

**Appendix N Findings of Fact and Statement of  
Overriding Considerations**





City of Los Angeles  
**SAN PEDRO**  
**COMMUNITY PLAN**

**Final Environmental Impact Report**

**Finding of Fact and Statement of  
Overriding Considerations**

SCH No. 2008021004  
City of LA EIR No. ENV-2009-1558-EIR  
CPC No. CPC-2009-1557-CPU, CPC-2009-1557-CPU-M1



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## SECTION 1 – INTRODUCTION

**California Environmental Quality Act (CEQA)** – Having received, reviewed, and considered the following information as well as the other information in the record of proceedings on this matter, the City Council of the City of Los Angeles finds, determines, and declares as follows:

### **Certification of the Final EIR**

The Environmental Impact Report (EIR), consisting of the Draft EIR (DEIR) published on August 9, 2012 and the Final EIR (FEIR) published in April 2017 for the San Pedro Recommended Plan (“Project” or “Recommended Plan”), identified significant environmental impacts that will result from the adoption of the Recommended Plan. The Los Angeles City Council (City) finds that the implementation of certain mitigation measures as a requirement of project approval will reduce most, but not all, of the potential significant effects to less-than-significant levels. Those impacts that are not reduced to a less-than-significant level are identified and overridden due to specific economic, legal, social, technological, or other feasibility considerations.

As required by the California Environmental Quality Act (CEQA), the City, in adopting these Findings of Fact and Statement of Overriding Considerations, also adopts the Mitigation Monitoring Program (MMP) for the Recommended Plan included in the FEIR. The City finds that the MMP meets the requirements of California Public Resources Code (PRC) Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate the potentially significant effects of the Recommended Plan.

In accordance with CEQA and the CEQA Guidelines, the City adopts these Findings as part of the certification of the EIR for the proposed project. Pursuant to PRC Section 21082.1(c)(3) and CEQA Guidelines Section 15090(a)(3), the City also finds that the EIR reflects the City’s independent judgment as the lead agency for the proposed project.

### **Project Description**

CEQA requires that the description of the project include “the whole of an action” and must contain specific information about the Recommended Plan to allow the public and reviewing agencies to evaluate and review its environmental impacts, and that this description must include all integral components of the Recommended Plan. A proper project description is important to ensure that “environmental considerations do not become submerged by chopping a large project into many little ones – each with minimal impact on the environment – which cumulatively may have disastrous consequences.” (*Bozung v. Local Agency Formation Commission* (1975) 13 Cal.3d 263, 283-284.)

The Recommended Plan is described in the City Planning Commission Recommendation Report, the DEIR, and the FEIR and includes all of the actions described therein. Corrections or minor modifications (as described in the Recommendation Report and Determination Letter) to the project description have been analyzed in the DEIR and FEIR and have been recorded in the EIR text changes (FEIR Chapter 10). These include modifications made as a result of comments received on the DEIR and the public hearing process. The changes do not constitute significant new information.

The whole of the action includes the updated San Pedro Community Plan text and land use diagram, general plan amendments, zone and height district changes, San Pedro Community Plan Implementation Overlay (CPIO), street redesignations and corresponding updates to related general plan elements (see Determination Letter for full list of Actions). It should be noted that on March, 14, 2013, the City Planning Commission recommended approval of the establishment of the Vinegar Hills Historic Preservation Overlay Zone (HPOZ) Expansion Area; therefore, the HPOZ Expansion Area is no longer part of the Project as the HPOZ Expansion Area followed a separate approval process through City Council. On July 2, 2015, the City Council approved the HPOZ Expansion Area and the ordinance became effective on August 11, 2015.

Project goals and objectives were summarized and restated in the FEIR (Chapter 8) to assist reviewers of the EIR; these goals and objectives can be found and are more fully discussed in the Community Plan text (Chapters 1-5) and the City Planning Commission Recommendation Report (Proposed Plan Summary). An overview of the Project is provided below.

## Summary of Project

The San Pedro Community Plan Update directs future anticipated growth to General Plan Framework-identified centers and commercial corridors, redirecting growth away from single-family residential neighborhoods and open space areas. By limiting development in single-family neighborhoods nearest these sensitive open space and coastal resources and redirecting growth and development opportunities to Downtown San Pedro and along commercial corridors, which have existing and planned transit and services, the Project fosters sustainable planning principles such as those included in the General Plan Framework and the Southern California Association of Government's (SCAG) Sustainable Communities Strategy. The Project accommodates anticipated growth described by SCAG in its regional growth projections (SCS/RTP 2008, 2012).

The land use changes proposed by the San Pedro Community Plan include general plan amendments and zone/height district changes to create consistency with Framework Land Use designation, create consistency between existing land uses and zoning, incentivize new development in Downtown San Pedro and surrounding commercial corridors, restrict incompatible uses, and correct minor errors. Most of the land use and zone changes concentrate future development to Downtown San Pedro and along commercial corridors, such as Gaffey Street, Pacific Avenue, and Harbor Boulevard, in order to enhance urban vitality in these identified centers and corridors through new housing and employment uses. The Project also includes the proposed San Pedro CPIO, which includes land use restrictions and design standards for commercial and industrial areas, as well as multiple-family neighborhoods, in order to address architectural compatibility, scale, transitions, encourage walkable commercial corridors and neighborhoods, and to incentivize mixed-use or clean/green technology development.

The DEIR analyzes all reasonably anticipated development in the San Pedro Community Plan Area and analyses community-wide impacts anticipated to result from this total anticipated increase in development.

## Short Term versus Long Term Impacts

The Recommended Plan updates the existing San Pedro Community Plan adopted in 1999 (Existing 1999 Plan), which anticipated and accommodated a reasonable expected population of 81,413 persons during its plan horizon. The Recommended Plan is intended to resolve existing land use conflicts and slightly increase overall development potential in the San Pedro Community Plan Area so that it accommodates SCAG's projected population, housing, and employment growth. The Recommended Plan includes changes in land use designations and zones that are intended to maintain and preserve existing residential neighborhoods and enhancing existing multiple-family and commercial areas with improved design and landscaping. Proposed land use and zone changes would direct growth away from existing single-family residential to commercial centers and multiple-family residential neighborhoods. By redirecting anticipated growth from less developed portions of the community, open space areas particularly coastal areas would be preserved thereby preserving open space in perpetuity (a long term benefit).

As recognized in the No Project Alternative, the Project does not cause new development to occur, as development in the area is currently allowed under the Existing 1999 Plan, rather it accommodates new development in a more sustainable manner shifting growth to areas where it complements existing development patterns and infrastructure, and protecting sensitive areas from impacts of new development. With that said, the EIR analyzed impacts from all development allowed under the Recommended Plan consistent with the requirements of CEQA, recognizing the baseline as the existing physical conditions and not the current community plan.

## Growth Inducing Impacts of the Recommended Plan

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

The Recommended Plan as analyzed in the EIR allows for reasonable expected development to accommodate an estimated 83,354 persons during the plan horizon (2030). For CEQA purposes, the Recommended Plan must be evaluated as compared to existing conditions. As such, the Recommended Plan accommodates 1,242 or 6,703 more persons depending on the year population is measured from – the 2005 population of 82,112 persons or 2010 census population of 76,651, respectively. The DEIR analyzed the potential impacts associated with the 2005 Existing Conditions.

The Recommended Plan's reasonable expected level of development of 83,354 persons is slightly higher than the Southern California Association of Governments (SCAG) projection of 83,152 persons by 2030. The Recommended Plan is designed to satisfy the projected population growth forecast by SCAG and further address new policies included in SCAG's adopted Sustainable Communities Strategy, prepared to address regional land use and transportation obligations needed to

meet SB 375 and AB 32. Since SCAG, which is the regional agency responsible for projecting growth, anticipates growth in the area, land use capacity changes and adjustments to accommodate anticipated growth would not be considered growth inducing; rather they are generally considered growth accommodating. While the Recommended Plan could allow slightly more population growth than identified by SCAG, such incremental additional growth would be consistent with state and regional policies (including those in the SCS, and more recently SB 743) directing growth to areas adjacent to transit. The Recommended Plan would accommodate slightly greater population growth than forecast by SCAG, a difference of 202 people, or approximately 0.2 percent. The Recommended Plan redirects anticipated growth to Downtown San Pedro and developed commercial and industrial areas, and preserves single-family residential neighborhoods and open space and coastal areas. Therefore, it would reduce pressure on undeveloped areas to accommodate new development. In any case, any impacts from the Recommended Plan were analyzed in the Impact Analysis for the DEIR and FEIR. The Recommended Plan is not expected to induce growth beyond that analyzed in the Impact Analysis chapters of the EIR.

The Recommended Plan would not require the city to extend infrastructure beyond that required to meet the anticipated needs of future development in San Pedro. The Recommended Plan anticipates that infrastructure will receive required upgrades and maintenance and these activities are not expected to stimulate additional population growth greater than already expected. Therefore, this Recommended Plan would not result in growth inducing effects.

## Significant Irreversible Impacts

CEQA Guidelines Section 15126.2(c) states that: “[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. Irreversible commitments of resources should be evaluated to assure that such current consumption is justified.”

Development of the anticipated level and type within the San Pedro Community Plan Area would cause the irreversible commitment of limited resources including energy and water for project development and operation. The construction phases and subsequent occupancy of new development would require the use of non-renewable resources (notably sand and gravel) for construction as well as a commitment of energy resources for building materials, fuel, operation, and the transportation of goods and people to and from the project sites. Commitment of resources during construction of future projects within the Community Plan Area would include: construction labor, materials used in construction, and fossil fuels consumed by project-generated traffic and construction equipment. Commitment of resources following project construction would be similar to existing conditions, including electricity and gas to operate the projects and fossil fuels used by project-related traffic.

The assumed level of development within the Community Plan Area would incrementally reduce existing supplies of fuels including fuel oil, natural gas, and gasoline, since fossil fuels are currently the principal energy source. These changes are not considered significant when compared to existing

energy consumption; however, this still represents a long-term commitment of nonrenewable resources. Increasing commitment to renewable technologies will help offset demand. The construction of future projects within the Plan Area would also require the commitment or destruction of other non-renewable and slowly renewable resources. These resources include lumber and other forest products, sand and gravel, asphalt, petrochemical construction materials, steel, copper, lead and other metals, and water.

Commitment to the scale and type of future development allowed under the Recommended Plan would restrict future generations from other uses of development properties and supplies of resources for the life of the projects, approximately 50-100 years or more.

The commitment of resources required for the type and level of recommended development would limit the availability of these resources for future generations for other uses during the life of the Plan. However, this resource consumption would be consistent with growth and anticipated change in the City of Los Angeles, the County of Los Angeles, and the Southern California region as a whole. Further, use of such resources would be of a relatively small scale in relation to the Recommended Plan's fulfillment of regional and local urban design and development goals for the area. These goals are intended to promote smart growth that would reduce resource consumption by preserving open space and sensitive environmental areas and redirecting growth within the Community Plan Area ("CPA") to areas along major commercial corridors. The strategy would help reduce vehicle trips and would incorporate sustainable design features, utilizing renewable resources and reducing energy and water consumption. Therefore, the use of such resources for future projects in the Plan Area would be reduced as compared to development in other locations that would not fulfill such goals as fully.

## Alternatives

CEQA requires that an EIR include an analysis of a reasonable range of feasible alternatives to a proposed project capable of avoiding or substantially lessening any significant adverse environmental impact associated with the project. (CEQA Guidelines, section 15126.6.) Feasible, for purposes of CEQA, means "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors."

The significant environmental impacts of the Project and the alternatives were identified and evaluated in the DEIR (Chapter 6).

## Responses to Comments

The City evaluated comments on the environmental issues received from persons who reviewed the DEIR. In accordance with CEQA, the City prepared written responses describing the disposition of significant environmental issues raised. The FEIR provides adequate, good faith and reasoned responses to the comments. The City reviewed the comments received and the responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the DEIR. The City Council has based its actions on a full evaluation of all comments in the Record of Proceedings, concerning the environmental impacts identified and analyzed in the FEIR.

During the comment period, comments regarding the use of 2005 data were made. Specifically, commenters argued that the data from the 2010 Census required the City to adjust the baseline and assumptions used in the DEIR. These comments were addressed in the FEIR, which includes an evaluation of potential impacts utilizing 2010 Census data. Based on this analysis, the City finds substantial evidence supports the analysis and conclusions in the DEIR.

## **Mitigation Monitoring Program**

CEQA requires the Lead Agency approving a Project to adopt a Mitigation Monitoring Program (MMP) for the changes to the Project which it has adopted or made as a condition of project approval in order to ensure compliance with the mitigation measures during Project implementation. The mitigation measures included in the FEIR as certified by the City Council and included in the MMP as adopted by the City Council serves that function. The MMP includes all of the mitigation measures and project design features that reduce potential impacts which were identified in the FEIR.

In accordance with CEQA, the MMP provides the means to ensure that the mitigation measures are fully enforceable. The final mitigation measures are described in the MMP. Each of the mitigation measures identified in the MMP, and contained in the FEIR, is incorporated into the Project. In accordance with the requirements of Public Resources Code § 21081.6, the City Council hereby adopts the MMP included in the FEIR in Chapter 11 and incorporated by reference into these findings. The City Council finds that the impacts of the Project have been mitigated to the extent feasible by the mitigation measures identified in the MMP, and contained in the FEIR. In accordance with the requirements of Public Resources Code § 21081.6, the City Council hereby adopts each of the mitigation measures expressly set forth herein as conditions of project approval.

## **Other Agency Actions**

The City Council is approving and adopting findings for the entirety of the actions described in these Findings and in the FEIR as comprising the Project. It is contemplated that there may be a variety of actions undertaken by other State and local agencies (who might be referred to as “responsible agencies” under CEQA). Because the City is the Lead Agency for the Project, the FEIR is intended to be the basis for compliance with CEQA for each of the possible discretionary actions by other State and local agencies to carry out the Project.

## **Substantial Evidence**

The City Council finds and declares that substantial evidence for each and every finding made herein is contained in the DEIR and FEIR, and other materials found in the Record of Proceedings. Moreover, the City Council finds that where more than one reason exists for any finding, the City Council finds that each reason independently supports such finding, and that any reason in support of a given finding individually constitutes a sufficient basis for that finding.

The City Council finds that the FEIR provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the Project. The public review period provided all interested jurisdictions, agencies, private organizations, and

individuals the opportunity to submit comments regarding the DEIR. The FEIR was prepared after the review period and responds to comments made during the public review period.

## Record of Proceedings

For purposes of CEQA and these findings the Record of Proceedings for the San Pedro Community Plan consists of the following documents, which includes, but is not limited to the following:

- (1) The Notice of Preparation for the Project (the “NOP”), and all other public notices issued by the City in connection with the Project;
- (2) The FEIR, its corrections to the DEIR, and all technical appendices, dated April 2017;
- (3) The DEIR, and all technical appendices, dated August 2012;
- (4) All written comments submitted by agencies or members of the public during any public review comment period on the DEIR;
- (5) All written and verbal public testimony presented during noticed public hearings for the Project (consistent with City Council policy) at which such testimony was taken, including without limitation, the City Planning Commission Recommendation Report, Transmittal to Council, including all attachment, any all presentations by City staff, the City’s consultants, the public, and any other interested party; and
- (6) The Mitigation Monitoring Program for the Project (the “MMP”);
- (7) The reports, studies and technical memoranda included and/or referenced in the DEIR and the FEIR and or their appendices;
- (8) All documents, studies, EIRs, or other materials incorporated by reference in the DEIR and the FEIR;
- (9) The Department of City Planning Commission Recommendation Report and Determination Letter to City Council;
- (10) All Ordinances and Resolutions presented to and/or adopted by the City in connection with the Project; and all documents incorporated by reference therein, specifically including, but not limited to, this resolution and all of its exhibits, the plan amendment resolution, and the zone change ordinances;
- (11) Matters of common knowledge to the City, including but not limited, to federal, state, and local laws and regulations, adopted City plans, policies (including but not limited to the City of Los Angeles General Plan, General Plan Framework and San Pedro Community Plan, and the professional qualifications of its staff members and consultants;
- (12) Any documents expressly cited in this Resolution and its exhibits, the City Planning Commission Recommendation Report, Transmittal to Council, the FEIR or the DEIR; and
- (13) Any other relevant materials required to be in the record of proceedings under Public Resource Code § 21167.6(e).

## Custodian of Documents

The custodian of the documents or other material which constitutes the Record of Proceedings upon which the City Planning Commission and City Council's decision is based is the City of Los Angeles, City Clerk, City Hall located at 200 North Spring Street, Los Angeles, California 90012; all other record of proceedings shall be kept with the Department of City Planning, and the Director of Planning shall be the custodian of the documents.

## Independent Judgment

CEQA requires that the lead agency exercise its independent judgment in reviewing the adequacy of a Final EIR and that the decision of a lead agency in certifying a FEIR and approving a Project not be predetermined. The City Council finds that the FEIR was prepared in compliance with CEQA and the CEQA Guidelines. The City has conducted its own review and considered the DEIR, FEIR, Appendices and all other related materials, per Section 15132 of the State CEQA Guidelines, reflect the independent judgment and analysis of the lead agency and is exercising its independent judgment when acting as herein provided.

## Relationship of Findings to EIR

These Findings are based on the most current information available. Accordingly, to the extent there are any apparent conflicts or inconsistencies between the DEIR and the FEIR, on the one hand, and these Findings, on the other, these Findings shall control and the DEIR and FEIR or both, as the case may be, are hereby amended as set forth in these Findings.

## Findings of Facts Regarding Environmental Impacts

The City of Los Angeles makes the following findings in response to the potentially significant effects on the environment identified and analyzed in the Final EIR for the Recommended Plan.

Section 21081 of the California Public Resources Code and Section 15091 of the State CEQA Guidelines (the "Guidelines") require a public agency, prior to approving a proposed project, to identify significant impacts of the proposed project and make one or more of the three possible findings for each of the significant impacts. These findings are provided below and will be used hereinafter and referenced as identified below:

**CEQA FINDING 1.** Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Guidelines Section 15091 (a)(1)); and

**CEQA FINDING 2.** Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (Guidelines Section 15091 (a)(2)); and



**CEQA FINDING 3.** Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible, the mitigation measures or project alternatives identified in the final EIR. (Guidelines Section 15091(a)(3)).

These Findings herein incorporate the facts and discussions of the significant environmental impacts that may occur as a result of the Project, and in accordance with the provisions of CEQA and CEQA Guidelines, the City of Los Angeles hereby adopts these Findings. For each of the significant environmental effects identified in Section 2 below, as set forth in greater detail in these Findings herein, the City of Los Angeles makes the finding under Public Resources Code Section 21081(a)(3) and CEQA Guidelines section 15091(a)(3). For each of the significant environmental effects identified in Section 3 below, as set forth in greater detail in these Findings herein, the City of Los Angeles makes the finding under Public Resources Code Section 21081(a)(1) and CEQA Guidelines section 15091(a)(1). Although CEQA Guidelines Section 15091 does not require findings to address environmental impacts that an EIR identifies as merely “potentially significant,” these findings will fully account for all such effects identified in the EIR.

Section 15091 of the State CEQA Guidelines does not require specific findings to address environmental effects that an EIR identifies as having “no impact” or a “less than significant” impact. Nevertheless, Section 4 in the Findings below fully account for all resources areas, including those identified in the EIR as less than significant.

In accordance with the provisions of CEQA and the State CEQA Guidelines, the City Council of the City of Los Angeles has independently reviewed the Record of Proceedings (see list of contents in this Section) and based on the evidence in the Record of Proceedings adopts these Findings of Fact.

## **SECTION 2 – ENVIRONMENTAL IMPACTS FOUND TO BE SIGNIFICANT AND UNAVOIDABLE**

The Final EIR indicates that potentially significant and unavoidable impacts attributable to the Recommended Plan are limited to Aesthetics, Air Quality, Greenhouse Gas Emissions, Hydrology/Water Quality, Noise, Transportation, and Utilities/Service Systems. As described below in the findings for these impacts, there are either no feasible mitigation measures or the feasible mitigation measure(s) would only partially mitigate this significant impact and the residual effect would remain significant.

The City of Los Angeles finds, based on the facts set forth in the record, which include but are not limited to the facts as set forth below, those facts contained in the Draft EIR and the Response to Comments, and any other facts set forth in materials prepared by the City and/or City consultants, that there are no feasible mitigation measures, changes, or alterations available to reduce the significant and unavoidable impacts attributable to the Recommended Plan to Aesthetics, Air Quality, Greenhouse Gas Emissions, Hydrology/Water Quality, Noise, Transportation, and Utilities/Service Systems (Water Resources).

## Aesthetics

### Scenic Vistas (Draft EIR p. 4.1-19)

**Description of Significant Effects:** The major scenic features in the vicinity of the San Pedro CPA are the Pacific Ocean, the hillsides of the Palos Verdes Peninsula, and the Port of Los Angeles. There are also numerous parks, monuments and other cultural features that have recognized scenic value. The numerous other scenic elements are scattered across the CPA and there is no one best area to view these features. The San Pedro Coastal Land Use Plan and Specific Plan identifies five scenic viewpoints distributed throughout the area where views of scenic resources are available. Because policies of the Recommended Plan focus on directing growth away from existing residential neighborhoods toward areas with transit and services and commercial corridors, potential adverse impacts on scenic vistas and views from the Recommended Plan would be limited to those targeted change areas, which include future development in Downtown San Pedro and along targeted commercial corridors, as well as publicly accessible open spaces where views across these targeted change areas could be affected. New land uses within the CPA could obstruct currently unobstructed scenic vistas. For example, on certain project sites, future new land uses may result in taller structures than currently exist. However, the overall scale of future structures within the CPA would be limited by zoning regulations. Furthermore, existing LAMC requirements and development standards, together with applicable goals and policies of the Conservation Element and Local Coastal Program Land Use Plan, help to protect scenic vistas throughout the CPA. Compliance with these requirements, development standards, goals, and policies would reduce potential impacts to scenic vistas. Adoption of the Recommended Plan will not, by itself, result in significant impacts to scenic vistas. Although the Plan's goals and policies and existing city regulations encourage the preservation of scenic vistas, it may not be feasible in a given instance to implement sufficient preservation to reduce the impacts to scenic vistas to below a level of significance. While it is anticipated that scenic vistas would be preserved, the potential exists that scenic vistas could be impacted. It would be speculative to determine whether the implementation of MM4.1-1 would reduce impacts to a level of less than significant. Therefore, adoption of the Recommended Plan would result in a **significant impact** related to scenic vistas.

### Mitigation Measures:

**MM4.1-1** *The CPIO District shall include regulations that minimize site-specific aesthetic impacts, including impacts to views, lighting, and shading.*

**Finding:** The City adopts CEQA Findings 1 and 3.

**Facts in Support of Finding:** Mitigation Measure 4.1-1 would help reduce impacts on scenic vistas in the CPIO District subareas. Proposed land use changes within certain active change areas would allow for increased development heights and densities, potentially reducing the visibility of scenic resources such as the Pacific Ocean and the waterfront. Based on the foregoing, the City finds that the Project would have **significant and unavoidable** impacts related to scenic vistas. Specific economic, legal, social, technological, or other considerations, including considerations identified in the Statement of Overriding Considerations, make infeasible additional mitigation measures or project alternatives related to further reducing the impact on scenic vistas identified in the EIR

### **Scenic Resources** (Draft EIR p. 4.1-23)

**Description of Significant Effects:** There are no California (Caltrans)-designated scenic highways within or adjacent to the San Pedro CPA. However, the existing General Plan Land Use Map for the San Pedro Community Plan identifies the following scenic roadways within the CPA: John S. Gibson Boulevard/Front Street/Harbor Boulevard, 25th Street, Western Avenue, and Paseo del Mar. These roads provide public views of the CPA's major scenic features: the Pacific Ocean, the Palos Verdes Peninsula, and the Port of Los Angeles. Since specific development projects are not known, a project's architectural style, building materials, massing, or size could contrast with adjacent development, and could still impact the public views of the CPA's major scenic features. Therefore, the Recommended Plan and implementing ordinances could result in a **significant impact** related to scenic resources.

**Mitigation Measures:** Refer to Mitigation Measure 4.1-1.

**Finding:** The City adopts CEQA Findings 1 and 3.

**Facts in Support of Finding:** Mitigation Measure 4.1-1 would reduce the adverse impacts to scenic resources for the CPIO District subareas, however the potential still exists that they could be impacted. It would be speculative to determine whether the implementation of MM4.1-1 would reduce impacts to a level of less than significant. Based on the foregoing, the City finds that the Project would have **significant and unavoidable** impacts related to scenic resources. Specific economic, legal, social, technological, or other considerations, including considerations identified in the Statement of Overriding Considerations, make infeasible additional mitigation measures or project alternatives related to further reducing the impact on scenic resources identified in the EIR.

### **Visual Character or Quality of the Site and Surroundings** (Draft EIR p. 4.1-24)

**Description of Significant Effects:** The three main elements contributing to the visual character of the CPA are the Port of Los Angeles, the Pacific Ocean coastline, and the Palos Verdes Peninsula. Within this setting, the CPA is visually defined by intense commercial activity generated by the Port, its traditional downtown district, surrounding residential areas, and abundant recreational facilities such as beaches, parks, museums, and a variety of cultural monuments. The Recommended Plan would limit development along coastal and open space areas, and will preserve single-family neighborhoods. Future growth will be directed to Downtown San Pedro, and along commercial corridors such as North Gaffey Street and Pacific Avenue. Most of these areas would also be subject to the San Pedro CPIO regulations, which will address aesthetics through design standards and guidelines for development projects. Although the Plan's goals and policies and existing city regulations (i.e. building height and site layout requirements of the Zoning Code) encourage the protection of the visual character or quality of the site and its surroundings, it may not be feasible in a given instance to implement sufficient protection to reduce the impacts to below a level of significance. While it is anticipated that visual character or quality of the site and its surroundings would be protected, the potential still exists that they could be impacted. It would be speculative to determine whether the implementation of MM4.1-1 would reduce impacts to a level of less than significant. Therefore, the Recommended Plan could result in a **significant impact** related to visual character or quality of the site and its surroundings.

**Mitigation Measures:** Refer to Mitigation Measure 4.1-1.

**Finding:** The City adopts CEQA Findings 1 and 3.

**Facts in Support of Finding:** Mitigation Measure 4.1-1 would reduce the adverse impacts to visual character for the CPIO District subareas, however the potential still exists that they could be impacted. It would be speculative to determine whether the implementation of MM4.1-1 would reduce impacts to a level of less than significant. Based on the foregoing, the City finds that the Project would have **significant and unavoidable** impacts related to visual character. Specific economic, legal, social, technological, or other considerations, including considerations identified in the Statement of Overriding Considerations, make infeasible additional mitigation measures or project alternatives related to further reducing the impact on visual character identified in the EIR.

### **Light and Glare** (Draft EIR p. 4.1-26)

**Description of Significant Effects:** As discussed above, impacts from substantial light and glare would be primarily limited to Downtown San Pedro and along commercial corridors such as North Gaffey Street and Pacific Avenue, which is where future development is directed, including infill development which would include replacement of existing structures. New lighting sources associated with additional dwelling units, businesses, street lighting and vehicle headlights would be anticipated in these areas. All new development would be required to be consistent with the California Green Building Standards, which are incorporated in the City's regulations. The existing LAMC regulations would ensure that light-sensitive areas adjacent to or within new development would be protected from spillover or excessive lighting. Conformance to regulations in the Los Angeles Municipal Code as well as implementation of mitigation measure MM4.1-1 would help reduce this impact. Adoption of the Recommended Plan will not, by itself, result in significant new sources of light and glare. Although the Plan's goals and policies and existing city regulations (i.e. Zoning and Building Code regulations) limit the amount of light and glare that could adversely affect day- or nighttime views, it may not be feasible in a given instance to implement sufficient measures to reduce the impacts to below a level of significance. While it is anticipated that light and glare from new development projects would be limited, the potential still exists that they could be significant. It would be speculative to determine whether the implementation of MM4.1-1 would reduce impacts to a less than significant level. Therefore, adoption of the Recommended Plan would result in a **significant impact** related to light and glare throughout portions of the San Pedro CPA.

**Mitigation Measures:** Refer to Mitigation Measure 4.1-1.

**Finding:** The City adopts CEQA Findings 1 and 3.

**Facts in Support of Finding:** Mitigation Measure 4.1-1 would reduce the adverse light and glare impacts in the CPIO District subareas, however the potential still exists that they could be impacted. It would be speculative to determine whether the implementation of MM4.1-1 would reduce impacts to a level of less than significant. Based on the foregoing, the City finds that the Project would have **significant and unavoidable** impacts related to light and glare. Specific economic, legal, social, technological, or other considerations, including considerations identified in the Statement of

Overriding Considerations, make infeasible additional mitigation measures or project alternatives related to further reducing the impact from light and glare identified in the EIR

### **Shade Shadow - Sensitive Uses** (Draft EIR p. 4.1-27)

**Description of Significant Effects:** Shade and shadow impacts may be considered significant when they cover shadow-sensitive uses for a substantial amount of time (three to four hours depending on the time of the year). San Pedro is predominantly developed with residential uses, low- and medium-rise commercial areas and industrial uses, as well as the adjacent Port of Los Angeles. Generally, the Recommended Plan and implementing ordinances would not change the overall land use patterns within the CPA. Most of the existing open space areas are located away from the targeted change areas of Downtown San Pedro and the Gaffey Street, Pacific Avenue, and Harbor Boulevard commercial corridors. The changes to height districts, and existing and proposed design guidelines and height restrictions adjacent to these open spaces would preclude development that would cast substantial shadow on these sensitive uses. Existing single-family neighborhoods would be preserved, and new residential development in the downtown core would be high-density development in mixed uses, such as above ground-floor retail. Development within these target areas would be subject to the San Pedro CPIO, which addresses shade and shadow impacts through height regulations. Adoption of the Recommended Plan will not, by itself, result in significant shade/shadow of sensitive uses. However, it may not be feasible in a given instance to implement sufficient measures to reduce the impacts to below a level of significance. While it is anticipated that shade and shadow impacts from new development projects would be limited, the potential still exists that they could be significant. It would be speculative to determine whether the implementation of MM4.1-1 would reduce impacts to a level of less than significant. Therefore, adoption of the Recommended Plan would result in **significant impacts** related to shade and shadows throughout portions of the San Pedro CPA.

**Mitigation Measures:** Refer to Mitigation Measure 4.1-1.

**Finding:** The City adopts CEQA Findings 1 and 3.

**Facts in Support of Finding:** Mitigation Measure 4.1-1 would reduce shade and shadow impacts from the CPIO District subareas. However, shade and shadow effects during the months of December and January could still result in a significant impact. Based on the foregoing, the City finds that the Project would have **significant and unavoidable** impacts related to shade and shadows. Specific economic, legal, social, technological, or other considerations, including considerations identified in the Statement of Overriding Considerations, make infeasible additional mitigation measures or project alternatives related to further reducing the shade and shadow impact identified in the EIR.

## **Air Quality**

### **Construction and Operational Emissions** (Draft EIR p. 4.2-26)

**Description of Significant Effects:** Construction activity has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated by construction workers traveling to and from the project site. Construction emissions are dependent

on the number of construction and delivery vehicles operating, the length of time in operation, and the amount of soil that is disturbed on a daily basis. Without a known schedule or an anticipated annual or daily level of construction, emissions cannot be accurately estimated. Therefore, there would be a significant and unavoidable impact for construction activities on a program level. With regards to operational emissions, these are generated by both stationary and mobile sources, which result from normal day-to-day activities within the CPA. For example, stationary area source emissions would be generated by the consumption of natural gas for space and water heating devices, and the operation of landscape maintenance equipment. Mobile emissions would be generated by the motor vehicles traveling to, within, and from the CPA. Development under the Recommended Plan would result in vehicle and area emissions that would exceed SCAQMD's daily thresholds for ROG, PM<sub>10</sub> and PM<sub>2.5</sub> before mitigation. Therefore, adoption of the Recommended Plan would result in **significant impacts** related to air quality and construction.

### Mitigation Measures:

**MM4.2-1** *The CPIO District shall include regulations for construction that require the following or comparable best management practices be included in contract specifications and/ or printed on plans.*

- *Use properly tuned and maintained equipment.*
- *Construction contractors shall enforce the idling limit of five minutes as set forth in the California Code of Regulations.*
- *Use diesel-fueled construction equipment to be retrofitted with after treatment products (e.g. engine catalysts) to the extent they are readily available and feasible.*
- *Use heavy duty diesel-fueled equipment that uses low NOX diesel fuel to the extent it is readily available and feasible.*
- *Use construction equipment that uses low polluting fuels (i.e. compressed natural gas, liquid petroleum gas, and unleaded gasoline) to the extent available and feasible.*
- *Maintain construction equipment in good operating condition to minimize air pollutants.*
- *Construction contractors shall utilize materials that do not require painting, as feasible.*
- *Construction contractors shall use pre-painted construction materials, as feasible.*
- *Construction contractors shall provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*
- *Construction contractors shall provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site, as feasible.*
- *Construction contractors shall reroute construction trucks away from congested streets or sensitive receptor areas, as feasible.*
- *Construction contractors shall appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM<sub>10</sub> generation.*

**MM4.2-2** *The CPIO District shall include regulations that require construction projects greater than 5 acres to submit an air quality study that discuss the project's potential emissions for the following: CO, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>.*

**MM4.2-3** *The CPIO District shall include regulations that require the following greenhouse gas reduction measures be incorporated into the project design:*

- *For non-residential projects: all outdoor lighting systems shall be directed away from the window of any residential uses and shall comply with the non-residential Light Pollution Reduction standards in the Green Building Code of the Municipal Code.*
- *For non-residential projects: whenever new fixtures are installed, all water closets, urinals, shower heads, faucets and dishwashers shall be High Efficiency fixtures installed in accordance with the regulations of the City's Water Conservation Ordinance.*
- *For Multi-family and Commercial Projects: parking facilities shall have five (5) percent of the total parking spaces, but not less than one (1) space, capable of supporting future Electric Vehicle Supply Equipment (EVSE) charging locations.*

**Finding:** The City adopts CEQA Findings 1 and 3.

**Facts in Support of Finding:** Mitigation Measures 4.2-1, 4.2-2 and 4.2-3 would reduce construction and operational emissions within the San Pedro CPA. Regional and localized concentrations would still exceed the SCAQMD significance thresholds. Therefore, the Project would result in a significant and unavoidable impact from construction and operational emissions. Based on the foregoing, the City finds that the Project would have **significant and unavoidable** impacts from construction and operational emissions. Specific economic, legal, social, technological, or other considerations, including considerations identified in the Statement of Overriding Considerations, make infeasible additional mitigation measures or project alternatives related to construction and operational emission impacts identified in the EIR.

**South Coast Air Basin** (Draft EIR p. 4.2-28)

**Description of Significant Effects:** The South Coast Air Basin (SCAB) is designated as a federal-level severe nonattainment area for ozone, meaning that federal ambient air quality standards are not expected to be met for more than 18 years, and as nonattainment areas for PM<sub>10</sub> and PM<sub>2.5</sub>. The Basin is a state-level extreme nonattainment area for ozone, and is a state-level nonattainment area for PM<sub>2.5</sub> and PM<sub>10.12</sub>. Emissions from operational activities are anticipated to exceed the operational threshold for ROG, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions before mitigation. Because emissions from the San Pedro CPA would be significant on a project level, and the SCAB is in nonattainment for PM<sub>10</sub> and PM<sub>2.5</sub>, this is considered to be a potentially significant cumulative impact. The impacts from ROG and PM<sub>2.5</sub> emissions would be reduced to below regulatory thresholds; however, PM<sub>10</sub> emissions would still exceed the 150 lbs/day regulatory threshold. Because the Project exceeds a threshold for a standard that the SCAB is in nonattainment, the Recommended Plan would make a cumulatively considerable contribution to the cumulative impact. Because all exceedances of project level thresholds inhibit the SCAB's ability to reach attainment, adoption of the Recommended Plan would result in **significant impacts** on the Air Basin.

**Mitigation Measures:** MM4.2-1 through MM4.2-3, see above.

**Finding:** The City adopts CEQA Findings 1 and 3.

**Facts in Support of Finding:** Mitigation Measures 4.2-1, 4.2-2 and 4.2-3 would reduce construction and operational emissions in the SCAB. The Project would result in PM<sub>10</sub> emissions that would still exceed the 150 lbs/day regulatory threshold. Because the Project exceeds a threshold for a standard that the SCAB is in nonattainment, the Recommended Plan would make a cumulatively considerable contribution to the cumulative impact. Based on the foregoing, the City finds that the Project would have **significant and unavoidable** impact. Specific economic, legal, social, technological, or other considerations, including considerations identified in the Statement of Overriding Considerations, make infeasible additional mitigation measures or project alternatives related to construction and operational impacts in the Air Basin identified in the EIR.

### **Sensitive Receptors** (Draft EIR p. 4.2-29)

**Description of Significant Effects:** Localized Significance Thresholds (LSTs) were developed by the SCAQMD to determine maximum allowable concentrations of criteria air pollutants for projects. Construction emissions are dependent on the number of construction and delivery vehicles operating, the length of time in operation, and the amount of soil that is disturbed on a daily basis. Without a known schedule or an anticipated annual or daily level of construction, emissions cannot be accurately estimated. Implementation of the standard code requirements, SCAQMD's Best Available Control Measures (BACMs), and mitigation measures would reduce this impact. However, due to the unknown level of construction activity that would occur on any given day under the Recommended Plan, as well as the location of construction with respect to sensitive receptors, individual projects, even with implementation of the identified mitigation, could exceed LST thresholds; therefore, adoption of the Recommended Plan would result in **significant impacts** to sensitive receptors.

**Mitigation Measures:** MM4.2-1 through MM4.2-3, see above.

**Finding:** The City adopts CEQA Findings 1 and 3.

**Facts in Support of Finding:** Mitigation Measures 4.2-1, 4.2-2 and 4.2-3 would reduce impacts on sensitive receptors from substantial pollutant concentrations, but not to a less-than-significant level for exceedance of LST thresholds during construction. Therefore, the Project would result in a **significant and unavoidable** impacts on sensitive receptors from substantial pollutant concentrations. Specific economic, legal, social, technological, or other considerations, including considerations identified in the Statement of Overriding Considerations, make infeasible additional mitigation measures or project alternatives related to impacts on sensitive receptors from substantial pollutant concentrations identified in the EIR.

## **Greenhouse Gas (GHG) Emissions**

### **Greenhouse Gas Emissions** (Draft EIR p. 4.6-21)

**Description of Significant Effects:** Long-term project emission would be generated by on-road vehicles, general electricity use, water-related electricity use, wastewater management, solid waste decomposition, and natural gas use. Implementation of the Recommended Plan would generate greenhouse gases through the construction of new residential, commercial or industrial uses. The Recommended Plan includes project features, such as directing growth to Downtown San Pedro and



along commercial corridors, and away from coastal/open space and single-family residential areas in order to minimize potential impacts. For example, the Recommended Plan includes land use designation and zone/height district changes that would direct new housing and commercial development to downtown and along commercial corridors such as Gaffey Street, Pacific Avenue, and Harbor Boulevard. Impacts from greenhouse gas emissions associated with the Recommended Plan would likely occur within these designated targeted growth areas from infill development. This, along with the implementation of state mandated regulations (as required by the California Air Resource Board) would result in the reduction of greenhouse gas emissions. Projects within targeted growth areas (Downtown San Pedro and commercial corridor areas) would be subject to the CPIO and would be required to comply with applicable environmental standards, such as requirements for electric vehicle charging stations in new development projects. Mitigation measure MM4.6-1, along with state mandated regulations, would help reduce operational impacts, but not to a less than significant level. Emissions of greenhouse gases for construction activities cannot be determined because the extent of equipment use and duration of individual construction projects are unknown. Estimated future emissions from area sources, electricity consumption, and landfills could increase during the life of the Plan. Therefore, adoption of the Recommended Plan would result in **significant impacts** related to greenhouse gas emissions.

#### **Mitigation Measures:**

**MM4.6-1** *The CPIO District shall include regulations that require the following greenhouse gas reduction measures be incorporated into the project design:*

- *For non-residential projects: all outdoor lighting systems shall be directed away from the window of any residential uses and shall comply with the non-residential Light Pollution Reduction standards in the Green Building Code of the Municipal Code.*
- *For non-residential projects: whenever new fixtures are installed, all water closets, urinals, shower heads, faucets and dishwashers shall be High Efficiency fixtures installed in accordance with the regulations of the City's Water Conservation Ordinance.*
- *For Multi-family and Commercial Projects: parking facilities shall have five (5) percent of the total parking spaces, but not less than one (1) space, capable of supporting future Electric Vehicle Supply Equipment (EVSE) charging locations.*

**Finding:** The City adopts CEQA Findings 1 and 3.

**Facts in Support of Finding:** Mitigation Measure 4.6-1 would not reduce greenhouse gas emissions to less than existing levels. Greenhouse gas emissions would arise from project construction and from sources associated with project operation. Based on the foregoing, the City finds that the Project would have **significant and unavoidable** impacts related to greenhouse gas emissions. Specific economic, legal, social, technological, or other considerations, including consideration identified the Statement of Overriding Considerations, make infeasible additional mitigation measures or project alternatives related to greenhouse gas emission impacts identified in the EIR.

**AB 32** (Draft EIR p. 4.6-24)

**Description of Significant Effects:** AB 32 required the California Air Resource Board (CARB) to develop a scoping plan that described the approach California would take to reduce greenhouse gases

to achieve the goal of reducing emissions. Many of the greenhouse gas reduction measures (i.e., low carbon fuel standard, advanced clean car standards, and cap-and-trade) are beyond the scope of this project. Applicable reduction measures include making land use changes to encourage transit-oriented and infill development that reduce vehicle miles traveled (projected growth targeted in areas along commercial corridors), and improving energy efficiency in buildings and appliances. The Recommended Plan would comply with applicable goals and policies established under AB 32. In addition to AB 32, Senate Bill 375 now requires MPOs, which in this case is SCAG, to include sustainable community strategies for the purpose of reducing greenhouse gas emissions. Since the Recommended Plan is consistent with SCAG's Regional Transportation Plan, it is also consistent with AB 32. However, because the greenhouse gas emissions must include emissions generated during construction, the total impact on climate change from implementation of the Recommended Plan cannot be determined. Therefore, adoption of the Recommended Plan would result in **significant impacts** related to AB 32.

**Mitigation Measures:** Refer to Mitigation Measure 4.6-1.

**Finding:** The City adopts CEQA Findings 1 and 3.

**Facts in Support of Finding:** Mitigation Measure 4.6-1 would reduce greenhouse gas emissions, but not to a less-than-significant level. Therefore, the Project would result in a **significant and unavoidable** impact related to the potential to conflict with the implementation of AB 32. Specific economic, legal, social, technological, or other considerations, including consideration identified the Statement of Overriding Considerations, make infeasible additional mitigation measures or project alternatives related to the potential to conflict with the implementation of AB 32.

## Hydrology/Water Quality

### **Flooding from Future Sea Level Rise** (Draft EIR p. 4.8-25)

**Description of Significant Effects:** The Recommended Plan could directly contribute greenhouse gas emissions that could have an impact on climate change, of which sea level rise is one of many potential outcomes. However, sea levels are predicted to rise regardless of whether the Recommended Plan is implemented, and CEQA in general does not require analysis of the environment's effect on the project. Nonetheless, this analysis conservatively assumes that to the extent the Recommended Plan would facilitate or accommodate future development, especially along the areas in close proximity to the coastline, the resulting growth would incrementally increase emissions that could have some level of impact on sea level rise and would increase the number of people and structures that could be exposed to flood risk associated with sea level rise. There are three areas in the CPA-designated Zone A (100-year event) which is along the coastal cliffs and two areas that are already built out.<sup>1</sup> Flood hazards would exist regardless of whether the Recommended Plan is implemented. Rehabilitation, renovation, and/or new construction could change building footprints and result in changes in the number of people who could be exposed to flood hazard. In addition, because of the increasing threat

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<sup>1</sup> See Figure 4.8-2 in Section 4.8 of the San Pedro DEIR.

from sea level rise, the area of Zone A is expected to increase over time. Like other locations throughout Los Angeles that could be exposed to 100-year flood risk or risks from sea level rise, projects would be required to comply with the City's Floodplain Management requirements, and insurance would be available to affected property owners under the National Flood Insurance Program (NFIP). This would be an indirect effect of the Recommended Plan. Compliance with existing regulations would help reduce this impact by ensuring development in locations subject to sea level rise are adequately protected to withstand hydrostatic forces and buoyancy effects. Sea level rise is of primary importance in San Pedro because it could cause flooding in areas not currently subject to flood hazard. Project-specific environmental analysis of discretionary projects in the CPA will still be required and would result in identification of applicable and feasible mitigation of project impacts. Because any future development project is considered on a case-by-case basis and the Recommended Plan and its objectives do not create absolute prohibitions on development that may incrementally impact sea level rise, a level of uncertainty remains and therefore this impact would be considered significant and unavoidable.

Implementation of the Recommended Plan could expose portions of the CPA to flooding from future sea level rise, partially from incremental effects for the growth anticipated in the CPA. Maps prepared by the Pacific Institute show expected flood inundation areas associated with a 1.4-meter (55-inch) sea level rise for San Pedro and adjoining communities for year 2100.<sup>2</sup> As illustrated in the DEIR, the majority of potential inundation areas border Los Angeles Harbor and the coastline, either outside the CPA boundary or in areas that would remain open space (e.g., coastline). However, there is a small segment in the southeast portion of the CPA, east of Pacific Avenue and extending east to Point Fermin that scientists predict could be exposed to higher water levels than under existing conditions as a result of sea level rise. Therefore, adoption of the Recommended Plan would result in **significant impacts** related to flooding from future sea level rise.

**Mitigation Measures:** No feasible mitigation measures were identified. (See also *CBLA v. BAAQMD*, (2015) 62 Cal. 4th 369.)

**Finding:** The City adopts CEQA Finding 3.

**Facts in Support of Finding:** There were no feasible mitigation measures identified to reduce the significant impact related to flooding from sea level rise to less than significant. Therefore, the Project would result in a **significant and unavoidable** impact related to flooding from future sea-level rise, partially from incremental effects from the growth anticipated by the CPA. Specific economic, legal, social, technological, or other considerations, including consideration identified the Statement of Overriding Considerations, make infeasible additional mitigation measures or project alternatives related to the impacts from incremental sea-level rise identified in the EIR.

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<sup>2</sup> Refer to Appendix E of the San Pedro DEIR.

## Noise

### **Noise Regulations (Construction)** (Draft EIR p. 4.10-17)

**Description of Significant Effects:** The Municipal Code regulates construction noise levels and states that noise from construction activities, provided it occurs between the designated hours (7:00 AM to 9:00 PM Monday through Friday, and 8:00 AM to 6:00 PM on Saturdays), is exempt from the noise standards established by the Municipal Code. Notwithstanding the exemption, the Municipal Code establishes performance standards for powered equipment or tools. The maximum allowable noise level for most construction equipment within 500 feet of any residential zone is 75 dBA measured at 50 feet from the noise source. This restriction holds unless compliance is not technically feasible even with the use of noise “mufflers, shields, sound barriers, and/or other noise reduction devices or techniques.”

Development of projects under the Recommended Plan would require the use of heavy equipment for demolition, site excavation, installation of utilities, site grading, paving, and building fabrication. Construction activities would also use smaller power tools, generators, and other sources of noise. During each stage of construction there would be a different mix of equipment operating, and noise levels would vary based on the equipment in operation and the location of the activity. Specific development projects have not been identified for future projects contemplated under the Recommended Plan. For purposes of this analysis, it is assumed that sensitive receptors could be as close as 50 feet from where construction would take place. Depending on the location of construction activities, typical construction noise levels could still exceed 75 dBA despite implementation of mitigation. Implementation of mitigation measure MM4.10-1 would reduce construction noise levels at existing and future noise-sensitive receptors during construction activities associated with implementation of the Recommended Plan; however, depending on the location of construction activities, typical construction noise levels could still exceed 75 dBA despite implementation of mitigation. Implementation of the mitigation measures would help to reduce this impact, but certain construction activities may still be required in proximity to nearby sensitive receptors and construction-related noise levels could exceed the 75 dBA threshold. Therefore, adoption of the Recommended Plan would result in **significant impacts** related exposure of persons to generation of noise levels in excess of the threshold of the City’s noise regulations.

#### **Mitigation Measure:**

**MM4.10-1** *The CPIO District shall include regulations that require contractors to include the following or comparable construction best management practices in contract specifications and/or printed on plans:*

- *Construction haul truck and materials delivery traffic shall avoid residential areas whenever feasible. If no alternatives are available, truck traffic shall be routed on streets with the fewest residences.*
- *The construction contractor shall locate construction staging areas away from sensitive uses.*
- *When construction activities are located in close proximity to noise-sensitive land uses, noise barriers (e.g., temporary walls or piles of excavated material) shall be constructed between activities and noise sensitive uses.*

- *Impact pile drivers shall be avoided where possible in noise-sensitive areas. Drilled piles or the use of a sonic vibratory pile driver are quieter alternatives that shall be utilized where geological conditions permit their use. Noise shrouds shall be used when necessary to reduce noise of pile drilling/driving.*
- *Construction equipment shall be equipped with mufflers that comply with manufacturer's requirements.*
- *The construction contractor shall consider potential vibration impacts to older (historic) buildings.*

**Finding:** The City adopts CEQA Findings 1 and 3.

**Facts in Support of Finding:** Mitigation Measure 4.10-1 on a discretionary project would help to reduce this impact, but not necessarily to less than significant, because operation of certain construction equipment may still exceed the 75 dBA threshold established by the Municipal Code at distances of 50 feet from the equipment. Because specific development projects are not known, the City finds that the Project would have **significant and unavoidable** impacts related to noise. Specific economic, legal, social, technological, or other considerations, including considerations identified in Statement of Overriding Considerations, make infeasible additional mitigation measures or project alternatives related to noise impacts identified in the EIR.

### **Vibration** (Draft EIR p. 4.10-19)

**Description of Significant Effects:** The construction-related groundborne noise and vibration would primarily impact existing sensitive uses (e.g., residences, schools, and hospitals) that are located adjacent to, or within, the vicinity of specific projects. It may be possible that construction activities could occur as close as 25 feet from sensitive receptors that would result in these sensitive receptors experiencing groundborne noise and vibration impacts above the threshold of 85 Vdb. The maximum allowable noise level for most construction equipment within 500 feet of any residential zone is 75 dBA measured at 50 feet from the noise source. This restriction holds unless compliance is not technically feasible even with the use of noise “mufflers, shields, sound barriers, and/or other noise reduction devices or techniques.” Construction activities may still be required in proximity to nearby sensitive receptors and construction-related noise levels which could exceed the 75 dBA threshold. Construction activity can result in varying degrees of ground vibration depending on the equipment and methods employed. Operation of construction equipment causes vibrations that spread through the ground and diminish in strength with distance. Buildings founded on the soil in the vicinity of the construction site respond to these vibrations with varying results ranging from no perceptible effects at the lowest levels, low rumbling sounds and perceptible vibrations at moderate levels, and slight damage at the highest levels. The majority of construction equipment would not exceed any of the standards. However, vibration generated by pile drivers, clam shovels, and vibratory rollers would exceed the building damage standards depending on the distance from the source to the receptor. Therefore, adoption of the Recommended Plan would result in a **significant impact** related to construction vibration without mitigation

**Mitigation Measures:** See Mitigation Measure 4.10-1.

**Finding:** The City adopts CEQA Findings 1 and 3.

**Facts in Support of Finding:** Mitigation Measure 4.10-1 would reduce vibration associated with pile driving and protect historic buildings that are easily damaged by vibration. However, in the absence of detailed vibration analyses associated with specific projects, it is anticipated that construction vibration levels at various sensitive land uses would still exceed the thresholds of significance. Construction-related excessive groundborne noise and vibration impacts would need to be evaluated further under subsequent CEQA documentation for individual projects proposed in the San Pedro CPA. Based on the foregoing, the City finds that the Project would have **significant and unavoidable** impacts related to construction-related excessive groundborne vibration. Specific economic, legal, social, technological, or other considerations, including considerations identified in Statement of Overriding Considerations, make infeasible additional mitigation measures or project alternatives related to construction-related excessive groundborne vibration impacts identified in the EIR.

### **Ambient Noise Levels** (Draft EIR p. 4.10-20)

**Description of Significant Effects:** Construction activities related to development project occurring as a result of implementation of the Recommended Plan would involve demolition, grading, excavation, and construction activities that would involve the use of heavy equipment. These activities would also use of smaller power tools, generators, and other equipment that generates noise. Each stage of construction would use a different mix of equipment, and noise levels would vary based on the amount and types of equipment in operation and the location of the activity related to potential receptors. Specific development projects have not been identified for future projects contemplated under the Recommended Plan. Therefore, the location of noise-sensitive receptors cannot be determined at this time. For purposes of this analysis it is assumed that sensitive receptors could be as close as 50 feet from where construction could take place. Under existing City regulations, non-emergency construction activity would be prohibited between 9:00 p.m. and 7:00 a.m. Monday through Friday, before 8:00 a.m. or after 6:00 p.m. on Saturday, or anytime on Sunday unless consideration is given to a noise variance. However, construction activity would generate temporary and periodic increases in ambient noise levels that would potentially exceed the thresholds established by the City's Threshold Guide. Construction activities associated with implementation of the Recommended Plan would likely last for a period of several weeks and would generate noise levels at noise-sensitive uses above the threshold level. Therefore, adoption of the Recommended Plan would result in a **significant impact** related to ambient noise levels.

**Mitigation Measures:** See Mitigation Measure 4.10-1.

**Finding:** The City adopts CEQA Findings 1 and 3.

**Facts in Support of Finding:** Mitigation Measure 4.10-1 would reduce ambient noise associated with construction near sensitive uses and noise reducing mechanics for construction equipment; however, it is anticipated that ambient noise levels at various sensitive land uses during construction would still exceed the thresholds of significance. Based on the foregoing, the City finds that the Project would have **significant and unavoidable** impacts related to ambient noise. Specific economic, legal, social, technological, or other considerations, including considerations identified in Statement of Overriding Considerations, make infeasible additional mitigation measures or project alternatives related to construction ground vibration impacts identified in the EIR.

## Transportation/Traffic

### **Circulation Systems** (Draft EIR p. 4.13-36)

**Description of Significant Effects:** The traffic study for the EIR identified several intersections that would be significantly adversely impacted by increased traffic generated by the Recommended Plan. The volume-weighted average V/C ratio under the Recommended Plan shows that approximately 6 percent of roadway segments would operate at LOS E or F (V/C of 0.91 or worse). In 2005 (existing traffic conditions), 32 roadway links in the CPA operated at LOS E or F, and with implementation of the Recommended Plan the number of roadway links projected to operate at LOS E or F could increase to a total of 39. The transportation model also showed that implementation of the Proposed Plan would increase the total vehicle miles of travel (VMT) and vehicle hours of travel (VHT) compared to the existing traffic conditions. While these impacts may be improved through the identified mitigation measures, there is considerable uncertainty as to whether conditions at the time of implementation would make these measures feasible. Policies included in the Recommended Plan would reduce traffic impacts in the area, but not to a less-than-significant level. There would still be a significant adverse transportation impact as a result of the Recommended Plan as compared to 2005 conditions. While the Recommended Plan is anticipated to result in impacts on V/C ratio and roadway segments, it will be consistent with SB 375 and the Sustainable Communities Strategy. It is expected that as a result of focused development in targeted areas, this will correspondingly relieve development pressure in the outer edges of the CPA. Thus, although traffic and greenhouse gas emissions may increase in Downtown San Pedro and along commercial corridors, it is anticipated that regionally vehicle miles travelled and greenhouse gas emissions will be less. Development under the Recommended Plan would contribute a portion of the cumulative traffic anticipated on local roadways, with the other portion attributed to regional traffic going through the CPA. There are no additional identified mitigation measures or project features that are not already a part of the Recommended Plan (such as Plan Mobility policies, CPIO regulations, development review procedures), that could mitigate this impact to a less than significant level. Therefore, adoption of the Recommended Plan would result in a **significant impact** related to the circulation system.

**Mitigation Measures:** No feasible mitigation measures were identified.

**Finding:** The City adopts CEQA Finding 3

**Facts in Support of Finding:** Based on the foregoing, the City finds that the Project would have **significant and unavoidable** impacts related to the circulation system and any additional change in traffic conditions as a result of reviewing subsequent available traffic data would not change the significance of traffic impacts nor would this presumably marginal change further exacerbate the impact analysis. Specific economic, legal, social, technological, or other considerations, including considerations identified in the Statement of Overriding Considerations, make infeasible additional mitigation measures or project alternatives relative to transportation and traffic identified in the EIR.

### **Emergency Access** (Draft EIR p. 4.13-34)

**Description of Significant Effects:** The City requires development plans to be submitted to the City for review and approval to ensure that all new development has adequate emergency access, including

turning radius in compliance with existing City regulations. Projects would be subject to the City's permitting process, in which the Police and Fire Departments would review the project to ensure that temporary construction barricades or other obstructions do not impede emergency access. However, because the details about specific development projects are unknown at this time, the adoption and the Recommended Plan and implementing ordinances could impact emergency access. There are no additional identified mitigation measures or project features that are not already a part of the Recommended Plan (such as San Pedro CPIO regulations, development review procedures), that could mitigate this impact to a less than significant level; therefore, adoption of the Recommended Plan would result in a **significant impact** related to emergency access during construction.

**Mitigation Measures:** No feasible mitigation measures were identified.

**Finding:** The City adopts CEQA Finding 3

**Facts in Support of Finding:** Based on the foregoing, the City finds that the Project would have **significant and unavoidable** impacts related to emergency access during construction. Specific economic, legal, social, technological, or other considerations, including considerations identified in the Statement of Overriding Considerations, make infeasible additional mitigation measures or project alternatives related to emergency access during construction identified in the EIR.

### **Congestion Management Program** (Draft EIR p. 4.13-35)

**Description of Significant Effects:** The Recommended Plan analyzed roadway segment Level of Service (LOS) to determine service capacity and projected deficiencies of various roadway networks in San Pedro. For purposes of the County Congestion Management Plan (CMP), a significant impact occurs if the Recommended Plan increases traffic demand on a CMP facility by 2% of capacity, causing LOS F; if the facility is already at LOS F. The San Pedro DEIR shows that the V/C on the CMP roadway segments in San Pedro, which includes portions of Western Avenue and Gaffey Street, would essentially stay the same and in some cases improve. Adoption of the Recommended Plan would result in **significant impacts** related to the congestion management program.

**Mitigation Measures:** No feasible mitigation measures were identified.

**Finding:** The City adopts CEQA Finding 3.

**Facts in Support of Findings:** Based on the foregoing, the City finds that the Project would have **significant and unavoidable** impacts at related to the CMP. Specific economic, legal, social, technological, or other considerations, including considerations identified in the Statement of Overriding Considerations, make infeasible additional mitigation measures or project alternatives related to the congestion management program impacts identified in the EIR.

## **Utilities/Service Systems: Water Resources**

### **Water Supply** (Draft EIR p. 4.14-19)

**Description of Significant Effects:** The Recommended Plan directs planned growth in Downtown San Pedro and along the Gaffey Street, Pacific Avenue, and Harbor Boulevard commercial corridors;



therefore, new water demand will likely occur in these targeted areas. In general, implementation of the Recommended Plan would contribute to increased water consumption in the City, which is projected to increase from an average of 566,990 acre-feet between the years 2011-2014 to 675,686 acre-feet per year in 2040, or 565,600 acre-feet per year in 2040 under the targeted water demands set forth in the Mayor's Sustainable City Plan<sup>3</sup>. The issues of water demand and supply are citywide concerns that transcend the boundaries of individual community plan areas that comprise the City (and the region). Each community plan area contributes to the City's need to provide an adequate supply of water to meet demand. As Los Angeles grows towards a more sustainable future, some areas of the City, which are mainly areas that are served by transit infrastructure, will be encouraged to grow more densely than in the past. The Recommended Plan includes land use changes and zone/height district changes to direct future development in Downtown San Pedro and along designated commercial corridors in order to not only enhance vitality by promoting new housing and employment uses in this area, but to also preserve single family residential and open spaces. Water demand is influenced by a number of variables, including demographics, weather, and the economy. Increasing regulation, environmental mitigation and groundwater contamination as well as other factors result in a changing water supply horizon. Any substantial increase in water demand in the City has the potential to significantly impact water supplies. Implementation of the Recommended Plan would direct growth downtown and along designated commercial corridors. Population growth and new development would likely occur in these designated areas; therefore, these areas will likely account for the increase in water demand. Since the Recommended Plan would contribute to increased water consumption in the City and since any substantial increase in water demand in the City has the potential to significantly impact water supplies, adoption of the Recommended Plan would result in **significant impacts** related to the water supply.

### Mitigation Measures

**MM4.14-1:** *The CPIO District shall include regulations that incorporate water conservation measures into the project design, which may include but are not limited to measures identified in the City's Water Conservation Ordinance.*

**Finding:** The City adopts CEQA Findings 1 and 3.

**Facts in Support of Finding:** Mitigation Measure 4.14-1 would help reduce the impacts to water supply in the San Pedro CPIO District subareas. However, the Recommended Plan would contribute to increased water consumption in the City since any substantial increase in water demand in the City has the potential to significantly impact water supplies. Based on the foregoing, the City finds that the Project would have **significant and unavoidable impacts** related to water supply. Specific economic, legal, social, technological, or other considerations, including considerations identified in the Statement of Overriding Considerations, make infeasible additional mitigation measures or project alternatives related to water supply identified in the EIR.

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<sup>3</sup> The 2015 Urban Water Management Plan for the Los Angeles Department of Water and Power (LADWP), [www.ladwp.com/uwmp](http://www.ladwp.com/uwmp)

## SECTION 3 – ENVIRONMENTAL IMPACTS FOUND TO BE LESS-THAN-SIGNIFICANT WITH MITIGATION

The Final EIR identifies significant impacts which are reduced to a “less-than-significant” level by the inclusion of mitigation measures identified in the Final EIR. It is hereby determined that the significant environmental impacts that these mitigations address will be avoided or substantially lessened by their inclusion in the project.

### Utilities/Services Systems: Solid Waste and Energy Supply Facilities

#### **Solid Waste** (Draft EIR p. 4.14-40)

Solid waste from the San Pedro CPA is transported to the Sunshine Canyon landfill. Total solid waste generation at reasonably expected capacity of the Recommended Plan would be approximately 304.9 tons per day, an increase of 57.5 tons per day compared to existing conditions. The Sunshine Canyon Landfill is permitted to receive 12,100 tons per day and currently receives 6,448 tons per day. Therefore, the Sunshine Canyon Landfill can receive an additional 5,652 tons per day before reaching capacity. The solid waste generated from reasonably expected capacity of proposed plan represents 5.4 percent of the remaining capacity of the landfill. If the entire 304.9 tons of solid waste generated by the proposed plan and implementing ordinances were disposed of in the Sunshine Canyon Landfill, the Sunshine Canyon Landfill would still have sufficient permitted capacity to accommodate this contribution. Sunshine Canyon Landfill is estimated to close in 2043, which is beyond the planning horizon of 2030 for implementing the Recommended Plan. Development under the Recommended Plan would not result in the need for additional waste hauling routes, as it would be infill development in an already urbanized area and would not develop areas beyond its current service boundaries. The Commerce waste-to-energy facility has a capacity of 350 tons per day and the SERRF has a capacity of 1,380 tons per day. If all solid waste from the CPA were to be sent to these facilities, there is adequate remaining capacity in these facilities to accommodate it. Additionally, development pursuant to the Recommended Plan, including the San Pedro CPIO District, would be required to comply with all the diversion and recycling regulations of the state, County, and City. However, since development from implementation of the Recommended Plan would generate an increase in solid waste, adoption of the Recommended Plan would result in a significant impact related to solid waste without mitigation.

#### **Mitigation Measures:**

**MM4.14-2** *The CPIO District shall include regulations that require that projects incorporate the Solid Waste Integrated Resources Plan measures to maximize source reduction and materials recovery and minimize the amount of solid waste requiring disposal with the goal of leading the City to achieve zero waste by 2025.*

**Finding:** The City adopts CEQA Finding 1.

**Facts in Support of Finding:** Implementation of Mitigation Measure 4.14-2 would reduce the impacts related to solid waste to **less than significant**. This mitigation measure will be enforced by

the City as described in the MMP. Based on the foregoing, the City finds that impacts related to solid waste would be mitigated to a **less-than-significant level**.

### **Energy Supply** (Draft EIR p. 4.14-48)

The implementation of the Recommended Plan and the resulting increase in development would result in increased demand for electricity and natural gas during the planning period up to 2035. However, increasing energy conservation as well as the incorporation of alternative renewable energy sources (solar) into the project design, and price-sensitive user demand are anticipated to substantially reduce demand for electricity in the future. Additionally, sufficient natural gas resources will be available for the projected consumption resulting from the anticipated development due to the implementation of the Recommended Plan. Service reliability of energy supply is assessed over time to determine service reliability trends within the area. Because of these variations, standard criteria are often ineffective for determining the acceptability of a specific area's performance. LADWP also stated that the proposed plan and implementing ordinances would create demand for electricity that would result in a need for additional resources as described in LADWP's IRP. They also indicated that additional distribution facilities would be required to supply forecast future electric power demand in the CPA. The specific new infrastructure that would be required is unknown at this time and is highly dependent on the actual rate and level of future development density increases in the CPA. Assuming that future power system infrastructure and resources are implemented as needed to supply future CPA requirements, LADWP has stated that the Recommended Plan and implementing ordinances would not impact service reliability levels. Additionally, increasing energy conservation (Mitigation Measure 4.14-3) and incorporation of alternative renewable energy sources (solar) into project designs are anticipated to substantially reduce demand for electricity. However, since development from implementation of the Recommended Plan would generate an increase in energy demand, adoption of the Recommended Plan would result in a significant impact related to energy supply without mitigation.

#### **Mitigation Measures:**

**MM4.14-3** *The CPIO District shall include regulations that incorporate energy conservation and efficiency measures into the design of new development, including but not limited to:*

- *energy saving windows, doors, insulation and passive solar design;*
- *energy efficient fixtures and appliances;*
- *efficient lighting, heating, air and ventilation systems;*
- *reused or recycled building materials.*

**Finding:** The City Adopts CEQA Finding 1.

**Facts in Support of Finding:** Implementation of Mitigation Measure 4.14-3 would reduce the impacts related to energy supply to **less than significant**. This mitigation measure will be enforced by the City as described in the MMP. Based on the foregoing, the City finds that impacts related to solid waste would be mitigated to a **less-than-significant level**.

## SECTION 4 – ENVIRONMENTAL IMPACTS FOUND TO BE LESS-THAN-SIGNIFICANT

The EIR found the following environmental impacts to be less than significant. In making each of the findings below, the City has considered the project features, programs, and policies discussed in the Final EIR. The project features discussed in the Final EIR are part of the Recommended Plan. During the 30-day public review period for the Notice of Preparation (NOP), the City received comments from public agencies and individuals on the scope and content of the Draft EIR analyses. This process helped identify issues related to the project description, as well as helped identify feasible alternatives or mitigation measures to avoid potentially significant environmental effects. The following environmental impacts of the Recommended Plan will be less-than-significant. No mitigations are required.

### Air Quality

#### **Consistency with Air Quality Management Plan (AQMP)** (Draft EIR, p. 4.2-24)

The City finds that the Project would result in **less-than-significant** impacts related to consistency with the Air Quality Management Plan (AQMP). The AQMP focuses on long-term sources of emissions. Compliance with the United States Environmental Protection Agency (USEPA) exhaust standards and California Air Resources Board (CARB) emission reduction strategies would ensure that construction of future development permitted under the Project would not interfere with implementation of AQMP. Assuming reasonably expected build out of the Project, air emissions associated with the assessed pollutants would be reduced when compared to existing conditions. Therefore, adoption of the Recommended Plan would be consistent with the AQMP goals to reduce pollution levels.

#### **Odors** (Draft EIR, p. 4.2-26)

The City finds that the Project would result in **less-than-significant** impacts related to odors. Construction activities associated with future development and land uses permitted by proposed land use changes are not anticipated to generate adverse odors. Therefore, adoption of the Recommended Plan would not create objectionable odors.

### Biological Resources

#### **Candidate, Sensitive or Special Status Species** (Draft EIR, p. 4.3-31)

The City finds that the Project would result in **less-than-significant** impacts related to candidate, sensitive or special status species. As the majority of the San Pedro CPA is built out and urbanized, future development occurring under the Project would main consist of redevelopment of properties in Downtown San Pedro and along commercial corridors, which are areas that do not likely contain habitat that supports candidate, sensitive, or special-status plant and animal species. Therefore, adoption of the Recommended Plan would not result in adverse effects related to candidate, sensitive, or special status species.

### ***Riparian Habitat or Other Sensitive Natural Community*** (Draft EIR, p. 4.3-33)

The City finds that the Project would result in **less-than-significant** impacts related to riparian habitat. One sensitive natural community, Coastal Seabluff Scrub, is recorded along the southern boundary (coastal cliff areas) of the CPA. In addition, sensitive wetland and water habitats could be present in the northern portion of the CPA within Peck's Park, Rena Park, and Leland Park, and the southwestern portion of the CPA in Friendship Park, Bogdanovich Park, and Averill Park<sup>4</sup>. The Recommended Plan does not include any major changes in land use patterns in these areas of the CPA. Therefore, adoption of the Recommended Plan would not result in adverse effects on any riparian habitat.

### ***Migratory Patterns or Corridors*** (Draft EIR p. 4.3-33)

The City finds that the Project would result in **less-than-significant** impacts related to migratory patterns or corridors. Impacts to wildlife movement resulting from the Recommended Plan and implementing ordinances would be limited to small, fragmented areas that are isolated by urban development and would be expected to support common wildlife species that are adapted to highly urbanized areas. Environmental review would be required under CEQA for any discretionary project that could impact movement of native resident or migratory wildlife species or impeded the use of native wildlife nursery sites. Compliance with federal and state regulations related to the protection of migratory fish and wildlife species, and compliance with General Plan policies that protect wildlife habitat linkages and corridors (Conservation Element, Habitat Policies 1 and 2 and GPF, Policies 6.1.2 and 6.1.5), would ensure this impact remains less than significant. Therefore, adoption of the Recommended Plan would not result in adverse effects on migratory patterns or corridors.

## **Cultural Resources**

### ***Human Remains*** (Draft EIR p. 4.4-26)

The City finds that the Project would result in **less-than-significant impacts** related to human remains. There is one known formal cemetery within the CPA, Harbor View Memorial Park (formerly San Pedro Cemetery), and no changes are proposed to this cemetery. New development would primarily occur on previously developed urban land, and future projects will have to comply with applicable regulations that would protect unknown and previously unidentified human remains if they are unearthed during construction. Therefore, adoption of the Recommended Plan would not result in adverse effects related to human remains.

### ***Archeological Resources*** (Draft EIR p. 4.4-26)

The City finds that the Project would result in **less-than-significant impacts** related to archeological resources. The San Pedro CPA is highly disturbed and any archeological resources that may have existed at the surface have likely been disturbed by past development. New development would primarily occur on previously developed urban land, and future projects will have to comply with

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<sup>4</sup> See Figure 4.3-1 (Biological Resource Areas) in the DEIR.

applicable regulations that would protect unknown and previously unidentified archaeological resources. Therefore, adoption of the Recommended Plan would not result in adverse effects related to paleontological resources.

### **Paleontological Resources** (Draft EIR p. 4.4-27)

The City finds that the Project would result in **less-than-significant impacts** related to paleontological resources. The San Pedro CPA is highly disturbed and any paleontological resources that may have existed at the surface have likely been disturbed by past development. New development would primarily occur on previously developed urban land, and future projects will have to comply with applicable regulations that would protect unknown and previously unidentified paleontological resources. Therefore, adoption of the Recommended Plan would not result in adverse effects related to paleontological resources.

### **Historical Resources** (Draft EIR p. 4.4-27)

The City finds that the Project would result in **less-than-significant impacts** related to historical resources. There are 26 identifiable designated historical resources in the San Pedro CPA, which means that future development projects that would impact these resources would be required to be reviewed by the Planning Department's Office of Historic Resources (OHR) to determine if it is in compliance with the Secretary of the Interior's Standards and if the building alteration, demolition, or removal could result in the loss of or serious damage to a significant historical or cultural asset. The Recommended Plan and implementing ordinances promote the protection and preservation of the existing character of the neighborhoods and do not directly propose changes to designated historical resources. Therefore, the Recommended Plan would not result in adverse effects related to historical resources.

## **Geology/Soils and Mineral Resources**

### **Fault Rupture** (Draft EIR p. 4.5-19)

The City finds that the Project would result in **less-than-significant impacts** related to fault rupture. All future development would be required to comply with the City of Los Angeles Building Code and California Building Code (CBC), which would ensure that risks associated with fault rupture are minimized. Therefore, adoption of the Recommended Plan would not result in adverse effects related to fault rupture.

### **Seismic Groundshaking** (Draft EIR p. 4.5-20)

The City finds that the Project would result in **less-than-significant impacts** related to seismic groundshaking. All future development would be required to comply with the City of Los Angeles Building Code and California Building Code (CBC), which would ensure that risks associated with seismic groundshaking are minimized. Therefore, adoption of the Recommended Plan would not result in adverse effects related to seismic groundshaking.

**Liquefaction, Earthquake-induced Settlement, and Landslides** (Draft EIR p. 4.5-22)

The City finds that the Project would result in **less-than-significant** impacts related to liquefaction, earthquake-induced settlement, and landslides. All future development would be required to comply with the City of Los Angeles Building Code and California Building Code (CBC), which would ensure that risks associated with liquefaction, earthquake-induced settlement, and landslides are minimized. Therefore, adoption of the Recommended Plan would not result in adverse effects related to liquefaction, earthquake-induced settlement, and landslides.

**Soil Erosion** (Draft EIR p. 4.5-23)

The City finds that the Project would result in **less-than-significant** impacts related to soil erosion. All future development would be required to comply with the City of Los Angeles Municipal Code, including the City's Baseline Hillside Ordinance requirements, which address grading, excavations, and fills to ensure that risks associated with soil erosion are minimized. Therefore, adoption of the Recommended Plan would not result in adverse effects related to soil erosion.

**On- or Off-site Landslide, Lateral Spreading, Subsidence, or Collapse** (Draft EIR p. 4.5-24)

The City finds that the Project would result in **less-than-significant** impacts related to on- or off-site landslide, lateral spreading, subsidence, or collapse. All future development, including grading, would be required to comply with the City of Los Angeles Grading Code and Building Code, and the California Building Code (CBC), which would ensure that risks associated with on- or off-site landslide, lateral spreading, subsidence, or collapse are minimized. Under the Grading Code, the Department of Building and Safety has the authority to withhold building permit issuance if a project cannot mitigate potential hazards to the project or which are associated with the project. Therefore, adoption of the Recommended Plan would not result in adverse effects related to on- or off-site landslide, lateral spreading, subsidence, or collapse.

**Expansive Soils** (Draft EIR p. 4.5-25)

The City finds that the Project would result in **less-than-significant** impacts related to expansive soils. All future development would be required to comply with the City of Los Angeles Grading Code and Building Code and the California Building Code (CBC), in combination with the City's standard grading and building permit requirements, and the application of Best Management Practices which would ensure that risks associated with expansive soils are minimized. Therefore, adoption of the Recommended Plan would not result in adverse effects related to expansive soils.

**Prominent Geologic or Topographic Features** (Draft EIR p. 4.5-26)

The City finds that the Project would result in **less-than-significant** impacts related to prominent geologic or topographic features such as hilltops, ridges, hill slopes, canyons, ravines, rock outcrops, water bodies, streambeds and wetlands. Development in most of the hilly areas would be minimal because the areas not designated Open Space are designated as Single-family Residential and Public Facilities and all development would be required to comply with the San Pedro Coastal Land Use Plan

and Specific Plan, which designated coastal bluff and hill slope areas to be preserved as Open Space. Therefore, risks associated with the modification of prominent geological or topographic features are minimized. Therefore, adoption of the Recommended Plan would not result in adverse effects related to prominent geologic or topographic features.

## **Safety/Risk of Upset**

### ***Transport, Use, and Disposal*** (Draft EIR p. 4.7-20)

The City finds that the Project would result in **less-than-significant** impacts related to the transport, use, and disposal of hazardous materials. The transportation of hazardous materials could result in accidental spills, toxic releases, fire, or explosion. Implementation of the Recommended Plan could increase the amount of hazardous materials and/or waste brought to, or generated by, the CPA. However, impacts to safety/risk of upset would be primarily limited to Downtown San Pedro and the Gaffey Street, Pacific Avenue, and Harbor Boulevard commercial corridors, which are areas that include potential increases in population density. Construction activities associated with new development could involve the transport or release of hazardous materials (i.e. lead or asbestos), and certain land uses may involve the use of hazardous materials (i.e. refrigerants or cleaners). All new development would be required to comply with applicable regulations, such as the CBC, that would ensure that new structures and activities do not expose people to injury as a result of hazardous materials or conditions. Therefore, adoption of the Recommended Plan would not result in adverse effects related to the transport, use, and disposal of hazardous materials.

### ***Upset and Accident Conditions*** (Draft EIR p. 4.7-22)

The City finds that the Project would result in **less-than-significant** impacts related to the upset and accident conditions. The Project would result in the demolition and construction of new buildings that may release hazardous materials into the environment. However, any new construction would be required to comply with all local, State, and federal regulations. Businesses are also required to comply with health and safety, and environmental protection laws and regulations, which require businesses handling or storing certain amounts of hazardous materials to prepare a hazardous materials business plan. Future projects within the San Pedro CPA would be required to conform with environmental regulations to minimize the potential for exposure to adverse health or safety effects. Therefore, adoption of the Recommended Plan would not result in adverse effects related to the upset and accident conditions.

### ***Hazardous Materials and Proximity to Schools*** (Draft EIR p. 4.7-25)

The City finds that the Project would result in **less-than-significant** impacts related to hazardous materials, substances, or waste within 0.25 mile of a school. The Draft EIR identified 21 public schools Los Angeles Unified School District (LAUSD) and 8 private schools within the San Pedro CPA. It is possible that new development would occur in the vicinity of one or more of these schools. However, potential impacts would be primarily limited to Downtown San Pedro, and the Gaffey Street, Pacific Avenue, and Harbor Boulevard commercial corridors. Individual projects as part of the Recommended Plan will be required to comply with federal, state, and local hazardous materials



regulations. Compliance with all applicable local, State, and federal laws and regulations, as described in the regulatory framework, would regulate, control, or respond to hazardous waste, transport, store, disposal, and clean-up in order to ensure that hazardous materials do not pose a significant risk to nearby receptors. Therefore, adoption of the Recommended Plan would not result in adverse effects related to hazardous materials, substances, or waste and schools.

### **Construction Adjacent to Schools** (Draft EIR p. 4.7-30)

The City finds that the Project would result in **less-than-significant** impacts related to construction near schools. Development or redevelopment under the Proposed Plan could occur adjacent to existing or proposed schools and could result in increased noise or traffic from construction vehicles. This could result in increased noise and safety hazard for pedestrians from construction traffic. However, with compliance with existing regulations, this impact would be less than significant. Therefore, adoption of the Recommended Plan would not result in adverse effects related to construction adjacent to schools.

### **List of Hazardous Materials Site** (Draft EIR p. 4.7-28)

The City finds that the Project would result in **less-than-significant** impacts related to hazardous materials sites. A significant hazard to the public would occur if a contaminated site were to be developed without proper treatment. However, as required by current regulation, development of these identified contaminated sites, which are listed on federal and state regulatory databases, would be required to undergo thorough site remediation and cleanup before construction activities could begin, which would ensure that this impact would be less than significant. Therefore, adoption of the Recommended Plan would not result in adverse effects related to hazardous materials sites.

### **Emergency Response Plans** (Draft EIR p. 4.7-29)

The City finds that the Project would result in **less-than-significant** impacts related to emergency response plans. The Project would not impair implementation of, or physically interfere with, the Los Angeles County Operational Area Emergency Response Plan, as the Project would not introduce new streets or otherwise change the overall land use pattern in the San Pedro CPA. Although the Project would result in a slight increase in population which could delay police or emergency response times, compliance with Safety Element Policies would help minimize the potential impact of interference with the County emergency response plan. Therefore, adoption of the Recommended Plan would not result in adverse effects related to emergency response plans.

### **Wildland Fire** (Draft EIR p. 4.7-30)

The City finds that the Project would result in **less-than-significant** impacts related to wildland fire. Areas designated as Very High Fire Hazard Severity Zone are located in open spaces areas of the hilly southern and western portions of the San Pedro CPA. Areas designated as Very High Fire Hazard Severity Zone are located in open space areas of the hilly southern and western portions of the CPA. Much of this area is designated as Open Space and surrounded by areas of Low Density Residential and the CPA and implementing ordinances do not propose any changes to these areas. However, some construction could occur in some areas near the Very High Fire Hazard Severity Zone or Fire

Buffer Zone. New construction in these zones must comply with a variety of requirements from the LAMC (Chapter V, Article 7, Fire Code), including provisions for emergency vehicle access, use of approved building materials, design, and brush clearance. Implementation of existing local regulations would help minimize wildland fire hazards. Therefore, adoption of the Recommended Plan would not result in adverse effects related to wildland fire.

### **Airport Land Use Plan** (Draft EIR p. 4.7-28)

The City finds that the Project would result in **less-than-significant** impacts related to an airport land use plan. The San Pedro CPA is not within an airport land use plan, nor is it within two miles of a public or private airport. While implementation of the Project would allow for increased building heights at specified sites, this would not interfere with flight patterns. Therefore, adoption of the Recommended Plan would not result in adverse effects related to an airport land use plan.

## **Hydrology/Water Quality**

### **Surface Water and Surface Water Flow** (Draft EIR p. 4.8-21)

The City finds that the Project would result in a **less-than-significant** impacts related to surface water and surface water flow. Although the implementation of the Recommended Plan would minimally change stormwater flows and volumes, it would not contribute to off-site flooding potential, or changes in the amount of surface water or surface water flow direction or current due to existing regulations. The Recommended Plan and implementing ordinances could indirectly result in the construction of some new development on vacant or undeveloped land. However, this new development would not result in adverse stormwater and flooding effects because only less than 1 percent of the land in the CPA is vacant or undeveloped. The Recommended Plan seeks to preserve open space and hillside areas, which are areas that help with stormwater retention and infiltration, and redirects projected growth to Downtown San Pedro and along targeted commercial corridors. Potential impacts would be limited to these targeted areas. Projects would be required to comply with the City's Low Impact Development (LID) Ordinance, which will ensure that new development under the Recommended Plan would not cause a substantial increase in the peak flow rates or volumes of stormwater runoff that would cause on-site or off-site flooding. Therefore, adoption of the Recommended Plan would not result in adverse effects related to surface water quality.

### **100-Year Flood Hazard** (Draft EIR p. 4.8-22)

The City finds that the Project would result in a **less-than-significant** impacts related to the 100-year flood hazard. Within the San Pedro CPA, the Federal Emergency Management Agency (FEMA) designated 100-year flood hazard zones are along the coastal cliffs in the southern portion of the CPA, including Point Fermin Park near the Los Angeles Harbor breakwater, and two small areas in the CPA (one between Pacific Avenue and Gaffey Street south of 3rd Street, and the other east of Walker Avenue and north of 13th Street). There is one FEMA-designated 500-year flood hazard zone within the CPA at Point Fermin Park near the Los Angeles Harbor breakwater. These flood hazard areas have been mapped by FEMA and development within these flood hazard areas is restricted. The Recommended Plan does not include any land use changes or zone changes that would permit new

development within these flood zones. Existing policies and regulatory requirements would ensure that the Recommended Plan would not place housing or structures within a flood hazard zone or in an area that would impede or redirect flood flows. Therefore, adoption of the Recommended Plan would not result in adverse effects related to the 100-year flood hazard.

### ***Inundation by Tsunami, Seiche, or Mudflow*** (Draft EIR p. 4.8-22)

The City finds that the Project would result in a **less-than-significant** impacts related to the inundation by tsunami, seiche, or mudflow. Some of coastal cliff areas in the southern portion of the CPA are susceptible to tsunami, and a small area in the southeast area may be susceptible as well. However, the Recommended Plan does not implement ordinances do not propose any changes to this area, and the land uses would remain open space. The Recommended Plan contains policies that encourages the protection of significant open space resources from environmental hazards. In addition to the Recommended Plan and implementing ordinances, existing regulations such as the City's standard grading and building permit requirements, would not expose people or structures to potential substantial risk due to seiche, tsunami, or mudflow. Therefore, adoption of the Recommended Plan would not result in adverse effects related to inundation.

### ***Surface Water Quality*** (Draft EIR p. 4.8-22)

The City finds that the Project would result in a **less-than-significant** impacts related to surface water quality. The rate and volume of stormwater runoff as an indirect result of the Recommended Plan would not contribute a substantial addition in stormwater flows to the City's system. While the Recommended Plan and implementing ordinances propose some changes in the area of the East Basin and along the Los Angeles Harbor. The area along North Gaffey Street closest to the East Basin would be redesignated from Heavy Industrial to Light Industrial. Some increases in density are proposed in the sub-areas in Downtown San Pedro near the East Basin or Los Angeles Harbor, but no new land use types are proposed. None of the changes or amendments would introduce land uses near the East Basin or Los Angeles Harbor) that would create polluted runoff that would directly degrade water quality in the Harbor. As such, these changes would not result in substantial new polluting land uses. In addition, the City also has a variety of prevailing requirements for new developments to ensure that violations of water quality standards do not occur. Compliance with these regulations is required and the project proponent must demonstrate that the applicable regulations have been incorporated into a project's design before permits for construction would be issued. Therefore, adoption of the Recommended Plan would not result in adverse effects related to surface water quality.

### ***Groundwater*** (Draft EIR p. 4.8-24)

The City finds that the Project would result in a **less-than-significant** impacts related to groundwater. All new development will be required to comply with the City's Standard Urban Stormwater Mitigation Plan (SUSMP) requirements, applicable Los Angeles Municipal Code (LAMC) water quality standards, and the General Plan Framework, which would prevent significant groundwater quality impacts. Implementation of the Recommended Plan would cause negligible changes in surface drainage

patterns and surface water bodies in a manner that could cause erosion or siltation. Therefore, adoption of the Recommended Plan would not result in adverse effects related to groundwater.

## Land Use/Planning

### **Land Use Consistency** (Draft EIR p. 4.9-41)

The City finds that the Project would result in a **less-than-significant** impacts related to land use consistency. The majority of the land use changes proposed by the San Pedro Community Plan consist of General Plan Amendments to create consistency with Framework Land Use designation, and create consistency between existing land uses. The Recommended Plan focuses growth into Framework-identified Centers and corridors while preserving single-family residential neighborhoods and open space. The land use changes included in the San Pedro Community Plan concentrate development in Downtown San Pedro and along commercial corridors such as Gaffey Street, Pacific Avenue, and Harbor Boulevard, consistent with adopted land use policies, regionally and locally adopted land use plans and policies, including the Southern California Association of Governments' Regional Transportation Plan (SCAG's RTP). Therefore, adoption of the Recommended Plan would not result in adverse effects related to land use consistency.

### **Land Use Compatibility** (Draft EIR p. 4.9-45)

The City finds that the Project would result in a **less-than-significant** impacts related to land use compatibility. The Recommended Plan does not propose any land use changes that would substantially change land use patterns in San Pedro. The Recommended Plan includes zone changes that would be implemented in selected areas to enable opportunities for new housing, particularly in Downtown San Pedro and along commercial corridors and centers. Floor Area Ratio (FAR) in some planning subareas would be increased or decreased. Zone changes would also set height limits and density, require transition buffers for building heights adjacent to residential uses, restrict some industrial zoning to only allow the lightest industrial uses, limit outdoor storage, and require ground floor commercial for mixed-use development. The Recommended Plan and implementing ordinances include some changes in height districts in selected areas of the CPA. The height district changes vary from reducing heights in some areas along North Gaffey and North Front Streets, increasing heights in a small area along Western Avenue, or expanding the Downtown San Pedro Community Design Overlay (CDO) to include a small area along Harbor Boulevard. These areas are included in the San Pedro CPIO, which requires transition buffers to decrease the building height for areas of development adjacent to residential areas. In addition, height district changes proposed in the southern portion of the CPA are limited to some changes to a small group of commercial properties along Western Avenue in an area already developed with commercial properties. The Recommended Plan and implementing ordinances would include design standards and guidelines for new industrial, commercial, and multi-family building uses and small lot subdivisions. These standards would ensure that new development complements the existing character and scale of neighborhoods in San Pedro. The Recommended Plan would also preserve open space and coastal areas, and single-family residential neighborhoods, and instead would direct future development in Downtown San Pedro and along established commercial corridors. Therefore, impacts to existing land uses would be minimal and the Recommended Plan would not result in a substantial increased potential for land use conflicts

and nuisance relationships between existing and future land uses. None of the recommended changes would result in the construction of large blocks of development that would divide or isolate land uses in the CPA. Adoption of the Recommended Plan would not result in adverse effects related to land use compatibility.

## Noise

### **Noise Regulations** (Draft EIR, p. 4.10-13)

The City finds that implementation of the Recommended Plan would result in a **less-than-significant** impacts related to noise from operational activities. Sources of noise generated by implementation of development under the Recommended Plan would include new stationary sources such as HVAC systems and exterior living spaces, such as porches and patios. Compliance with the Municipal Code would ensure that noise levels attributed to new HVAC systems would not increase noise levels above City standards. In addition, implementation of City Building Code regulations would ensure that exterior living spaces are constructed in a manner that noise levels do not exceed City noise standards.

### **Groundborne Vibration from Operational Activities** (Draft EIR p. 4.10-19)

The City finds that the Project would result in a **less-than-significant** impacts related to groundborne vibration from operational activities. Noise generated by implementation of development under the Recommended Plan would directly arise from stationary sources such as HVAC systems, which would most likely be mounted on the rooftops of future limited industrial, commercial and multi-family buildings. The Los Angeles Municipal Code (LAMC) regulates the noise generated from such units, and the City's Building Code regulates the location of exterior living spaces so that they do not contribute to raising noise levels that would exceed the City's noise standards. As discussed in the DEIR (Chapter 4.10), groundborne vibration resulting from operational activities would primarily be generated by trucks making periodic deliveries to the uses within the CPA. However, these types of deliveries would be consistent with deliveries that are currently made along roadways to commercial uses in the CPA boundaries and are not anticipated to increase groundborne vibration above existing levels because the Recommended Plan would increase the level of uses (residential) that do not typically require this type of delivery and decrease the level of uses (office and commercial) that do. In areas where mixed-use development would occur, the residential uses would be located above the ground level and would therefore, not experience groundborne vibration. Because no substantial sources of groundborne vibration would be built as part of the Recommended Plan, no vibration impacts would occur during operation of the Plan. Therefore, adoption of the Recommended Plan would not result in adverse effects related to groundborne vibration from operational activities.

### **Noise Levels** (Draft EIR p. 4.10-15)

The City finds that the Project would result in a **less-than-significant** impacts related to permanent increases in ambient noise levels. Increases in noise would occur primarily as a result of increased traffic on local roadways due to the new mix of uses that could develop from implementation of the Recommended Plan. The DEIR compared existing roadway noise levels and future roadway noise projections without the project (2030) and future roadway noise projections with the project (2030).

Increases in roadway noise levels with the Recommended Plan would not increase by more than 1.0 dBA CNEL compared to future roadway noise levels without the Recommended Plan. The greatest project related increase would occur along the roadway of Gaffey Street between Channel Street and Capitol Drive. The vehicle noise levels would result in a 0.6 dBA increase above noise levels without the Recommended Plan. Therefore, adoption of the Recommended Plan would not result in adverse effects related to permanent increase in ambient noise levels.

### **Temporary or Periodic Noise Levels** (Draft EIR p. 4.10-16)

The City finds that the Project would result in a **less-than-significant** impacts related to temporary or periodic increases in ambient noise levels. Implementation of the Recommended Plan could include special events or temporary activities that would cause an increase in ambient noise levels. Noise creating events such as parades and street festivals would not be located within residential areas and would be required to obtain permits and comply with the requirements of the Municipal Code regarding amplified sound. In addition, operation of the Recommended Plan would not require periodic use of special stationary equipment that would expose off-site sensitive receptors to an increase in ambient noise levels above those existing without the Recommended Plan. Compliance with existing regulations would ensure that noise levels attributed to new temporary or periodic noise would not increase noise levels above City standards. Therefore, adoption of the Recommended Plan would not result in adverse effects related to temporary or periodic increase in noise levels.

## **Population, Housing, and Employment**

### **Population** (Draft EIR p. 4.11-10)

The City finds that the Project would result in a **less-than-significant** impacts related to population. The Recommended Plan and implementing ordinances would primarily result in General Plan Amendments and zone changes to create consistency between General Plan Framework land use designations, zone changes to set development standards, design standards and guidelines, and ordinances to protect historic resources and single-family residential uses. Future development under the Recommended Plan would be considered infill development as the Plan does not propose any land use changes that would substantially change land use patterns in San Pedro. The Recommended Plan directs growth away from open space/coastal areas and single-family residential areas, and directs future growth to Downtown San Pedro and along designated commercial corridors. Therefore, adoption of the Recommended Plan would not result in adverse effects related to population growth.

### **City and Regional Housing Policies** (Draft EIR p. 4.11-11)

The City finds that the Project would result in a **less-than-significant** impacts related to housing. The Recommended Plan focuses future potential growth in existing multi-family residential neighborhoods and commercial areas. The majority of land use changes recommended are for the purpose of creating consistency with actual land uses in the CPA and to encourage housing development opportunities along major roads. This strategy is consistent with the policies provided in the Framework and Housing Elements of the City's General Plan, as well as SCAG's Regional

Transportation Plan (RTP) and other applicable regional plans. Therefore, adoption of the Recommended Plan would not result in adverse effects related to housing.

## **Public Services and Recreation: Public Schools and Parks**

### ***Fire Protection and Emergency Response*** (Draft EIR p. 4.12-12)

The City finds that the Project would result in a **less-than-significant** impacts related to fire protection and emergency response. The Recommended Plan's land use and zone changes would accommodate projected growth if it occurs. However, an increase in population and/or changes to land uses by itself would not increase demand for a new fire station. It is anticipated that a greater demand for fire protection and emergency services will occur as a result of a greater number of residents, employees, and commercial activities in San Pedro, creating an increased demand for Los Angeles Fire Department (LAFD) services. The majority of the population increase would occur in existing commercial districts and in Downtown San Pedro. The provision of a new fire station varies more as a function of not only the geographic distribution of physical structures but access to trucks, ambulances, and other equipment as well as the location of the CPA. The land use designations and policies of the Recommended Plan would not increase the demand for fire services. Furthermore, new individual projects would be required to submit development plans to the LAFD to ensure there would be adequate fire flow and proper hydrant siting, and that the overall site plan layout complies with the Fire Code. Therefore, adoption of the Recommended Plan would not result in adverse effects related to construction of a new fire station, or the expansion, consolidation, or relocation of an existing facility to maintain service.

### ***Police Protection*** (Draft EIR p. 4.12-21)

The City finds that the Project would result in a **less-than-significant** impacts related to police protection. The increase in people, dwelling units, commercial and industrial uses created through development allowed under the Recommended Plan could potentially increase the demand for police protection services. As discussed in the EIR, the provision of a new police station varies more as a function of the crime rate and response time than population increases. In addition, due to the mobile nature of police services, it is unlikely that the need for additional officers created by the increase in demand for police services would result in the need for the construction of new or expanded police protection facilities. Instead, the number of officers on the street is more directly related to the realized response time. The Recommended Plan includes land use changes and zone and height district changes that will concentrate future development as infill in Downtown San Pedro. Downtown San Pedro is located closest to Police Station No. 112, which is technically located outside of the CPA (444 S. Harbor Blvd., Berth 86). Adoption of the Recommended Plan does not change the regulatory context of LAPD project level review prior to the issuance of building permits. Therefore, the adoption of the Recommended Plan would not result in adverse impacts related to construction of a new police station, or the expansion, consolidation, or relocation of an existing facility to maintain service.

**Public Schools** (Draft EIR p. 4.12-30)

The City finds that the Project would result in a **less-than-significant** impacts related to public schools. The Recommended Plan is projected to result in an increased student population in 2030. Impacts were evaluated using enrollment data provided by LAUSD. The total student enrollment capacity as stated in the Draft EIR is 29,867, with a total planned capacity of 36,061. Based on the 2005 baseline, the additional 4,428 dwelling units would generate approximately 1,781 students, a total of up to 28,684 students under the Recommended Plan. With the planned student enrollment capacity at 36,061, public school service would accommodate the projected population. Nevertheless, it is possible that new residential development along commercial corridors or in existing multiple-residential neighborhoods (where infill opportunities are directed) could cause one single school to be overcrowded and require a school expansion or new construction. Therefore, implementation of the Recommended Plan could result in substantial adverse physical impacts associated with the need for new or expanded school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for schools. However, the Recommended Plan incorporates policies that help reduce impacts related to community-specific school service issues. Funding for new school facilities is derived from SB 50. Currently individual project applicants are required to pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area. Therefore, adoption of the Recommended Plan would not result in adverse effects related to public schools.

**Libraries** (Draft EIR p. 4.12-39)

The City finds that the Project would result in a **less-than-significant** impacts related to libraries. The CPA is currently served by the existing San Pedro Regional Branch library. Although the library space for the 2030 Recommended Plan is lower than the State library standards, the Los Angeles Public Library (LAPL) Branch Facilities Plan includes a new West San Pedro Branch library (14,500 square feet) as part of its proposed project list. Regardless of the timeline for a new library branch in the future, current library services such as online services (on-line catalog, information databases, multimedia software) as well as free internet searching for the public would lessen the adverse impacts resulting from a mismatch between available physical library space and resources and the community's needs for library facilities. In addition, the existing library is not at full capacity and could provide 13,000 additional volumes, which would further reduce the impact, and there are also nearby libraries that provide additional services for the CPA. Adoption of the Recommended Plan would not result in adverse effects related to construction of a new or physically altered library facilities.

**Recreation** (Draft EIR p. 4.12-50)

The City finds that the Project would result in a **less-than-significant** impacts related to recreation. No new parks or recreational facilities are planned or proposed in the Proposed Plan. Nevertheless, new park facilities could be constructed, including consistent with the Quimby Act and the City's park standards discussed above. If new park facilities are constructed, it is reasonably expected that such facilities would occur where allowed under the designated land use. Generally, development of parks in the CPA would be expected to have impacts consistent with those analyzed in this EIR or



potentially be eligible for an infill exemption. Impacts related to future park sites would be speculative at this time. Therefore, adoption of the Recommended Plan would not result in adverse effects related to new parks or recreational facilities.

## Utilities/Services Systems

### **Water Delivery and Distribution Infrastructure** (Draft EIR p. 4.14-17)

The City finds that the Project would result in a **less-than-significant** impacts related to water delivery and distribution infrastructure. LADWP projects<sup>5</sup> that citywide water demand, which is based on normal weather conditions, would be 675,685 af (acre-feet) by 2040. LADWP further projects water demand in 2040 with aggressive and passive conservation targets set forth in the Mayor's Sustainability City Plan would be 565,600 af. The San Pedro CPA is located in an urban area of the City that is predominantly developed with residential uses, with denser development in Downtown San Pedro. Less than 1 percent of the land within the CPA is currently undeveloped or vacant. The Recommended Plan and implementing ordinances could result in redevelopment of existing land uses or the development of undeveloped/vacant land within the CPA. Additionally, the Recommended Plan and implementing ordinances could result in growth in the CPA, particularly in targeted areas such Downtown San Pedro and commercial corridors on Gaffey Street, Pacific Avenue, and Harbor Boulevard. Additional development in this area could also increase the demand for water in the CPA, which would be due to the projected increase in population from 2005 to 2030 associated with the increase in dwelling units. The Los Angeles Aqueduct Filtration Plant (LAAFP) has capacity to provide the CPA with its projected water needs. While the majority of existing major water supply facilities in the CPA are considered to be adequately-sized for the anticipated growth, the upgrading and/or expansion of existing local distribution systems may be needed at certain locations within the CPA. New development under the Recommended Plan that would have to provide LAFD (Fire Department) or LADWP-required upgrades to the water distribution systems if they are required through the permit process. Therefore, of the Recommended Plan would not result in adverse effects related to water delivery and distribution.

### **Wastewater Treatment** (Draft EIR p. 4.14-27)

The City finds that the Project would result in a **less-than-significant** impacts related to wastewater treatment. Existing regulations address wastewater issues by monitoring generation and flow quantities, treating wastewater to the standards set by law and regulatory agencies and expanding the system's capacity to accommodate growth and development. New development under the Recommended Plan would comply with all provisions of the NPDES program as enforced by the RWQCB. These policies would apply to existing and future development in the Community Plan Area. Future development under the Recommended Plan will be required to adhere to federal, state, regional, and local regulations for wastewater treatment. Furthermore, any development resulting from the Recommended Plan will be required to provide LADBS-required upgrades to the wastewater

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<sup>5</sup> The 2015 Urban Water Management Plan for the Los Angeles Department of Water and Power (LADWP), [www.ladwp.com/uwmp](http://www.ladwp.com/uwmp)

distribution systems serving the CPA. In addition, implementation of the Recommended Plan would not exceed the capacity of the wastewater treatment system and there are no current plans to expand the facility because of insufficient capacity. Therefore, adoption of the Recommended Plan would not result in adverse effects related to wastewater treatment.

### **Wastewater Conveyance Infrastructure** (Draft EIR p. 4.14-28)

The City finds that the Project would result in a **less-than-significant** impacts related to wastewater conveyance. The Recommended Plan and implementing ordinances could result in the redevelopment of existing land uses or the development of undeveloped/vacant land within the CPA. Additionally, the Project would result in an increase in population in the CPA from approximately 82,112 to 83,354 and an increase in commercial and industrial development of 3,472,289 sf by 2030. This additional development would increase wastewater generation in the CPA. However, the treatment plants that serve the City of Los Angeles have been sized to accommodate growth from build-out of the General Plan. The City of Los Angeles has adjusted growth estimates, redistributing growth to targeted areas while keeping the maximum growth capacity the same. The growth in the CPA would not represent growth that has not already been considered in the General Plan Framework Element. Due to aging infrastructure, replacement of sewer lines in the area can reasonably be expected with or without the Recommended Plan. Therefore, adoption of the Recommended Plan would not result in adverse effects related to wastewater conveyance infrastructure.

## **SECTION 5 – NO ENVIRONMENTAL IMPACT**

CEQA seeks to disclose environmental impacts associated with a proposed project.<sup>6</sup> The CEQA process is primarily designed to identify and disclose to decision makers and the public the significant environmental impacts of a proposed project prior to its consideration and approval. This is accomplished by the preparation of initial studies, negative declarations, and/or environmental impact reports. An initial study was conducted and determined that the following would have no significant environmental effects.

### **Agriculture and Forestry Resources** (FEIR, p. 8-6)

As set forth in Section 5.3 of the DEIR, any potential impacts to agriculture and forestry resources were scoped out of the EIR as they were determined not to be significant pursuant to CEQA Guidelines Section 15128. The City finds that the Project would result in **no impacts** related to farmland, agricultural land, timberland, and forest land. The San Pedro CPA is fully urbanized and does not contain farmlands, forest lands, or timberland. Nor does the CPA contain land used or zoned for agricultural uses. Therefore, adoption of the Recommended Plan would not result in adverse effects related to agricultural uses.

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<sup>6</sup> <http://www.calrecycle.ca.gov/SWFacilities/Permitting/CEQA/Overview/Purpose.htm#Objectives>

## **Mineral Resources** (Oil and Gas Resources and MRZ-2 Zones) (Draft EIR, p. 4.5-19)

The City finds that the Project would result in **no impacts** related to mineral resources. A small portion of the Wilmington Oil Field in the vicinity of the Los Angeles Harbor to the north of the Vincent Thomas Bridge extends into the San Pedro Community Plan. However, there are no active oil wells or water injection wells in that area. There are a few wells in the CPA, but all but one is inactive, and the remaining one is idle. The Recommended Plan and implementing ordinances do not propose any land use changes that would increase the likelihood of mineral resource exploration or extraction, nor would the Recommended Plan preclude future exploration/extraction. Therefore, implementation of the Recommended Plan would not affect any oil and gas resources in the CPA. There are no impacts to oil and gas resources. There are no active sand and gravel operations in the CPA and the state has not classified any deposits underlying the CPA as having value to the state. Therefore, adoption of the Recommended Plan would not result in adverse effects related to mineral resources.

## **SECTION 6 – ALTERNATIVES TO THE PROJECT**

The Project Objectives of the San Pedro Community Plan, as discussed in the DEIR (Chapter 3) and further clarified in the Final EIR (Chapter 8), are:

### Primary Objectives:

- Accommodate projected population, housing, and employment growth consistent with the City of Los Angeles General Plan Framework Element and SB 743.
- Improve the function and design of neighborhoods and districts throughout the CPA to address the compatibility of industrial sites with adjacent non-industrial uses; strengthen the attractiveness and the connectivity of multi-family neighborhoods to amenities and services in Downtown San Pedro and adjacent commercial corridors, and preserve and strengthen the appearance of Downtown San Pedro and adjacent commercial corridors to promote economic activity and revitalization.
- Preserve residential neighborhoods and maintain community character.
- Retain industrial areas for future employment opportunities.
- Improve the function and design of neighborhoods throughout the plan area

### Secondary Objectives:

- Encourage and promote a variety of mobility options including local and regional transit, and multiple modes of travel.
- Protect natural, historic and cultural resources to enhance community identity.
- Land Use and Zoning Consistency by correcting inconsistencies between land use designation and zoning.

## **General Findings**

Based on the whole of the administrative record, the City finds that the Final EIR analyzes a reasonable range of project alternatives that would feasibly attain some of the basic objectives of the project and

be expected to reduce the project's significant impacts (see Chapter 6 DEIR and Chapter 13 of the FEIR). The Final EIR (Chapter 9) also discusses other alternatives that were considered and eliminated from further evaluation due to not meeting the primary project goals. Project alternatives would not allow the flexibility addressed in the Recommended Plan, which directs new development to well-suited areas such as Downtown San Pedro and along targeted commercial corridors, such as Gaffey Street, Pacific Avenue, and Harbor Boulevard. Nor would they address existing land use incompatibilities to the extent addressed by the Recommended Plan (The Project). The City finds that the Final EIR adequately evaluates the comparative merits of each alternative. Specifically, the Final EIR considered the following alternatives: Existing 1999 Plan Reasonable Expected Development (No Project) and SCAG 2030 Projection. Having weighed and balanced the pros and cons of each of the alternatives analyzed in the Final EIR, each of these alternatives is hereby found to be infeasible based on the Final EIR's analyses, the Plan Objectives, these CEQA findings, and economic, legal, environmental, social, technological and other considerations. The Project's objectives limited the range of alternatives. The primary objectives of this project are to accommodate projected population, housing, and employment growth while preserving single-family residential neighborhoods, improving the function and design of neighborhoods, and retaining industrial areas for future employment opportunities. The Project increases the overall development potential of the entire CPA compared to the 1999 plan Alternative. Compared to the SCAG Alternative, the Project allows for anticipated growth by focusing new development (as infill) in Downtown San Pedro and along targeted commercial corridors. The SCAG Alternative would allow a more dispersed growth pattern throughout the CPA. There are limited alternatives that would be able to accomplish the Project objectives.

## **Alternative 1 – Existing 1999 Plan Reasonable Expected Development (No Project)**

This alternative is required by CEQA. Under the No Project Alternative, there would be no revision of the existing community plan. Development would be allowed to occur under the existing community plan that was adopted in 1999.

**Impact Summary.** The following significant and unavoidable impacts would occur under the No Project Alternative: Aesthetics, Air Quality (construction and greenhouse gas emission impacts), Greenhouse Gas Emissions, Hydrology/Water Quality (rise in sea level), Noise (construction and operational impacts), and Transportation, which are the same significant and unavoidable impacts that would occur under the Recommended Plan. Under this alternative, current land use densities and intensities would remain and typical urban infill development would continue to occur throughout the CPA, not necessarily concentrated along existing industrial and commercial corridors and in Downtown San Pedro. In general, impacts associated with construction noise and vibration under this alternative would be greater because construction activities could be more widely distributed throughout the CPA and affect a greater number of sensitive receptors compared to the Recommended Plan. This alternative would also likely result in greater Vehicle Miles Traveled (VMT) than the Proposed Project, the significant and unavoidable impacts that are related to VMT, such as air quality, greenhouse gas emissions, noise, and traffic, would likely be greater than under the Proposed Project. For example, this alternative could result in increased Greenhouse Gas (GHG)

emissions compared to the Recommended Plan, as it does not contain the specific GHG-reduction measures as the Recommended Plan. For example, the potential conflict between this alternative and AB32 could be considered significant unless feasible mitigation that was not required for the Recommended Plan is implemented.

**Finding.** The City rejects this alternative as infeasible for any and all of the following reasons. This alternative would lead to lower levels of development than the Recommended Plan; therefore, significant impacts related to construction, such as construction noise, air pollution, and greenhouse gas emissions, would be less under this alternative. Because future growth in the CPA would not be concentrated around major transit corridors and Downtown San Pedro, this alternative could also result in greater potential for historic and cultural resource impacts, such as the loss of noteworthy residences and/or courtyard homes, than under the Recommended Plan. It could also have greater impacts on existing residential neighborhoods, as the policies providing for transitions in height and massing, concentration of denser uses in existing commercial and industrial corridors and Downtown San Pedro, and specifically protecting existing residential neighborhoods would not be implemented. Some of the environmental impacts projected to occur from development allowed under the Recommended Plan would be incrementally increased as a result of higher levels of anticipated residential development, and none of the significant and unavoidable impacts would be avoided. Therefore, this alternative would not be an environmentally superior alternative to the Recommended Plan. Additionally, the No Project Alternative does not fully meet the Project's primary objectives of accommodating project population, housing, and employment growth; nor does it meet the objectives of improving commercial districts and design, promoting mobility, or create consistency between land use and zoning as well as the Recommended Plan. It is found pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, environmental, social, and technological or other considerations), make infeasible the No Project Alternative described in the Final EIR. Additionally, it is anticipated that targeting development in Downtown San Pedro and along designated commercial corridors (as in the Recommended Plan) will allow the preservation of existing single-family neighborhoods and open space and coastal areas, consistent with SB 375 and the Sustainable Communities Strategy adopted by SCAG in April 2012.

**Rationale for Finding.** The No Project Alternative, in general, is anticipated to result in lower levels of development, which means that significant impacts related to construction, such as construction noise, air pollution, and greenhouse gas emissions, would be less under the No Project Alternative than under the Recommended Plan. However, because future growth in the CPA under this alternative would not be concentrated in Downtown San Pedro and along commercial corridors such as Gaffey Street, Pacific Avenue, and Harbor Boulevard, this alternative could also result in greater potential for historic and cultural resource impacts, such as the loss of noteworthy residences and/or courtyard homes, than under the Recommended Plan. This alternative could also have greater impacts on existing residential neighborhoods because the Recommended Plan's policies providing for transitions in height and massing, concentrating denser uses in in existing commercial and industrial corridors and in Downtown San Pedro, and specifically protecting existing residential neighborhoods would not be implemented. Continuation of the 1999 Plan would result in fewer residents, less housing, and fewer jobs than the Recommended Plan. The No Project Alternative would not accommodate SCAG's Forecast for 2030, which is 1,739 residents above the population capacity in the No Project

Alternative. As such, this alternative would not meet an underlying purpose of the Recommended Plan to accommodate such growth. Additionally, this alternative would not include components of the Recommended Plan designed to address the Project's objectives (see DEIR Chapter 3 and Chapter 6, and FEIR Chapter 9). For instance, incentivizing new development in Downtown San Pedro and surrounding commercial corridors through land use designation and zone changes would not be implemented through the No Project Alternative.

This alternative would not include the San Pedro Community Plan Implementation Overlay (CPIO) District's land use restrictions and design standards to improve the function and design of neighborhoods in the CPA. In addition, secondary goals and objectives, such as promoting a variety of mobility options, protecting historic and cultural resources, and creating greater consistency between Land Use and Zoning classifications would not be met since the land use designation changes and zone changes would not be adopted. This alternative does not feasibly attain key objectives of the Project.

## **Alternative 2 – SCAG 2030 Projection**

The build-out of the SCAG 2030 Projection Alternative would result in slightly lower population and fewer housing units and slightly greater employment compared to the Recommended Plan. Overall, Alternative 2 would result in substantially similar levels of development as under the Recommended Plan and many of the environmental impacts from implementation of this alternative would be substantially the same as well. However, this alternative would result in more dispersed growth patterns throughout the plan area. Because future growth in the CPA would not be concentrated around major transit corridors such as Downtown San Pedro, this alternative could also result in greater potential for historic and cultural resource impacts, such as the loss of noteworthy residences and/or courtyard homes, than under the Recommended Plan. It could also have greater impacts on existing residential neighborhoods, as the policies providing for transitions in height and massing, and the concentration of denser uses in existing commercial and industrial corridors and Downtown San Pedro would not be implemented.

**Impact Summary.** The following significant and unavoidable impacts would occur under the SCAG 2030 Projection: Aesthetics, Air Quality (construction and greenhouse gas emission impacts), Hydrology/Water Quality (sea level rise), Noise (construction and operational impacts), Transportation, and Utilities (water supply), which are the same significant and unavoidable impacts that would occur under the Recommended Plan. Since this alternative would result in a more scattered growth pattern, impacts associated with construction noise and vibration would be greater because construction activities could be more widely distributed throughout the CPA and affect a greater number of sensitive receptors compared to the Proposed Project. Because there would be more jobs provided under this alternative, the potential for increased VMT exists, which would increase air emissions and traffic noise. Unlike the Recommended Plan, this alternative does not integrate land use and transportation, such as development of a multi-modal transportation center and mixed-use in Downtown San Pedro and designating industrial and commercial corridors. Therefore, compared to the Recommended Plan, this alternative could have greater GHG emissions and air quality emissions.

**Finding.** The City rejects this alternative as infeasible for any and all of the following reasons. With SCAG 2030 Projection Alternative, as with the No Project Alternative, some of the environmental impacts projected to occur from development allowed under the Recommended Plan could be slightly greater; for example, impacts associated with construction could be slightly greater because construction activities could occur more widely distributed throughout the CPA and affect a greater number of sensitive receptors compared to the plan's concentration along existing commercial corridors. However, none of the significant and unavoidable impacts would be avoided. As with the No Project Alternative, none of the significant and unavoidable impacts would be avoided under the SCAG 2030 Forecast Alternative. Additionally, this alternative does not fully meet the Project's objectives. Additionally, it is anticipated that targeting development in Downtown San Pedro and along designated commercial corridors, as in the Recommended Plan, will allow the preservation of existing residential neighborhoods, and open spaces and coastal areas, consistent with SB 375 and the Sustainable Communities Strategy adopted by SCAG in April 2012.

**Rationale for Finding.** The SCAG 2030 Projection Alternative is anticipated to result in slightly lower population and fewer housing units and slightly greater employment, but also greater than the No Project Alternative. This alternative would not include the same policies and programs as those included in the Recommended Plan. Although the SCAG 2030 Forecast Alternative is expected to accommodate the growth in population anticipated by the SCAG Projection for 2030, and would therefore meet one of the primary objectives of the Recommended Plan, this alternative would not include components of the Recommended Plan that are designed to address other key objectives of the Project objectives (see DEIR Chapter 3 and Chapter 6, and FEIR Chapter 9) such as focusing growth in Downtown San Pedro and along commercial corridors through land use designation and zone changes, improving the function and design of commercial areas through the San Pedro CPIO's design standards, promoting a variety of mobility options, and creating consistency between Land Use and Zoning classifications. As with the No Project Alternative, some of the existing land use inconsistencies that would be addressed by the Recommended Plan would not be addressed by the SCAG 2030 Projection Alternative. The SCAG 2030 Projection Alternative also would not include changes to land use designations to reduce existing land use conflicts and promote land use compatibility. This alternative would not increase housing supply with a range of housing options in Downtown San Pedro and along commercial corridors, which includes removing restrictions to residential uses along Gaffey Street and Pacific Avenue. This alternative would not include the San Pedro CPIO, which includes design guidelines for commercial and residential properties to ensure that buildings and neighborhoods are well-designed, and would not modify street standards to improve mobility options.

## Environmentally Superior Alternative

Section 15126(e)(2) of the CEQA Guidelines requires an EIR to identify an "environmentally superior alternative." In general, the environmentally superior alternative is the alternative that would be expected to generate the fewest adverse impacts. If the No Project Alternative is identified as environmentally superior, then another superior alternative shall be identified among the other alternatives.

Of the two alternatives, Alternative 2 is then required to be considered the environmentally superior alternative. Notwithstanding, Alternative 2 does not meet all the goals and objectives of the City in addressing existing land use conflicts or by creating a more sustainable land use pattern by focusing growth near Downtown San Pedro and along the commercial corridors to the same extent as the Recommended Plan. Neither Alternative 1 nor 2 would include the San Pedro CPIO, which includes regulations and design standards in commercial corridors and centers that address architectural compatibility, scale, transitions, and encourage more walkable, pedestrian-oriented areas. The Recommended Plan accommodates the growth in population forecasted for the year 2030, and allows for a slight increase in population and housing above the SCAG 2030 forecast to address goals of SB 375 and SCAG's recently adopted Sustainable Communities Strategy through directing growth to areas along commercial corridors. It also meets the goals and objectives of preparing the community for the social and economic changes that are expected through the year 2030, with slightly more development capacity in the commercial areas, and therefore is incrementally preferable in achieving economic and sustainability goals. The City Council finds that, as recommended by the City Planning Commission, the Recommended Plan best meets the social, economic, and planning goals and objectives of the City.

**Finding.** It is found pursuant to PRC Section 21081 (a)(3), that specific economic, legal, social and technological, or other considerations, including considerations identified in the Statement of Overriding Considerations, make Alternative 2 infeasible for the reasons stated above. Therefore, the City finds that this alternative is infeasible and less desirable than the Project as reflected in the Recommended Plan and rejects this alternative.

## SECTION 7 – STATEMENT OF OVERRIDING CONSIDERATIONS

The Final EIR for the San Pedro Community Plan Update identifies significant impacts that would result from implementation of the Recommended Plan (Project). Section 21081 of the California Public Resources Code and Section 15093 of the CEQA Guidelines provide that when a public agency approves a project that will result in the occurrence of significant but unavoidable impacts that are identified in the Final EIR, the agency must state in writing the reasons to support its action based on the certified Final EIR and/or other information in the record. These findings and the Statement of Overriding Considerations are based on substantial evidence in the record, including but not limited to the Draft EIR, the Final EIR, and documents, testimony, and all other materials that constitute the record of proceedings.

The Final EIR concluded that, despite the adoption of all feasible mitigation measures, the Recommended Plan would result in the following potential significant and unavoidable adverse impacts that are not mitigated to a less-than-significant level:

**Aesthetics (Scenic Vistas, Scenic Resources, Visual Character, Light and Glare, and Shade Shadow):** Future development in the North Gaffey area and Downtown could affect views toward the harbor and Pacific Ocean from parks and open spaces located in the northern portion of the CPA. Since specific development projects are not known, a future development's architectural style, building materials, massing or size could contrast with adjacent development, such that the



aesthetic value of the area is diminished. New lighting sources associated with additional dwelling units, businesses, street lighting, and vehicle headlights are anticipated in Downtown along North Gaffey Street and Pacific Avenue. During the Winter Solstice, shadows generated from the implementation of the Project could impact existing and potential public open spaces in Downtown.

**Air Quality (Construction and Operational Emissions):** Air quality impacts related to construction and operational emissions cannot be fully mitigated with measures identified in Section 2. During construction and operation, regional and localized emissions could exceed the LSTs as well as the SCAQMD and SCAB's significance thresholds.

**Greenhouse Gas Emissions:** During operation of the Project, GHG emissions would not be reduced to less than existing levels. This would have the potential to interfere with implementation of the Climate Plan, and subsequently could interfere with the State's ability to meet its goals under AB 32.

**Hydrology/Water Quality (Sea Level Rise):** Hydrology and water quality impacts related to sea level rise cannot be fully mitigated with measures identified in Section 2. A small shoreline segment of the CPA, east of Pacific Avenue and extending south to Point Fermin, could be exposed to flooding from future sea level rise, partially from incremental effects from future growth in the San Pedro CPA.

**Noise (Construction, Vibration, Ambient Noise Levels):** In the absence of detailed noise and vibration analyses associated with specific projects, it is anticipated that construction noise, vibration levels, and ambient noise levels at various sensitive land uses could still exceed the City's thresholds of significance.

**Transportation/Traffic (Circulation Systems, Emergency Access, Congestion Management Program):** No feasible mitigation measures were identified to reduce the significant impact related to the circulation system, emergency access, and Congestion Management Program to less than significant.

**Utilities/Service Systems (Water Supply):** Implementation of the Project would result in increased water demand. Although the increased demand for water as a result of implementation of the Project is negligible compared to citywide water demand, the Project could adversely impact existing entitlements and water resources. No feasible mitigation measures were identified to reduce the significant impact to water supply.

The project alternatives would not satisfy the project objectives as effectively as the Project. Accordingly, the City Council adopts the following Statement of Overriding Considerations. The City recognizes that significant and unavoidable impacts would result from implementation of the Recommended Plan. Having (i) adopted all feasible mitigation measures, (ii) rejected alternatives to the Community Plan for the reasons discussed above, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the Community Plan, including region-wide or statewide environmental benefits, against the Community Plan's potential significant and unavoidable impacts, the City Council hereby finds that the benefits of the Recommended Plan outweigh and override the potential significant unavoidable impacts for the reasons stated below.

After balancing the specific economic, legal, social, technological, and other benefits of the proposed project, the City of Los Angeles has determined that the unavoidable adverse environmental impacts identified above may be considered “acceptable” due to the following specific considerations, which outweigh the unavoidable adverse environmental impacts of the Project. The City Council finds that each one of the following overriding considerations independently, grouped by overarching theme, or collectively, is/are sufficient to outweigh the significant and unavoidable impacts of the Recommended Plan:

1. The Recommended Plan promotes development that would accommodate anticipated population growth as projected by the Southern California Association of Governments (SCAG), the region’s agency responsible for growth projections used by other cities and agencies in planning for growth and infrastructure. The Recommended Plan directs anticipated growth to Downtown San Pedro and along commercial corridors such as Gaffey Street, Pacific Avenue and Harbor Boulevard, and in existing multiple-family residential neighborhoods. Directing growth to these areas guides physical development towards a desired image that is consistent with the social, economic and aesthetic values of the City. Where new growth is anticipated and planned, project features (the San Pedro CPIO) have been incorporated to help minimize impacts of new development.
2. The Recommended Plan supports the policies and goals of the General Plan Framework Element - specifically the guiding policy to focus growth in higher-intensity commercial centers close to transportation and services - by creating new housing options mostly downtown and in areas identified for mixed use, and by focusing growth in higher-intensity commercial centers close to services. Many of the community’s neighborhoods, including single-family neighborhoods, are established and not expected to change significantly as growth in other parts of the community occurs. The Recommended Plan would preserve the character of existing single-family and lower density neighborhoods by maintaining lower density land use designations and limiting the allowed residential density of some neighborhood commercial areas.
3. The Recommended Plan would protect the quality of life for existing and future residents and confer citywide benefits through goals and policies designed to incorporate smart growth principles, including preserving open space and coastal areas, and promoting pedestrian-oriented commercial districts that encourage walkability and non-motorized transportation, thereby reducing new vehicle trip generation and emissions regionally, as well as vehicle miles traveled relating to new development, and promoting sustainable development in support of Assembly Bill 32 and Senate Bill 375. The overall reduction in regional vehicle miles traveled and trip generation would contribute to lowered greenhouse emissions in the region.
4. The Recommended Plan is consistent with Senate Bill 375. While potentially increasing vehicle miles traveled and greenhouse gases in the immediate area where new infill development will be focused, the Recommended Plan implements a condensed development pattern in the San Pedro downtown area, which include major corridors such as Pacific Avenue and Gaffey Street, and away from open space and coastal areas, consistent with SB 375 and the Sustainable Communities Strategy, adopted by SCAG in April 2012, and therefore would be expected to

contribute to decreasing regional vehicle miles traveled and greenhouse gas emissions in the region.

5. The Recommended Plan retains industrial and commercial land to support diverse land uses and offer opportunities for employment generation and business development and services. The Plan includes a new Hybrid Industrial land use designation to allow for residential and mixed uses if job-producing light industrial uses are provided on site, and incentivizes clean- or green-tech uses that encourage investment and redevelopment of existing under-utilized sites, reinforcing citywide economic development goals. The Plan supports and benefits the region by protecting and preserving commercial and industrial that sustain jobs in related industries, and that reinforce tourism as a source of revenue and employment and bolster the local and regional economy.
6. By removing Q Conditions that limit the residential densities of residential uses on Gaffey Street and Pacific Avenue, the Recommended Plan supports the policies and goals of the most recent Housing Element adopted by the City in 2013 - to provide housing production and preservation, safe, livable, and sustainable neighborhoods, and housing opportunities for all and all income levels - and allows the City to meet future housing needs for the growth in population projected for the year 2030 by the Southern California Association of Governments.
7. Land use changes are primarily focused on enhancing Downtown San Pedro, surrounding commercial and multi-family neighborhoods, and industrial areas through development standards and incentives for mixed-use or clean/green technology development. The Recommended Plan would generally maintain the current land use pattern and housing density. There are a few parcels and areas proposed for changes in land use designations and zoning to correct inconsistencies. Overall, the Recommended Plan and implementing ordinances do not introduce major changes to land use in the San Pedro Community Plan area.
8. The Recommended Plan furthers the Open Space and Conservation goals of the General Plan and guides the preservation and protection of natural resources, habitat areas and wildlife corridors in the in the open space and coastal areas in San Pedro.
9. The Recommended Plan, through its land use designation changes, zone changes, the San Pedro CPIO, and EIR provides mitigations and/or project features that regulate development projects in order to reduce environmental impacts of future plans and projects. New development standards and design guidelines apply to properties in Downtown San Pedro and along commercial corridors, multiple-family residential neighborhoods, and the North Gaffey Industrial district in order to ensure compatible new development that complements the scale and character of existing neighborhoods.
10. The Recommended Plan improves local mobility through development of a balanced, multi-modal transportation network, focusing new development near to existing services and infrastructure. It emphasizes a multi-modal approach to mobility that recognizes the benefits (including healthful and traffic-alleviating benefits) of providing options that encourage

walking, cycling and transit use. All together these enhanced mobility options provide a better connected, user-friendly network representing a more diverse, sustainable transportation network.

11. The Recommended Plan furthers the goals and objectives of the City, while remaining consistent with regional and state policies.