and an FAR of 3.05:1.

Alternative 2 would not avoid the Project's significant and unavoidable environmental impacts. Specifically, Alternative 2 would not avoid the Project's significant and unavoidable on- and off site construction noise, on- and off site construction vibration (human annoyance), cumulative on- and off site construction noise, cumulative off site operational noise, and cumulative off site construction vibration (human annoyance). However, Alternative 2 would reduce the Project's significant and unavoidable cumulative off site operational noise due to the reduced amount of development (and associated operational traffic) under this alternative. Alternative 2 would also reduce many of the Project's less than significant and less-than-significant impacts with mitigation for the same reason. Overall, Alternative 2 would be less impactful than the Project.

c. Alternative 3: 25% Reduced Project Alternative

Alternative 3, the 25% Reduced Project Alternative, would reduce the new development proposed under the Project by approximately 25 percent. Specifically, Alternative 3 would develop 161,642 square feet of creative office uses and 5,000 square feet of retail/restaurant, resulting in a total gross floor area of 166,642 square feet (a reduction of 54,547 square feet of floor area compared to the Project). Alternative 3 would

include 533 vehicular parking spaces within a three-level subterranean parking garage (a reduction of one level compared to the Project's four levels of subterranean parking). Fifty-five bicycle parking spaces would also be provided. As with the Project, the proposed uses would be provided within three buildings ranging in height from one to six stories (also a reduction from the Project's building heights, which would range from one to up to 10 stories). Alternative 3 would also involve removal of the existing uses on the Project Site, resulting in a total net floor area of 127,314 square feet (with removal of the 39,328 square feet of existing on site creative office, office, and light industrial floor area), and an FAR of 2.25:1 (a reduction from the Project's net floor area of 182,861 square feet and an FAR of 3.05:1).

Alternative 3 would not avoid the Project's significant and unavoidable environmental impacts. Specifically, Alternative 3 would not avoid the Project's significant and unavoidable on- and off site construction noise, on- and off site construction vibration (human annoyance), cumulative on- and off site construction noise, cumulative off site operational noise, and cumulative off site construction vibration (human annoyance). However, Alternative 3 would reduce the Project's significant unavoidable cumulative off site operational noise due to the reduced amount of development (and associated operational traffic) under this alternative. Alternative 3 would also reduce many of the Project's less than significant and less-than-significant impacts with mitigation. Overall, Alternative 3 would be less impactful than the Project.

d. Environmentally Superior Alternative

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives to a project shall identify an Environmentally Superior Alternative among the alternatives evaluated in an EIR. The CEQA Guidelines also state that should it be determined that the No Project Alternative is the Environmentally Superior Alternative, the EIR shall identify another Environmentally Superior Alternative among the remaining alternatives.

Of the alternatives analyzed in this Draft EIR, Alternative 1, the No Project/No Build Alternative, would avoid the Project's significant and unavoidable environmental impacts. Alternative 1 would also avoid all the Project's remaining less-than-significant impacts and less-than-significant impacts with mitigation (with the exception of the wasteful and inefficient use of energy, and operational water quality impacts, which would be greater) as no changes to the existing on- or off-site conditions would occur under this alternative. However, Alternative 1 would also not provide the community benefits proposed under the Project (i.e., outdoor courtyard, street trees and pedestrian improvements along the Project Site's Bay Street and Sacramento Street frontages, pedestrian paseo with gathering zones through the Project Site, etc.); meet the purpose of the Project (i.e., provide a vertical

creative office campus for innovative media, entertainment, and technology companies); or meet any of the Project objectives.

In accordance with the CEQA Guidelines requirement to identify an Environmentally Superior Alternative other than the No Project Alternative, a comparative evaluation of the remaining alternatives indicates that Alternative 2, the Existing Zoning Compliant Alternative, would be the Environmentally Superior Alternative. None of the development alternatives (i.e., Alternatives 2 and 3) would avoid the significant and unavoidable impacts of the Project. Both Alternative 2 and 3 would reduce (but not avoid) the significant and unavoidable impacts of the Project, and both would reduce the majority of the Project's less-than-significant impacts and less-than-significant impacts with mitigation. However, Alternative 2 would reduce these impacts to a greater extent than Alternative 3 due to the lesser amount of development, fewer subterranean levels, and less associated environmental effects under Alternative 2. It is noted, however, that while Alternative 2 would provide most of the community benefits of the Project, it would not be as effective in meeting the underlying purpose or objectives of the Project as it would be less intensive than the Project (and, thus, not provide the same number of jobs, not reduce per capita VMT within the Central APC, not strengthen the Art District's economic vitality, etc., to the same degree as the Project).