ATTACHMENT L

Findings of Fact and Statement of Overriding Considerations

For The

Final Environmental Impact Report

SCH# 2019080312

Modelo Project

Commerce, California

Introduction

The City Council of the City of Commerce (City) hereby makes the following Findings of Fact concerning the Final Environmental Impact Report (SCH #2019080312) for the Modelo Project (Project), pursuant to the California Environmental Quality Act, Public Resources Code § 21000, et seq. (CEQA), and its implementing regulations, California Code of Regulations, title 14, § 15000, et seq. (CEQA Guidelines).

The Final Environmental Impact Report ("Final EIR") prepared for the Project consists of the following: the Draft EIR; an introduction; a list of public agencies, organizations and persons commenting on the Draft EIR, comments received on the Draft EIR and the City's responses to those comments; the clarification and errata for the Draft EIR; the appendices; and all other information required by CEQA Guidelines section 15132. The Mitigation Monitoring and Reporting Program (MMRP) were provided under a separate cover.

The environmental effects, proposed mitigation measures, and alternatives analyzed in the Draft EIR, and the public comments and responses thereto contained in the Final EIR, have influenced the design of the Project. These environmental documents and procedures reflect the City's commitment to incorporate the environmental considerations identified during the CEQA process into the final project design.

As provided in Section 15088(c) of the California Environmental Quality Act (CEQA) Guidelines, responses to comments may take the form of a revision to a Draft EIR or may be a separate section in the Final EIR. Chapter 3 of the Final EIR complies with the latter, and provides changes to the Draft EIR presented in strikethrough text (i.e., ~~strikethrough~~) signifying deletions, and underline text (i.e., <u>underline</u>) signifying additions. These notations are meant to provide clarification, corrections, or minor revisions needed as a result of public comments or because of changes in the proposed Project, since the release of the Draft EIR, as required by Section 15132 of the CEQA Guidelines. The Draft EIR revisions are incorporated as part of the Final EIR for consideration by City of Commerce's City Council. None of the corrections or additions constitutes significant new information or substantial program changes requiring recirculation of the EIR, as defined by Section 15088.5 of the CEQA Guidelines. Chapter 3 provides a more detailed and specific analysis of why recirculation of the EIR is not required.

1.0 Project Description

1.1 Project Location

The Project site is located in the City of Commerce (City), within the south central portion of Los Angeles County (County), approximately six miles east of Downtown Los Angeles. The City is bounded by the cities of Montebello and Pico Rivera to the east, unincorporated East Los Angeles to the north, the cities of Vernon, Bell, and Maywood to the west, and the cities of Bell Gardens and Downey to the south. The Project site is located in the southeastern corner of the City, near the City's boundaries with Bell Gardens, Downey, Pico Rivera, and Montebello. The Project site is located immediately west of the Interstate 5 (I-5) Freeway, south of Zindell Avenue, and east of a single-family residential neighborhood located west of Avenida Aguascalientes, and north of the Rio Hondo River and Path. The postal addresses associated with the Project site consist of 7316 Gage Avenue and 6364 Zindell Avenue. The project site is composed of four Assessor's Parcel Numbers: 6357-018-005 (7.92 acres); 6357-019-900 – Parcel 1 (4.98 acres); 6357-019-904 – Parcel 2 (4.40 acres); and 6357- 019-905 (0.2 acre).

1.2 Project Components

1.2.1 Project Applicant

The project Applicant is Comstock Gage, LLC, 1801 Century Park East, Suite 1095, Los Angeles, California 90087.

1.2.2 Project Description

The Project involves the demolition of the existing Veterans Memorial Park (which is currently in an advanced state of disrepair) and an adjacent vacant parcel and the redevelopment of the Project site to accommodate a mixed-use development. The Project includes the construction of 850 residential units, 165,000 square feet of commercial uses, a 77,050-square-foot community center, a 5,000-square-foot museum, and approximately 4.75 acres of parks and open space. Additionally, due to the previous use of the Project site as a landfill, the Project involves remediation to allow for safe implementation of the Project. Upon approval of the Project, the land use designation of the Project site would change from Public Facilities (PF) and Commercial Manufacturing (C/M1), to Public Open Space, Commercial Retail, and Residential with the corresponding Specific Plan zone.

The new structures proposed as part of the new Veterans Memorial Park include a four-story, 77,050-square-foot community center. The community center will include indoor sports courts and offices, a library, and a ballroom/event space as well as supporting amenities. A Sports Complex comprising youth-sized soccer and baseball fields, a playground, and public open space will be located immediately adjacent to the community center. The green space leads towards the grass-stepped amphitheater, which includes concrete bench steps, essentially separating the residential development on the west of the Project site and commercial development to the east.

The residential component of the Project includes the construction of 850 new residential units, comprised of a mixture of 25-50 townhomes for sale, and the rest for-rent apartment and townhouse style units. A private pool for townhome owners would be located in close proximity to the proposed townhomes. Parking is proposed as a combination of in-unit grade-level garage and subterranean parking beneath the for-rent apartment units. Private access pools would be allocated to every two residential structures. Each structure would include its own event spaces, amenity rooms, package rooms, and bicycle storage areas. Direct, private access from subterranean parking to each residential building would be provided.

The retail portion of the Project includes the construction of 165,000 square feet of commercial land uses comprising of a three-story building located along the northeast edge of the site. The uses proposed within the retail structure would include approximately:

- A 55,000-square-foot movie theater;
- 16,000-square feet for restaurant uses;

- A 15,000-square-foot fitness center;
- 20,000 square feet for an entertainment/arcade/bowling alley;
- 25,000 square feet for a grocery store/food hall;
- 28,000 square feet for general retail uses; and
- A 6,000-square-foot pharmacy.

In addition to the above-mentioned uses, the proposed commercial building would include an 15-story tower on the northeastern corner of the site. The proposed tower would be 220 feet high to the top floor and 250 feet high at its highest point (i.e. including the architectural screen) and would provide an additional 65,000 square feet of residential uses. The proposed Project's commercial and entertainment land uses would operate within different business hours depending on the use.

The Project would provide 1.5 parking spaces per unit, totaling 1,273 spaces, 50 of which would be above-grade, and 75 of which would be loading-zone spaces. The Project would provide approximately 525 spaces for commercial uses. The subterranean parking structure would be constructed beneath the retail, community center, and residential living areas. Public access would be provided for the community center and retail visitors. Private access would be provided for residential uses. Passenger vehicle access to the Project site would occur from either the Gage Avenue driveway on the eastern parcel, or from the end of Zindell Avenue into the western parcel. Vehicular traffic from retail and park services would be routed through the Gage Avenue driveway, and directed away from residential uses. Bicycle path traffic from the Rio Hondo Bike Path would be encouraged to utilize the Project's internal circulation to access Project amenities and bicycle parking for visitors and residents would be provided throughout the Project site.

The Project proposes to add a Commerce Bus Line stop at Veterans Park, near the community center and retail uses, on the eastern portion of the Project site. Additionally, a connection from the Commerce Bus Line to the proposed Washington Boulevard Metro Gold Line Extension, at Washington Boulevard and Rosemead Boulevard in the City of Pico Rivera, would provide access to the Project site. The Project proposes to enhance the existing bus stops at Slauson Avenue and Gage Avenue through additional shade, seating, and signage. Bicycle parking for visitors and residents would be provided throughout the Project site. Bicycle path traffic from the Rio Hondo Bike Path would be encouraged to use the new Veterans Park amenities, as well as the proposed commercial uses.

The Project would include energy-saving and sustainability goals to optimize building performance and enhance interior environments to promote health and well-being, and would be designed to achieve Leadership in Energy and Environmental Design (LEED) Gold or Platinum certification.

A Remedial Action Plan for the vacant lot on the Project site was approved in August 2016 by the Los Angeles Regional Water Quality Control Board (LARWQCB), and would be amended and expanded to include remediation of the entire Project site. Remediation of the Project site involves the excavation and removal of all former landfill debris and contaminated soils to an approximately 20-foot depth. The excavation of soils is estimated to be approximately 380,000 cubic yards (cy) that would be transferred to a RWQCB-approved landfill site in Southern California. Upon removal, the Project's soil-bottoms and sidewalls would be tested to ensure all contaminants and debris have been removed.

1.3 Project Objectives

The objectives for the proposed Project include the following:

- Create a welcoming pedestrian-friendly contemporary village that will complement and enhance the City and the surrounding community.
- Provide an attractive lifestyle for residents, as well as draw visitors from all over Southern California to utilize the public spaces, youth sports complex, all-inclusive playground, and entertainment options.
- Provide a revitalized Veterans Memorial Park with new structures, an all-inclusive playground, a contemporary soccer and baseball youth sports complex, a contemporary library, and ample

outdoor green space to maximize opportunities for community events and services.

- Create open and green public spaces that will integrate the Project's community space with the mixed-use entertainment/retail and residential structures.
- Enhance transit connections between the City of Commerce and surrounding municipalities by creating a transit oriented Project that takes advantage of both the existing Metro bus service and the future Metro Gold Line extension planned for Washington Boulevard in Pico Rivera.
- Create a progressive, forward-looking and vibrant community that is a desirable place for people to live, work, and play, all while offering robust community services for all.
- Provide connections to the Rio Hondo River and Path, as well as the surrounding neighborhood.
- Transform a deteriorating public park and vacant industrial lot into a 21st-Century mixed-use development that integrates vitally important public community uses with robust private development.
- Remediate the former on-site landfill to provide a safer environment for future park visitors, as well as residents living in the City.
- Provide new residential units comprised of a mixture of townhomes for sale and for-rent apartment and townhouse style units.
- Provide leading-edge environmentally friendly features in an effort to reduce the use of non-sustainable energy, reduce the Project's overall carbon footprint, encourage an outdoor and pedestrian lifestyle, and limit the visitors' and residents' exposure to harmful pollution.

2.0 Environmental Procedures and Findings under CEQA

2.1 Lead Agency

Pursuant to CEQA Guidelines §15367, the City is the "lead agency" for the purpose of preparing the environmental review required by CEQA. The environmental review prepared by the City will be used by the Commerce City Council in its decisions regarding the following actions associated with the Project. As currently envisioned, the Project will require the approval of the following discretionary actions:

- A Development Agreement and Cost Reimbursement Agreement;
- A General Plan Amendment (to change the land use designation from Public Facilities and Commercial Manufacturing to Public Open Space, Commercial Retail, and Residential with the corresponding Specific Plan zone;
- An associated Zone Amendment in the official City of Commerce Zoning Map and other exhibits to reflect the new zoning for the Project site;
- A Specific Plan for the Project Site;
- A Project Master Signage Plan; and
- Certification of the EIR

2.2 Environmental Impact Report

Pursuant to CEQA Guidelines §15080, et seq., the City prepared an EIR to analyze the potential impacts of the Project on the environment. The Final EIR consists of three chapters which contain all of the information required by CEQA Guidelines section 15132, including the Draft EIR, the appendices to the Draft EIR, the comments on the Draft EIR and the Lead Agency's responses to those comments.

2.3 Public Participation

Environmental review of the Project began on August 19, 2019 with the publication of a Notice of Preparation (NOP) of the EIR for a 30-day public review period. The Draft EIR was completed and made available for public review on July 16, 2020. The 45-day public review period required by CEQA began on July 16, 2020, and ended on August 31, 2020. During this review, written comments were received from four public agencies and fifteen other interested entities.

These comment letters in their entirety are included in Chapter 2, Response Comments of the Final EIR.

- Agencies/Organizations
    - California Department of Fish and Wildlife, Erinn Wilson, Environmental Program Manager;
    - County of Los Angeles, Public Health, Christine Urbach, Solid Waste Program
    - East Yard Communities for Environmental Justice
    - California Department of Transportation, Miya Edmonson, IGR/CEQA Branch Chief
- Individuals
    - Rafael Anaya
    - Victoria Barajas
    - Olivia Cayo, Victor Cervantes, Laura Cortez, Ediwn Figueroa, Jasmine Gonzalez, Sandra, Gonzalez, Maria Patiño Gutierrez, Jessica Prieto, Allen Quezada, Chantal Sotomayor, Mauro Tigrero
    - Gisell Hernandez

- Duana Lazo
- Starr Medina
- Elizabeth Munoz
- Yolanda Osornio
- Priscila Rockwood
- John-Mark Rodriguez
- Jennifer Servin
- Anais Solares
- Chantal Sotomayor
- Mitchell M Tsai, Attorney at Law
- Adams Broadwell Joseph and Cardozo Law

The comment letters and the Lead Agency's responses are included in Chapter 2, Response to Comments of the Final EIR as required by CEQA Guidelines sections 15088 and 15132. The Final EIR was completed and the City's responses to comments were made available for review on November 19, 2021 Public hearing concerning certification of the Final EIR and approval of the Project were held by the City Council on XX, 2022 at which interested agencies, organizations, and persons were given an additional opportunity to comment on the Final EIR and the Project.

2.4 Record of Proceedings

For purposes of CEQA and the findings set forth below, the administrative record of the City's decision concerning certification of the Final EIR for the Project shall include the following:

- The Draft EIR including the appendices (dated July 2020);
- The Final EIR including new or revised appendices (dated November 2021);
- All documents and other materials listed as references and/or incorporated by reference in the Draft EIR and Final EIR;
- All reports, applications, memoranda, maps, letters, and other documents prepared by the City's staff and consultants for the Project which are before the City Council as determined by the Clerk;
- All documents or other materials submitted by interested persons and public agencies in connection with the Draft EIR and the Final EIR;
- The minutes, tape recordings, and verbatim transcripts, if any, of the public hearings held by the Planning Commission and the City Council concerning the Final EIR and the Project; and
- Matters of common knowledge to the City, including but not limited to the Commerce General Plan.

The custodian of the documents and other materials comprising the administrative record of the City's decision concerning certification of the Final EIR is the City Clerk of the City of Commerce. The location of the administrative record is the Clerk's office at the Commerce City Hall, 2535 Commerce Way, Commerce, California 90040.

2.5 Purpose of Findings Under CEQA

CEQA requires the City to make written findings of fact for each significant environmental impact identified in the Final EIR (CEQA Guidelines §15091). The purpose of the findings is to systematically restate the significant effects of the Project on the environment and to determine the feasibility of mitigation measures and alternatives identified in the Final EIR which would avoid or substantially lessen the significant effects. Once it has adopted sufficient measures to avoid or substantially lessen a significant impact, the City is not required to adopt every mitigation measure identified in the Final EIR or

otherwise brought to its attention. If significant impacts remain after application of all feasible mitigation measures, the City must review the alternatives identified in the Final EIR and determine if they are feasible. These findings set forth the reasons, and the evidence in support of, the City's determinations.

2. Terminology

A "finding" is a written statement made by the City which explains how it dealt with each significant impact and alternative identified in the Final EIR. Each finding contains an ultimate conclusion regarding each significant impact, substantial evidence supporting the conclusion, and an explanation of how the substantial evidence supports the conclusion. For each significant effect identified in the Final EIR, the City is required by CEQA to make a written finding reaching one or more of the following conclusions:

1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effect identified in the EIR;

2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency; or

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

A mitigation measure or an alternative is considered "feasible" if it is capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors (CEQA Guidelines §15364).

2.7 Legal Effect

To the extent these findings conclude mitigation measures identified in the Final EIR are feasible and have not been modified, superseded or withdrawn, the City hereby binds itself and any other responsible parties, including the Project Applicant and their successors in interest, to implement those mitigation measures. These findings are not merely informational, but constitute a binding set of obligations upon the City, the Project Applicant and responsible parties, which will take effect if and when the City adopts a resolution certifying the Final EIR and the City and/or the responsible agencies adopt resolution(s) approving the Project.

2.8 Mitigation Monitoring and Reporting Program

In adopting these findings, the City also adopts a mitigation monitoring and reporting program pursuant to Public Resources Code §21081.6. This program is designed to ensure the Project complies with the feasible mitigation measures identified below during implementation of the Project. The program is set forth in the "Modelo Project EIR Mitigation Monitoring and Reporting Program," which is adopted by the City concurrently with these findings and is incorporated herein by this reference.

3.0 Findings Regarding Less Than Significant Effects

The Project will result in less than significant environmental effects with respect to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, and Utilities and Service Systems. These less than significant environmental effects do not require mitigation measures to identified avoid or substantially lessen impacts. Set forth below are the findings regarding the less than significant effects of the Project. The findings incorporate by reference the discussion of potential impacts contained in the Draft and Final EIR.

3.1 Aesthetic Impacts

3.1.1 In non-urbanized areas, the proposed Project's potential to substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, the proposed Project's potential to conflict with applicable zoning and other regulations governing scenic quality.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.1, Aesthetics, of the EIR, the Project would comply with all design guidelines outlined by the City, including applicable policies in the City's General Plan, the City's Municipal Code, Chapter 19.19.220 – General Development Standards and Design Guidelines and Chapter 19.19.130 – Light and Glare. The Project would not substantially degrade the existing visual character of the Project site, and in some cases the Project would improve the existing visual quality of the site compared to what exists today (particularly for the vacant lot portion of the site). In many areas, the Project site is set back at an appropriate distance and shielded by vegetated slopes or landscaping. The Project site would not conflict with applicable zoning ordinances upon approval of the Proposed Project.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, described in Section 3.1.5, of the EIR, determined the proposed project would not conflict with applicable zoning or other regulations governing scenic quality, and would not result in significant impacts.

MITIGATION OF POTENTIAL IMPACT. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, described in Section 3.1.5, of the EIR, indicated the proposed project would not result in any significant adverse unmitigable aesthetic impacts due to a conflict with zoning or other regulations governing scenic quality.

3.1.2 The proposed Project's potential for creating a new source of substantial light and glare that would adversely affect day or nighttime views in the area.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.1, Aesthetics, of the EIR, redevelopment of the Project site as proposed would result in an increase in lighting and glare sources. New sources of lighting and glare installed on the Project site would include indoor and outdoor lighting for general illumination and safety, walkway and parking area lighting, interior roadway lighting, and lighting associated with new signage and recreational areas. Nighttime exterior lighting would generally be provided at the Project site for safety and circulation purposes. Consistent with the City's Municipal Code, Section 19.19.130 – Light and Glare, lighting would be directed, oriented, and shielded to prevent lighting from shining onto adjacent properties, onto public rights-of-way, and into driveway areas in a manner that would obstruct drivers' visions. Additionally, all lighting associated with the Project would comply with relevant City policies and municipal code standards, inclusive of regulations such as lighting fixtures being compatible with the architectural style of the Project and lighting being provided at entryways, along walkways, between buildings, and within parking areas (Section 3.1.2, Relevant Plans,

Policies, Ordinances). Furthermore, development of the Project would be guided by a Specific Plan that would include lighting regulations and standards similar to those established in City policies and development standards. While windows on the proposed structures and lighting sources have the potential to create perceptible glare, these uses and sources would not be inconsistent with the surrounding land uses. As previously stated, the Project site is surrounded by commercial, industrial, and residential development. Lastly, future development on the Project would not typically use highly reflective building materials.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, described in Section 3.1.5, of the EIR, determined the proposed project would not result in significant impacts due to the addition of a new source of light or glare that would adversely affect day and nighttime views in the area.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVIODABLE IMPACTS AFTER MITIGATION. The analysis, described in Section 3.1.5, of the EIR, indicated the proposed project would not result in any significant adverse unmitigable aesthetic impacts due to the creation of a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

3.1.3 The proposed Project's potential to result in cumulative aesthetics impacts.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.1, Aesthetics, of the EIR, regarding scenic quality, the Project would comply with most scenic, impacts would be less than significant and the Project would not result in a cumulatively considerable impact related to conflicts with scenic quality regulations.

Regarding light and glare, the City's Zoning Ordinance and the General Plan policies require new development to avoid glare impacts and be considerate of light trespass on adjacent residential neighborhoods. In addition, all lighting installed on the Project site would comply with applicable guidelines included in the Specific Plan that would be comparable to Municipal Code regulations concerning lighting and glare, Lastly, lighting associated with this component of the Project would have limited potential to significantly impact existing nighttime views. Therefore, impacts would be less than significant and the Project would not result in a cumulatively considerable impact related to light and glare.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, described in Section 3.1.5, of the EIR, determined the proposed project would not result in cumulatively significant aesthetics impacts.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, described in Section 3.1.5, of the EIR, indicated the proposed project would not result in any cumulatively significant adverse unmitigable aesthetic impacts.

3.2 Air Quality Impacts

3.2.1 The proposed Project's potential for creating objectionable odors affecting a substantial number of people.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.2, Air Quality, of the EIR, potential odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment, architectural coatings, and asphalt pavement application. Such odors would disperse rapidly from the Project site and generally occur at magnitudes that would not affect substantial numbers of people. The SCAQMD has identified those land uses that are typically associated with odor complaints. These uses include activities involving livestock, rendering facilities, food processing plants, chemical plants, composting activities, refineries, landfills, and businesses involved in fiberglass molding. None of the various uses that are proposed as part of the Project would

be involved in the aforementioned activities. As a result, no impacts related to the generation of objectionable odors will result.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The proposed Project will not result in any significant adverse impacts related to the generation of odors (Section 3.2.5 of the EIR).

MITIGATION OF POTENTIAL IMPACTS. The analysis, as described in Section 3.2.5, of the EIR, determined that no mitigation was required.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis indicated that the proposed Project would not have the potential for creating objectionable odors that could affect a substantial number of people.

3.3 Biological Resources

3.3.1 The proposed Project's potential to have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.3, Biological Resources, of the Draft EIR, and in Section 3.2.4 of the Final EIR, the proposed Project is devoid of native habitat and it is located within an urban setting dominated by dense residential and commercial development and ornamental landscaping, which substantially limits its potential to support special-status plant wildlife species. One special-status plant, southern tarplant (*Centromadia parryi* ssp. *australis pungens* ssp. *laevis*), was previously determined to have has a moderate potential to occur within the Project site because it is known to occur in highly disturbed areas and there are recent records of the species occurring six miles to the north-northeast, adjacent to the Rio Hondo. Southern tarplant has a California Rare Plant Rank of 1B.1, which includes species that are rare, threatened, or endangered in California and elsewhere (CNPS 2019). A Rare Plant Survey was conducted for the proposed Project (see Appendix J) with a particular focus on southern tarplant, although any other special status species would have been recorded if observed. No special-status plant species were observed within the Project site during the focused botanical survey conducted on September 25, 2020. Therefore, southern tarplant is not expected to occur within the Project site and, impacts are potentially less than significant.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The proposed Project would result in a less than significant impact to special-status plant species (Section 3.2.4 of the Final EIR).

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis was revised in Final EIR Section 3.2.4 to indicate that the proposed Project would not result in any significant adverse impacts to special-status plant species.

3.3.2 The proposed Project's potential to have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.3, Biological Resources, of the EIR, the Project site has been subject to previous site disturbance as a result of the previous landfill and construction of the I-5 freeway. The proposed Project is devoid of native habitat and it is located within an urban setting dominated by dense residential and commercial development and ornamental landscaping, which substantially limits its potential to support sensitive natural communities or riparian habitat. Veterans Memorial Park, located in the western portion of the Project site, is developed and maintained. The eastern portion of the Project site was previously developed, and the structures on-site were removed between 1972 and 1994, which has altered the soils and removed the native vegetation,

so no riparian or other sensitive natural communities are present

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.3.5 of the EIR, determined the proposed Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.3.5 of the EIR, determined the proposed project would not result in significant impacts to riparian habitat or other sensitive natural community. No significant unavoidable impact would occur.

3.3.3 The proposed Project's potential to have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

FINDINGS OF IMPACT ANALYSIS. As discussed in Section 3.3, Biological Resources, of the EIR, there are no jurisdictional wetlands or waters located on the Project site (USFWS 2019). The proposed Project is located adjacent to a series of earthen detention basins that are bordering the Rio Hondo, which is a concrete channel at this location. The Rio Hondo is a waters of the U.S., waters of the State, and California Department of Fish and Wildlife regulated stream. The detention basins, which are not onsite, would only be waters of the State, since stormwater control features excavated or constructed in upland are exempted from the Clean Water Act and the features are not streams or lakes regulated under California Fish and Game Code Sections 1600-1616. Direct impacts to the Rio Hondo and detention basins are not expected to occur during construction of the proposed Project. Potential temporary indirect impacts to jurisdictional waters in the Project area would primarily result from construction activities and would include impacts from the generation of fugitive dust and the introduction of chemical pollutants (including herbicides). However, during construction, erosion-control measures would be implemented as part of the Storm Water Pollution Prevention Plan (SWPPP) for the Project, which would mandate the implementation of best management practices (BMPs) to reduce or eliminate construction-related pollutants in the runoff, including sediment.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.3.5 of the EIR, determined the proposed project would not result in direct or indirect impacts to state or federally protected wetlands through compliance with existing regulations. Impacts were determined to be less than significant

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.3.5 of the EIR, determined the proposed project would not result in significant impacts to state or federally protected wetlands. No significant unavoidable impact would occur.3.3.4 The proposed Project's potential to conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

FINDINGS OF IMPACT ANALYSIS. As discussed in Section 3.3, Biological Resources, of the EIR, the City has an adopted Tree Policy that provides guidelines for the protection and preservation of trees planted within the City's rights-of-way and at City facilities (Municipal Code Section 12.06, City Trees). The Project considers the removal of trees within Veterans Memorial Park, an existing City facility. The City can remove City trees if a Project cannot be redesigned to not impact the trees. If the Project can be redesigned, but the non-removal alternative is not chosen, then the following procedures will be followed, per the Tree Policy: The City Arborist will inspect the tree and prepare a written determination

that the tree needs to be removed; The City shall attach a Removal Notice to the trees that a proposed to be removed and notices shall be sent to the property owners within 150 feet of the trees. If no appeals are filed within five days of the posting of the notice, then the trees can be removed; If an appeal is submitted, it shall be heard by the Planning Commission. No explicit compensation is stated in the Tree Policy; however, the Project would install trees as part of the Project design.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.3.5 of the EIR, determined the proposed project would not result in a conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Impacts were determined to be less than significant

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.3.5 of the EIR, determined the proposed project would not result in significant impacts due to conflict with local polices or ordinances protecting biological resources. No significant unavoidable impact would occur.

3.4 Cultural Resource Impacts

3.4.1 The proposed Project's potential to cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.4, Cultural Resources, of the EIR, no historical resources were identified within the Project site as a result of the California Historical Resources Information System (CHRIS) records search, Sacred Lands File (SLF) search, Native American outreach, extensive archival research, field survey, and property significance evaluation. The Veteran's Memorial Park located at 6364 Zindell Avenue is not eligible for listing in the National Register of Historical Places (NHRP), the California register of Historical Resources (CRHR), or City designation due to a lack of significant historical associations and architectural merit. Therefore, the park is not considered an historical resource for the purposes of CEQA. No potential indirect impacts to historical resources were identified.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.4.5 of the EIR, determined the proposed Project would not result in significant impacts historical resources. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.4.5 of the EIR, determined the proposed Project would not result in significant impacts to historical resources. Thus, the proposed Project would not result in a significant unavoidable impact to historical resources.

3.5 Energy

3.5.1 The proposed Project's potential to result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.5, Energy, of the EIR, construction of the proposed Project would require the consumption of electricity, natural gas, and petroleum. The electricity and natural gas used for construction of the Project would be temporary and would be substantially less than that required for Project operation and would have a negligible contribution to the Project's overall energy consumption. Construction is anticipated to consume 258,252 gallons of gasoline and 638,747 gallons of diesel. This would be a fraction of petroleum that would be consumed in California and Countywide over the course of the construction period. Once operational, the Project

would create additional electricity and natural gas demand by adding recreational and commercial facilities. Although natural gas and electricity usage would increase due to the implementation of the Project, the Project's energy efficiency would go beyond code compliance and would be increased through the LEED certification program or equivalent standards. Although the Project would see an increase in petroleum use during construction and operation, vehicles would use less petroleum due to advances in fuel economy and potential reduction in Vehicle Miles Traveled (VMT) over time.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.5.5 of the EIR, determined the proposed project would not result the wasteful, inefficient, or unnecessary consumption of energy resources during Project construction or operation. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.5.5 of the EIR, determined the proposed Project would not result in significant energy consumption impacts due to the inefficient, or unnecessary consumption of energy resources, during Project construction or operation. No significant unavoidable impact would occur.

3.5.2 The proposed Project's potential to conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.5, Energy, of the EIR, the proposed Project would be subject to and would comply with, at a minimum, the 2016 California Building Code Title 24 (24 CCR, Part 6). Additionally, the proposed Project would go beyond the requirements of the 2016 California Building Code Title 24 requirements because new facilities would be designed to meet LEED Gold or Platinum certifications. The proposed Project would not conflict with existing energy standards and regulations. The electricity and natural gas used for construction of the Project would be temporary and would be substantially less than that required for Project operation and would have a negligible contribution to the Project's overall energy consumption. Additionally, despite creating additional electricity and natural gas demand by adding recreational space and a general increase in the number of visitors, the proposed Project would increase energy efficiency through the LEED certification program or equivalent standards.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.5.5 of the EIR, determined the proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.5.5 of the EIR, determined the proposed Project would not result in significant energy consumption impacts, and the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. No significant unavoidable impact would occur.

3.5.3 The proposed Project's potential to result in cumulative energy impacts.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.5, Energy, of the EIR, cumulative projects that could exacerbate the proposed Project's impacts include any projects that could result in wasteful, inefficient, or unnecessary use of energy. However, the Project would not result in wasteful, inefficient, or unnecessary use of energy in large part due to the short-term and temporary nature of the construction period, and because there is no alternative location to obtain the necessary construction materials that would result in the use of less petroleum. Additionally, the operational activity would be minimized through energy reduction strategies pursuant to the Project's aim for Gold or Platinum LEED certifications. Finally, the Project would also incorporate PDF-AQ/GHG-1 which would result in decreased energy use. Therefore, impacts to energy use would be less than cumulatively considerable.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.5.5 of the EIR, determined the proposed Project would not result in cumulatively significant energy

impacts.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.5.5 of the EIR, indicated the proposed Project would not result in any cumulatively significant adverse energy impacts.

3.6 Geology and Soils

3.6.1(I) The proposed Project's potential to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area based on other substantial evidence of as known fault. Refer to Division of Mines and Geology Special Publication 42.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.6, Geology and Soils, of the EIR, the Project site is not located within an Alquist-Priolo Earthquake Fault Zone. The closest such zone is located along the Whittier section of the Elsinore Fault Zone, located approximately 6 miles to the east-northeast of the Project site (CGS 1998). In addition, no known faults traverse the Project site. Furthermore, the proposed Project site would not directly or indirectly cause or exacerbate existing fault rupture risks from the construction of new buildings and associated infrastructure on the Project site.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.6.5 of the EIR, determined the proposed Project would result in no impact due to the rupture of a known earthquake fault.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.6.5 of the EIR, determined the proposed Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault. No significant unavoidable impact would occur.

3.6.1(II) The proposed Project's potential to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.6, Geology and Soils, of the EIR, the Project site is located in the seismically active region of Southern California. Movement along major faults in proximity to the Project site are capable of producing moderate to large earthquakes that could affect the City, including the Project site. However, proposed Project site construction would be completed in accordance with State and City building codes. As with all development with the City, development within the Project site would be required to comply with the seismic safety requirements of the California Building Code (CBC) and the Los Angeles Building Code (Title 26), which in turn has adopted the CBC.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.6.5 of the EIR, determined that the incorporation of CBC procedures aimed at mitigating and minimizing geologic hazards, the proposed Project would not directly or indirectly cause substantial adverse effects involving strong seismic ground shaking. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.6.5 of the EIR, determined the proposed Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. No significant unavoidable impact would occur.

3.6.1(III) The proposed Project's potential to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.6, Geology and Soils, of the EIR, the Project site is underlain by soils that could be susceptible to liquefaction during a seismic event. A liquefaction analysis of the vacant lot portion of the Project site indicated that on-site soils may be susceptible to up to 3.37 inches of seismically induced settlement and would have a differential settlement of less than 1.5 inches over a horizontal distance of 100 feet. In addition, the remainder of the site is underlain by sandy soils that could be susceptible to liquefaction in the event of an earthquake. Final Project design, grading, and construction would be completed in accordance with a standard, site-specific geotechnical investigation of the entire site. An updated geotechnical investigation would be prepared for the Project site that includes soil borings throughout the Project site, and based on soil samples collected in the borings, would provide recommendations for excavation of incompetent material, compaction of soil, and the installation of foundations designed to resist seismically induced settlement. These recommendations, in combination with other standard geotechnical recommendations regarding grading and construction, would minimize the potential for seismically induced settlement to occur. The Project site would not increase or exacerbate the potential for liquefaction to occur and therefore would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismically-related ground failure, including liquefaction.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.6.5 of the EIR, determined that with the incorporation of the recommendations in an updated site-specific geotechnical investigation, in combination with other standard geotechnical recommendations regarding grading and construction, the potential for seismically induced settlement to occur, including liquefaction, would be minimized. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.6.5 of the EIR, determined the proposed Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. No significant unavoidable impact would occur.

3.6.2 The proposed Project's potential to result in substantial soil erosion or the loss of topsoil.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.6, Geology and Soils, of the EIR, construction of the proposed Project could result in temporary, short-term impacts related to soil erosion and possible off-site sedimentation of nearby drainages, including the adjacent Rio Hondo. As such, there is a potential for erosion during the development of the Project site. State and federal National Pollution Discharge Elimination System (NPDES) requirements include the preparation and implementation of a SWPPP for projects with cumulative ground disturbance in excess of 1 acre. In compliance with Construction General Permit requirements, the SWPPP would establish erosion and sediment control BMPs for construction activities. These BMPs would be refined and/or added to as necessary by a qualified SWPPP professional to meet the performance standards in the Construction General Permit. In addition, development activities would comply with City grading and erosion control standards to minimize soil erosion. Compliance with the Construction General Permit would ensure that soil erosion or loss of topsoil impacts would be minimized. Long-term operation of the proposed Project would not result in substantial soil erosion or loss of topsoil as the majority of the Project site would be covered by proposed structures and paving, while the remaining portions of the site would be covered

with irrigated landscaping. No exposed areas subject to erosion would be created or affected by the proposed Project. In addition, the majority of the area surrounding the Project site is completely developed and would not be susceptible to indirect erosional processes (e.g., uncontrolled runoff) caused by the proposed Project.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.6.5 of the EIR, determined that with implementation of applicable construction BMPs, the proposed Project's potential to result in substantial soil erosion or the loss of topsoil would be minimized. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.6.5 of the EIR, determined the proposed Project would not result in substantial soil erosion or the loss of topsoil. No significant unavoidable impact would occur.

3.6.3 The proposed Project's potential to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.6, Geology and Soils, of the EIR, with respect to subsidence, the Project site is not currently subsiding as a result of groundwater extraction, oil extraction, or peat loss. Project construction and operation would not exacerbate the potential for subsidence to occur, and although groundwater dewatering may be required during construction, the relative amount of groundwater extracted would be minimal. In regards to collapsible soils, the geotechnical report did not identify collapsible soils as a geologic hazard, as dense sands are not typically prone to collapse. In addition, it was determined that the Project would not increase the potential for landslides, liquefaction or lateral spreading to occur within the Project site.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.6.5 of the EIR, determined that impacts related to liquefaction, lateral spreading, landslide, subsidence, or collapse would not occur. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.6.5 of the EIR, determined the proposed Project would be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. No significant unavoidable impact would occur.

3.6.4 The proposed Project's potential to be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.6, Geology and Soils, of the EIR, he Project site is located on soils that would likely be susceptible to expansion. In compliance with the CBC and Los Angeles Building Code, risk of structural damage caused by volumetric changes in the subgrade soil would be considered during final design. Slabs on grade would be designed based on post-grading test results. Typical mitigation measures described in Chapter 18 of the CBC to alleviate expansive soils would be implemented.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.6.5 of the EIR, determined that the As a result, the proposed Project would not increase or exacerbate the potential for expansive soils to create substantial direct or indirect risks to life or property. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.6.5 of the EIR, determined the proposed Project would not create a substantial direct or indirect risk to life or property due to being located on expansive soils. No significant unavoidable impact would occur.

3.7 Greenhouse Gas Emissions

3.7.1 The proposed Project's potential to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.7, Greenhouse Gas Emissions (GHG), of the Draft EIR, and as revised in Section 3.2.7 of the Final EIR, direct Project-related greenhouse gas emissions include emissions from construction and operation of the proposed Project. The estimated total GHG emissions during construction of would be approximately 8,813 MT CO2e over the construction period. When accounting for the removal of the 20 trees from Veteran's Memorial Park, the estimated project-generated construction emissions amortized over 30 years would be 294 MT CO_2e per year. As with Project-generated construction criteria air pollutant emissions, GHG emissions generated during construction of the Project would be short-term in nature, lasting only for the duration of the construction period, and would not represent a long-term source of GHG emissions. Operation of the Project would generate GHG emissions through motor vehicle and delivery truck trips to and from the Project site; landscape maintenance equipment operation; energy use (natural gas and generation of electricity consumed by the Project); solid waste disposal; and generation of electricity associated with water supply, treatment, and distribution and wastewater treatment. Estimated annual Project-generated GHG emissions would be approximately 12,670 MT CO2e per year as a result of Project operations and amortized construction. Estimated annual net Project-generated operational emissions in 2024 would be approximately 11,251 MT CO2e per year. The proposed Project would generate a residential population of 2,550 persons, 850 units, and 390 jobs. Assuming all employees of the Project moved to the City, the proposed Project would generate a population of 2,940 persons. Therefore, the proposed Project would have an efficiency impact of 3.8 MT CO2e per person per year. This would be less than the significance threshold of 3.9 MT CO2e per person per year.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.7.5 of the Draft EIR, and in Section 3.2.7 of the Final EIR, indicated that the proposed Project would not result in greenhouse gas emissions that would have a significant impact on the environment. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.7.5 of the Draft EIR, and in Section 3.2.7 of the Final EIR, indicated the proposed Project would not result in the potential to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. No significant unavoidable impact would occur.

3.7.2 The proposed Project's potential to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.7, Greenhouse Gas Emissions, of the EIR, the Project is consistent with the Scoping Plan, and the City's General Plan, which all promote economic growth while achieving greater energy efficiency. The Project would be consistent with SB 32, and EO S-3-05. The Project would not conflict with any plans adopted with the purpose of reducing GHG emissions.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.7.5 of the EIR, indicated that the proposed Project would not result in an incompatibility with any

applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.7.5 of the EIR, indicated the proposed Project would not have the potential for increasing the potential for conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases. No significant unavoidable impact would occur.

3.7.3 The proposed Project's potential to result in cumulative greenhouse gas emission impacts.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.7, Greenhouse Gas Emissions, of the EIR, global climate change is a cumulative impact; a project participates in this potential impact through its incremental contribution combined with the cumulative increase of all other sources of GHGs. As discussed in detail in Section 3.7.5, the Project would have a less than significant impact related to the generation of GHGs and whether the Project conflicts with a GHG reduction plan. Therefore, the Project would be less than cumulatively considerable.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.7.5 of the EIR, determined the proposed Project would not result in cumulatively significant greenhouse gas emission impacts.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.7.5 of the EIR, indicated the proposed Project would not result in any cumulatively significant adverse unmitigable greenhouse gas emission impacts.

3.8 Hazards and Hazardous Materials

3.8.1 The proposed Project's potential emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.8, Hazards and Hazardous Materials, of the EIR, the nearest school to the Project site is Ellen Ochoa Prep School, located approximately 0.6 mile east of the Project site. While remediation and construction activities will temporarily increase the amount of hazardous materials transported to, present and used on-site, there is no school located within 0.25 mile, and the hazardous materials present would be managed in a manner so as to not present substantial potential for adverse effects. Compliance with federal, state, and local regulations, including the California Division of Occupational Safety and Health and the Los Angeles County Department of Public Health requirements that provide safety and control measures for those materials handled on-site, would ensure adverse impacts would be minimized.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.8.5 of the EIR indicated that the proposed Project would not result in adverse impacts related to the emissions of hazardous emissions or handling of hazardous materials, substances, or waste within 0.25 mile of schools. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.8.5 of the EIR indicated the proposed Project would not result emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. No significant unavoidable impact would occur.

3.9 Hydrology and Water Quality Impacts

3.9.1 The proposed Project's potential to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.9, Hydrology and Water Quality, of the EIR, the proposed Project would include excavation, demolition, and construction activities that together would result in land disturbances of approximately 17.37 acres. Such activities have the potential to adversely affect the quality of stormwater runoff through increases in turbidity, sedimentation, and construction-related pollutants. However, compliance with the Construction General Permit, particularly with the implementation of a SWPPP and associated BMPs, would ensure that stormwater runoff from the site during construction would not violate water quality standards or waste discharge requirements. Once operational, implementation of structural and non-structural BMPs, in combination with the implementation of water quality-related features such as zoned irrigation, water-efficient landscaping, and stormwater reuse, would reduce potential operational water quality impacts by filtering out pollutants prior to discharge from the Project property, such that Project operations and maintenance would not violate any water quality standards or waste discharge requirements.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.9.5 of the EIR, indicated that the proposed Project would not result in short term construction and exaction impacts, or long term operation and maintenance impacts pertaining to a violation of water quality standards and waste discharge requirements or substantially degrade surface or ground water quality. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.9.5 of the EIR, indicated the proposed Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. No significant unavoidable impact would occur.

3.9.2 The proposed Project's potential to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.9, Hydrology and Water Quality, of the EIR, since the Project site currently and once built will continue to discharge stormwater runoff to permeable flood control basins located between the Project site and Rio Hondo Channel, groundwater recharge will continue to occur mainly off-site. Therefore, the Project is not expected to negatively affect groundwater recharge in the area, or the general direction and velocity of groundwater movement within the underlying groundwater table. The Project does not propose to directly extract groundwater during the construction or operation of the proposed Project, and no direct adverse impacts to groundwater are expected to occur. Based on a water service and water supply will-serve letter, California Water Service will have sufficient supplies to provide potable water for the proposed Project. Cal Water East Los Angeles District can increase supply to meet future demands increasing production of groundwater based of safe yield allocation and utilization of water in storage, increasing imported water purchases, if available and there is sufficient storage capacity, and by purchasing additional recycled water, if available. Collectively, these additional options would enable water supply to meet or exceed water demand for Cal Water East Los Angeles for now and into the future. Collectively, the Urban Water Management Plan (UWMP) identities a sufficient and reliable water supply for Cal Water East Los Angeles District's service area, now and into the future, including a sufficient water supply for the proposed Project.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.9.5 of the EIR, indicated that the proposed Project would not decrease groundwater supplies or

interfere substantially with groundwater recharge. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.9.5 of the EIR, indicated the proposed Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. No significant unavoidable impact would occur.

3.9.3(I) The proposed Project's potential to substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or off site.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.9, Hydrology and Water Quality, of the EIR, the proposed Project would remove current permeable surfaces, replacing these with rooftops, paved areas, and artificial turf, resulting in the potential to increase the rate and amount stormwater runoff. Because most of the Project site would be paved following construction, soil erosion would not occur onsite. However, in the absence of stormwater low impact development (LID) features, such as velocity reducers and filtration systems, the potential for off-site erosion exists as a result of increased runoff. Thus, the Project would be required to retain the Stormwater Quality Design Volume (SWQDv) through appropriately sized LID BMPs. These permanent BMPs may include vegetated bioswales, rain gardens, rain cisterns, green roof, permeable pavements and curb cuts, among others. Given that the LID Plan is a required element of the permitting process, it is not considered additional mitigation. Construction of structural BMPs such as these would reduce stormwater runoff volumes and rates, such that off-site erosion would not occur.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.9.5 of the EIR, indicated that the proposed Project would not result in substantial alteration of drainages, including through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.9.5 of the EIR, indicated the proposed Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or off site. No significant unavoidable impact would occur.

3.9.3(II) The proposed Project's potential to substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.9, Hydrology and Water Quality, of the EIR, the Project has the potential to increase the rate and amount stormwater runoff. However, per Ordinance No. 676, the City adopted the Los Angeles County Municipal Separate Storm Sewer System (MS4) permit, which requires implementation of LID strategies to limit increases in stormwater runoff. Specifically, as indicated in the City of Commerce LID Guidelines, the Project would be required to retain the SWQDv through appropriately sized LID BMPs. Construction of LID BMPs would result in a decrease in stormwater runoff volumes and rates, such that the Project would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.9.5 of the EIR, indicated that the proposed Project, with implementation of LID strategies to limit increases in stormwater runoff would not substantially increase the rate or amount of surface runoff.

Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.9.5 of the EIR, indicated the proposed Project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site. No significant unavoidable impact would occur.

3.9.3(III) The proposed Project's potential to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.9, Hydrology and Water Quality, of the EIR, the proposed Project would be required to incorporate LID BMPs as a necessary condition for permitting. Per Ordinance No. 676, the City adopted the Los Angeles County MS4 permit, which requires implementation of LID strategies to limit increases in stormwater runoff and reduce adverse water quality impacts. LID BMPs would be sized so as to retain the SWQDv, thus mitigating against any increase in stormwater discharge from the site through planned stormwater drainage systems. Therefore, upon submission and approval of an LID Plan as part of the permitting process, in compliance with the MS4 permit and Ordinance No. 676, the Project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems, or provide substantial additional sources of polluted runoff.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.9.5 of the EIR, indicated that the proposed Project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems, or provide substantial additional sources of polluted runoff. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.9.5 of the EIR, indicated the proposed Project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. No significant unavoidable impact would occur.

3.9.3(IV) The proposed Project's potential to impede or redirect flood flows.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.9, Hydrology and Water Quality, of the EIR, the Project site is not located within an area identified for flood risk in the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map. To the south of the Project site lies an area of 0.2% flood risk between the Project site and the Rio Hondo Channel. As the Project site lies adjacent and parallel to the direction of flood flow, but outside the zone of flood risk, the impact of the Project to impede or redirect flood flows would be less than significant.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.9.5 of the EIR, indicated that the proposed Project would not significantly impede or redirect flood flows. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.9.5 of the EIR, indicated the proposed Project would not impede or redirect flood flows. No significant unavoidable impact would occur.

3.9.4 The proposed Project's potential to, in flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.9, Hydrology and Water Quality, of the EIR, there are no enclosed bodies of water located within one mile of the Project, and therefore, no adverse impacts would result from the Project associated with pollutants released due to seiches. The Project site is not located within a designated tsunami hazard area or susceptible to inundation by tsunami. No adverse impacts would result from the Project associated with pollutants released by tsunamis. The Project is located in an area of minimal flood risk, separated from the Rio Hondo channel by a low-lying flood control area located 25 feet lower than the Project site. Being that the risk of flooding as determined by FEMA is less than 0.2%, no impacts would result from the Project associated with pollutants released by flooding. Therefore, impacts related release of pollutants due to flooding would be less significant.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.9.5 of the EIR, indicated that the proposed Project would not risk release of pollutants due to project inundation. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.9.5 of the EIR, indicated the proposed Project would not result in a significant impact due to the risk release of pollutants due to project inundation. No significant unavoidable impact would occur.

3.9.5 The proposed Project's potential to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.9, Hydrology and Water Quality, of the EIR, the Project is not expected to violate any water quality standards and measures would be taken both during construction and throughout operation to prevent potential contaminants from being discharged from the site by runoff. Through compliance with RWQCB requirements and a NPDES permit, and implementation of a SWPPP (construction phase) and LID Plan (operational phase), the Project would not conflict with or obstruct implementation of the Los Angeles RWQCB Basin Plan. Thus, the proposed Project would not result in substantial conflict nor obstruction of the implementation of a water quality control plan or sustainable groundwater management plan. Impacts would be less than significant.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.9.5 of the EIR, indicated that the proposed Project would the proposed Project would not result in substantial conflict nor obstruction of the implementation of a water quality control plan or sustainable groundwater management plan. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.9.5 of the EIR, indicated the proposed Project would not result in a significant impact due to a conflict with or otherwise obstruct implementation of a water quality control plan or sustainable groundwater management plan. No significant unavoidable impact would occur.

3.9.6 The proposed Project's potential to result in cumulative hydrology and water quality impacts.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.9, Hydrology and Water Quality, of the EIR, the cumulative effects of past projects – both point sources of pollution and non-point sources caused by urbanization – have resulted in substantial water quality problems in the region's major waterways. The primary pollutants of concern for the proposed Project do not include those for which the

downstream receiving waters are impaired. Pollutants of concern associated with the proposed Project would be associated with the construction phase (e.g., sediment, fuels, litter), private vehicle use (e.g., any leakage of grease or oils), landscaping and grounds work (e.g., improper or excessive use of pesticides, herbicides and/or fertilizers), and/or trash (e.g., due to improper waste disposal). Trash and/or fertilizers, however, could indirectly contribute to a bacteria, pathogen or dissolved oxygen problem by contributing to excessive algae growth and/or eutrophication. The release of such pollutants, however, would be highly localized, periodic in nature, and minor in magnitude, especially when compared to the total volume of stormwater discharges that would be entering the Project's receiving waters from the whole watershed (i.e., Rio Hondo and the Los Angeles River). Furthermore, such impacts would be avoided or substantially minimized through compliance and implementation of a SWPPP and LID Plan. For these reasons, the proposed Project's contribution to impacts on hydrology and water quality would not be cumulatively considerable. Cumulative impacts are considered less than significant.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.9.5 of the EIR, determined the proposed Project would not result in cumulatively significant hydrology and water quality impacts.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.9.5 of the EIR, indicated the proposed Project would not result in any cumulatively significant adverse unmitigable hydrology and water quality impacts.

3.10 Land Use and Planning Impacts

3.10.1 The proposed Project's potential to cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.10, Land Use and Planning, of the Draft EIR, and revised in Section 3.2.9 of the Final EIR, to evaluate the proposed Project's impacts related to land use and planning, the analysis examined the proposed Project's consistency with the SCAG 2016-2040 RTP/SCS, the City's 2020 General Plan, and the City's zoning code. The proposed Project was determined to be consistent with the applicable goals of the RTP/SCS and was determined to be consistent with applicable goals and policies of the General Plan. Regarding consistency with the City's zoning code, upon approval of the Project, the land use designation of the Project site would change from Public Facilities (PF) and Commercial Manufacturing (C/M1), to Public Open Space, Commercial Retail, and Residential with the corresponding Specific Plan zone. Approval of the proposed Project, in accordance with the provisions outlined in the City's Municipal Code, would ensure compliance with applicable development standards. Additionally, through the application process, the City would thoroughly review all plans for the proposed Project to ensure compliance with the City's Municipal Code, and other relevant plans, policies, and regulations. Therefore, the proposed Project would not conflict with the Zoning Code.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. Approval of the proposed Project would result in the proposed Project being consistent with local land use plans, policies, and regulations (Section 3.10.5 of the EIR).

MITIGATION OF POTENTIAL IMPACTS. No mitigation measures are required and the proposed Project's impacts would be less than significant.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis indicated the proposed Project would not result in a potential conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. No significant unavoidable impact would occur (Section 3.10.5 of the EIR).

3.10.2 The proposed Project's potential to result in cumulative land use and planning impacts.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.10, Land Use and Planning, of the EIR, the cumulative study area used to assess potential cumulative land use impacts include the areas and land uses surrounding the Project area. Continued development in the City, including that which might occur as a result of the proposed Project, and the surrounding region could result in increased urbanization, including the density of residential, commercial, office, recreational, and public uses. Under cumulative conditions, conflicts between land uses may occur. Generally, land use conflicts would be related to noise, traffic, air quality, and hazards/human health and safety issues, which are discussed in the relevant sections of the EIR. Land use conflicts are also typically site-specific and not cumulative in nature; in other words, despite the number of cumulative projects in a given area, they wouldn't necessarily compound to create cumulative land use conflicts. Cumulative incompatibility issues associated with surrounding developments or projects are anticipated to be addressed and mitigated for on a project-by-project basis. This impact would not be cumulatively considerable.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.10.5, of the EIR, determined the proposed Project would not result in cumulatively significant land use and planning impacts.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.10.5, of the EIR, indicated the proposed Project would not result in any cumulatively significant adverse unmitigable land use and planning impacts.

3.12 Population and Housing

3.12.1 The proposed Project's potential to induce substantial unplanned population growth in an area, either directly or indirectly.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.12, Population and Housing, of the EIR, once operational, the proposed 850 units associated with the proposed Project would generate approximately 2,550 new residents to the City. The proposed Project would exceed the projected growth for the City between 2020 and 2040. However, the Proposed Project would represent 0.10% of the projected growth for the SCAG region between 2020 and 2040, and thus, is within the SCAG projections. In addition, the Project's 850 residential units would contribute to the City's Housing Element objectives and policies. The proposed Project would also add approximately 390 new employees. Although the City has exceeded its projected employment for 2040 by 4,392 jobs, due to the mixed-use nature of the proposed Project, the proposed Project would not cause an imbalance among jobs, housing, and population. Given the developed nature of the surrounding area the proposed internal roadway network, utility connections, and utility infrastructure would not induce population growth by removal of impediments to growth. The proposed Project's infrastructure plan would support the development of the proposed Project, and would not accommodate the growth beyond what is proposed. Therefore, given the urbanized nature of the City, the proposed Project would not stimulate substantial growth outside of the Plan area.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.12.5 of the EIR, indicated that the proposed Project would not result in the potential to induce substantial unplanned population growth either directly or indirectly. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. No mitigation measures are required and the proposed Project's impacts would be less than significant.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.12.5 of the EIR, indicated the proposed Project would not result in a substantial growth in the population within an area, either directly or indirectly. No significant unavoidable impact would occur.

3.12.2 The proposed Project's potential to result in cumulative population and housing impacts.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.12, Population and Housing, of the Draft EIR, and as revised in Section 3.2.11 of the Final EIR, the proposed Project would contribute to the City's exceedance of projected employment growth. However, due to the mixed-use nature of the proposed Project, the proposed Project would not cause an imbalance among jobs, housing, and population. The proposed Project would represent a nominal percentage of the overall employment projections for the SCAG region. The proposed Project would contribute to the RHNA housing production targets for the City. Additionally, the proposed Project is consistent with increasing the number of households compared to jobs within the City. Although the proposed Project's employment would exceed the SCAG's employment growth projections for the City, the proposed 850 residential units aims to create a balance of jobs and housing within the City, and help the region meet housing projections. Further, as discussed previously, the Project would not create unplanned growth through extension of roadways or infrastructure. Therefore, the Project would not have the potential to contribute to any cumulative impacts. Impacts would not be cumulatively considerable.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.12.5 of the Draft EIR, and in Section 3.2.11 of the Final EIR, determined the proposed Project would not result in cumulatively significant population and housing impacts.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.12.5 of the Draft EIR, and in Section 3.2.11 of the Final EIR, indicated the proposed Project would not result in any cumulatively significant adverse unmitigable population and housing impacts.

3.13 Public Services Impacts

3.13.1 The proposed Project's potential to result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services (fire protection; police protection; schools; parks; other public facilities).

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.13, Public Services, of the EIR, regarding fire protection services, prior to construction, the Los Angeles County Fire Department (LACFD) will review the development plans to ascertain the nature and extent of any additional requirements. Compliance with Fire Code requirements and the approval of the installation plan by the LACFD would mitigate any potential impacts to fire services. Additionally, the Project applicant would be required to pay a development impact fee, which includes funding of additional resources for fire services, to off-set any potential impacts to response times as a result of Project development. Once operational, the proposed Project would be periodically inspected by LACFD. As such, redevelopment of the Project site would not necessitate the construction of new fire facilities or expansion of existing facilities to serve the Project.

Regarding police protection services, the Project would result in an increase of approximately 2,550 residents on-site, as well as the generation of approximately 390 jobs, which would necessitate a need to increase patrol staffing for the City by four (4) Deputy Sheriffs to maintain the current level of service provided to the rest of the City. The addition of four Deputy Sheriffs at the East Los Angeles County Sheriff's Station does not result in the construction of new police facilities or expansion of existing facilities to serve the Project.

Regarding schools, per state law, development projects are required to pay established school impact

fees in accordance with Senate Bill (SB) 50 at the time of building permit issuance. The funding program established by SB 50 has been found by the Legislature to constitute "full and complete mitigation of the impacts of any legislative or adjudicative acct… on the provision of adequate school facilities" (Government Code Section 68998[h]). The fees authorized for collection under SB 50 are conclusively deemed full and adequate mitigation of impacts on school district facilities. Therefore, the Project would be subject to payment of applicable SB 50 fees.

Regarding parks, the increase in on-site population of 2,550 residences, lack of availability of the existing Veteran's Park during Project construction, and reduction in existing park space could result in the increased demand for recreational facilities, which has the potential to result in the deterioration of existing facilities. However, part of the proposed Project is to provide a revitalized Veterans Memorial Park with new structures, an all-inclusive playground, a contemporary soccer and baseball youth sports complex, a contemporary library, and ample outdoor green space to maximize opportunities for community events and services. Additionally, the Project would remediate the former on-site landfill to provide a safer environment for future park visitors, as well as residents living in the City. As such, since the Project is redeveloping a deteriorating park space with improved park and open space area of sufficient acreage to meet the City's parkland development objective, the Project would not require additional expansion of existing facilities or construction or new facilities.

Regarding other public facilities, libraries could experience a slight increase in use due to the anticipated increase of approximately 2,550 residents; however, due to the availability of libraries in the City, surrounding communities, schools, and the County's library system made up of 86 libraries available to the public, the increase in use on any one library is not anticipated to be substantial. Additionally, the County has devised library facilities mitigation fee programs, in which residential projects are required to remit payment pursuant to the County-wide program to account for library-related construction and acquisition costs. The Project would be subject to applicable library facilities fees.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The proposed Project would not create a need for new or expanded fire protection services, police protection services, schools, parks, or other public facilities that result in physical impacts on the environment. As a result, the impacts would be less than significant (Section 3.13.5 of the EIR).

MITIGATION OF POTENTIAL IMPACTS. No significant adverse impacts would result from the proposed Project's implementation. As a result, no mitigation is required.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.13.5 of the EIR, determined the proposed Project would not result in any significant impacts related to the provision of public services. No significant unavoidable impact would occur.

3.13.2 The proposed Project's potential to result in cumulative public service impacts.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.13, Public Services, of the EIR, the Project is required to fund its fair share of an established fee program designed to alleviate cumulative impacts to public services, including fire, police, schools, parks and libraries. As such, a potential cumulative impact to fire services, police protection, schools, parks, and other public facilities would not occur. Impacts would not be cumulatively considerable.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.13.5 of the EIR, determined the proposed Project would not result in cumulatively significant public service impacts.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.13.5 of the EIR, indicated the proposed Project would not result in any cumulatively significant adverse unmitigable public service impacts.

3.14 Recreation

3.14.1 The proposed Project's potential to result in an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.14, Recreation, of the EIR, within the City, an objective for parkland development in the City's General Plan is to continue to maintain or exceed a parkland standard of one acre per 2,500 persons. The proposed Project would provide 4.75 acres of park and open space area, which would adequately serve the Project's 2,550 residents, and residents in the Project area. Additionally, the 4.75 acres of parks and open space does not include the proposed 77,050-square-foot community center and 5,000-square-foot museum, which would be available to the public.

In 2018, the City of Commerce had a population of 12,808. With 21.9 total acres of neighborhood parks in the City (Rosewood Park, Bandini Park, Bristow Park, Pacific Mini-Park, and the proposed revitalized Veteran's Memorial Park), the City would surpass the parkland development objective of one acre per 2,500 persons. However, the proposed Project would be subject to applicable development impact fees related to parks and recreation. With payment of the required development impact fees related to parks and recreation in combination with provision of on-site recreational facilities, the Project would meet the anticipated demand for neighborhood and regional parks or other recreational facilities. Project residents and the public would have access to adequate on-site recreational facilities, which would offset increased use of existing parks and recreational facilities in the City. Therefore, implementation of the Project would not result in a substantial increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The proposed Project would not result in an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. As a result, the impacts would be less than significant (Section 3.14.5 of the EIR).

MITIGATION OF POTENTIAL IMPACTS. The analysis determined that no significant adverse impacts would result from the proposed Project's implementation. As a result, no mitigation is required.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis determined the proposed Project would not result in any significant impacts related to recreation. No significant unavoidable impact would occur (Section 3.14.5 of the EIR).

3.14.2 The proposed Project's potential to result an adverse physical effect on the environment due to the inclusion of recreational facilities or the construction or expansion of recreational facilities.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.14, Recreation, of the EIR, the Project involves the demolition of the existing Veterans Memorial Park and an adjacent vacant parcel, and the redevelopment of the Project site to accommodate a mixed-use development including a revitalized Veteran's Memorial Park. New structures proposed as part of the new Veterans Memorial Park would include a four-story, 77,050-square-foot community center. The community center would include indoor sports courts and offices, a library, and a ballroom/event space as well as supporting amenities. A Sports Complex comprising youth-sized soccer and baseball fields, a playground, and public open space would be located immediately adjacent to the community center. The green space would lead towards the grass-stepped amphitheater, which includes concrete bench steps and would essentially separate the residential development on the west of the Project site and commercial development to the east. The Project also proposes an art component, including a 5,000-square-foot Latino Museum, and murals. Thus, the Project includes the construction of recreational facilities. However, considering that the Project proposes to remediate the entire Project site, and redevelop a deteriorating park space with improved park and open space area of sufficient acreage to meet the City's parkland development objective, the Project's proposed recreational facilities would not result in an adverse physical effect on

the environment.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The proposed Project includes the construction of new recreational facilities; however, these new facilities would not have a significant adverse effect on the environment. As a result, the impacts would be less than significant (Section 3.14.5 of the EIR).

MITIGATION OF POTENTIAL IMPACTS. The analysis determined that no significant adverse impacts would result from the proposed Project's implementation. As a result, no mitigation is required.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.14.5 of the EIR, determined the proposed Project would not result in any significant impacts related to recreation. No significant unavoidable impact would occur.

3.12.3 The proposed Project's potential to result in cumulative recreation impacts.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.14, Recreation, of the EIR, buildout of the Project along with cumulative projects would increase use of existing local and regional parks, and could result in the accelerated deterioration of recreational facilities. However, the deterioration that would occur to local parks and recreational facilities from population growth within the City may be offset with funding from new development, such as in-lieu fees for parks or donation of parkland pursuant to the Quimby Act. Project compliance with applicable regulations, and consideration of the Project's proposed revitalization of the existing Veteran's Memorial Park, the Project would not result in a cumulatively considerable impact to recreation facilities.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis as described in Section 3.14.5 of the EIR, determined the proposed Project would not result in cumulatively significant recreation impacts.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis as described in Section 3.14.5 of the EIR, indicated the proposed Project would not result in any cumulatively significant adverse unmitigable recreation impacts.

3.15 Transportation Impacts

3.15.1 The proposed Project's potential to conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

FINDING OF IMPACT ANALYSIS.

The Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, as shown in Section 3.10, Land Use and Planning, of the Draft EIR. The Applicant has agreed to implement a number of infrastructure improvements (PDF-TRA-1 through PDF-TRA-9), which will be included as conditions of approval

to ensure implementation.

Transit Analysis

As discussed in Section 3.15, Transportation, of the EIR, the Metro transit lines within 0.25 miles (walking distance) of the Project site currently have available capacity for approximately 384 additional riders during the morning peak hour and 670 additional riders during the afternoon peak hour. The transit lines with bus stops or stations located more than 0.25 miles from the Project site were not included in this capacity analysis. This indicates that sufficient transit capacity in the study area is available. Therefore, based on the available transit capacity near the study area, the Project's impact on transit facilities would be less than significant.

Construction Traffic Impact Analysis

As discussed in Section 3.15, Transportation, of the EIR, the highest number of heavy vehicle trips would occur during the remediation/demolition phase while the highest number of worker trips would occur during the building construction phase. With the implementation of the project design feature PDF-TRA-10, it is assumed that heavy vehicle activity to and from the Project site would occur outside of the morning and afternoon peak hours. Additionally, worker trips to and from the Project site would also occur outside of the peak hours. Therefore, no peak hour construction traffic impacts would occur during the remediation/excavation, grading, or construction components of this development, and impacts would be less than significant.

Access, Transit and Parking Impact Analysis

As discussed in Section 3.15, Transportation, of the EIR, and as revised in Section 3.2.12 of the Final EIR, project construction would not create such hazards for roadway travelers, bus riders, or parkers, as long as commonly practiced safety procedures for construction are followed. Implementation of PDF-TRA-10 would avoid impacts due to the temporary loss of on-street parking, bus stops, or rerouting of bus lines during construction. Impacts would be less than significant.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.15.5 of the Draft EIR, and in Section 3.2.12 of the Final EIR, determined that the proposed Project would result in less than significant transportation impacts.

MITIGATION OF POTENTIAL IMPACTS. Impacts were determined to be less than significant and no mitigation measures would be required.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis determined the proposed Project would not result in any significant impacts related to transportation (Section 3.15.5 of the Draft EIR, and in Section 3.2.12 of the Final EIR).

3.15.2 The proposed Project's potential to conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.2.12 of the Final EIR a series of transportation model runs was conducted to test the Project's VMT per capita and compare those levels with City averages. A memo prepared by Fehr & Peers summarizing the VMT analysis has been attached to the Final EIR (Appendix H1). As shown in the analysis, the Project's VMT per service population and the boundary VMT are below the applicable threshold.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.2.12 of the Final EIR, indicated that the proposed Project would not conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. The analysis determined that no significant adverse impacts would result from the proposed Project's implementation. As a result, no mitigation is required.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.2.12 of the Final EIR, determined the proposed Project would not conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). No significant unavoidable impact would occur.

3.15.3 The proposed Project's potential to substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.15, Transportation, of the EIR, primary site access is provided by two full-access driveways from Gage Avenue: Intersection #20 Gage Avenue/Zindell Avenue and Intersection #21 Gage Avenue/Project Driveway. Both Project driveways would operate at acceptable level of service conditions under Existing with Project and Future Year 2023 with Project conditions. Parking would be provided in a subterranean parking structure below the Project. Access to the parking garage would be provided via multiple driveways from the Project's internal site circulation system. The Project would provide parking as required by the City's Municipal

Code. All new driveways and internal streets would be designed and constructed in accordance with all applicable regulatory standards. Implementation of these improvements per the applicable standards would ensure compliance with any and all applicable roadway design requirements. As such, no hazardous design features would be a part of the Project's roadway improvement. The queue lengths at all six off-ramps would not exceed the capacity of the approach lanes or the ramps, with or without Project traffic, for Year 2023. However, two of the six analyzed ramps will exceed capacity under Year 2040 with and without Project. The Project traffic would not extend the queue at either of the ramps beyond the length of one vehicle. Therefore, the increase in Project traffic is not responsible for the queue extending beyond capacity. Based on the analysis, the impacts associated with hazardous geometric design features or incompatible uses would be less than significant. With the implementation of PDF-TRA-10, impacts due to construction of the Project would be less than significant.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.15.5 of the EIR, indicated that the Project would not substantially increase hazards due to a geometric design feature or incompatible uses. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. The analysis determined that no significant adverse impacts would result from the proposed Project's implementation. As a result, no mitigation is required.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.15.5 of the EIR, indicated that the Project would not substantially increase hazards due to a geometric design feature or incompatible uses. No significant unavoidable impact would occur.

3.15.4 The proposed Project's potential to result in inadequate emergency access.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.15, Transportation, of the EIR, all areas of the Project site would be accessible to emergency responders. Access to the proposed Project would be provided by two full access driveways along Gage Avenue. All internal roadways on the proposed Project site would be designed and constructed in accordance with all applicable provisions of the City and LA County fire code, which includes requirements for width of emergency access routes and turning radii along emergency access routes. Impacts associated with emergency access during the permanent operations of the Project would be less than significant.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.15.5 of the EIR, indicated that the proposed Project would not result in in adequate emergency access. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. The analysis determined that no significant adverse impacts would result from the proposed Project's implementation. As a result, no mitigation is required.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.15.5 of the EIR, determined the proposed Project would not result in any significant impacts related to inadequate emergency access. No significant unavoidable impact would occur.

3.15.6 The proposed Project's potential to result in cumulative transportation impacts.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.15, Transportation, of the Draft EIR, and as revised in Section 3.2.12 of the Final EIR, the Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, as shown in Section 3.10, Land Use and Planning, of the Draft EIR. The Applicant has agreed to implement a number of infrastructure improvements (PDF-TRA-1 through PDF-TRA-9), which will be included as conditions of approval to ensure implementation. In addition, the Project would not conflict with or be inconsistent with CEQA Guidelines Section 15064.3(b) and impacts, including cumulative impacts, would be less than significant.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.15.5 of the Draft EIR, and in Section 3.2.12 of the Final EIR, determined that the proposed Project would result in less than significant cumulative transportation impacts.

MITIGATION OF POTENTIAL IMPACTS. The analysis determined that no significant adverse impacts

would result from the proposed Project's implementation. As a result, no mitigation is required.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.15.5 of the Draft EIR, and Section 3.2.12 of the Final EIR, indicated that impacts would be less than significant. No significant and unavoidable impacts would occur.

3.16 Tribal Cultural Resources Impacts

3.16.1(l) The proposed Project's potential to cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.16, Tribal Cultural Resources, of the EIR, no archaeological resources were identified within the Project site as a result of the California Historical Resource Information System (CHRIS) records search or Native American outreach. Further, no previously recorded Tribal Cultural Resources (TCRs) listed in the California Register of Historical Resources (CRHR) or a local register were identified within the Project site. Additionally, no TCRs have been identified by California Native American tribes as part of the City's Assembly Bill (AB) 52 and Senate Bill (SB) 18 notification and consultation process. Impacts are considered less than significant.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.16.5 of the EIR, indicated that the proposed Project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed on a historical resource register. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. The analysis determined that no significant adverse impacts would result from the proposed Project's implementation. As a result, no mitigation is required.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.16.5 of the EIR, determined the proposed Project would not result in any significant impacts related causing a substantial adverse change in the significance of a tribal cultural resource that is Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). No significant unavoidable impact would occur.

3.17 Utility and Service System Impacts

3.17.1 The proposed Project's potential to not have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.17, Utilities and Service System, the Project is estimated to generate a potable water demand of 225,322 gpd, which is equivalent to 252.56 AFY. The existing water demand for the Project site is estimated to be 13,654 gpd (15.3 AFY), resulting in a net increase in water demand of approximately 211,668 gpd (237.26 AFY). The 2015 Cal Water East Los Angeles District's UWMP has planned for growth within the East Los Angeles service area over the next 20 years. Cal Water has made an allowance for future demand estimates. Future demand services are based on historical growth rates in the service area. Based on these projections, it would appear that Cal Water has adequately made allowance for water supply demand increases for both domestic and commercial water supply over the next 20 years. In addition, based on a water service and water supply will-serve letter, Cal Water will have sufficient supplies to provide potable water for the

proposed Project. Impacts were determined to be less than significant.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.17.5 of the EIR, indicated that the proposed Project would have sufficient supplies to provide potable water for the proposed Project. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. The analysis determined that no significant adverse impacts would result from the proposed Project's implementation. As a result, no mitigation is required.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.17.5 of the EIR, determined the proposed Project would have sufficient supplies to provide potable water for the proposed Project. No significant unavoidable impact would occur.

3.17.2 The proposed Project's potential to result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.17, Utilities and Service Systems, the Project would represent a very small fraction of the available treatment capacity of the Los Angeles County Sanitation District (LACSD) Joint Water Pollution Control Plan (JWPCP), and can be served by current wastewater lines, construction of additional wastewater treatment infrastructure would not be required. Furthermore, the LACSD is empowered by the California Health and Safety Code to charge a fee for the privilege of connecting (directly or indirectly) to the LACSD's sewerage system for increasing the strength or quantity of wastewater discharged from connected facilities. This connection fee is a capital facilities fee that is imposed in an amount sufficient to construct an incremental expansion of the sewerage system to accommodate the proposed Project. Furthermore, the Project would incorporate water conservation measures to reduce the amount of wastewater generated by the Project. Therefore, Project impacts would be less than significant.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.17.5 of the EIR, indicated that the proposed Project would have sufficient capacity to serve the wastewater generated by the proposed Project. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. The analysis determined that no significant adverse impacts would result from the proposed Project's implementation. As a result, no mitigation is required.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.17.5 of the EIR, determined the proposed project would have capacity to provide wastewater service for the proposed Project. No significant unavoidable impact would occur.

3.17.3 The proposed Project's potential to generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.17, Utilities and Service Systems, regarding construction waste, project demolition and construction would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals (e.g., CALGreen standards). Impacts would be less than significant. Regarding operational waste, the proposed Project would produce solid waste on a regular basis, in association with operation and maintenance activities. The proposed Project is expected to generate approximately 1,955 tons per year or an increase in waste generation of approximately 1,627.17 tons per year. Collectively, the Calabasas Landfill and the Scholl Canyon Landfill have approximately 61,264,960 tons of available space remaining. As such, the net solid waste that is anticipated to be produced by the proposed Project would equate to approximately 0.003% of the available capacity of the combined landfills through their estimated closure dates. Project operations would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Impacts would be less

than significant.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.17.5 of the EIR, indicated that the proposed Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. The analysis determined that no significant adverse impacts would result from the proposed Project's implementation. As a result, no mitigation is required.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.17.5 of the EIR, determined the proposed Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. No significant unavoidable impact would occur.

3.17.4 The proposed Project's ability to comply with Federal, State, and local management and reduction statutes and regulations related to solid waste.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.17, Utilities and Service Systems, waste diversion and reduction during Project construction and operations would be completed in accordance with CALGreen standards and City diversion standards. As a result, the proposed Project would comply with Federal, State, and local management and reduction statutes and regulations related to solid waste. Impacts are considered less than significant

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.17.5 of the EIR, indicated that the proposed Project would comply with Federal, State, and local management and reduction statutes and regulations related to solid waste. Impacts were determined to be less than significant.

MITIGATION OF POTENTIAL IMPACTS. The analysis determined that no significant adverse impacts would result from the proposed Project's implementation. As a result, no mitigation is required.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.17.5 of the EIR, determined the proposed Project would comply with Federal, State, and local management and reduction statutes and regulations related to solid waste. No significant unavoidable impact would occur.

3.17.5 The proposed Project's potential to result in cumulative utilities and service system impacts.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.17, Utilities and Service Systems, regarding water supply, due to water planning efforts, water conservation standards, and the urban infill/redevelopment nature of the proposed Project and many of the related projects, impacts to water supply would not be cumulatively considerable. Regarding wastewater, as cumulative increases in wastewater treatment demand within the service area require facility upgrades, the LACSD would include service connection fees in their capital improvement plans. Such fees would ensure that capital improvements are completed sufficiently to accommodate increased wastewater inflows associated with the Project area. As such, impacts to wastewater services would not be cumulatively considerable. Regarding solid waste, Through compliance with City and State solid waste diversion requirements, and due to the recycling collection process that would be part of the proposed Project design and the design of many typical urban infill projects, impacts to solid waste services would not be cumulatively considerable. Regarding Electric Power, Natural Gas, and Telecommunication facilities, Individual projects would be required to provide for specific project needs. As a result, cumulative impacts associated with upgrades of electric, natural gas, and telecommunication facilities would not be significant. As such, impacts to electric power, natural gas, and telecommunication services would not be cumulatively considerable.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.17.5 of the EIR, determined the proposed Project would not result in cumulatively significant utility and

service system impacts.

MITIGATION OF POTENTIAL IMPACTS. No mitigation was required since no significant adverse impacts were identified.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The analysis, as described in Section 3.17.5 of the EIR, indicated the proposed Project would not result in any cumulatively significant adverse unmitigable utility and service system impacts.

4.0 Findings Regarding Significant Effects

The Project will result in significant environmental effects with respect to Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, Tribal Cultural Resources, and Utilities and Service Systems. These significant environmental effects, and the mitigation measures identified to avoid or substantially lessen them, are discussed in detail in the Draft and Final EIR in Sections 3.2 (Air Quality), 3.3 (Biological Resources), 3.4 (Cultural Resources), 3.6 (Geology and Soils), 3.8 (Hazards and Hazardous Materials), 3.11 (Noise), 3.16 (Tribal Cultural Resources), and 3.17 (Utilities and Service Systems). A summary of significant impacts and mitigation measures for the Project is set forth in the Draft EIR and Final EIR, Executive Summary Chapter. Set forth below are the findings regarding the potential significant effects of the Project. The findings incorporate by reference the discussion of potential significant impacts and mitigation measures contained in the Draft and Final EIR.

4.1 Air Quality Impacts

4.1.1 The proposed Project's potential to conflict with or obstruct implementation of the applicable air quality plan.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.2, Air Quality, of the EIR, specific criteria for determining a project's conformity with the Air Quality Management Plan (AQMP) is defined in Section 12.3 of the South Coast Air Quality Management District's (SCAQMD's) CEQA Air Quality Handbook. The Air Quality Handbook refers to the following criteria as a means to determine a project's conformity with the AQMP. Consistency Criteria 1 refers to a proposed project's potential for resulting in an increase in the frequency or severity of an existing air quality violation or its potential for contributing to the continuation of an existing air quality violation. Consistency Criteria 2 refers to a proposed project's potential for exceeding the assumptions included in the AQMP or other regional growth projections relevant to the AQMP's implementation. In terms of Criteria 1, the proposed Project's construction airborne emissions would exceed the levels that the SCAQMD considers to be a significant adverse impact although, these exceedances would be mitigated to the fullest extent possible. In terms of Criteria 2, the proposed Project would contribute to local population and employment growth that is not anticipated for the Project site in the existing General Plan, the proposed Project is not accounted for in the state implementation plan (SIP) and the regional air quality strategy (RAQS), and the proposed Project potentially would not be consistent with local air quality plans.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The proposed Project would result in a potentially significant adverse impact related to conformity with an applicable AQMP (Section 3.2.5 of the EIR).

MITIGATION OF POTENTIAL IMPACTS. The following mitigation would be required to further reduce air emissions.

> *MM-AQ-1.* Prior to Southern California Association of Government's (SCAG's) next update to the Regional Housing Needs Assessment, the City shall prepare a revised population, employment and housing forecast for SCAG that reflects anticipated growth generated from the proposed Project. The updated forecast provided to SCAG shall be used to inform the SCAQMD's update to the Regional Air Quality Strategy and State Implementation Plan. The City shall prepare and submit a letter notifying the SCAQMD of this revised forecast for use in the future update to the RAQS and SIP as required.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. The construction emissions would be reduced to below the SCAQMD thresholds. However, the Project would exceed the growth projections within the SCAG Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and SCAQMD AQMP; thus, impacts would remain significant and unavoidable (Section 3.2.5 of the EIR). As a result, the City in its capacity as Lead Agency for the Project would be required to adopt a Statement of Overriding Considerations with respect to air quality impacts.

4.1.2 The proposed Project's potential to result in result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.2, Air Quality, of the EIR, daily construction emissions will exceed the SCAQMD significance thresholds for NO_x (oxides of nitrogen). The projected long-term operational emissions would not exceed SCAQMD operational thresholds for NO_x, VOC, CO, SO_x, PM_{10}, and $PM_{2.5}$.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The daily construction emissions will exceed the SCAQMD significance thresholds for NO_x. Therefore, the mass daily construction-related impacts associated with the proposed project would be significant (Section 3.2.5 of the EIR).

MITIGATION OF POTENTIAL IMPACTS. The following mitigation would be required to reduce air emissions.

> *MM-AQ-2.* To reduce the potential for criteria air pollutants, specifically oxides of nitrogen (NOx), as a result of construction of the Project, the applicant shall:
>
> Prior to the start of construction activities, the Project applicant, or its designee, shall ensure that all 75 horsepower or greater diesel-powered equipment are powered with California Air Resources Board (CARB)-certified Tier 4 Final engines, except where the Project applicant establishes to the satisfaction of the City of Commerce that Tier 4 Final equipment is not available.
>
> An exemption from these requirements may be granted by the City in the event that the City documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment. Before an exemption may be considered by the City, the applicant shall be required to demonstrate that two construction fleet owners/operators in the Los Angeles County were contacted and that those owners/operators confirmed Tier 4 Final equipment could not be located within Los Angeles County. However, the Project Applicant, or its designee, shall utilize even more stringent technology such as natural gas or electric-powered equipment elsewhere to offset any increase from the non-Tier 4 equipment.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. With implementation of MM-AQ-2, emissions of NOx would be reduced to below the significance threshold. Thus, construction-generated air quality impacts would be less than significant (Section 3.2.5 of the EIR).

4.1.3 The proposed Project's potential to expose sensitive receptors to substantial pollutant concentrations.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.2, Air Quality, of the EIR, according to the SCAQMD, sensitive receptors include residences, schools, playgrounds, childcare centers, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes. The closest off-site sensitive receptors to the Project site include residences adjacent to the western Project site boundary. The proposed Project's construction would not lead to any exceedance of localized significance thresholds during the construction phases. In addition, based on the low incidence rate of coccidioidomycosis on the Project site and in the County, and with the Project's implementation of dust control strategies, it is not anticipated that earth-moving activities during Project construction would result in exposure of nearby sensitive receptors to valley fever. Regarding health impacts of carbon monoxide, no intersections would cause an intersection or roadway to decrease to level of service E or worse with implementation of Project Design Features (PDFs), as listed in Final EIR Chapter 3. Therefore, the Project would not result in a carbon monoxide (CO) hotspot. Regarding toxic air contaminants, construction activities would result in a Residential Maximum Individual Cancer Risk of 110 in 1 million, which exceeds the significance threshold of 10 in 1 million. Toxic air contaminant impacts due to diesel particulate matter emissions would result in a Residential Maximum Individual Cancer Risk of 3.11 in 1 million and a Residential Chronic Hazard Index of 0.0009 after implementation

of PDF-HR-1, PDF-HR-2, and PDF-HR-3. These impact levels would be less than the SCAQMD significance threshold. Lastly, because construction of the proposed Project could result in exceedances of the SCAQMD significance thresholds for NOx, the potential health effects associated with criteria air pollutants, specifically ozone (O3), are considered potentially significant.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. Project construction activities would result in a Residential Maximum Individual Cancer Risk of 110 in 1 million, which exceeds the significance threshold of 10 in 1 million. Therefore, the project's potential for exposing sensitive receptors to exceedances in criteria pollutants would be significant (Section 3.2.5 of the EIR).

MITIGATION OF POTENTIAL IMPACTS. The following mitigation would be required to reduce air emissions.

> *MM-AQ-2.* To reduce the potential for criteria air pollutants, specifically oxides of nitrogen (NOx), as a result of construction of the Project, the applicant shall:
>
> Prior to the start of construction activities, the Project applicant, or its designee, shall ensure that all 75 horsepower or greater diesel-powered equipment are powered with California Air Resources Board (CARB)-certified Tier 4 Final engines, except where the Project applicant establishes to the satisfaction of the City of Commerce that Tier 4 Final equipment is not available.
>
> An exemption from these requirements may be granted by the City in the event that the City documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment. Before an exemption may be considered by the City, the applicant shall be required to demonstrate that two construction fleet owners/operators in the Los Angeles County were contacted and that those owners/operators confirmed Tier 4 Final equipment could not be located within Los Angeles County. However, the Project Applicant, or its designee, shall utilize even more stringent technology such as natural gas or electric-powered equipment elsewhere to offset any increase from the non-Tier 4 equipment.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. With implementation of MM-AQ-2, emissions of construction generated diesel particulate matter would be reduced to levels below SCAQMD thresholds. Thus, impacts to sensitive receptors would be less than significant (Section 3.2.5 of the EIR).

4.1.4 The proposed Project's potential to result in cumulative air quality impacts.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.2, Air Quality, of the EIR, maximum daily emissions of oxides of nitrogen (NOx), carbon monoxide (CO), and sulfur oxides (SOx) emissions would occur during the demolition phase as a result of off-road equipment operation and on-road vendor trucks and haul trucks. The site preparation phase would result in the greatest emissions of particulate matter (PM_{10}), and $PM_{2.5}$ (particles less than 2.5 microns in diameter). The overlap of the building construction phase and the architectural coatings phases in 2023 would produce the maximum daily volatile organic compounds (VOC) emissions. Daily construction emissions would not exceed the SCAQMD significance thresholds for VOC, CO, SOx, PM_{10}, or $PM_{2.5}$ during construction in all construction years. However, the daily construction emissions would exceed the SCAQMD significance thresholds for NOx in 2020 and 2021. Operational emissions of the Project would be less than all SCAQMD significance thresholds.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis determined the proposed Project would result in cumulatively significant air quality impacts without mitigation (Section 3.2.5 of the EIR).

MITIGATION OF POTENTIAL IMPACTS. The following mitigation would be required to reduce air emissions.

> *MM-AQ-2.* To reduce the potential for criteria air pollutants, specifically NOx, as a result of construction of the Project, the applicant shall:

Prior to the start of construction activities, the Project applicant, or its designee, shall ensure that all 75 horsepower or greater diesel-powered equipment are powered with California Air Resources Board (CARB)-certified Tier 4 Final engines, except where the Project applicant establishes to the satisfaction of the City of Commerce that Tier 4 Final equipment is not available.

An exemption from these requirements may be granted by the City in the event that the City documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment. Before an exemption may be considered by the City, the applicant shall be required to demonstrate that two construction fleet owners/operators in the Los Angeles County were contacted and that those owners/operators confirmed Tier 4 Final equipment could not be located within Los Angeles County. However, the Project Applicant, or its designee, shall utilize even more stringent technology such as natural gas or electric-powered equipment elsewhere to offset any increase from the non-Tier 4 equipment.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. With implementation of MM-AQ-2, emissions of construction generated diesel particulate matter would be reduced to levels below SCAQMD thresholds. Thus, cumulatively significant impacts would be less than significant (Section 3.2.5 of the EIR).

4.2 Biological Resources

4.2.1 The proposed Project's potential to interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

FINDINGS OF IMPACT ANALYSIS. As discussed in Section 3.3, Biological Resources, of the Draft EIR, and in Section 3.2.4 of the Final EIR, trimming, pruning, and/or removal of trees and shrubs may occur as a result of construction of the Project, and could disrupt breeding activity. There would be no direct impacts; however, there may be a potential for a direct impact to occur to nesting birds (i.e., direct impacts to individuals, active nests, eggs, or young), particularly during the general nesting season of February 1 through August 31. Construction activities that could result in direct impacts to nesting birds include vegetation and tree removal during grading activities.

The Project is located in a highly urbanized area and the portion of the Project is an active park (Veterans Memorial Park) that is expected to be heavily used by humans. The vegetation within the park is expected to be regularly maintained to preserve the aesthetics and function of the park. Based upon existing Project setting, human activity at the park, and regular maintenance activities, maternal bat roosts would not be expected on the Project site. There is bat roosting potential under the offsite bridges, but these locations would not be directly impacted by the Project. It is expected that any bats using the structures would already be acclimated to higher noise levels due to the regular high volume traffic on I-5, Slauson Avenue, and Telegraph Road, as well as human activities at the park (including baseball/softball games), and activities associated with adjacent industrial and retail businesses.

Additionally, a general reconnaissance survey was conducted for the proposed Project that included checking the trees and the bridges over the Rio Hondo and Slauson Avenue (see Appendix J to the Final EIR). The survey was conducted by a biologist with experience in bat roosts and bat detection. No signs of large, continuous bat roosting (e.g., guano, staining, and odor) were observed at openings of seams or crevices on the I-5 bridges over the Rio Hondo River and Slauson Avenue. As such, the proposed Project is not expected to impact maternity or winter bat roosts.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The proposed Project would result in a potentially significant indirect impact due to the potential for the Project to interfere with nesting birds during the breeding season (Section 3.3.5 of the Draft EIR, and in Section 3.2.4 of the Final EIR).

MITIGATION OF POTENTIAL IMPACTS. The following mitigation measures will be required to address potentially significant impacts.

MM-BIO-1. **Nesting Bird Surveys.** Ground disturbance activities and vegetation removal will be completed outside the avian breeding season (between September 1 and January 31).

If ground disturbance activities (including clearing and grubbing) are scheduled to occur between February 1 and August 31, a qualified biologist will conduct a nesting bird survey within 72 hours of ground disturbance activities. The survey shall consist of full coverage of the proposed Project footprint and up to a 300-foot buffer (500-feet for suitable raptor habitat). The specific survey buffer will be determined in the field by the Project biologist and will take into account the species nesting in the area, the habitat present, and where access is permitted. If no active nests are found, no additional measures are required.

If active nests are found, the nest locations shall be mapped by the qualified biologist. The nesting bird species will be documented and, to the degree feasible, the nesting stage (e.g., incubation of eggs, feeding of young, near fledging) will be determined. The biologist shall establish a no-disturbance buffer around each active nest. The buffer will be determined by the qualified biologist based on the biology of the species present and surrounding habitat (typically a starting point of 300 feet for most birds and 500 feet for raptors, but may be reduced as approved by the biologist). No construction or ground disturbance activities shall be conducted within the buffer until the biologist has determined the nest is no longer active (i.e., no eggs or young) and has informed the construction supervisor that activities may resume.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. With implementation of MM-BIO-1, impacts due to the interference with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or the impeding of the use of native wildlife nursery sites would be reduced. Thus, impacts after mitigation would be less than significant (Section 3.3.5 of the Draft EIR, and Section 3.2.4 of the Final EIR).

4.2.2 The proposed Project's potential to result in cumulative biological resource impacts.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.3, Biological Resources, of the Draft EIR, and as revised in Section 3.2.4 of the Final EIR, the proposed Project would not have any direct or indirect impacts on special-status plant or wildlife species. However, the Project could contribute to a cumulative impact associated with migratory or nesting birds.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.3.5 of the Draft EIR, and in Section 3.2.4 of the Final EIR, determined the proposed Project would result in cumulatively significant biological resource impacts without mitigation.

MITIGATION OF POTENTIAL IMPACTS. The following mitigation would be required to avoid cumulative biological resource impacts.

MM-BIO-1. **Nesting Bird Surveys.** Ground disturbance activities and vegetation removal will be completed outside the avian breeding season (between September 1 and January 31).

If ground disturbance activities (including clearing and grubbing) are scheduled to occur between February 1 and August 31, a qualified biologist will conduct a nesting bird survey within 72 hours of ground disturbance activities. The survey shall consist of full coverage of the proposed Project footprint and up to a 300-foot buffer (500-feet for suitable raptor habitat). The specific survey buffer will be determined in the field by the Project biologist and will take into account the species nesting in the area, the habitat present, and where access is permitted. If no active nests are found, no additional measures are required.

If active nests are found, the nest locations shall be mapped by the qualified biologist. The nesting bird species will be documented and, to the degree feasible, the nesting stage (e.g., incubation of eggs, feeding of young, near fledging) will be determined. The biologist shall establish a no-disturbance buffer around each active nest. The buffer will be determined by the qualified biologist based on the biology of the species present and surrounding habitat (typically a starting point of 300 feet for most birds and 500 feet for raptors, but may be reduced as approved by the biologist). No construction or ground disturbance activities shall be conducted within the buffer until the biologist has determined the nest is no longer active (i.e., no eggs or

young) and has informed the construction supervisor that activities may resume.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. With implementation of MM-BIO-1, cumulative impacts associated with biological resources would be less than significant. Thus, cumulatively significant impacts after mitigation would be less than significant (Section 3.3.5 of the Draft EIR, and in Section 3.2.4 of the Final EIR).

4.3 Cultural Resource Impacts

4.3.1 The proposed Project's potential to cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.4, Cultural Resources, of the EIR, no previously recorded prehistoric or historic-era archaeological resources were identified within the Project site or 0.5-mile records search radius. Additionally, the parcels comprising the approximately 17.32-acre Project site were previously part of a construction borrow-pit type of landfill created for, and during, the construction of the I-5 freeway. As a result, the native soil was removed from the Project site and placed within the footprint of the I-5 freeway. The landfill operated between 1948 and 1954, before being covered and redeveloped. Moreover, the Veterans Memorial Park, which was constructed between 1965 and 1970, sits atop the landfill material from 1954 and the vacant lot to the east of Veterans Memorial Park, has been vacant since 1988. Therefore, the potential of encountering and impacting unknown archaeological resources during Project implementation is low given the level of disturbance from the mid-twentieth century; however, it is always possible that unanticipated discoveries could be encountered during ground-disturbing activities associated with the proposed Project. For this reason, mitigation has been identified to address any resources that may be uncovered during grading activities.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. No archaeological resources have been identified by the archival search or field survey. However, it is possible that unanticipated discoveries could be encountered during ground-disturbing activities associated with the proposed Project. If such unanticipated discoveries were encountered, impacts to encountered resources could be potentially significant (Section 3.4.5 of the EIR).

MITIGATION OF POTENTIAL IMPACTS. The following mitigation measure will be required to address potentially significant impacts.

> *MM-CUL-1.* If archaeological resources (i.e., sites, features, or artifacts) are exposed during construction activities for the proposed Project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for Archaeology, can evaluate the significance of the find and determine whether or not additional study is warranted. The archaeologist shall be empowered to temporarily stop or redirect grading activities to allow removal of abundant or large artifacts. Depending upon the significance of the find under the California Environmental Quality Act (CEQA) (14 CCR 15064.5(f); PRC, Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan and data recovery, may be warranted. The archaeologist shall also be required to curate specimens in a repository with permanent retrievable storage and submit a written report to the lead agency for review and approval prior to occupancy of the first building on the site. Once approved, the final report will be filed with the South Central Coastal Information Center (SCCIC).
>
> Once artifact analysis is completed, a final written report detailing the results of all research procedures and interpretation of the site shall be submitted to the lead agency for review and approval prior to occupancy of the first building on the site.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. With implementation of MM-CUL-1, which requires that all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for Archaeology, can evaluate the significance of the find, significant impacts to archeological resources would be reduced to a less than significant level. Thus, the proposed Project would not result in a significant unavoidable impact to archeological resources (Section 3.4.5 of the EIR).

4.3.2 The proposed Project's potential to disturb any human remains, including those interred outside of dedicated cemeteries.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.4, Cultural Resources, of the EIR, no prehistoric or historic burials were identified within the Project site as a result of the records searches. Additionally, the Project site is located within an urbanized area that has been subject to disturbance in the past as a result of former landfill operations. Moreover, the Project is not part of a dedicated cemetery and as such, the likelihood of disturbing human remains is low. In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the Los Angeles County Coroner shall be notified within 24 hours of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within 2 working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are, or are believed to be, Native American, they shall notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours. In accordance with Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descended from the deceased Native American. The most likely descendant shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. It is possible that unanticipated discoveries of human remains could be encountered during ground-disturbing activities associated with the proposed Project. If such unanticipated discoveries were encountered, impacts to encountered resources could be potentially significant (Section 3.4.5 of the EIR).

MITIGATION OF POTENTIAL IMPACTS. The following mitigation measure will be required to address potentially significant impacts.

> *MM-CUL-2.* In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found within the Project site, the county coroner shall be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the county coroner has determined, within 2 working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the county coroner determines that the remains are, or are believed to be, Native American, he or she shall notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant (MLD) of the deceased Native American. The MLD shall complete his/her inspection within 48 hours of being granted access to the site. The designated MLD would then determine, in consultation with the property owner, the disposition of the human remains.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. With implementation of MM-CUL-2, which requires compliance with Section 7050.5 of the California Health and Safety Code, significant impacts to human remains would be reduced to a less than significant level. Thus, the proposed Project would not result in a significant unavoidable impact to human remains (Section 3.4.5 of the EIR).

4.3.3 The proposed Project's potential to result in cumulative cultural resource impacts.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.4, Cultural Resources, of the EIR, other individual projects occurring in the vicinity of the Project site likely involve buildings that are over 45 years in age, and as such, will likely require evaluations to determine if they are historical resources as defined by CEQA. Historical resources that are potentially affected by related projects would also be subject to the same requirements of CEQA as the proposed Project and any impacts would be mitigated, as applicable. These determinations would be made on a case-by-case basis, and the effects of cumulative development on historical and archaeological resources would be mitigated to the extent feasible in accordance with CEQA and other applicable legal requirements. However, without mitigation, impacts on cultural resources could be cumulatively considerable.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.4.5 of the EIR, determined the proposed Project would result in cumulatively significant cultural resource impacts without mitigation.

MITIGATION OF POTENTIAL IMPACTS. The following mitigation would be required to avoid cumulative cultural resource impacts.

> *MM-CUL-1.* If archaeological resources (i.e., sites, features, or artifacts) are exposed during construction activities for the proposed Project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for Archaeology, can evaluate the significance of the find and determine whether or not additional study is warranted. The archaeologist shall be empowered to temporarily stop or redirect grading activities to allow removal of abundant or large artifacts. Depending upon the significance of the find under the California Environmental Quality Act (CEQA) (14 CCR 15064.5(f); PRC, Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan and data recovery, may be warranted. The archaeologist shall also be required to curate specimens in a repository with permanent retrievable storage and submit a written report to the lead agency for review and approval prior to occupancy of the first building on the site. Once approved, the final report will be filed with the South Central Coastal Information Center (SCCIC).
>
> Once artifact analysis is completed, a final written report detailing the results of all research procedures and interpretation of the site shall be submitted to the lead agency for review and approval prior to occupancy of the first building on the site.
>
> *MM-CUL-2.* In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found within the Project site, the county coroner shall be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the county coroner has determined, within 2 working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the county coroner determines that the remains are, or are believed to be, Native American, he or she shall notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant (MLD) of the deceased Native American. The MLD shall complete his/her inspection within 48 hours of being granted access to the site. The designated MLD would then determine, in consultation with the property owner, the disposition of the human remains.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. With implementation of MM-CUL-1 and MM-CUL-2, cumulative impacts associated with cultural resources would be less than significant. Thus, cumulatively significant impacts after mitigation would be less than significant (Section 3.4.5 of the EIR).

4.4 Geology and Soils

4.4.1 The proposed Project's potential to directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.6, Geology and Soils, of the EIR, excavations to a depth of 25 feet in the eastern portion of the Project site are anticipated to encounter artificial fill. However, if excavations in the western portion of the Project site encounter previously undisturbed older Quaternary alluvial deposits, Pleistcoene age vertebrate fossils may be impacted.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.6.5 of the EIR, determined that deep excavations within the western portion of the Project site for the subterranean parking could result in the disturbance of paleontological resources. If paleontological resources are encountered, impacts could be potentially significant.

MITIGATION OF POTENTIAL IMPACTS. The following mitigation measure will be required to address potentially significant impacts to paleontological resources.

> *MM-GEO-1.* Prior to issuance of a grading permit within areas identified with a high paleontological sensitivity (older Quaternary alluvial deposits), a qualified paleontologist shall be retained per the Society of Vertebrate Paleontology (SVP) (2010) guidelines. The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the Project. The PRIMP shall be consistent with the SVP (2010) guidelines and shall outline requirements for preconstruction meeting attendance and worker environmental awareness training, where monitoring is required within the Project area based on construction plans and/or geotechnical reports, procedures for adequate paleontological monitoring and discoveries treatment, and paleontological methods (including sediment sampling for microvertebrate fossils), reporting, and collections management. The qualified paleontologist shall attend the preconstruction meeting and a paleontological monitor shall be on-site during rough grading and other ground-disturbing activities in previously undisturbed, fine-grained older Quaternary alluvial deposits. These deposits may be encountered at shallow depths below the surface. Within developed areas of the proposed Project, this depth is assumed to be at least twenty-five feet below the ground surface in the eastern portion of the Project. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontological monitor shall temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery shall be roped off with a 50-foot-radius buffer. Once documentation and collection of the find is completed pursuant to the PRIMP and the Society of Vertebrate Paleontology (SVP) (2010) guidelines, the monitor shall allow grading to recommence in the area of the find. Curation and storage of salvaged specimens in an approved repository institution shall be completed for all significant resources discovered and collected.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. With implementation of MM-GEO-1, which requires preparation of a PRIMP prior to issuance of a grading permit for the Project, significant impacts to paleontological resources would be reduced to a less than significant level. Thus, the proposed Project would not result in a significant unavoidable impact to paleontological resources (Section 3.6.5 of the EIR).

4.4.2 The proposed Project's potential to result in cumulative geology and soil impacts.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.6, Geology and Soils, of the EIR, potential cumulative impacts on geology and soils would result from projects that combine to create geologic hazards, including unstable geologic conditions, or contribute substantially to erosion. The majority of impacts from geologic hazards, such as liquefaction, landslides, and unstable soils, are site-specific and are, therefore, generally mitigated on a project-by-project basis. Each cumulative project would be required to adhere to required building engineering design per the most recent version of the CBC in order to ensure the safety of building occupants and avoid a cumulative geologic hazard. Additionally, as needed, projects would incorporate individual mitigation or geotechnical requirements for site-specific geologic hazards present on each individual cumulative project site. However, without mitigation, the proposed Project could result in a potentially significant cumulative impact.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.6.5 of the EIR, determined the proposed Project would result in cumulatively significant geology and soil impacts without mitigation.

MITIGATION OF POTENTIAL IMPACTS. The following mitigation would be required to avoid cumulative geology and soil impacts.

> *MM-GEO-1.* Prior to issuance of a grading permit within areas identified with a high paleontological sensitivity (older Quaternary alluvial deposits), a qualified paleontologist shall be retained per the Society of Vertebrate Paleontology (SVP) (2010) guidelines. The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the Project. The PRIMP shall be consistent with the SVP (2010) guidelines and shall outline requirements for preconstruction meeting attendance and worker environmental awareness training, where

monitoring is required within the Project area based on construction plans and/or geotechnical reports, procedures for adequate paleontological monitoring and discoveries treatment, and paleontological methods (including sediment sampling for microvertebrate fossils), reporting, and collections management. The qualified paleontologist shall attend the preconstruction meeting and a paleontological monitor shall be on-site during rough grading and other ground-disturbing activities in previously undisturbed, fine-grained older Quaternary alluvial deposits. These deposits may be encountered at shallow depths below the surface. Within developed areas of the proposed Project, this depth is assumed to be at least twenty-five feet below the ground surface in the eastern portion of the Project. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontological monitor shall temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery shall be roped off with a 50-foot-radius buffer. Once documentation and collection of the find is completed pursuant to the PRIMP and the Society of Vertebrate Paleontology (SVP) (2010) guidelines, the monitor shall allow grading to recommence in the area of the find. Curation and storage of salvaged specimens in an approved repository institution shall be completed for all significant resources discovered and collected.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. With implementation of MM-GEO-1, cumulative impacts associated with geology and soils would be less than significant. Thus, cumulatively significant impacts would be less than significant (Section 3.6.5 of the EIR).

4.5 Hazards and Hazardous Materials

4.5.1 The proposed Project's potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.8, Hazards and Hazardous Materials, of the EIR, the proposed Project would result in the increase in routine transport, use, and disposal of hazardous materials and/or wastes generated during remediation, construction, and operation. Construction activities on the Project site will involve the use and storage of commonly used hazardous materials such as gasoline, diesel fuel, lubricating oil, grease, solvents, and other vehicle and equipment maintenance fluids. Once construction is complete, potential hazardous materials present during operation will be limited to reasonable quantities of commercially available landscaping and building maintenance products such as oils, landscaping chemicals, pesticides, paints and thinners, rust inhibitors and other substances associated with commercial, residential, and recreation uses. All hazardous materials used during construction or operation would be transported and handled in accordance with all federal, state, and local laws regulating the management and use of hazardous materials, which would avoid impacts during these phases of the proposed Project. However, due to historic landfill activities on the Project site and levels of contamination found within the soil, prior to construction, remedial activities including removal of waste and waste-impacted soils will be required. The RWQCB has reviewed this Response Plan including with respect to remedial action selected and acknowledged that complete removal of all identifiable waste, followed by confirmation sampling, as well as installation of groundwater monitoring network, would provide the maximum level of protection of human health and the environment. However, prior to implementation of the work described Response Plan, the proposed Project may have the potential to result in a significant hazard to the public or the environment.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.8.5 of the EIR, determined that prior to implementation of the remediation work described in the Response Plan, the proposed Project may have the potential to result in a significant hazard to the public or the environment, resulting in a potentially significant impact.

MITIGATION OF POTENTIAL IMPACTS. The following mitigation measure will be required to address potentially significant impacts.

MM-HAZ-1. Response Plan. Prior to the start of construction for the proposed Project, wastes and waste-impacted soils underlying the entirety of the Project site must be excavated and

removed in accordance with the approved Response Plan, as well as, architectural and engineering plans. Implementation of the proposed Project shall require the excavation, stockpiling, profiling, and appropriate disposal of all former landfill materials encountered during remediation activities. The objective of the remediation activities is to restore the Project site, based on the RSCC (Table 3.8-2), to a condition that allows for unrestricted use. Once the RWQCB has determined that the work required by the Response Plan is complete, Project construction shall proceed.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. With implementation of MM-HAZ-1, which requires compliance with the Response Plan prepared for remediation of the Project site, significant impacts due to the Project's potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials would be reduced to a less than significant level. Thus, the proposed Project would not result in a significant unavoidable impact related to the routine transport, use, or disposal of hazardous materials (Section 3.8.5 of the EIR).

4.5.2 The proposed Project's potential to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.8, Hazards and Hazardous Materials, of the EIR, following completion of the work identified in the Response Plan, Project construction and operation will not require the handling or storage of large quantities of hazardous materials (more than 1,000 kilograms (kg) of hazardous waste or over 1 kg of acutely hazardous waste per month). It is anticipated that commercially available products will be used, stored, and disposed of in commercially-reasonable quantities given the nature of the construction and in accordance with applicable laws and regulations and manufacturers' instructions. Direct impacts to human health and the environment from accidental spills of small amounts of hazardous materials from construction activities could potentially occur. However, compliance with federal, state, and local regulations, including the California Division of Occupational Safety and Health and the Los Angeles County Department of Public Health requirements that provide safety and control measures for those materials handled on-site, would ensure that adverse impacts would not occur. Furthermore, compliance with the site-specific Health & Safety Plan (HASP) and Remedial Action Plan, including the contingency plan, will ensure the safety of the public and the environment in the event of any accidental release of hazardous materials. However, impacts could occur prior to implementation of the work identified in the approved Response Plan.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.8.5 of the EIR determined that impacts would be potentially significant prior to implementation of the work identified in the approved Response Plan.

MITIGATION OF POTENTIAL IMPACTS. The following mitigation measure will be required to address potentially significant impacts.

MM-HAZ-1. Response Plan. Prior to the start of construction for the proposed Project, wastes and waste-impacted soils underlying the entirety of the Project site must be excavated and removed in accordance with the approved Response Plan, as well as, architectural and engineering plans. Implementation of the proposed Project shall require the excavation, stockpiling, profiling, and appropriate disposal of all former landfill materials encountered during remediation activities. The objective of the remediation activities is to restore the Project site, based on the RSCC (Table 3.8-2), to a condition that allows for unrestricted use. Once the RWQCB has determined that the work required by the Response Plan is complete, Project construction shall proceed.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. With implementation of MM-HAZ-1, which requires compliance with the Response Plan prepared for remediation of the Project site, significant impacts due to the Project's potential create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment would be reduced to a less than significant level. Thus, the

proposed Project would not result in a significant unavoidable impact related to the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment (Section 3.8.5 of the EIR).

4.5.3 The proposed Project's potential to be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.8, Hazards and Hazardous Materials, of the EIR, the Project itself does not appear on any of the lists required by any provision of Government Code Section 65962.5; however, a portion of the Project site is listed on the State Water Resources Control Board Geotracker website in connection with the voluntary cleanup program activities initiated for the Eastern Parcel. In addition, the former Gage Avenue Dump facility appears on the Los Angeles County Department of Public Health Solid Waste Information Management System online database as bearing CalRecycle Permit 19-AA-5543 as to the former landfill. The Project site or street addresses associated with it are listed as having generated asbestos containing waste, unspecified aqueous solutions, and other inorganic solids. A portion of the Project site is also listed for a leaking underground storage tank (LUST) case, which was opened in August 1997 and closed in March 1998. Based on the regulatory status, a UST which was installed in 1975 and removed in 1989 and resulted in release of waste oil into soil is a closed case and not anticipated to affect the environmental condition of the property. However, the past presence of landfill operations at the Project site constitutes a REC.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.8.5 of the EIR determined that deep prior to implementation of the Response Plan, impacts could be potentially significant.

MITIGATION OF POTENTIAL IMPACTS. The following mitigation measure will be required to address potentially significant impacts.

> *MM-HAZ-1.* Response Plan. Prior to the start of construction for the proposed Project, wastes and waste-impacted soils underlying the entirety of the Project site must be excavated and removed in accordance with the approved Response Plan, as well as, architectural and engineering plans. Implementation of the proposed Project shall require the excavation, stockpiling, profiling, and appropriate disposal of all former landfill materials encountered during remediation activities. The objective of the remediation activities is to restore the Project site, based on the RSCC (Table 3.8-2), to a condition that allows for unrestricted use. Once the RWQCB has determined that the work required by the Response Plan is complete, Project construction shall proceed.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. With implementation of MM-HAZ-1, which requires compliance with the Response Plan prepared for remediation of the Project site, significant impacts due to the Project's potential to be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment would be reduced to a less than significant level. Thus, the proposed Project would not result in a significant unavoidable impact related to hazardous materials sites (Section 3.8.5 of the EIR).

4.5.4 The proposed Project's potential to result in cumulative hazards and hazardous materials impacts.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.8, Hazards and Hazardous Materials, of the Draft EIR, and in Section 3.2.8 of the Final EIR, construction of cumulative projects would require the handling of hazardous materials similar to that of the proposed Project. Implementation the proposed Project has the potential to result in a significant impact from the transport of hazardous materials, prior to implementation of the work identified in the Response Plan. However, as the Project would comply with federal, state, and local laws related to the transport and handling of hazardous materials, and with each of the identified cumulative projects also complying with these laws, the cumulative impact related to the release of hazardous materials would be reduced.

The environmental site assessments performed for the proposed Project evaluated the Project site, which is listed on governmental databases for the potential or actual releases of hazardous substances to the environment. The Project site was identified as having contaminated soils beneath the site associated with the previous landfill operations. Where potential hazards on-site are identified, mitigation is provided. These impacts would be mitigated by removing, testing, disposing, and remediating hazardous soils in accordance with local, state, and federal laws, if necessary. Similar compliance would be required by other nearby cumulative projects with potentially hazardous existing contamination, which would be handled on a project-by-project basis. The potential for risk is limited to the area immediately surrounding an affected hazardous material site or risk generator. Through mitigation and compliance with regulatory requirements, the construction or operation of the Project itself would not create significant human or environmental health or safety risks that could combine with other Project impacts to create a significant and cumulatively considerable impact. Without mitigation, the proposed Project could result in a potentially significant cumulative impact.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.8.5 of the Draft EIR, and in Section 3.2.8 of the Final EIR, determined the proposed project would result in cumulatively significant hazards and hazardous material impacts without mitigation.

MITIGATION OF POTENTIAL IMPACTS. The following mitigation would be required to reduce potential cumulative hazards and hazardous material impacts.

> *MM-HAZ-1.* Response Plan. Prior to the start of construction for the proposed Project, wastes and waste-impacted soils underlying the entirety of the Project site must be excavated and removed in accordance with the approved Response Plan, as well as, architectural and engineering plans. Implementation of the proposed Project shall require the excavation, stockpiling, profiling, and appropriate disposal of all former landfill materials encountered during remediation activities. The objective of the remediation activities is to restore the Project site, based on the RSCC (Table 3.8-2), to a condition that allows for unrestricted use. Once the RWQCB has determined that the work required by the Response Plan is complete, Project construction shall proceed.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. With implementation of MM-HAZ-1, cumulative impacts associated with hazard and hazardous materials would be less than significant. Thus, cumulatively significant impacts after mitigation are less than significant (Section 3.8.5 of the Draft EIR, and in Section 3.2.8 of the Final EIR).

4.6 Noise Impacts

4.6.1 The proposed Project's potential to result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.11, Noise, of the EIR, regarding on-site construction noise, based on the acoustic center noise level values, which would represent more typical noise exposure over the construction cycle, construction noise would range up to 17 adjusted decibels (dBA) higher than ambient levels at adjacent residences and up to 10 dBA higher at the hotel property. Due to the proximity of residences and a hotel to the Project site, and the potential for construction noise to be an annoyance, construction noise is considered a potentially significant impact.

Regarding construction traffic noise, assuming that all of the heavy truck trips during construction use the I-5 freeway southbound Gage Avenue off-ramp, the increase in traffic noise for the adjacent residences would be 3 dBA community noise equivalent level (CNEL). Also assuming that all of the heavy truck trips during construction use the driveway and cul-de-sac connecting to Gage Avenue near the Best Western Hotel, the increase in traffic noise at the closest façade of the Best Western Hotel would be 1 dBA CNEL (refer to EIR Appendix G, Noise Modeling Data). These increases are well below the significance threshold of a 5 dBA CNEL increase. Therefore, construction traffic noise impacts are considered less than significant.

Regarding on-site long-term operational noise would be generated by heating, ventilation, and air conditioning (HVAC) equipment, loading docks, and outdoor sound amplification systems. The mechanical equipment operations noise analysis indicate that mechanical equipment operations noise from the proposed Project would exceed the City municipal code noise restrictions during the daytime and overnight at the residential property boundary, as well as exceeding the overnight restrictions at the commercial hotel property line. Screen walls around roof-top equipment is an excellent method to reduce noise, and would be anticipated to lower mechanical equipment noise to below the thresholds. Nonetheless, mechanical equipment noise is considered potentially significant.

Regarding off-site traffic noise levels, maximum noise level increase would be 1 dB at every studied road segment except Zindell Avenue. Along Zindell Avenue, the Project would result in an increase of 7 dBA CNEL both in the existing plus project scenario and in the 2040 plus project scenario. While overall exterior noise exposure would remain within the City's maximum exterior limits, the increase in traffic noise would be clearly noticeable to residents along this block. Project-related traffic noise increases along Zindell Avenue, are therefore, considered potentially significant.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.11.5 of the EIR, determined on-site construction noise, on-site operational noise, and off-site traffic noise levels impacts would be potentially significant.

MITIGATION OF POTENTIAL IMPACTS. The following mitigation measures will be required to address potentially significant impacts.

MM-NOI-1. Construction activities for the Modelo Project shall take place during the permitted time and day per Chapter 19.19.160. of the City's Municipal Code. The applicant shall ensure that construction activities are limited to the hours of 7 a.m. to 10 p.m. Monday through Saturday, and not at all during other hours or on Sundays or public holidays. This condition shall be listed on the final designs for Modelo Project to the satisfaction of the City of Commerce Engineering Department.

MM-NOI-2. Construction noise would range up to 17 dBA higher than ambient levels at adjacent residences, thus exceeding the significance threshold of a 10 dBA increase. Prior to issuance of grading permits, the City shall require a detailed construction noise management plan, with supporting analysis of noise control effectiveness, which demonstrates average construction noise levels at adjacent residential properties would not increase by more than 10 dBA above ambient. The following measures taken in combination are typically effective in reducing construction noise levels by a minimum of 12 dBA L_{eq} a condition of approving the grading permit and should therefore be considered for inclusion in the construction noise management plan for the Modelo Project:

- The Project contractor shall, to the extent feasible, schedule construction activities to avoid the simultaneous operation of construction equipment so as to minimize noise levels resulting from operating several pieces of high noise level emitting equipment.
- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. Enforcement shall be accomplished by random field inspections by applicant personnel during construction activities, to the satisfaction of the City of Commerce Engineering Department.
- Construction noise reduction methods such as shutting off idling equipment, construction of a temporary noise barrier, maximizing the distance between construction equipment staging areas and adjacent residences, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible.
- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from or shielded from sensitive receptors.
- Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners to contact the job superintendent if necessary. In the event the City of Commerce receives a complaint, appropriate corrective actions shall be implemented

and a report of the action provided to the reporting party.

MM-NOI-3. Prior to issuance of building permits, the City shall require a detailed noise analysis of the final mechanical equipment specifications to review shielding, enclosures, and/or the location of proposed equipment to verify sound levels will comply with the limits dictated by Chapter 19.19.160. of the City's Municipal Code. It is anticipated that proper screening around roof-mounted equipment would offer sufficient shielding to achieve compliance with the noise ordinance.

MM-NOI-4. The Project applicant shall offer to upgrade windows on the façades of homes facing Zindell Avenue. Increasing the sound attenuation of these windows would more than offset the increases in traffic noise from Project-generated trips along Zindell Avenue.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. With implementation of MM-NOI-1, MM-NOI-2, and MM-NOI-3, on-site construction noise and on-site operational noise impacts would be reduced to a less than significant level. However, even with implementation of MM-NOI-4, off-site traffic noise levels impacts would remain significant and unavoidable. Thus, the proposed Project would result in a significant and unavoidable noise impact. As a result, the City of Commerce in its capacity as Lead Agency for the project would be required to adopt a Statement of Overriding Considerations with respect to noise impacts (Section 3.11.5 of the Draft EIR and Section 3.2.10 of the Final EIR).

4.6.2 The proposed Project's potential to result in generation of excessive groundborne vibration or groundborne noise levels.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.11, Noise, of the Draft EIR, and as revised in Section 3.2.10 of the Final EIR, during demolition, land clearing, and construction activities for the proposed Project ground-borne vibration would be produced by heavy-duty construction equipment. The nearest residences to the Project site would be approximately 15 feet from ground disturbance from structural foundations, and could experience vibration levels of 0.19 inches per second peak particle velocity (PPV). Vibration levels at these receptors would remain just below the Federal Transportation Administration (FTA) building damage threshold of 0.2 inches per second PPV. A large bulldozer has a vibration level of 87 vibration velocity decibels (VdB) measured at 25 feet, at the nearest residences (15 feet) this level would be increased to approximately 90 VdB, which is marginally greater than the FTA's threshold of 80 VdB. Vibration between 80 and 90 VdB could be noticeable, but is generally not considered destructive or highly annoying. However, since vibration could exceed the threshold, strict adherence to the daytime only construction schedule be must be followed in order to avoid night-time annoyance associated with vibration. As such, construction-related vibration associated with the proposed Project would result in a potentially significant impact.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.11.5 of the EIR, determined construction-related vibration associated with the proposed Project would result in a potentially significant impact.

MITIGATION OF POTENTIAL IMPACTS. The following mitigation measures will be required to address potentially significant impacts.

MM-NOI-1. Construction activities for the Modelo Project shall take place during the permitted time and day per Chapter 19.19.160. of the City's Municipal Code. The applicant shall ensure that construction activities are limited to the hours of 7 a.m. to 10 p.m. Monday through Saturday, and not at all during other hours or on Sundays or public holidays. This condition shall be listed on the final designs for Modelo Project to the satisfaction of the City of Commerce Engineering Department.

MM-NOI-2. Construction noise would range up to 17 dBA higher than ambient levels at adjacent residences, thus exceeding the significance threshold of a 10 dBA increase. Prior to issuance of grading permits, the City shall require a detailed construction noise management plan, with supporting analysis of noise control effectiveness, which demonstrates average construction noise levels at adjacent residential properties would not increase by more than 10 dBA above ambient. The following measures taken in combination are typically effective in reducing construction noise levels by a minimum of 12 dBA L_{eq} a condition of approving the grading

permit and should therefore be considered for inclusion in the construction noise management plan for the Modelo Project:

- The Project contractor shall, to the extent feasible, schedule construction activities to avoid the simultaneous operation of construction equipment so as to minimize noise levels resulting from operating several pieces of high noise level emitting equipment.
- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. Enforcement shall be accomplished by random field inspections by applicant personnel during construction activities, to the satisfaction of the City of Commerce Engineering Department.
- Construction noise reduction methods such as shutting off idling equipment, construction of a temporary noise barrier, maximizing the distance between construction equipment staging areas and adjacent residences, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible.
- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from or shielded from sensitive receptors.
- Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners to contact the job superintendent if necessary. In the event the City of Commerce receives a complaint, appropriate corrective actions shall be implemented and a report of the action provided to the reporting party.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. With implementation of MM-NOI-1 and MM-NOI-2, which requires compliance with Chapter 19.19.160. of the City's Municipal Code and requires the applicant to adhere to noise reduction measures significant impacts due to excessive groundborne vibration or groundborne noise levels would be reduced to a less than significant level. Thus, the proposed Project would not result in a significant unavoidable impact due to excessive groundborne vibration (Section 3.11.5 of the Draft EIR, and Section 3.2.10 of the Final EIR).

4.6.3 The proposed Project's potential to result in cumulative noise impacts.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.11, Noise, of the EIR, the analysis of off-site Project-related traffic noise levels included an evaluation of traffic volumes and resulting roadway traffic noise levels from cumulative projects. The maximum noise level increase for the cumulative versus cumulative plus project scenario would be 1 dB at every studied road segment except Zindell Avenue. Along Zindell Avenue, the Project would result in an increase of 7 dBA in the cumulative (2040) plus project scenario. While overall exterior noise exposure would remain within the City's maximum exterior limits, the increase in traffic noise would be clearly noticeable to residents along this block. Project contributions to cumulative traffic noise increases along Zindell Avenue, are therefore, considered potentially significant. Mitigation measure MM-NOI-4 would help ensure that interior noise levels created by Project traffic are not increased inside residences located along Zindell Avenue. Other roadways would experience less than significant traffic noise increases under existing and cumulative scenarios (with Project). However, because the City is not able to ensure acceptance/compliance of a window upgrade offer by property owners along Zindell Avenue, Project-related traffic noise exposure level increases for residences along Zindell Avenue would be cumulatively considerable and potentially significant.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.11.5 of the EIR, determined the proposed project would result in cumulatively significant noise impacts without mitigation.

MITIGATION OF POTENTIAL IMPACTS. The following mitigation would be required to reduce potential cumulative noise impacts.

MM-NOI-4. The Project applicant shall offer to upgrade windows on the façades of homes facing Zindell Avenue. Increasing the sound attenuation of these windows would more than offset the increases in traffic noise from Project-generated trips along Zindell Avenue.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. Even with implementation of MM-NOI-4, cumulative off-site traffic noise impacts would remain significant and unavoidable. As a result, the City in its capacity as Lead Agency for the project would be required to adopt a Statement of Overriding Considerations with respect to noise impacts (Section 3.11.5 of the EIR).

4.7 Tribal Cultural Resources Impacts

4.7.1(II) The proposed Project's potential to cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.16, Tribal Cultural Resources, of the EIR, there are no resources on the proposed Project site that have been determined by the City to be significant pursuant to the criteria set forth in Public Resources Code (PRC) Section 5024.1. Further, no TCRs were identified in the proposed Project site by California Native American tribes as part of the City's AB 52 and SB 18 notification and consultation process. As no information regarding TCRs has been received by the City, the City has determined that no TCRs are present in the proposed Project site. However, there is still a low potential for unknown subsurface TCRs to be impacted by the proposed Project, which could result in a significant impact.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.16.5 of the EIR, indicated that the proposed Project has a low potential for unknown subsurface TCRs to be impacted by the proposed Project, which could result in a significant impact.

MITIGATION OF POTENTIAL IMPACTS. The following mitigation measures will be required to address potentially significant impacts.

> *MM-TCR-1.* While no TCRs have been identified that may be affected by the proposed Project, the following approach for the inadvertent discovery of TCRs has been prepared to ensure there are no impacts to unanticipated resources. Should a potential TCR be encountered, construction activities near the encounter shall be temporarily halted within 50 feet of the discovery and the City notified. The City will notify Native American tribes that have been identified by the NAHC to be traditionally and culturally affiliated with the geographic area of the Project. If the potential resource is archaeological in nature, appropriate management requirements shall be implemented as outlined in mitigation measure MM-CUL-1. If the City determines that the potential resource is a TCR (as defined by Public Resources Code (PRC), Section 21074), tribes consulting under AB 52 and SB 18 would be provided a reasonable period of time, typically 5 days from the date of a new discovery is made, to conduct a site visit and make recommendations regarding future ground disturbance activities as well as the treatment and disposition of any discovered TCRs. A qualified archaeologist shall implement a plan for the treatment and disposition of any discovered TCRs based on the nature of the resource and considering the recommendations of the tribe(s). Implementation of proposed recommendations will be made based on the determination of the City that the approach is reasonable and feasible. All activities would be conducted in accordance with regulatory requirements.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. With implementation of MM-TCR-1, which requires compliance construction activities near the encounter shall be temporarily halted within 50 feet of the discovery and the City notified. The City will notify Native American tribes that have been

identified by the NAHC to be traditionally and culturally affiliated with the geographic area of the Project, impacts to TCRs would be reduced to a less than significant level. Thus, the proposed Project would not result in a significant unavoidable impact to TCRs (Section 3.16.5 of the EIR).

4.7.2 The proposed Project's potential to result in cumulative tribal cultural resource impacts.

FINDING OF IMPACT ANALYSIS. As discussed in Section 3.16, Tribal Cultural Resources, of the EIR, the proposed Project could have significant impacts to unknown tribal cultural resources, and mitigation would be required to reduce adverse impacts to levels less than significant. It is anticipated that tribal cultural resources that are potentially affected by related projects would also be subject to the same requirements of CEQA as the proposed Project and mitigate for their impacts, if applicable. The determinations of significance would be made on a case-by-case basis, and the effects of cumulative development on tribal cultural resources would be mitigated to the extent feasible in accordance with CEQA and other applicable legal requirements. Thus, without mitigation, the proposed Project could result in a potentially significant cumulative impact.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.16.5 of the EIR, determined the proposed Project could result in cumulatively significant tribal cultural resource impacts without mitigation.

MITIGATION OF POTENTIAL IMPACTS. The following mitigation would be required to reduce potential cumulative tribal cultural resource impacts.

> *MM-TCR-1.* While no TCRs have been identified that may be affected by the proposed Project, the following approach for the inadvertent discovery of TCRs has been prepared to ensure there are no impacts to unanticipated resources. Should a potential TCR be encountered, construction activities near the encounter shall be temporarily halted within 50 feet of the discovery and the City notified. The City will notify Native American tribes that have been identified by the NAHC to be traditionally and culturally affiliated with the geographic area of the Project. If the potential resource is archaeological in nature, appropriate management requirements shall be implemented as outlined in mitigation measure MM-CUL-1. If the City determines that the potential resource is a TCR (as defined by Public Resources Code (PRC), Section 21074), tribes consulting under AB 52 and SB 18 would be provided a reasonable period of time, typically 5 days from the date of a new discovery is made, to conduct a site visit and make recommendations regarding future ground disturbance activities as well as the treatment and disposition of any discovered TCRs. A qualified archaeologist shall implement a plan for the treatment and disposition of any discovered TCRs based on the nature of the resource and considering the recommendations of the tribe(s). Implementation of proposed recommendations will be made based on the determination of the City that the approach is reasonable and feasible. All activities would be conducted in accordance with regulatory requirements.

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. With implementation of MM-TCR-1, cumulative impacts associated with tribal cultural resources would be less than significant. Thus, cumulatively significant impacts after mitigation are less than significant (Section 3.16.5 of the EIR).

4.8 Utility and Service System Impacts

4.8.1 The proposed Project's potential to require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

FINDING OF IMPACT ANALYSIS.

As discussed in Section 3.17, Utilities and Service System, of the EIR, Regarding water facilities, based on a water service and water supply will-serve letter from Cal Water, the Applicant may need to construct additional water service infrastructure in order to provide sufficient water to the Project. Such

infrastructure may include booster pumps, storage tanks, and/or water wells. Impacts associated with construction of these off-site facilities is unknown, and could be potentially significant.

Regarding water conveyance and treatment facilities, project construction would occur in accordance with the requirements of the City of Commerce Municipal NPDES Permit. In accordance with this permit, BMPs and pollutant control measures would be employed during Project construction to minimize pollutants and reduce runoff to levels that comply with applicable water quality standards. As a result, impacts associated with new wastewater treatment facilities would be less than significant.

Regarding stormwater drainage facilities, the Project would not result in the construction of new stormwater drainage facilities. Given that incorporation of these LID features is a required element of the permitting process, it is not considered additional mitigation. Therefore, impacts would be less than significant.

Regarding electric power, natural gas, and telecommunication facilities, upgrades would likely be required with respect to electric power and telecommunication natural gas facilities, based on the change in land use. However, Project construction would occur in accordance with the requirements of the NPDES General Construction Permit (Order No. 99-08-DWQ) and the City of Commerce Stormwater and Runoff Pollution Control Ordinance (Chapter 6.17 of the City of Commerce Municipal Code). In accordance with the ordinance, BMPs and pollutant control measures would be employed during Project construction to minimize pollutants and reduce runoff to levels that comply with applicable water quality standards. As a result, impacts associated with upgrades of electric, natural gas, and telecommunication lateral connections to the Project site would be less than significant.

POTENTIALLY SIGNIFICANT IMPACTS BEFORE MITIGATION. The analysis, as described in Section 3.17.5 of the EIR, indicated that the proposed Project and applicant may need to construct additional water service infrastructure in order to provide sufficient water to the Project. Impacts associated with construction of these off-site facilities is unknown, and could be potentially significant.

MITIGATION OF POTENTIAL IMPACTS. The following mitigation measure will be required to address potentially significant impacts.

> *MM-UTL-1.* Prior to the issuance of a grading permit, the Applicant shall demonstrate that off-site water infrastructure is sufficient to provide the anticipated water demand for the Project (i.e., net increase in water demand of approximately 211,668 gpd [237.26 acre feet per year (AFY)].

SIGNIFICANT UNAVOIDABLE IMPACTS AFTER MITIGATION. With implementation of MM-UTL-1, which requires the applicant demonstrate that off-site water infrastructure is sufficient to provide the anticipated water demand for the Project, impacts would be reduced to a less than significant level. Thus, the proposed Project would not result in a significant unavoidable impact (Section 3.17.5 of the EIR).

5.0 Other CEQA Findings

5.1 Significant Unavoidable Impacts

The environmental analysis contained in Chapter 3 of the Draft EIR identified potential adverse impacts that may result from the implementation of the proposed Project.

Air Quality Impacts. The proposed Project would contribute to local population and employment growth that is not anticipated for the Project site in the existing General Plan, the proposed Project is not accounted for in the SIP and the RAQS, and the proposed Project potentially would not be consistent with local air quality plans. The impact would be eliminated with implementation of MM-AQ-1 once the SCAQMD completes a future update to the RAQS, which would be based on updated SCAG population and growth projections for the region. However, that update will likely occur following Project approval. Therefore, the mass daily construction-related impacts associated with the proposed Project would be significant and unavoidable at this time.

Noise Impacts. Along Zindell Avenue, the Project would result in an increase of 7 dBA CNEL, both in the existing plus project scenario and in the 2040 plus project scenario. While overall exterior noise exposure would remain within the City's maximum exterior limits, the increase in traffic noise would be clearly noticeable to residents along this block. Direct and cumulative Project-related traffic noise increases along Zindell Avenue, are therefore, considered potentially significant. While MM-NOI-4 would help ensure that interior noise levels created by Project traffic are not increased inside residences located along Zindell Avenue, the City is not able to ensure acceptance/compliance of the window upgrade offer by property owners along Zindell Avenue. For that reason, noise level increases for residences along Zindell Avenue remaind potentially significant and unavoidable.

5.2 Significant Irreversible Environmental Changes

The proposed Project would help accommodate growth within existing developed areas, as opposed to accommodating growth through development in previously undeveloped areas. The latter development pattern generally results in permanent loss of naturalized lands and open space, as well as increased fossil fuel consumption attributable to longer commuting distances and lack of transit options. While the Project would result in some irretrievable commitment of nonrenewable resources, it would also help accommodate growth in a manner that would reduce irreversible environmental changes in the region. Furthermore, the irretrievable commitment of resources attributable to the Project would not be considered unusual when compared to typical urban infill development of the same size and scope. For these reasons, the irretrievable commitment of resources attributable to the Project would not be considered significant.

5.3 Growth Inducement Impacts

The proposed Project would cause economic growth, population growth, and housing growth. However, the growth would be limited to the Project site itself and fall within regional growth projections for population and housing. The Project would not remove obstacles to population growth and would not cause an increase in population such that new community facilities or infrastructure would be required outside of the proposed Project. Lastly, the proposed Project is not expected to encourage or facilitate other activities that could significantly affect the environment, as explained above. For these reasons, the proposed Project is not considered to be significantly growth inducing.

6.0 Project Alternatives

6.1 Project Alternative Analyzed

The Final EIR evaluated the following four alternatives:

Alternatice A: No Project/Existing Land Use Plan Alternative. According to the *CEQA Guidelines*, Section 15126.6(e), the purpose of evaluating the No Project Alternative is to allow decision-makers to compare the impacts of approving the project with the impacts of not approving the project. However, the No Project Alternative is not the baseline for determining whether the proposed project's impacts are significant, unless it is identical to the existing environmental setting analysis that establishes the baseline. The No Project/Existing Land Use Plan Alternative, as required by the State CEQA Guidelines, analyzes the effects of continued implementation of the City of Commerce 2020 General Plan (General Plan). The City's General Plan Land Use Map designates the Veterans Memorial Park as Public Facilities and the vacant lot as Commercial Manufacturing. Under this Alternative, the existing Veterans Memorial Park would continue to operate as it currently does, because that use is consistent with the zoning and General Plan designation (PF zone). The vacant lot would be developed as a commercial and light industrial use. As described in the Municipal Code, the C/M-1 zone has a development standard of 2.0 Floor Area Ratio (FAR) to 1.0 FAR and a maximum lot coverage of 50 percent. Therefore, the 7.92-acre vacant site could be built to two stories, with a footprint of 172,497.6 square feet, totaling 344,995.2 square feet.

Alternative B – No Project/No Development Alternative. This alternative assumes that the Project site would remain in its current condition. No discretionary actions would be required by local, state, or federal agencies for this alternative. Therefore, under this Alternative, the Project site would continue to operate as the Veterans Memorial Park and an undeveloped vacant lot.

Alternative C – Reduced Development Alternative 1. This alternative assumes the Project would operate as described in Section 2, Project Description, with the following reductions:

- 750 apartment units
- 64,000-squre-foot community center
- 1,100-seat movie theater

Alternative D – Reduced Development Alternative 2. This alternative assumes the Project would operate as described in Section 2, Project Description, with the following reductions:

- 750 apartment units
- 64,000-square-foot community center
- 1,100-seat movie theater
- 12,000-square-foot grocery store

The discussion of the No Project/No Development Alternative normally proceeds along one of two lines. When the project is the revision of an existing land use or regulatory plan, policy, or ongoing operation, the No Project/No Development Alternative will be the continuation of the plan, policy, or operation into the future. On the other hand, if the project is an individual development project on an identifiable location, the No Project/No Development Alternative should compare the environmental effects of the property remaining in its existing state. If other future uses of the land are predictable, such land uses should also be discussed as possible no project conditions and the project should be compared to those uses. For each of the project alternatives identified, a general description of the alternative is presented and a qualitative discussion of its comparative environmental impacts is provided.

6.2 Environmentally Superior Alternative

The environmentally superior alternative under CEQA is the No Project/No Development Alternative.

However, when the No Project Alternative is environmentally superior, CEQA mandates another alternative be identified (14 CCR 15126.6(e)(2)). All of the Alternatives would lessen the overall environmental impacts when compared to the proposed Project; however, none would avoid the significant and unavoidable impacts of the Project. While Alternative C and Alternative D would involve less development, and therefore, result in slightly less overall impacts to the environment, these Alternatives would not help achieve all of the Project objectives. Specifically, development of a smaller community center under these Alternatives would not fully allow for a revitalized Veterans Memorial Park with new structures, an all-inclusive playground, a contemporary soccer and baseball youth sports complex, a contemporary library, and ample outdoor green space to maximize opportunities for community events and services. Nevertheless, Alternative D would involve the least amount of development and would result in slightly less impacts when compared to the Project; and as such, is the environmentally superior alternative.

7.0 Statement of Overriding Considerations

As set forth above in the Findings of Fact and Statement of Overriding Consideration for the Final Environmental Impact Report (EIR) (SCH #2019080312) Modelo Project (Findings), the City's approval of the Project will result in significant environmental impacts that cannot be avoided, even with the adoption of all feasible mitigation measures. Specifically, the Findings demonstrate that the Project will result in the following significant and unavoidable impacts:

Air Quality Impacts. The EIR determined that the proposed Project would contribute to local population and employment growth that is not anticipated for the Project site in the existing General Plan, the proposed Project is not accounted for in the SIP and the RAQS, and the proposed Project potentially would not be consistent with local air quality plans. Therefore, the mass daily construction-related impacts associated with the proposed project would be significant and unavoidable at this time.

Noise Impacts. Along Zindell Avenue, the Project would result in an increase of 7 dBA CNEL, both in the existing plus project scenario and in the 2040 plus project scenario. Project-related traffic noise increases along Zindell Avenue, are therefore, considered potentially significant. While MM-NOI-4 would help ensure that interior noise levels created by Project traffic are not increased inside residences located along Zindell Avenue, the City is not able to ensure acceptance/compliance of the window upgrade offer by property owners along Zindell Avenue. For that reason, noise level increases for residences along Zindell Avenue remaind potentially significant and unavoidable.

Whenever a lead agency adopts a project which will result in a significant and unavoidable impact, the agency must, pursuant to Public Resources Code sections 21002 and 21081(b) and CEQA Guidelines Section 15093, state in writing the specific reasons to support its action based on the EIR and/or other information in the administrative record.

The City Council of the City of Commerce: (i) having independently reviewed the information in the EIR and the record of proceedings; (ii) having made a reasonable and good faith effort to eliminate or substantially lessen the significant impacts resulting from the Project to the extent feasible by adopting the mitigation measures identified in the EIR; and (iii) having balanced the benefits of the Project against the significant and unavoidable environmental impacts, chooses to approve the Project, despite its significant and unavoidable environmental impacts, because, in the City Council's view, specific economic, legal, social, and other benefits of the Project render the significant environmental impacts acceptable.

The following statement identifies why, in the City Council's judgment, the benefits of the Project outweigh the unavoidable significant impacts. Each of these public benefits serves as an independent basis for overriding all significant and unavoidable impacts. Any one of the reasons set forth below is sufficient to justify approval of the Project. Substantial evidence supports the various benefits and such evidence can be found in the Findings which are provided above and incorporated by reference into this section, the EIR, and/or in documents that comprise the Record of Proceedings in this matter.

1. **Provide a mixed-use livable community that will contribute to Commerce's revitalization.** The Project's vibrant mix of residential, commercial, entertainment, and community uses, together with its public, pedestrian-focused ground floor spaces, will create an integrated urban village for residents and workplace tenants where one works, lives and plays, while also creating an authentic, connected place for the larger south and east Los Angeles communities. The Project includes the construction of up to 850 residential units, consisting of a mix of apartment and for-sale townhomes and condominiums. The residential uses shall be adjacent to and integrated with up to 165,000 square feet of new commercial, retail, and entertainment uses, which are anticipated to include a cinema, gym, museum, pharmacy, restaurants, high end grocery, and other general retail uses. There is currently a shortage of these fundamental neighborhood-serving uses in the City, and the Project provides a future where new and existing nearby residents will be able to fulfill most, if not all, of their

daily needs without leaving the community. The Project also includes over five acres of public amenities, including a new, state of the art community center to replace the outdated and decommissioned community center building in Veterans Park, public parkland, open space, walking and bike paths, sports fields, a playground, public plaza, pedestrian avenue, and an outdoor venue space, thereby furthering the land use, economic development and urban design objectives of the General Plan's Community Development, Housing and Resource Management Elements.

2. **Remediate a former landfill site despite significant development constraints.** The Project site has faced numerous hardships and constraints limiting its redevelopment, including its unique shape and location between the I-5 freeway and Rio Hondo Channel, its history as a former landfill that requires remediation before unlimited uses are permitted, and its multiple ownerships, which make coordinating remediation and redevelopment challenging. Before developing the site for residential, commercial, and community uses, the Project applicant, at its sole cost, will remove all waste and impacted soil associated with former landfill operations and the applicant will implement a remedial action plan under the supervision of the Los Angeles Regional Water Quality Control Board (RWQCB). Specifically, the remediation process will involve the excavation and removal of all former landfill debris and contaminated soils to an approximately 20-foot depth. Approximately 477,000 cubic yards (cy) of potentially contaminated soil would be transferred to a RWQCB-approved landfill site in Southern California. Upon removal, the Project's soil-bottoms and sidewalls would be tested to ensure all contaminants and debris have been removed. The City does not have the funds or other means to perform the required remediation, and, even if it did, it would not be able to remediate the areas of the Project site under private ownership. The Project, therefore, will result in the complete remediation, at no cost to the City, of the entire 17.47-acre site. Absent these efforts, the site would otherwise remain underutilized and blighted.

   The Project applicant also will engage in ongoing monitoring to ensure Project construction and operation do not result in any adverse impact on regional and local groundwater, thereby ensuring the safety of water resources for the City and the surrounding communities.

3. **Provide a diverse range of housing options.** The California state legislature has found that California has a housing supply and affordability crisis of historic proportions, and that the lack of supply and rising costs are compounding inequality and limiting advancement opportunities for many Californians. (Government Code, § 65589.5(a)(1).) The legislature has further found that California has accumulated an unmet housing backlog of nearly 2,000,000 units and must provide for at least 180,000 new units annually to keep pace with growth through 2025. (*Ibid*.) Against that backdrop, the California Department of Housing and Community Development determined, as part of its 6th Cycle Regional Housing Needs Assessment (RHNA), that the City needs to provide 247 new housing units, including 131 above-moderate income units. This is in addition to the unmet allocation of 11 above-moderate income units from the 2014-2021 RHNA allocation. The Project will include the construction of 850 new residential units, consisting of a mix of studio, one-bedroom, two-bedroom, and three-bedroom apartments, as well as for-sale townhomes and condominiums. The new residences will be available at a variety of price points, which will help the City address the ongoing statewide housing crisis and will fulfill and surpass the City's RHNA requirement for the 6th Cycle, in compliance with the following General Plan policies:

   Community Development Element, Policy 5.1. The city of Commerce will promote the development of new housing for all income groups.

   Community Development Element, Policy 5.2. The city of Commerce will continue to explore new opportunities for housing and services to meet the needs of the labor force, and as a means to attract new business and industry to the city.

Housing Element Policy 2.3. Explore opportunities for new residential development within those areas of the City occupied by vacant, obsolete commercial and industrial uses.

Housing Element Policy 5.1. Provide a range of residential development types in Commerce, including low density single-family homes, moderate density townhomes, higher density multi-family units, and residential/commercial mixed use in order to address the City's share of regional housing needs.

4. **Establish new and updated recreational opportunities.** The Project will replace an outdated and decommissioned community center building with a new and contemporary Community Center, which will provide diverse programming space for the City's Department of Parks & Recreation. The new Community Center's spaces may include indoor sports facilities and offices, a library, and a ballroom/event space as well as supporting amenities such as offices, restrooms, and lobbies.

   In addition, the Project will enhance Veterans Memorial Park with a new multi-purpose Sports Complex immediately adjacent to the new Community Center that can host soccer, baseball and other youth sports; provide a new Veterans Plaza that can accommodate community events, civic celebrations and day-to-day community interaction; and create a new outdoor grass-stepped amphitheater with concrete bench steps to separate the Project's residential and commercial development. Moreover, the Project will include an outdoor splash pad and inclusive playground for children of all abilities and provide new open spaces areas for Project residents and visitors alike.

   The Project applicant will contribute $12,000,000 towards the development costs of these new community amenities, in addition to funding the entire cost of the environmental remediation of the Project site, including the areas for these community amenities on the City-owned portion of the Project site, The City does not have the financial resources or capacity to develop new or enhance existing community facilities on the scale proposed by the Project without a public-private partnership such as the one with the Project applicant.

   The increased recreational amenities provided by the Project will help the City implement the following General Plan Resource Management Element policies:

   Policy 4.4. The city of Commerce will review existing landscaping standards for public and private developments so as to increase the green space throughout the city.

   Policy 4.5. The city of Commerce will require that at least five percent of the site area of all new commercial and industrial developments be landscaped.

   Policy 5.1. The city of Commerce will maintain the existing park and recreational facilities to the extent that they can continue to provide residents with the best possible recreational opportunities.

   Policy 5.2. The city of Commerce will strive to create more "green space" and recreational facilities that will accommodate skateboarding, roller hockey, and field soccer programming.

   Policy 5.3. The city of Commerce will continue to upgrade existing facilities to improve park appearance and utility.

   Policy 5.4. The city of Commerce will expand Veterans Park and Bristow Park to include such facilities as soccer fields and basketball courts.

   Policy 5.7. The city of Commerce will continue to assess the recreational program needs of the city's residents, and establish guidelines to respond to those needs.

   Policy 5.11. The city of Commerce will identify new funding sources to provide recreational improvements and services in the city.

   Policy 6.1. The city of Commerce will strive to ensure that park and open space is

preserved and maintained for the use of existing and future residents of the city.

5. **Increase the amount of commercial retail space in the City.** The Project's 165,000 square feet of commercial development will include a variety of retail and entertainment uses, which are anticipated to include a cinema, gym, museum, pharmacy, restaurants, high end grocery, and other general retail uses. There is currently a shortage of these fundamental neighborhood-serving uses in the City, and the Project provides a future where new and existing nearby residents will be able to fulfill most, if not all, of their daily needs without leaving the community. Development of these needed amenities will help the City implement the following General Plan Community Development Element policies:

   Policy 2.2. The city of Commerce will encourage and promote the development of quality restaurants in the city to serve residents and visitors alike, and discourage the further proliferation of fast-food restaurants in the city.

   Policy 2.3. The city of Commerce will promote the development of larger, more efficient, commercial retail shopping centers as opposed to smaller "strip commercial" centers.

   Policy 2.5. The city of Commerce will explore the feasibility of constructing a supermarket to serve those portions of the city south of the Santa Ana Freeway.

   Policy 4.1. The city of Commerce will explore the feasibility of developing an area devoted to active family recreation.

   Policy 4.2. The city of Commerce will promote the development of commercial enterprises that provide family entertainment.

   The commercial component would provide walkable options for the Project's adjacent residents and attract visitors from the City and surrounding communities. Importantly, a new grocery store, pharmacy and restaurants would provide services that are not currently available in the Project's immediate vicinity.

6. **Improve the City's public infrastructure.** The Project includes a number of on- and off-site infrastructure improvements throughout the Project's study area that the applicant will construct or fund. The Project includes upgrades and installation of new infrastructure that will improve the circulation network for the City. City buses and alternative transportation vehicles will be able to enter the site and a number of bus stops and ride hailing stops are already proposed. Multiple electric charging stations will be available throughout the site, both for the use of visitors and residents, with the goal of turning the Project into a neighborhood hub.

   In the neighborhood surrounding the Project site, new traffic and intersection enhancements will reduce any potential burden caused by additional traffic and significantly improve existing traffic infrastructure. These traffic upgrades include a $6 million-reconfiguration of the I-5 Southbound ramp at Slauson Avenue to improve traffic flow and turning movements at the major convergence of Gage Avenue, Slauson Avenue, and I-5. The applicant also will reconfigure additional intersections along Telegraph Road, Slauson Avenue, and Gage Avenue to add new turn lanes and additional through lanes.

   Upgrades to surrounding streets, sidewalks, drainage and water collection and flow, along with new street lighting systems along Gage Avenue, Slauson Avenue, and Zindell Avenue, will further enhance the Property and its surroundings and take pressure off current systems and use. Additional security personnel and safety features are planned for the Property to allow employees, guests and visitors to feel safe and secure whilst living on or visiting the site.

7. **Increase tax revenue.** The Project's new retail and other commercial opportunities would substantially increase the sales tax revenue in the City, anticipated to be nearly $47 million in the Project's first 34 years (4 years of construction plus 30 years of

operations). The new housing stock would result in additional tax revenues from property taxes and property transfer taxes, anticipated to be over $20 million in the Project's first 34 years. Redevelopment with private investment of an underutilized industrial site also would attract higher-end employers and new residents, increasing the City's property tax base.

8. **Generate new employment opportunities.** The Project would create new short-term and long-term employment prospects in the City. Construction of the Project, which is expected to take approximately four years, is anticipated to generate approximately 4,701 construction-related jobs. The Project's commercial component is anticipated to generate at least 434 new permanent jobs on an annual basis. Permanent job categories include retail, food and beverage, security, property maintenance (engineering, landscaping, waste management, etc.), property management, leasing and sales, and sports and entertainment (associated with the cinema and Community Center). Through construction contracts and tenant leases, the Project will foster the hiring of local residents and businesses for development and operation. The Project approvals incorporate mandatory construction and tenant local hire goals.

9. **Provide a sustainable community.** One key intent of the Project is to create an environmentally sustainable community, which includes on- and off-site improvements, as well as power-saving, water-saving, and other enhancements to create a more healthy environment for its occupants, visitors and neighbors, and to qualify for a minimum of Silver-Leadership in Energy and Environmental Design (LEED) status. Notably, the first phase of the Project is to remove and remediate, at the Project applicant's cost, the former landfill that currently underpins the entire Project site pursuant to a Los Angeles RWQCB approved Remedial Action Plan.

   On-site sustainable initiatives include ultraviolet and sound-protective glass on all structures, grey-water reclamation throughout the Project site, stormwater retention and re-use for landscape irrigation, locally sourced native and riparian plantings, heat island reduction or total elimination, reflective and energy-efficient roof membranes, low-energy consumption building management systems, composting, organic waste generation, low-water use fixtures, motion-detect light and light emitting diode (LED) light fixtures, and the creation of natural habitats and ecosystems within the 17.47-acre Project site and the adjacent Los Angeles River tributary, the Rio Hondo spreading ground. Throughout the Project site, sustainable living walls and lush low-water usage landscapes will reduce ambient temperatures, absorb noise and vibrations, and photosynthetically produce oxygen to mitigate nearby pollution.

   In addition, the Project would incorporate current conservation technologies and strategies to achieve local, state, and federal goals to address global climate change. In particular, the Project will enhance existing bus stops in the vicinity, connect the Project site to the existing Rio Hondo Bike Path, and provide a host of bike parking opportunities on-site. All of these amenities will help the City achieve its climate goals.

For the foregoing reasons, the City Council of the City of Commerce finds that the Project's adverse, unavoidable environmental impacts are outweighed by the above-referenced benefits, any one of which individually would be sufficient to outweigh all of the Project’s significant and unavoidable impacts. Therefore, the City Council of the City of Commerce hereby adopts these Findings and these Statement of Overriding Considerations.