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November 13, 2024

Los Angeles City Council  
c/o Office of the City Clerk  
City Hall, 395  
Los Angeles, CA 90012

Attention: PLUM Committee

Dear Honorable Members:

**SUSTAINABLE COMMUNITIES ENVIRONMENTAL ASSESSMENT FOR DTLA SOUTH PARK PROPERTIES PROJECT. STAFF REPORT. SITE 2, 1105 – 1123 SOUTH OLIVE STREET, SITE 3, 1100 – 1130 SOUTH OLIVE STREET AND 218 - 228 WEST 11<sup>TH</sup> STREET; CF 24-0976**

This report includes Environmental Findings, Justification, and supporting documents and technical analyses for the Sustainable Communities Environmental Assessment (SCEA) that was published for public review from May 9, 2024 to June 10, 2024 for the following project:

Project Name: DTLA South Park Properties  
Environmental Case No.: ENV-2018-2601-SCEA  
Project Applicant: MREG 1105 Olive, LLC (Site 2); LR 1114 Olive LLC (c/o L & R Group of Companies) (Site 3)  
Project Address: Site 2: 1105-1123 S. Olive Street  
Site 3: 1100-1130 S. Olive Street and 218-228 W. 11th Street  
Community Plan: Central City  
Council District: 14 – De Leon

An initial study has been prepared and circulated in compliance with Public Resources Code (PRC) Section 21155.2(b). A public hearing on the SCEA, and all comments received on the SCEA, will be considered by City Council prior to SCEA adoption and approval of the Project. The Transit Priority Project (TPP) has incorporated all feasible mitigation measures, performance standards, or criteria set forth in prior Environmental Impact Report(s) (EIR), including the Southern California Association of Governments (SCAG) Connect SoCal 2020 – 2045 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS); finding that all potentially significant effects identified in the initial study have been identified and analyzed in the SCEA; finding that with respect to each significant effect on the environment required to be identified in the initial study for the SCEA, changes or alterations have been required in or incorporated into

the Project that avoid or mitigate the significant effects to a level of insignificance or those 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.

It is hereby requested that the City Council consider and determine if the proposed project qualifies for a SCEA, pursuant to PRC Section 21155.2.

## **Background**

Through the “Sustainable Communities and Climate Protection Act of 2008,” known as Senate Bill 375 (SB 375), the state legislature created a new document for environmental review called a Sustainable Communities Environmental Assessment (SCEA). The intent of a SCEA is to encourage projects that would implement regional plans to reduce greenhouse gas emissions (e.g. by building housing near public transit) by providing for streamlined environmental review of Transit Priority Projects that are consistent with an adopted sustainable communities strategy. The SCEA provides complete environmental analysis by evaluating the potential effects of a Project in an Initial Study similar to a Mitigated Negative Declaration (MND), with additional requirements specific to a SCEA as described below.

SB 375 requires Metropolitan Planning Organizations (MPOs), such as SCAG, to create a new component in their Regional Transportation Plan to include a Sustainable Communities Strategy. Government Code Section 65080(b)(2)(B) requires the SCS to set forth a forecasted development pattern for the region that integrates transportation policies to reduce greenhouse gas emissions and achieve the reduction targets approved by the California Air Resources Board. SB 375 also contains new environmental clearances in the California Environmental Quality Act (CEQA) for projects that can qualify under PRC Section 21155 as TPPs. The SB 375 clearances are intended to meet the goals of the SCS to encourage higher density, infill development located near transit. If a project qualifies as a TPP and would mitigate potentially significant impacts to a level of insignificance, the lead agency may choose to prepare a SCEA. Under PRC Section 21155, to be a TPP, the project must be consistent with the general land use designation, density, building intensity, and policies in the SCAG RTP/SCS; and meet the criteria in PRC Section 21155(b) related to minimum density, residential uses, and distance from a major transit stop or high-quality transit corridor included in a regional transportation plan. Under PRC Section 21155.2(b), a TPP may qualify for a SCEA if it meets all of the following:

- The Project has incorporated all feasible mitigation measures, performance standards, or criteria set forth in applicable EIRs; and
- An initial study is prepared and the initial study shows the Project will have less than significant impacts, including if needed, through the imposition of mitigation measures.

The evaluation of a SCEA differs from standard MND environmental review in that it requires the following additional analysis: (1) consistency analysis with the SCAG RTP/SCS; and (2) analysis to demonstrate all applicable mitigation measures from applicable EIRs have been incorporated into the Project. The SCEA also has additional procedural requirements from an MND. Under a SCEA, the City is not required to analyze growth inducing impacts or project specific or cumulative impacts from cars and light trucks on global warming or the regional transportation network. The Initial Study should identify any cumulative effects that have been adequately analyzed and mitigated in prior applicable certified EIRs. Projects that use the SCEA provisions will still need to obtain discretionary permits or other approvals from the lead agency.

## **Project Description**

The proposed development consists of two separate mixed-use buildings on two development sites separated by Olive Street in Downtown Los Angeles, known as DTLA South Park Properties Sites 2 and 3 Project (Project). Site 2 is located at 1105-1123 S. Olive Street at the southwest corner of Olive Street and 11th Street, and Site 3 is located at 1100-1130 S. Olive Street and 218-228 W. 11th Street at the southeast corner of Olive Street and 11th Street (Project Site).

### **Site 2 Development**

The proposed development at Site 2 includes the demolition of an existing surface parking lot; removal of one (1) street tree on Olive Street and replacement with six (6) new London plane trees; removal of two (2) street trees on 11th Street and replacement with two (2) Chinese flame trees; export of approximately 118,543 cubic yards of earth; and construction, use, and maintenance of a 51-story mixed-use building containing 536 dwelling units and 4,178 square feet of ground floor commercial space. The Site 2 Development would include a total floor area of 491,515 square feet with a floor area ratio (FAR) of 9.13:1. The building would be a maximum of 603 feet in height as measured from grade to the top of the roof structure. The Site 2 Development would provide 581 automobile parking spaces for residential use in six (6) levels of subterranean parking and four (4) levels of above-grade parking podium. A total of 234 bicycle parking spaces, including 23 short-term and 211 long-term spaces, would be provided. The Site 2 Development would provide a minimum of 58,275 square feet of usable open space.

The requested entitlements for Site 2 are as follows:

1. Pursuant to LAMC Section 12.24 W.1, a Main Conditional Use Permit for the sale and dispensing of a full line of alcoholic beverages at a maximum of four establishments, including two (2) on-site sales and consumption and two (2) off-site sales;
2. Pursuant to LAMC Section 12.27, a Zone Variance for reduced parking stall size to allow 8 feet, 6 inches by 16 feet in lieu of 9 feet, 4 inches by 18 feet, and reduced drive aisle width of a minimum 25 feet, 1 inch in lieu of 27 feet, 4 inches, as otherwise required by LAMC Section 12.21 A.5;
3. Pursuant to Los Angeles Municipal Code (LAMC) Section 14.5.7, a Transfer of Floor Area Rights from the Los Angeles Convention Center (Donor Site) for the transfer of 274,795 square feet of floor area to the Site 2 (Receiver Site) permitting a maximum FAR of 9.13:1 in lieu of the maximum permitted FAR of 6:1;
4. Pursuant to LAMC Section 12.21 G.3, a Director's Decision to provide 115 trees on-site in lieu of 134 trees as otherwise required;
5. Pursuant to LAMC Section 16.05 C.1, a Site Plan Review for a development project which creates, or results in an increase of, 50 or more dwelling units;
6. Pursuant to LAMC Sections 17.03, 17.06, and 17.15, Vesting Tentative Tract Map No. 82109 for the merger and re-subdivision of five (5) lots into a 19-lot subdivision consisting of 536 residential condominium units and 10 commercial condominium units; haul route

for the export of 118,543 cubic yards of earth material; vacation of a portion of the airspace above an alley abutting the site to the northwest; and

7. Approval of other permits, ministerial or discretionary, that may be necessary in order to execute and implement the Project. Such approvals may include, but are not limited to, landscaping approvals, exterior approvals, storm water discharge permits, grading permits, haul route permits, tree removal permits, building permits, and installation and hookup approvals for public utilities and related permits.

### Site 3 Development

The proposed development at Site 3 includes the demolition of an existing surface parking lot; removal of four (4) street trees on Olive Street and replacement with six (6) new London plane trees; removal of three (3) street trees on 11th Street and replacement with three (3) Chinese flame trees; export of approximately 156,232 cubic yards of earth; and construction, use, and maintenance of a 60-story mixed-use building containing 713 dwelling units and 11,277 square feet of ground floor commercial space. The Site 3 Development would include a total floor area of 608,977 square feet with an FAR of 9:1. The building would be a maximum of 698 feet in height as measured from grade to the top of the roof structure. The Site 3 Development would provide 764 automobile parking spaces for residential use in six (6) levels of subterranean parking and four (4) levels of above-grade parking podium. A total of 290 bicycle parking spaces, including 31 short-term and 259 long-term spaces, would be provided. The Site 3 Development would provide a minimum of 75,425 square feet of usable open space.

The requested entitlements include for Site 3:

1. Pursuant to Los Angeles Municipal Code (LAMC) Section 14.5.7, a Transfer of Floor Area Rights from the Los Angeles Convention Center (Donor Site) for the transfer of 328,135 square feet of floor area to Site 3 (Receiver Site) permitting a maximum FAR of 9:1 in lieu of the maximum permitted FAR of 6:1;
2. Pursuant to LAMC Section 12.24 W.1, a Main Conditional Use Permit for the sale and dispensing of a full line of alcoholic beverages at a maximum of six establishments including three (3) on-site sales and consumption and three (3) off-site sales;
3. Pursuant to LAMC Section 12.27, a Zone Variance for reduced parking stall size to allow 8 feet, 6 inches by 16 feet in lieu of 9 feet, 4 inches by 18 feet, and reduced drive aisle width of a minimum 25 feet, 1 inch in lieu of 27 feet, 4 inches, as otherwise required by LAMC Section 12.21 A.5;
4. Pursuant to LAMC Section 12.21 G.3, a Director's Decision to provide 128 trees on-site in lieu of 178 trees as otherwise required;
5. Pursuant to LAMC Section 16.05 C.1, a Site Plan Review for a development project which creates, or results in an increase of, 50 or more dwelling units;
6. Pursuant to LAMC Sections 17.03, 17.06, and 17.15, Vesting Tentative Tract Map No. 82141 for the merger and re-subdivision of six (6) lots into a 17-lot subdivision consisting

of 713 residential condominium units and 10 commercial condominium units; haul route for the export of 156,232 cubic yards of earth material; and

7. Approval of other permits, ministerial or discretionary, that may be necessary in order to execute and implement the Project. Such approvals may include, but are not limited to: landscaping approvals, exterior approvals, storm water discharge permits, grading permits, haul route permits, tree removal permits, building permits, and installation and hook-up approvals for public utilities and related permits.

The Project's environmental clearance is before the Planning and Land Use Management Committee of the City Council; the validity of the requested land use entitlements will be evaluated by the appropriate decision maker at a later date.

### **Public Comments**

The SCEA was released for public comment from May 9, 2024 to June 10, 2024. Planning staff received one written comment from Caltrans. In a letter dated June 7, 2024, Caltrans, the State transportation agency, states that due to the amount of car parking being built, 1357 car parking spaces total, the DTLA South Park Properties Project unnecessarily induces demand for vehicle trips. This demand should be addressed by reducing the amount of parking whenever possible and if any car parking is built, the spaces should be fully unbundled from residential units to promote affordability and expand mode choice.

### **Mitigation Measures**

As described in the SCEA, PRC Section 21151.2(a) requires that a TPP such as the Project incorporate all feasible mitigation measures, performance standards, or criteria from prior applicable EIRs. As a new predominantly residential project to be developed at an urban infill site that is within a SCAG-identified high-quality transit area and transit priority area, the most relevant prior EIR for the Project is the program EIR (PEIR) prepared for SCAG's 2020-2045 RTP/SCS, which was adopted by SCAG on September 3, 2020 and certified by the California Air Quality Board (CARB) on October 30, 2020. An analysis of the SCAG mitigation measures that are applicable to the Project is provided in Section IV, Mitigation Measures From Prior EIRs, of the SCEA.

Where appropriate, the SCEA has identified Project design features, regulatory compliance measures, or potential mitigation measures to avoid or to reduce potentially significant environmental impacts of the proposed Project. The following mitigation measures were identified for the Project:

- RCM AQ 1.** Consistent with SCAQMD Rule 401 and CARB's In-use Off-road Diesel-Fueled Fleets Regulation, the following measures shall be incorporated into Project plans and specifications:
  - a) Equipment and vehicle engines shall be maintained in good condition and in proper tune per manufacturers' specifications.

- b) All diesel-powered off-road construction equipment greater than 50 horsepower shall meet United States Environmental Protection Agency (USEPA) Tier 4 or higher emissions standards. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a CARB-defined Level 3 diesel emissions control strategy for a similarly sized engine.
- c) All diesel-powered construction equipment shall use CARB Level 2 or higher diesel particulate filters.
- d) When possible, electricity shall be utilized from power supply sources rather than temporary gasoline or diesel power generators, as feasible.

**RCM AQ 2: Rule 402 (Nuisance).** This rule states that a “person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or to the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.”

**RCM AQ 3: Rule 403 (Fugitive Dust).** This rule requires fugitive dust sources to implement BACMs for all sources and prohibits all forms of visible particulate matter from crossing any property line. BACMs may include application of water or chemical stabilizers to disturbed soils covering haul vehicles; restricting vehicle speeds on unpaved roads to 15 miles per hour (mph); sweeping loose dirt from paved site-access roadways; cessation of construction activity when winds exceed 25 mph; and establishing a permanent ground cover on finished sites. SCAQMD Rule 403 is intended to reduce PM10 emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust (see also Rule 1186).

**RCM-AQ-4: Rule 1113 (Architectural Coatings).** This rule requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce VOC emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories.

Stationary emissions sources subject to these rules are regulated through SCAQMD’s permitting process. Through this permitting process, SCAQMD

also monitors the amount of stationary emissions being generated and uses this information in developing AQMPs.

**RCM-BIO-1:** Tree Removal (Public Right-of-Way). Removal of trees in the public right-of way requires approval by the Board of Public Works. The required Tree Report shall include the location, size, type, and condition of all existing trees in the adjacent public right-of-way and shall be submitted for review and approval by the Urban Forestry Division of the Bureau of Street Services, Department of Public Works. Per Section 62.177 of the LAMC, the Applicant shall pay an in-lieu tree replacement fee for any trees removed in the public right-of-way that cannot be replaced on site.

**RCM-BIO-2:** Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86). If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:

- Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors) as access to adjacent areas allows. The surveys shall be conducted by a Qualified Biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.
- If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species (within 500 feet for suitable raptor nesting habitat) until August 31.
- Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.
- The Applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and federal laws pertaining to the protection of native birds. Such records

shall be submitted and received into the case file for the associated discretionary action permitting the project.

**PMM CULT-1:** In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to historical resources, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Pursuant to CEQA Guidelines Section 15064.5, conduct a record search during the project planning phase at the appropriate Information Center to determine whether the project area has been previously surveyed and whether historical resources were identified.
- b) During the project planning phase, retain a qualified architectural historian, defined as an individual who meets the Secretary of the Interior's (SOI) Professional Qualification Standards (PQS) in Architectural History, to conduct historic architectural surveys if a built environment resource greater than 45 years in age may be affected by the project or if recommended by the Information Center.
- c) Comply with Section 106 of the National Historic Preservation Act (NHPA) including, but not limited to, projects for which federal funding or approval is required for the individual project. This law requires federal agencies to evaluate the impact of their actions on resources included in or eligible for listing in the National Register. Federal agencies must coordinate with the State Historic Preservation Officer in evaluating impacts and developing mitigation. These mitigation measures may include, but are not limited to the following:
  - Employ design measures to avoid historical resources and undertake adaptive reuse where appropriate and feasible. If resources are to be preserved, as feasible, carry out the maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, or reconstruction in a manner consistent with the Secretary of the Interior's Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. If resources would be impacted, impacts should be minimized to the extent feasible.
  - Where feasible, noise buffers/walls and/or visual buffers/landscaping should be constructed to preserve the contextual setting of significant built resources.

- d) If a project requires the relocation, rehabilitation, or alteration of an eligible historical resource, the Secretary of the Interior's Standards for the Treatment of Historic Properties should be used to the maximum extent possible to ensure the historical significance of the resource is not impaired. The application of the standards should be overseen by an architectural historian or historic architect meeting the SOI PQS. Prior to any construction activities that may affect the historical resource, a report, meeting industry standards, should identify and specify the treatment of character-defining features and construction activities and be provided to the Lead Agency for review and approval.
- e) If a project would result in the demolition or significant alteration of a historical resource eligible for or listed in the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), or local register, recordation should take the form of Historic American Buildings Survey (HABS), Historic American Engineering Record (HAER), or Historic American Landscape Survey (HALS) documentation, and should be performed by an architectural historian or historian who meets the SOI PQS. Recordation should meet the SOI Standards and Guidelines for Architectural and Engineering, which defines the products acceptable for inclusion in the HABS/HAER/HALS collection at the Library of Congress. The specific scope and details of documentation should be developed at the project level in coordination with the Lead Agency.
- f) During the project planning phase, obtain a qualified archaeologist, defined as one who meets the SOI PQS for archaeology, to conduct a record search at the appropriate Information Center of the California Historical Resources Information System (CHRIS) to determine whether the project area has been previously surveyed and whether resources were identified.
- g) Contact the NAHC to request a Sacred Lands File search and a list of relevant Native American contacts who may have additional information.
- h) During the project planning phase, obtain a qualified archaeologist or architectural historian (depending on applicability) to conduct archaeological and/or historic architectural surveys as recommended by the qualified professional, the Lead Agency, or the Information Center. In the event the qualified professional or Information Center will make a recommendation on whether a survey is warranted based on the sensitivity of the project area for archaeological resources. Survey shall be conducted where the records indicate that no previous survey has been conducted, or if survey has not been conducted within the past 10 years. If tribal

resources are identified during tribal outreach, consultation, or the record search, a Native American representative traditionally affiliated with the project area, as identified by the NAHC, shall be given the opportunity to provide a representative or monitor to assist with archaeological surveys.

- i) If potentially significant archaeological resources are identified through survey, and impacts to these resources cannot be avoided, a Phase II Testing and Evaluation investigation should be performed by a qualified archaeologist prior to any construction-related ground-disturbing activities to determine significance. If resources determined significant or unique through Phase II testing, and avoidance is not possible, appropriate resource-specific mitigation measures should be established by the lead agency, in consultation with consulting tribes, where appropriate, and undertaken by qualified personnel. These might include a Phase III data recovery program implemented by a qualified archaeologist and performed in accordance with the OHP's Archaeological Resource Management Reports (ARMR): Recommended Contents and Format and Guidelines for Archaeological Research Designs. Additional options can include 1) interpretative signage, or 2) educational outreach that helps inform the public of the past activities that occurred in this area. Should the project require extended Phase I testing, Phase II evaluation, or Phase III data recovery, a Native American representative traditionally affiliated with the project area, as indicated by the NAHC, shall be given the opportunity to provide a representative or monitor to assist with the archaeological assessments. The long-term disposition of archaeological materials collected from a significant resource should be determined in consultation with the affiliated tribe(s), where relevant; this could include curation with a recognized scientific or educational repository, transfer to the tribe, or respectful reinternment in an area designated by the tribe.
- j) In cases where the project area is developed and no natural ground surface is exposed, sensitivity for subsurface resources should be assessed based on review of literature, geology, site development history, and consultation with tribal parties. If this archaeological desktop assessment indicates that the project is located in an area sensitive for archaeological resources, as determined by the Lead Agency in consultation with a qualified archaeologist, the project should retain an archaeological monitor and, in the case of sensitivity for tribal resources, a tribal monitor, to observe ground disturbing operations, including but not limited to grading, excavation, trenching, or removal of existing features of the subject property. The archaeological monitor should be supervised by an archaeologist meeting the SOI PQS

- k) Conduct construction activities and excavation to avoid cultural resources (if identified). If avoidance is not feasible, further work may be needed to determine the importance of a resource. Retain a qualified archaeologist, and/or as appropriate, a qualified architectural historian who should make recommendations regarding the work necessary to assess significance. If the cultural resource is determined to be significant under state or federal guidelines, impacts to the cultural resource will need to be mitigated.
- l) Stop construction activities and excavation in the area where cultural resources are found until a qualified archaeologist can determine whether these resources are significant, and tribal consultation can be conducted, in the case of tribal resources. If the archaeologist determines that the discovery is significant, its long-term disposition should be determined in consultation with the affiliated tribe(s); this could include curation with a recognized scientific or educational repository, transfer to the tribe, or respectful reinterment in an area designated by the tribe.

**RCM-CR-1.** If human remains are encountered unexpectedly during construction demolition and/or grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to California Public Resources Code (PRC) Section 5097.98. In the event that human remains are discovered during excavation activities, the following procedure shall be observed:

- Stop immediately and contact the County Coroner: 1104 N. Mission Road, Los Angeles, CA 90033 (323) 343-0512 (8 a.m. to 5 p.m. Monday through Friday) or (323) 343-0714 (After Hours, Saturday, Sunday, and Holidays)
- If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC).
- The NAHC will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
- The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
- If the owner does not accept the descendant's recommendations, the owner or the descendant may request mediation by the NAHC.

**PMM GEO-2:** In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial

adverse effects related to paleontological resources. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Ensure compliance with the Paleontological Resources Preservation Act, the Federal Land Policy and Management Act, the Antiquities Act, Section 5097.5 of the Public Resources Code (PRC), adopted county and city general plans, and other federal, state and local regulations, as applicable and feasible, by adhering to and incorporating the performance standards and practices from the 2010 Society for Vertebrate Paleontology (SVP) standard procedures for the assessment and mitigation of adverse impacts to paleontological resources.
- b) Obtain review by a qualified paleontologist (e.g., who meets the SVP standards for a Principal Investigator or Project Paleontologist or the Bureau of Land Management (BLM) standards for a Principal Investigator), to determine if the project has the potential to require ground disturbance of parent material with potential to contain unique paleontological or resources, or to require the substantial alteration of a unique geologic feature. The assessment should include museum records searches, a review of geologic mapping and the scientific literature, geotechnical studies (if available), and potentially a pedestrian survey, if units with paleontological potential are present at the surface.
- c) Avoid exposure or displacement of parent material with potential to yield unique paleontological resources.
- d) Where avoidance of parent material with the potential to yield unique paleontological resources is not feasible:
  1. All on-site construction personnel receive Worker Education and Awareness Program (WEAP) training prior to the commencement of excavation work to understand the regulatory framework that provides for protection of paleontological resources and become familiar with diagnostic characteristics of the materials with the potential to be encountered.
  2. A qualified paleontologist prepares a Paleontological Resource Management Plan (PRMP) to guide the salvage, documentation and repository of unique paleontological resources encountered during construction. The PRMP should adhere to and incorporate the performance standards and practices from the 2010 SVP Standard

procedures for the assessment and mitigation of adverse impacts to paleontological resources. If unique paleontological resources are encountered during construction, use a qualified paleontologist to oversee the implementation of the PRMP.

3. Monitor ground disturbing activities in parent material, with a moderate to high potential to yield unique paleontological resources using a qualified paleontological monitor meeting the standards of the SVP or the BLM to determine if unique paleontological resources are encountered during such activities, consistent with the specified or comparable protocols.
  4. Identify where ground disturbance is proposed in a geologic unit having the potential for containing fossils and specify the need for a paleontological monitor to be present during ground disturbance in these areas.
- e) Avoid routes and project designs that would permanently alter unique geological features.
  - f) Salvage and document adversely affected resources sufficient to support ongoing scientific research and education.
  - g) Significant recovered fossils should be prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility.
  - h) Following the conclusion of the paleontological monitoring, the qualified paleontologist should prepare a report stating that the paleontological monitoring requirement has been fulfilled and summarize the results of any paleontological finds. The report should be submitted to the CEQA lead and the repository curating the collected artifacts, and should document the methods and results of all work completed under the PRMP, including treatment of paleontological materials, results of specimen processing, analysis, and research, and final curation arrangements.

**RCM GEO-1:** As required by LAMC Section 91.7006, A final, design level, geotechnical, geologic, and seismic hazard investigation report that complies with all applicable state and local code requirements shall be prepared by a California-registered geotechnical engineer and shall be submitted to the LADBS. The final geotechnical, geologic, and seismic hazard investigation report would specify exact design coefficients, as well as the type and

sizing of structural building materials, site preparation requirements, and foundation design requirements; and demonstrate that construction procedures would meet the established performance standards. The site-specific geotechnical report shall be prepared to the written satisfaction of LADBS.

**RCM GEO-2:** If paleontological resources are discovered during excavation, grading, or construction, the City of Los Angeles Department of Building and Safety shall be notified immediately, and all work shall cease in the area of the find until a qualified paleontologist evaluates the find. Construction activity may continue unimpeded on other portions of the Project site. The paleontologist shall determine the location, the time frame, and the extent to which any monitoring of earthmoving activities shall be required. The found deposits would be treated in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2.

**RCM-HAZ-1:** The project shall provide a methane mitigation system as required by the Los Angeles Building Code Chapter 71, Methane Mitigation Standards Ordinance.

**HAZ-MM-1:** The Soil Mitigation Plans for Site 2 dated November 2022, and for Site 3, dated September 2022, shall be implemented during construction.

**MM-NOISE-1: Construction Noise**

- The Project contractor(s) shall employ state-of-the-art noise minimization strategies when using mechanized construction equipment. The contractor(s) shall limit unnecessary idling of equipment on or near the site. The contractor(s) shall place noisy construction equipment as far from the Project Site edges as practicable. The Project contractor(s) shall equip all construction equipment, fixed or mobile, with properly operating and maintained noise mufflers, consistent with manufacturers' standards. For example, absorptive mufflers are generally considered commercially available, state-of-the-art noise reduction for heavy duty equipment.
- Install temporary noise barrier that can achieve approximately 1.5 dB of additional noise level reduction for each one (1) meter (3.3 feet) of barrier height.
- Limit the number of noise-generating heavy-duty construction equipment (e.g., dozers, rollers, tractors, etc.) within 50 feet of the nearest sensitive receptor to two (2) pieces operating simultaneously.
- Install temporary noise barriers during construction.

- Schedule construction activities consistent with the allowable hours pursuant to applicable general plan noise element or noise ordinance.
- Ensure that construction equipment is properly maintained per manufacturers' specifications and fitted with the best available noise suppression devices (e.g., mufflers, silencers, wraps).
- Ensure that impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction are hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools.
- Locate fixed/stationary equipment (such as generators, compressors, rock crushers, and cement mixers) as far as possible from noise-sensitive receptors.

**PDF TRANS-1:** A detailed Construction Management Plan, including street closure information, a detour plan, haul routes, and a staging plan, would be prepared and submitted to the City for review and approval, prior to commencing construction. The Construction Management Plan would formalize how construction would be carried out and identify specific actions that would be required to reduce effects on the surrounding community. The Construction Management Plan shall be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site, and shall include, but not be limited to, the following elements, as appropriate:

- Advance, bilingual notification of adjacent property owners and occupants of upcoming construction activities, including durations and daily hours of operation.
- Prohibition of construction workers or equipment parking on adjacent streets.
- Temporary pedestrian, bicycle, and vehicular traffic controls during all construction activities adjacent to Olive Street and 11th Street, to ensure traffic safety on public rights of way.
- Temporary traffic control during all construction activities adjacent to public rights-of-way to improve traffic flow on public roadways (e.g., flag men).
- Scheduling of construction activities to reduce the effect on traffic flow on surrounding arterial streets.
- Potential sequencing of construction activity for Phase 1 and Phase 2 (Full Buildout) of the Project to reduce the amount of construction-related traffic on arterial streets.
- Containment of construction activity within the Project Site boundaries.
- Construction-related vehicles/equipment shall not park on surrounding public streets.

- Coordination with Metro to address any transit stop relocations.
- Coordination with LADOT Parking Meter Division to address loss of metered parking spaces.
- Safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers shall be implemented as appropriate.

### **Environmental Findings**

The City of Los Angeles finds that the Proposed Project complies with the requirements of CEQA for using an SCEA as authorized pursuant to Public Resources Code Section 21155.2(b). The City of Los Angeles has determined that:

The Project is a Transit Priority Project (TPP) pursuant to PRC Section 21155:

- a. The Project is consistent with the general use designation, density, building intensity, and applicable policies specified in the project area in the current SCAG RTP/SCS.
- b. The Project contains at least 50 percent residential use, based on total building square footage, and if the project contains between 26 percent and 50 percent non-residential uses, a floor area ratio of not less than 0.75;
- c. The Project provides a minimum net density of at least 20 dwelling units per acre;
- d. The Project is within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan, consistent with PRC Section 21155(b). A major transit stop means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. A high-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.

The Transit Priority Project has incorporated all feasible mitigation measures, performance standards, or criteria set forth in the following prior applicable EIRs: SCAG's 2020-2045 RTP/SCS EIR.

An initial study has been prepared and circulated in compliance with PRC Section 21155.2(b). A public hearing on the SCEA, and all comments received on the SCEA, will be considered by City Council prior to SCEA adoption and approval of the Project.

All potentially significant or significant effects required to be identified in the initial study have been identified and analyzed.

With respect to each significant effect on the environment required to be identified in the initial study, either of the following apply:

- i. Changes or alterations have been required in or incorporated into the project that avoid or mitigate the significant effects to a level of insignificance.

- ii. Those 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.

### **Conclusion and Actions for the City Council**

The City of Los Angeles finds that the Project complies with the requirements of CEQA for using a SCEA as authorized pursuant to Public Resources Code Section 21155.2(b). City Planning Staff recommends that PLUM recommend for City Council action the adoption of the SCEA, with the following recommended actions:

FIND, pursuant to Public Resources Code (PRC) Section 21155.2, after consideration of the whole of the administrative record, including the SB 375 Sustainable Communities Environmental Assessment, No. ENV-2018-2601-SCEA ("SCEA"), and all comments received, after imposition of all mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment;

FIND that the City Council held a hearing on and adopted the SCEA pursuant to PRC Section 21155.2(b);

FIND the Project is a transit priority project pursuant to PRC Section 21155 and the Project has incorporated all feasible mitigation measures, performance standards, or criteria set forth in prior EIR(s), including SCAG's 2020-2045 RTP/SCS EIR;

FIND all potentially significant effects required to be identified in the initial study have been identified and analyzed in the SCEA;

FIND with respect to each significant effect on the environment required to be identified in the initial study for the SCEA, changes or alterations have been required in or incorporated into the Project that avoid or mitigate the significant effects to a level of insignificance or those 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;

FIND the SCEA reflects the independent judgment and analysis of the City; and

FIND the mitigation measures have been made enforceable conditions on the project.

Sincerely,

VINCENT P. BERTONI, AICP  
Director of Planning



VANESSA SOTO, AICP  
Senior City Planner

PLUM Committee  
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