

**CITY OF CARSON  
PLANNING COMMISSION  
RESOLUTION NO. 18-2620**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMMENDING THE CITY COUNCIL (1) ADOPT THE FINDINGS REQUIRED BY CEQA GUIDELINES, SECTION 15091; (2) CERTIFY THE SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT TO THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH NO. 20050551059) FOR THE PROPOSED AMENDMENT TO THE BOULEVARDS AT SOUTH BAY SPECIFIC PLAN (TO BE RENAMED THE DISTRICT AT SOUTH BAY SPECIFIC PLAN) AND RELATED DEVELOPMENT THEREUNDER INCLUDING 1550 RESIDENTIAL UNITS AND 1,834,833 SQ. FT. OF COMMERCIAL USES LOCATED SOUTHWEST OF INTERSTATE 405 FREEWAY AND NORTH OF THE AVALON BOULEVARD INTERCHANGE; (3) ADOPT THE PROPOSED MITIGATION MONITORING AND REPORTING PROGRAM, AND (4) ADOPT A STATEMENT OF OVERRIDING CONSIDERATIONS, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

WHEREAS, there is a 168-acre Project site generally located southwest of the Interstate 405 (I-405) Freeway (the San Diego Freeway) and north of the Avalon Boulevard interchange in the City of Carson ("Project site"), which includes 157 acres of land located south of Del Amo Boulevard (the 157-acre portion of the Project site is referred to herein as the "Property") that operated as a Class II landfill from 1959 until 1965, and 11 acres of land north of Del Amo Boulevard (Development District 3 ["DD3"]) that did not have landfill uses; and

WHEREAS, in 2006 the Project site was owned by Carson Marketplace LLC, a private developer, which proposed a development plan for the Project site that included a 1,995,125-square-foot (sq. ft.) mixed-use commercial project (including retail, 300 hotel rooms, and entertainment uses) and 1,550 residential units.

WHEREAS, in 2006 the City of Carson ("City") adopted the Carson Marketplace Specific Plan to implement that project (referred to herein as the "approved Project"); and

WHEREAS, in 2006, in accordance with the California Environmental Quality Act ("CEQA"), the City of Carson Redevelopment Agency ("RDA"), as lead agency, certified a project-level Final Environmental Impact Report ("2006 Final EIR") for the Carson Marketplace Project (SCH No. 2005051059) (2006 Final EIR) in connection with development of the Project site located southwest of the Interstate 405 ("I-405") Freeway (the San Diego Freeway) and north

of the Avalon Boulevard interchange in the City of Carson ; and

WHEREAS, in 2009 an Addendum to the 2006 FEIR was prepared and subsequently adopted to discuss changes in the remediation activities at the Property (hereinafter the term “FEIR” represents the 2006 FEIR and the Addendum, and the term “approved” in connection with the FEIR refers to certification of the 2006 Final EIR and the adoption of the 2009 Addendum); and

WHEREAS, in 2011 there was a state-wide dissolution of all RDAs.

WHEREAS, in 2011, the City, relying upon the FEIR, amended the Carson Marketplace Specific Plan and, as part of that amendment, renamed the Specific Plan as “The Boulevards at South Bay Specific Plan”; and

WHEREAS, the Carson Reclamation Authority (“CRA”) currently owns and intends to master develop the Property, including by seeking appropriate entitlements for the Property, completing the remedial actions in order to achieve the California Department of Toxic Substances Control (DTSC) certification of the former landfill, constructing on-site and off-site infrastructure, preparing the Property for conveyance, and then selling the Property for development purposes, as appropriate; and

WHEREAS, CRA has submitted an application to the City for a Specific Plan Amendment to The Boulevards at South Bay Specific Plan (proposed to be renamed “The District at South Bay Specific Plan,” hereinafter called the “Specific Plan Amendment”) to modify certain retail and commercial uses on the Property; and

WHEREAS, CAM-CARSON LLC, a private developer, is seeking to develop a regional commercial use, including outlets and restaurant uses, on a portion of the Property referred to as Planning Area 2 (“PA 2”) and has submitted an application to the City for site plan and design review, including a comprehensive sign program, and for a development agreement in connection with that request. Other developers may submit applications at later dates in connection with development of the Property; and

WHEREAS, the conveyance and use of the Property for development consistent with the Specific Plan Amendment and is also consistent with the City of Carson’s adopted General Plan; and

WHEREAS, as a result of the entitlement submittals described above, the City will be considering the Specific Plan Amendment and related entitlements to permit development of a modified development plan, reflecting development proposals received by the CRA from Cam-Carson LLC and other private development firms, each proposing commercial development projects on the Property.

WHEREAS, these requested entitlements, if approved, would not change the overall intent or land uses described in the approved Specific Plan, but do reflect changes to the retail

marketplace since the adoption of the approved Project and, consistent with the change from a single developer to a multiple-developer development process, would allow development and occupancy of various on-site uses in phases.

WHEREAS, both the Community Development Department and the Planning Commission have initiated the proposed Specific Plan Amendment; and

WHEREAS, because the consideration of the Specific Plan Amendment will be the first action considered with respect to the disposition of the Property by the CRA, the City shall serve as the lead agency in connection with its consideration of the entitlement applications described above; and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act (“CEQA”) of 1970, the City, as the Lead Agency, has analyzed the proposed modified Project and has prepared a supplemental environmental impact report (as further defined below, the “SEIR”) to the FEIR in order to evaluate the changes to the approved Project proposed by the modified development plan, Specific Plan Amendment, and related entitlements (the foregoing collectively referred to herein as the “proposed modified Project”) and to determine whether substantial changes in circumstances surrounding the Property and the approved Project (if any), and new information of substantial importance (if any), require further analysis under CEQA.

WHEREAS, in compliance with CEQA Section 21080.4, a Notice of Preparation (“NOP”) was prepared by the City and distributed for public comment to the State Clearinghouse, Office of Planning and Research, responsible agencies, and other interested parties on August 1, 2017, after which a public scoping meeting was held during the NOP review period at the Carson Community Center on August 23, 2017; and

WHEREAS, the Draft SEIR was subsequently circulated for public review from the required 45 days from October 3<sup>rd</sup> through November 17<sup>th</sup>, 2017, a copy of the Draft SEIR was circulated through the State Clearinghouse (SCH # 20050551059) and posted on the City’s website, and was available at the Carson Library and City Hall; and

WHEREAS, during the public review period, the City also held a public workshop to receive input and comments on the Specific Plan Amendment Project, Draft SEIR, and proposed Fashion Outlets of Los Angeles on October 25, 2017; and

WHEREAS, the Planning Commission held a public workshop to receive input and comments on the Specific Plan Amendment Project, Draft SEIR, and proposed Fashion Outlets of Los Angeles on November 8, 2017; and

WHEREAS, the public review period for the Draft SEIR ended on November 17, 2017; and

WHEREAS, a Final SEIR was prepared on the proposed modified Project, comments

were received on the Draft SEIR, and responses to those comments, and well as any appropriate revisions and clarifications to the Draft SEIR, were made in response to the comments received in the Final SEIR; and

WHEREAS, the City of Carson Community Development Department on January 11, 2018, published a legal notice in compliance with State law concerning the Planning Commission consideration of the Draft SEIR in the Our Weekly, a local newspaper of general circulation, which included the date and time of the Planning Commission consideration of a recommendation for the Draft SEIR. In addition, on January 4, 2018, a public hearing notice was mailed to each property owner within an expanded radius (greater than 500-foot radius) of the Project site, indicating the date and time of the public hearing regarding the proposed modified Project (including the SEIR) in accordance with state law; and

WHEREAS, on January 23, 2018, the Planning Commission conducted a duly noticed public hearing on the SEIR as defined below, at which time it received input from City Staff, the City Attorney's office, and the developer; public comment portion was opened, and public testimony and evidence, both written and oral, was considered by the Planning Commission of the City of Carson, after which public testimony was closed; and

WHEREAS, Planning Commission has reviewed the SEIR and all associated documents; and

WHEREAS, after deliberation the Planning Commission desires to recommend the City Council (1) adopt the findings required by CEQA Guidelines, section 15091; (2) certify the SEIR; (3) adopt the proposed mitigation monitoring and reporting program ("MMRP"), and (4) adopt a statement of overriding considerations, pursuant to CEQA; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:**

**Section 1.** Recitals. The Planning Commission hereby specifically finds that all of the facts set forth in the recitals above of this Resolution are true and correct and incorporated herein.

**Section 2.** Planning Commission Record. The proceedings and all evidence introduced before the Planning Commission at the public hearing on the SEIR held on January 23, 2018, are hereby incorporated into the record of this proceeding. These documents, along with any documents submitted to the decision-makers, including all documents specified under applicable State law, shall comprise the entire record of proceedings for any claims under CEQA.

**Section 3.** SEIR Contents. The SEIR consists of the following:

- a. The Final SEIR including all Technical Appendices attached;

- b. The Draft SEIR including all Technical Appendices attached;
- c. The Notice of Preparation and comments received in response to the Notice of Preparation;
- d. The MMRP;
- e. Additions and corrections to the remaining portions of the Draft SEIR that have been made pursuant to public comments and Draft SEIR review including all Technical Appendices attached thereto;
- f. Comments received on the Draft SEIR with Responses to each of the Comments made;
- g. The Notice of Completion and Availability of the Draft SEIR for public review; and
- g. Any other information added by the Lead Agency.

(All hereafter collectively referred to as the “SEIR”) The SEIR supplements the FEIR, which is included in the administrative record.

**Section 4. Accompanying Documents To SEIR.** Documents that shall accompany and be part of the SEIR are:

- a. Mitigation Monitoring and Reporting Program;
- b. Findings of Fact; and
- c. Statement of Overriding Considerations.

**Section 5. Certification Of Compliance With California Environmental Quality Act.** The Planning Commission does hereby find that the SEIR (Exhibit “1” to this Resolution, a copy a copy which is on file with the Community Development Department), the Findings of Fact and the Statement of Overriding Considerations (Exhibit “2” to this Resolution), and the Mitigation Monitoring and Reporting Program (Exhibit “3” to this Resolution) have been prepared in accordance with requirements of the California Environmental Quality Act, and the CEQA Guidelines.

**Section 6. CEQA Findings of Fact, Mitigation Monitoring And Reporting Program and Statement of Overriding Considerations.**

a. *Recommendation to Adopt Findings of Fact.* The Planning Commission does hereby recommend to the City Council that it approve, accepts as its own, incorporate as if set forth in full herein, and make each and every one of the findings contained in the Findings of Fact, Exhibit “2” of this Resolution, a copy of which is on file in the Community Development Department.

b. *Recommendation to Certify Supplemental Environmental Impact Report.* The Planning Commission hereby recommends to the City Council that it certify that (1) the SEIR has been completed in compliance with CEQA; (2) that it has reviewed and considered the information contained in the SEIR prior to approving the project; and (3) that the SEIR reflects the City Council’s independent judgment and analysis.

c. *Recommendation Mitigation Monitoring and Reporting Program.* As more fully identified and set forth in SEIR and in the Findings of Fact for this Project, which is Exhibit “2” to this Resolution, the Planning Commission hereby recommends to the City Council that it find that the mitigation measures described and specifically identified in the above referenced documents are feasible and shall become binding upon the entity (such as the project proponent or the City) assigned thereby to implement the particular mitigation measures as identified in the Mitigation Monitoring and Reporting Program.

d. *Recommendation to Adopt Statement of Overriding Considerations.* Even after the adoption of all feasible mitigation measures and, certain significant or potentially significant environmental effects caused by the proposed modified Project directly, or cumulatively, will remain. Therefore, the Planning Commission hereby recommends that the City Council issue and approve a Statement of Overriding Considerations in the form set forth in Exhibit “2,” which identifies the changes or alterations that are within the responsibility and jurisdiction of another public agency and not the agency making the finding, and that such changes have been adopted by such other agency or can and should be adopted by such other agency, and that they render the unavoidable significant adverse environmental effects acceptable, either in its current form or as may be modified or amended by the City Council. Additionally, the Planning Commission also recommends that the City Council issue and approve a Statement of Overriding Considerations in the form set forth in Exhibit “2” identifying the specific economic, legal, social, technological and other considerations that render the unavoidable significant adverse environmental effects acceptable, either in its current form or as may be modified or amended by the City Council.

e. *Recommendation to Adopt Mitigation Monitoring and Reporting Program.* As required by applicable State law, the Planning Commission hereby recommends to the City Council that it adopt the Mitigation Monitoring and Reporting Program set forth in Exhibit “3” of this Resolution. The Planning Commission finds that the Program is designed to ensure that, during project implementation, the City and any other responsible parties implement the project components and comply with the mitigation measures identified in the Findings of Fact and the Mitigation Monitoring and Reporting Program.

**Section 7. Effective Date of Resolution.** This Resolution shall become effective immediately. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the City Council of the City of Carson.

**PASSED, APPROVED AND ADOPTED THIS 23<sup>RD</sup> DAY OF JANUARY, 2018**

  
CHAIRMAN

**ATTEST:**

  
SECRETARY

Exhibits:

1. Supplemental Environmental Impact Report (provided as a separate document).
2. CEQA Findings of Fact which include: Impacts Determined to be Less Than Significant; Impacts Mitigated to Less Than Significant; Significant Unavoidable Adverse Impacts; Alternatives Considered and Rejected; and Statement of Overriding Considerations.
3. Mitigation Monitoring and Reporting Program.

**EXHIBIT “1”  
SUPPLEMENTAL ENVIRONMENTAL IMPACT  
REPORT**

**(PROVIDED AS A SEPARATE DOCUMENT)**



**EXHIBIT "2"**  
**CEQA FINDINGS OF FACT**

CITY OF CARSON  
THE DISTRICT AT SOUTH BAY SPECIFIC PLAN PROJECT  
FINDINGS OF FACT

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## SECTION 1: INTRODUCTION

### A. Overview

These Findings of Fact (“Findings”) are prepared with respect to the District at South Bay Specific Plan Project Supplemental Environmental Impact Report (“SEIR”). The SEIR is comprised of the Draft Supplemental Impact Report dated October 2017 and released for public circulation on October 3, 2017 (“Draft SEIR”), the Revised Final Supplemental Environmental Impact Report dated March 2018 and released to the public on March 23, 2018 (“Final SEIR”) (which supersedes the earlier Final Supplemental Environmental Impact Report released to the public on January 16, 2018), and the additional documents reference in the Resolution to which these Findings of Fact are attached as Exhibit “2”. These Findings are made pursuant to the California Environmental Quality Act (CEQA) (Pub. Res. Code section 21000 et seq.) and the CEQA Guidelines (Cal. Code Regs. title 14, section 15000 et seq.) by the City of Carson in connection with the SEIR. These Findings are attached and incorporated by reference into each and every staff report, resolution, and ordinance associated with approval of the Project. These Findings are based on substantial evidence in the entire administrative record and references to specific reports and specific pages of documents are not intended to identify those sources as the exclusive basis for the findings.

### B. Project Background and Purpose of Findings

The project, for which the SEIR and these Findings are prepared (referred to below and in the SEIR as the “proposed modified Project”), consists of a modified development plan for the Property (comprising a 157 acre portion of the Project site, as further defined below) pursuant to (1) a specific plan amendment (the 2018 Specific Plan amendment and the resulting Specific Plan are referred to herein as “The District at South Bay Specific Plan”, the “Specific Plan Amendment” or “SPA”) to the Carson Marketplace Specific Plan originally adopted by the City in 2006 with respect to the Project site (which was amended in 2011 and then renamed “The Boulevard at South Bay Specific Plan”), and (2) various other discretionary approvals by the City in connection with the proposed development of the Property.

The SEIR supplements the Final Environmental Impact Report prepared by the City of Carson Redevelopment Agency in 2006 for the Carson Marketplace Project in connection with development of the Project site (“2006 Final EIR”). The 2006 Final EIR was a Project EIR as defined by CEQA Guidelines Section 15161 and was intended to assist governmental agencies in making decisions with regard to the Carson Marketplace Project and the 168-acre Project site and to cover all State, regional, and local governmental discretionary approvals that may be required to construct or implement development on the Project site.

The SEIR was prepared with respect to the 157-acre portion of the Project site (referred to herein as the “Property”), which operated as a Class II landfill from 1959 until 1965. It does not include analysis of development of the 11-acre portion of the Project site located north of Del Amo Boulevard (“Development District 3” or “DD3”), which did not have landfill uses. The City finds that DD3, comprising the non-landfill portion of the Project site, is owned by a private developer and has been separately entitled. Although the SPA would change implementation

procedures that would apply to future entitlement of DD3, at this time, the City finds that no further entitlements are anticipated to be required for development of DD3 and changes in implementation procedures in the SPA applicable to DD3 would not have a physical effect on the environment. Therefore, the City did not analyze DD3 development as part of the proposed modified Project analyzed in the SEIR, but to capture impacts to proposed future development on DD3 and cumulative impacts of the proposed modified Project with related projects, included development of the entitled 300 residential unit project on DD3 in the SEIR analysis as related project.

The Property has been subject to regulatory control by the California Department of Toxic Substances Control (“DTSC”). On March 18, 1988, DTSC issued a remedial action order for the Property requiring implementation of remedial activities and subsequently, in 1995, issued a remedial action plan for the portion of the Property described by DTSC as the Upper OU and in 2005 issued a remedial action plan for the portion of the Property described by DTSC as the Lower OU (collectively, the “RAP”), all as further described in the SEIR.<sup>1</sup> In 2009, an addendum to the 2006 Final EIR was prepared and subsequently adopted to discuss changes in the remediation activities at the Property (“Addendum” and collectively with the 2006 Final EIR, the “FEIR”). In compliance with the RAP, various remedial activities have been carried out on the Property by the owners.

In 2015, the Carson Reclamation Authority (“CRA”), a joint powers authority, was formed by the City of Carson and various other public agencies for the purpose of acquiring, remediating and redeveloping the Property. The CRA currently owns and intends to master develop the Property, including by seeking appropriate entitlements for the Property, completing the remedial actions to achieve the DTSC certification of the former landfill, constructing on-site and off-site infrastructure, preparing the Property for conveyance, and then selling the Property for development purposes, as appropriate. In furtherance of that effort, the CRA has submitted an application to the City for the SPA to permit development of the proposed modified Project described in this SEIR. The CRA also intends to rely upon the SEIR in approving various agreements associated with the development and disposition of the Property.

The CRA has entered into negotiations with CAM-CARSON LLC, a private developer, which is seeking to develop a regional commercial use, including outlets and restaurant uses, on a portion of the Property referred to in the SPA as “Planning Area 2” or “PA 2” and has submitted an application to the City for site plan and design review, including a comprehensive sign program, and for a development agreement in connection with that request. Other developers may submit applications at later dates in connection with development of the Property. The SEIR was prepared to cover all State, regional, and local governmental discretionary approvals that may be required to construct or implement development on the Property pursuant to The District at South

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<sup>1</sup> The 1995 Upper OU RAP was modified by DTSC in 2009 through an Explanation of Significant Differences (ESD). The RAP and ESD remain the governing documents for purposes of remediation of the Property.



Bay Specific Plan and may be utilized in connection with evaluation by the City and other public agencies of other discretionary actions in connection with development of the Property, including without limitation, the following:

**City of Carson**

- Adoption of Specific Plan Amendment
- Development Agreement
- Site Plan and Design Review
- Street Vacation
- Conditional Use Permits
- Administrative Permits
- Cooperation Agreement
- Construction-related encroachment permits
- Certificate(s) of Compliance, Subdivision Map(s), Parcel Map(s), Lot Line Adjustment(s), Lot Merger(s), and/or Tract Map(s)
- Master Sign Program, Comprehensive Sign Program and Sign Permits
- Modification of Existing Community Facilities Districts and/or Formation of new Community Facilities Districts
- All other similar discretionary approvals (as necessary)

These Findings of Fact may also be utilized by various responsible agencies in connection with adoption of related project approvals, including without limitation, the following:

**Carson Reclamation Authority**

- Conveyancing Agreement and related Agreements
- Improvement or other bonds
- Cooperation Agreement
- Conveyance of fee and easement interests in Property
- CC&Rs (Covenants, Conditions and Restrictions)

**California Environmental Protection Agency (CalEPA), Department of Toxic Substances Control**

- Approval of cell-specific HHRAs and mitigation measures that would permit, subject to City approvals, phased occupancy in conjunction with the proposed modified Project.

The SEIR was prepared as a supplement to the previously approved FEIR to evaluate the changes to the approved Project proposed by the proposed modified Project and to determine whether there are substantial changes in circumstances surrounding the Property and the approved

Project, and new information of substantial importance, requiring further analysis under CEQA.

These Findings constitute the decision-making findings of the City as required by the California Environmental Quality Act, Public Resources Code Section 21000, et seq. (“CEQA”) and the State CEQA Guidelines, Title 14, California Code of Regulations, Section 15000, et seq. (“CEQA Guidelines”) in connection with the Certification of the SEIR for the proposed modified Project and the adoption of a Mitigation Monitoring and Reporting Plan (“MMRP”) and a Statement of Overriding Considerations for the proposed modified Project. The City is the lead agency pursuant to CEQA with respect to the proposed modified Project.

Initially capitalized terms used and not defined herein have the meanings set forth in the Draft SEIR as the same has been modified by the Corrections and Additions section of the Final SEIR.

### **C. Proposed Modified Project Characteristics and Comparison to Approved Project**

The proposed modified Project would retain the wide range of land uses adopted by the City under the Boulevards at South Bay Specific Plan, including some or all the following uses: neighborhood commercial, regional commercial (including outlets), commercial recreation/entertainment, restaurant, hotel, and residential. The proposed modified Project is anticipated to be undertaken beginning in May 2018, with construction and occupancy anticipated to be completed in 2023.

As compared with the approved Project analyzed in the FEIR, the proposed modified Project results in less overall development. Specifically, the approved Project consisted of 1,995,125 GBA<sup>2</sup> sq. ft. of commercial uses on the Project site and no more than 1,550 residential units. In comparison, the proposed modified Project would consist of development of the Property with a total of 1,250 residential units and 1,834,833 GBA sq. ft. of commercial uses including approximately 711,500 sq. ft. of regional commercial uses, including outlet and restaurant uses on PA 2, and 890,000 GBA sq. ft. of regional retail center, neighborhood-serving commercial, restaurant, and commercial recreation/entertainment uses on PA 3 of the SPA, as well as 350 rooms total in two hotels accounting for 233,333 GBA sq.ft. of commercial uses. Although the proposed modified Project contains 50 additional hotel rooms as compared with the approved Project, this represents only an increase of 33,333 GBA sq. ft. of development, and there is a decrease in the other types of commercial uses on the Property, resulting in an overall decrease in commercial square footage in the proposed modified Project as compared with the approved Project. The total number of residential units proposed for the Project site has not changed from that analyzed in the FEIR. The SPA proposes 1,250 units on the Property to take into account the 300 residential units on DD3 that have received City approvals.

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<sup>2</sup> “GBA” refers to “Gross Building Area” as further described and defined by the Draft SEIR, page II-4, fn. 7.



As described in detail in the SEIR, the background and context for the proposed modified Project remains largely unchanged from the FEIR. The FEIR assessed the maximum development allowed for the Project site under the Specific Plan, thereby providing flexibility regarding the precise number, size, shape, and locations of the buildings consistent with development occurring under the development standards and regulations originally set forth in the Specific Plan. The proposed modified Project assesses the maximum land use densities proposed under the SPA, as further described below.

While the proposed modified Project contains many similarities to the approved Project, modifications include (1) minor relocation of internal circulation access points including a westward shift of the intersection of Del Amo Boulevard and Street B resulting in a shift of Street B to the west; (2) reduction in overall commercial square footage, but with an increase of 50 hotel rooms permitted and an increase in floor-area ratio (FAR) from 0.33 FAR to 0.5 FAR for commercial uses to be consistent with the Land Use Element of the General Plan; (3) changes to certain allowed uses within the land use categories, including to allow outlets in PA 2, to allow retail stand-alone stores of greater than 50,000 sq. ft. in PA 1 with an administrative permit and CEQA review as applicable, and other modifications to the permitted uses chart; (4) updates to lighting and signage; (5) removal of Redevelopment Agency affordable housing requirements; (6) modifications to boundaries between uses on the Property to conform to the remediation program (cell) boundaries; (7) phased occupancy of cells on the Property; (8) changes to development standards, design guidelines, and design standards to reflect the proposed outlets, which utilizes podium construction over parking; (9) reduction in total parking requirements to 4 parking spaces per 1,000 sq. ft. of commercial development; (10) the potential, with a General Plan amendment, to increase the density of residential units on PA 1 from 60 to 80 dwelling units per acre (du/ac); and (11) other modifications, such as clarification and streamlining of the administrative review processes. In addition, the proposed modified Project removes the Equivalency Program that was contained in The Boulevards at South Bay Specific Plan.

The proposed modified Project would still include the remediation of the former landfill on the Property in compliance with the Upper OU RAP. No modifications to Upper OU RAP or the Lower OU RAP are anticipated in connection with the proposed modified Project. The RAP contemplates phased remediation of the Cells comprising the former landfill. The proposed modified Project retains phased remediation of the Property and the subsequent development of urban uses, although development is now proposed to be carried out by more than one developer and to take place on each Cell on a phased basis. To accommodate the phased development of the Property, the proposed modified Project seeks to allow phased occupancy of cells (meaning one or two planning areas could be open to commercial uses while the remaining area(s) are undergoing concurrent remediation and construction activities). Phasing may include construction on one cell while another cell is operational and may include phased vertical construction on a cell, provided that 1) the exposure risk to construction workers from such phased occupancy of any cell is within acceptable levels as determined by DTSC; 2) all remedial work within a cell is carried out prior to initial occupancy of any portion of that cell, and 3) the risk of exposure from such occupancy of any cell is within acceptable levels as determined by DTSC. No residential occupancy would be allowed until all areas of the landfill are capped, and all necessary remedial actions completed for the entire Property.

## **D. Environmental Documentation**

### **1. Draft Supplemental Environmental Impact Report**

In compliance with CEQA Section 21080.4, a Notice of Preparation (NOP) for a Supplemental Environmental Impact Report was issued by the City in connection with the proposed modified Project and distributed for public comment to the State Clearinghouse, Office of Planning and Research, responsible agencies, and other interested parties on August 1, 2017. During the NOP review period, a public scoping meeting was held at the Carson Community Center on August 23, 2017 to obtain input from the public regarding the scope of the potential environmental effects and the alternatives that would be analyzed in the Draft SEIR. Appendix A of the Draft SEIR contains the NOP and the scoping meeting materials. Written comments to the Draft SEIR were received during the public comment period. The City has reviewed the comments received and responses thereto as well as other textual changes and references that have been incorporated in the Final SEIR.

### **2. SEIR**

The SEIR is comprised of the following materials;

- The Final SEIR;
- The Draft SEIR including all Technical Appendices attached;
- The Notice of Preparation, including comments received in response to the Notice of Preparation ;
- The MMRP;
- Additions and corrections to the remaining portions of the Draft SEIR that have been made pursuant to Public Comments and Draft SEIR review including all Technical Appendices attached thereto;
- Comments received on the Draft SEIR with Responses to each of the Comments made; and
- The Notice of Completion and Availability of the Draft SEIR for public review.
- Any other information added by the Lead Agency.

Documents that shall accompany and be part of the SEIR are:

- a. MMRP;
- b. Findings of Fact; and
- c. Statement of Overriding Considerations.

## **E. Administrative Record**

The record, upon which all findings and determinations related to the approval of the proposed modified Project are based, includes the following:

- The SEIR and all documents referenced in or relied upon by the SEIR, including the FEIR which the SEIR supplements.
- All information (including written evidence and testimony) provided by City staff, City Planning Commission, and/or City Council relating to the SEIR, the approvals, and the proposed modified Project.
- All information (including written evidence and testimony) presented to the City staff, City Planning Commission, and/or City Council by the environmental consultant and sub-consultants who prepared the SEIR or incorporated into reports presented to the City Council.
- All information (including written evidence and testimony) presented to the City from other public agencies relating to the proposed modified Project and the SEIR.
- All final applications, letters, testimony and presentations presented by the proposed modified Project Applicant (“Applicant”) and its consultants to the City in connection with the proposed modified Project.
- All final information (including written evidence and testimony) presented at any City public hearing or City workshop related to the proposed modified Project and the SEIR.
- For documentary and information purposes, all City-adopted land use plans and ordinances, including without limitation the general plan, specific plans and ordinances, together with environmental review documents, findings, mitigation monitoring programs and other documentation relevant to planned growth in the area.
- The MMRP for the proposed modified Project.
- All other documents composing the record pursuant to Public Resources Code section 21167.6(e).

## **F. Organization / Format of Findings**

Section 1 of these Findings provides introductory information including background of the proposed modified Project, a comparison of the proposed modified Project to the previously approved Project; a summary of procedures pertaining to the Draft SEIR; an identification of the Final SEIR contents, and this section regarding the organization and format of these Findings.

Section 2 provides an overview of the Project Objectives for the proposed modified Project and a comparison of those objectives to the objectives of the approved Project.

Section 3 provides certain findings the City is required to make pursuant to CEQA.

Section 4 identifies the significant and unavoidable effects of the proposed modified Project. All numbered references identifying specific mitigation measures relative to the proposed modified Project refer to numbered mitigation measures found in the Draft and within the MMRP.

Section 5 identifies the potentially significant effects of the proposed modified Project that are determined to be mitigated to a less-than-significant level. All numbered references identifying specific mitigation measures relative to the proposed modified Project refer to numbered mitigation measures found the Draft SEIR and the MMRP of the Final SEIR.

Section 6 identifies the proposed modified Project's potential environmental effects relative to the approved Project that were determined not to be significant, and, therefore, no mitigation is required.

Section 7 contains the findings of the City with respect to alternatives of the proposed modified Project.

Section 8 contains the MMRP which is incorporated by reference and made a part of these Findings (see Exhibit 3).

Attached to these Findings is a Statement of Overriding Considerations.

## SECTION 2: PROJECT OBJECTIVES

Consistent with CEQA Guidelines Section 15124(b), the FEIR contains a statement of objectives for the approved Project in its Project Description. Although minor changes to the Project objectives are set forth below, the Project Objectives for the proposed modified Project, which are set forth in detail in the SEIR, are essentially identical to the approved Project objectives.

- Achieve productive reuse of a large brownfield site by approving a project capable of generating the revenue necessary to pay for and effectuate remediation of the environmental conditions on the project site.
  - No change from approved Project.
- Promote the economic well-being of the City by encouraging the diversification and development of its economic base, and assist in creating both short and long term employment opportunities for the residents of the City.
  - Update from the approved Project. Objective removes references to now-defunct Redevelopment Agencies.
- Maximize shopping and entertainment opportunities to serve the population and maintain a sustainable balance of uses by approving a mixed-use project that allows entertainment, retail shopping, restaurants, and residential uses.
  - Some modification from the approved Project.
- Provide a diversity of both short term and long-term employment opportunities for local residents by approving a project that will generate substantial construction work opportunities and long-term jobs in the commercial and hospitality industries.
  - No change from approved Project.
- Improve the housing stock by approving a project that includes a substantial residential component.
  - Update from approved Project. Objective removes the differentiation between housing type, rental, and for-sale residential units.
- Provide a signature/gateway project that contributes to the creation of a vibrant urban core for the City, taking advantage of the site's proximity to the San Diego Freeway.
  - No change from approved Project.
- Stimulate private sector investment in the project site by implementing a project that is fiscally sound and capable of financing the construction and maintenance of necessary infrastructure improvements.

- No change from approved Project.
- Develop the project site in a manner that enhances the attractiveness of the City's freeway corridor and the major arterials that adjoin the project site.
  - No change from approved Project.
- Increase revenues to the City by approving a project that provides for a variety of commercial and retail activities with the potential to generate substantial sales and property tax revenue.
  - No change from approved Project.
- Promote the economic well-being of the project site by approving a project that is attractive to consumers and residents and that would ensure long-term success of the development.
  - No change from approved Project.
- Provide hotel rooms to meet an identified market need, and in so doing serve nearby businesses, community activities, and proposed on-site uses.
  - No change from approved Project.
- Consistent with other objectives, provide a project design that interfaces with surrounding uses in a manner that provides for a transition between the project and adjacent areas.
  - No change from approved Project.

### **SECTION 3: FINDINGS REQUIRED TO BE MADE BY LEAD AGENCY UNDER CEQA**

#### **A. Standards for Reviewing Changes to Previously Assessed Project**

Once an EIR has been certified or a negative declaration or addendum adopted for a project, a public agency's discretion to require further environmental review is narrowly confined. When a new application is submitted for a previously approved Project, the lead agency must determine the extent to which further environmental review, if any, may be required under CEQA's subsequent review standards. In making this decision, the questions before the lead agency are whether the CEQA document prepared for the initial approval retains some informational value and whether the proposed project changes will require major revisions to the CEQA document because of the involvement of new significant impacts that were not previously evaluated.

If the agency finds the existing CEQA document retains some informational value, its consideration of the new application is subject to the subsequent review standards in Public Resources Code (PRC) Section 21166. Once an EIR has been certified, no subsequent or supplemental EIR is required unless (1) substantial changes are proposed in the project, requiring major revisions in the EIR; (2) substantial changes arise in the circumstances of the project's undertaking, requiring major revisions in the EIR; or (3) new information of substantial importance appears that was not known or available at the time the EIR was certified. (PRC Section 21166; see also CEQA Guidelines Section 15162). PRC Section 21166 will come into play because in-depth review has already occurred, and the time for challenging the sufficiency of the FEIR has long since expired, and the question is whether circumstances have changed enough to justify repeating a substantial portion of the process. In addition to the subsequent or supplemental EIR process, the CEQA Guidelines provide for an addendum to an EIR. An addendum to a previously certified EIR may be prepared if some changes or additions are necessary but none of the conditions described in calling for preparation of a supplemental or subsequent EIR have occurred (CEQA Guidelines Section 15164). CEQA and the CEQA Guidelines do not mandate a procedure that agencies must follow to make a determination of whether a subsequent or supplemental EIR is required. When there is a prior EIR, further CEQA review will generally be limited to new or substantially more severe impacts, compared to what was evaluated in the prior CEQA document. In doing this review, the lead agency need not recertify the previous EIR. Additionally, this review does not require preparation of an initial study. Instead, the determination is made in light of the whole record, including the previously certified EIR. Finally, a previous EIR, negative declaration or addendum is conclusively presumed to be valid if it has not been set aside by a court.

The purpose of this subsequent analysis in the SEIR is to assess the proposed modifications and updates to the approved Project proposed in the proposed modified Project to determine if they involve new significant impacts that were not previously evaluated in the FEIR and to disclose and evaluate any such significant impacts. In doing so, the City evaluates the changes or alterations as a result of implementing the proposed modified Project (as compared to the approved Project) to determine if there are substantial changes to the approved Project that would require major revisions to the FEIR, and determines whether there are substantial changes in

circumstances or new information of substantial importance that was not known or available at the time the FEIR was certified, that would require major changes in the FEIR.

**B. Approved Project Previously Assessed Under FEIR.**

The FEIR is a Project EIR as defined by CEQA Guidelines Section 15161 and, as such, serves as the informational document for the general public and the Project decision makers. The FEIR was and is intended to assist governmental agencies in making decisions with regard to the Carson Marketplace Project and to cover all State, regional, and local governmental discretionary approvals that may be required to construct or implement development on the Project site.

The FEIR was prepared and certified pursuant to CEQA to evaluate the impacts of a project to be constructed on the Project site (the approved Project) that provides a mixed-use development with the same categories of uses for the proposed modified Project: regional commercial, commercial recreation/entertainment, office, neighborhood commercial, restaurant, hotel, and residential. Additionally, as noted throughout the SEIR, the approved Project and the proposed modified Project are substantively the same, retain similar characteristics, and generally contain minimal differences. The FEIR has already fully evaluated the environmental impacts determined to be potentially significant and has assessed the manner in which the approved Project's significant effects can be reduced or avoided through the implementation of mitigation measures. Impacts that could not be mitigated to a level below significance were considered significant and unavoidable impacts, for which a statement of overriding consideration was adopted pursuant to CEQA Guidelines Section 15093. In accordance with CEQA Guidelines Section 15130, the FEIR also included an examination of the cumulative development in the vicinity of the Project site. Cumulative development included all anticipated future projects that, in conjunction with the approved Project, could have resulted in a cumulative impact. In addition, the FEIR evaluated the extent to which environmental effects could be reduced or avoided through the implementation of feasible alternatives to the approved Project. Furthermore, the FEIR was approved, and mitigation measures to address the approved Project's significant impacts were adopted, as set forth in detail in the FEIR and the record of approval for the approved Project. Additional references and details regarding the FEIR can be found throughout the SEIR.

**C. The FEIR Contains Substantial Informational Value for the Proposed Modified Project; Use of Subsequent Review Standards**

Based on its evaluation of the FEIR, the approved Project and the proposed modified Project, the City finds that the FEIR retains significant informational value for purposes of analyzing the proposed modified Project and therefore has analyzed the proposed modified Project utilizing the subsequent review standards set forth in Public Resources Code (PRC) Section 21166. These standards provide that once a proper EIR has been prepared, no subsequent or supplemental EIR is required unless (1) substantial changes are proposed in the project, requiring major revisions in the EIR; (2) substantial changes arise in the circumstances of the project's undertaking, requiring major revisions in the EIR; or (3) new information of substantial importance appears that was not known or available at the time the EIR was certified. (PRC Section 21166; see also CEQA Guidelines Section 15162). In addition to addressing the specific findings required by CEQA,



the City makes specific findings in Sections 3, 4, 5 and 6 below with respect to each impact area as to whether the implementation of the proposed modified Project would result in any of the foregoing when compared with the approved Project.

As noted throughout the SEIR, the approved Project and the proposed modified Project are substantively the same, retain similar characteristics, and generally contain minimal differences.

Because the FEIR retains substantial informational value for the proposed modified Project, the purpose of the SEIR is to assess the proposed modified Project to determine whether the proposed modifications and updates to the approved Project result in new significant impacts that were not previously evaluated in the FEIR and to disclose and evaluate any such significant impacts.

#### **D. Specific Findings Related to Significant Impacts**

##### **1. Required Findings and Format of Findings.**

Section 21081 of the California Public Resources Code and Section 15091 of the CEQA Guidelines require a public agency, prior to approving a project, to identify significant impacts of the project and make one or more of three possible findings for each of the significant impacts. The possible findings are:

- “Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (State CEQA Guidelines, § 15091(a)(1))
- “Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.” (State CEQA Guidelines, § 15091(a)(2))
- “Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.” (State CEQA Guidelines, § 15091(a)(3))

The findings reported in the following pages incorporate the facts and discussions of the environmental impacts that are found to be significant in the SEIR for the proposed modified Project as fully set forth therein. Although Section 15091 of the CEQA Guidelines does not require findings to address environmental impacts that an EIR identifies as merely “potentially significant,” these findings would nevertheless fully account for all such effects identified in the SEIR for the purpose of better understanding the full environmental scope of the proposed modified Project. For each of the significant impacts associated with the proposed modified Project, either before or after mitigation, the following information is provided:

- Description of Significant Effects - A specific description of the environmental effects identified in the SEIR, including a judgment regarding the significance of the impact and a comparison of the impacts disclosed in the FEIR for the approved Project to those disclosed in the SEIR.
- Project Design Features – Where applicable, identified project design features or actions that are included as part of the proposed modified Project.
- Mitigation Measures – Where applicable, identified mitigation measures or actions that are required as part of the proposed modified Project.
- Finding – Where potentially significant or significant impacts of the proposed modified Project are identified, one or more of three specific findings in direct response to CEQA Section 21081 and CEQA Guidelines Section 15091 (as discussed in the previous paragraph) are made together with a determination of whether, as compared with the approved Project, the proposed modified Project would have new significant impacts than were disclosed in the FEIR, or would result in changed circumstances, significant new information, considerably different mitigation measures, or new or more severe significant impacts than were discussed in the FEIR.
- Rationale for Finding –A summary of the reasons for the finding(s).

**2. Certain Impact Areas Without Significant Impact Under Approved Project and Proposed Modified Project Not Discussed in Detail in the SEIR.**

After analyzing the potentially significant impacts of the approved Project under the FEIR and the potentially significant impacts of the proposed modified Project, the City finds that for those impact areas in which the FEIR determined the approved Project would have no significant impacts or less than significant impacts after imposition of mitigation and the SEIR concluded that the proposed modified Project would have similar less than significant impacts as compared with the approved Project, such significant impacts need not be discussed in detail in the SEIR.

In accordance with CEQA Guidelines Section 15128, the Section VI of the Draft SEIR contains a brief discussion stating the reasons why various possible significant effects of a proposed modified Project were determined not to be significant and are, therefore, not discussed in detail in the SEIR. Consistent with the FEIR, the SEIR reached the conclusion of no significant impacts, or less than significant impacts after imposition of mitigation, and the City therefore did not require full analysis of impacts in the SEIR for the following areas:<sup>3</sup> Aesthetics (substantial

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<sup>3</sup> Where no parentheses are included, determination of no significant impact is made for all significance criteria applicable to such area of inquiry; where parentheses are inserted, the determination of no significant impact is made for the specified significance criteria.

adverse effect on a scenic vista; damage scenic resources within a state scenic highway), Agriculture and Forestry; Air Quality (create objectionable odors affecting a substantial number of people); Biological Resources, Cultural Resources; Geology and Soils (expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death from landslides; result in substantial soil erosion or the loss of topsoil; be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the proposed project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; be located on expansive soils creating substantial risks to life or property; result in substantial soil erosion or loss of topsoil; have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater); Hazards and Hazardous Materials; Hydrology and Water Quality, Land Use and Planning (conflict with any applicable habitat conservation plan or natural community conservation plan); Mineral Resources; Noise (project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport; a project located in the vicinity of a private airstrip; result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks); Population and Housing; Public Services; Recreation; Transportation and Traffic (result in changes to air traffic patterns; substantially increase hazards due to design features; result in inadequate emergency access); Utilities and Service Systems (require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; have sufficient water supplies to serve the project from existing entitlements and resources). The rationale for the finding that no significant impacts would occur for these areas are described in Section 6 (Effects Determined Not to Be Significant) of these Findings and in the SEIR. For each of the areas of potential impact specified above, mitigation measures adopted in the FEIR for the approved Project and determined in the SEIR to be relevant to the proposed modified Project as modified in the SEIR, are carried forth in the SEIR and the MMRP.

### **3. Detailed Analysis of Impacts.**

Impact areas required to be analyzed under CEQA and not described in Section 2.D.2 above were analyzed in detail in the SEIR. Except as described in Section 2.D.4 and Section 4 below, each of the impacts analyzed in detail in the SEIR for the proposed modified Project is substantially similar to the impacts described in the FEIR for the approved Project and each is either less than significant or reduced to a less than significant level with imposition of mitigation, as further described in Sections 5 and 6 below. Additionally, the SEIR considered Growth Inducing Impacts and Significant Irreversible Environmental Changes and provided a revised analysis of Alternatives. The significant environmental impacts of the proposed modified Project and the Alternatives were identified in the SEIR and specific findings are made as to each area of impact in these Findings.

### **4. Significant Unavoidable Impacts**

Based on all the evidence in the record of the City's proceedings to consider the proposed modified Project, including SEIR, the City finds that significant and unavoidable impacts would

occur to Visual Resources (loss and conversion of existing openness); Traffic and Circulation (operations), Air Quality (regional construction emissions, regional operational emissions) and Noise (construction). As further described in Section 4 below, the City finds that the proposed modified Project may either by itself or in conjunction with past, present, and reasonably foreseeable future development in the vicinity, have new significant, unavoidable Air Quality and Traffic and Circulation impacts that were not identified in the FEIR. Significant unavoidable impacts with respect to Noise (construction), Visual Resources and certain Air Quality and Traffic and Circulation impacts were identified as significant and unavoidable impacts in the FEIR and the impacts are substantially similar for the approved Project and the proposed modified Project and remain significant and unavoidable impacts of the proposed modified Project.

## **E. Additional City Findings.**

### **1. Lead Agency.**

The City is the “Lead Agency” for the proposed modified Project, evaluated the SEIR. The City finds that the SEIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the SEIR for the proposed modified Project, that the Draft SEIR which was circulated for public review reflected its independent judgment, the Final SEIR reflects the independent judgment of the City, and that the SEIR reflects the independent judgment of the City.

### **2. Public Review Provided.**

The City finds that the SEIR provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the proposed modified Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft SEIR. The Final SEIR was prepared after the review period and responds to comments made during the public review period.

### **3. Purpose of Errata and Corrections; Clerical Errors.**

Textual refinements and Errata (including Corrections and Additions to the Draft SEIR) were compiled and presented to the decision-makers for review and consideration. City decision-makers and the interested public/agencies have been notified of each textual change in the various documents associated with project review of the proposed modified Project. These textual refinements arose for a variety of reasons. First, it is inevitable that draft documents would contain errors and would require clarifications and corrections. Second, textual clarifications were necessitated to describe refinements suggested as part of the public participation process. In addition, textual clarifications were made to address in greater detail the proposed phasing of vertical construction in Planning Area 2 and to provide refinements to the location, height and size of pylon and project identification signs and further analysis of the impacts of each of these matters. The changes and modifications made to the SEIR after the

Draft SEIR was circulated for public review and comment do not individually or collectively constitute significant new information within the meaning of Public Resources Code section 21092.1 or CEQA Guidelines section 15088.5.

#### **4. Clerical Errors.**

The City recognizes that the SEIR may contain clerical errors. The City reviewed the entirety of the SEIR and bases its determination on the substance of the information it contains.

#### **5. Evaluation and Response to Comments.**

The City evaluated comments on environmental issues received from persons who reviewed the Draft SEIR. In accordance with CEQA, the City prepared written responses describing the disposition of significant environmental issues raised. The Final SEIR provides an adequate, good-faith and reasoned response to the comments. The City reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft SEIR. The City has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings, concerning the environmental impacts identified and analyzed in the SEIR.

#### **6. Recirculation of Final EIR Not Required.**

The Final SEIR documents changes to the Draft SEIR. The Final SEIR provides additional information that was not included in the Draft SEIR. Having reviewed the information contained in the Draft SEIR and the Final SEIR and in the Administrative Record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft SEIRs, the City finds that there are no new significant impacts, no substantial increase in the severity of a previously disclosed impact, and no significant information in the record of proceedings or other criteria under CEQA that would require recirculation of the Draft SEIR, or preparation of a supplemental or subsequent EIR.

Specifically, the City finds that:

a. The Responses To Comments contained in the Final SEIR fully considered and responded to comments claiming that the project would have significant impacts or more severe impacts not disclosed in the Draft SEIR and include substantial evidence that none of these comments provided substantial evidence that the project would result in changed circumstances, significant new information, considerably different mitigation measures, or new or more severe significant impacts than were discussed in the Draft SEIR.

b. The City has thoroughly reviewed the public comments received regarding the proposed modified Project and the Final SEIR as it relates to the proposed modified Project to determine whether under the requirements of CEQA, any of the public

comments provide substantial evidence that would require recirculation of the SEIR prior to its adoption and has determined that recirculation of the SEIR is not required.

c. None of the information submitted after publication of the Final SEIR, including testimony at and documents submitted for the public hearings on the proposed modified Project, constitutes significant new information or otherwise requires preparation of a supplemental or subsequent EIR. The City does not find this information and testimony to be credible evidence of a significant impact, a substantial increase in the severity of an impact disclosed in the Final SEIR, or a feasible mitigation measure or alternative not included in the Final SEIR.

d. The Final SEIR incorporates information obtained and produced after the Draft SEIR was completed, and the Final SEIR contains additions, clarifications, and modifications to the Draft SEIR. The City has reviewed and considered the Final SEIR and all of this information. The new information added to the SEIR does not involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible mitigation measure or alternative considerably different from others previously analyzed that the project sponsor declines to adopt and that would clearly lessen the significant environmental impacts of the Project. No information indicates that the Draft SEIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the Draft SEIR or the Project. Thus, recirculation of the Draft SEIR is not required.

## **7. MMRP; Mitigation Measures.**

CEQA requires the Lead Agency approving a project to adopt a MMRP or the changes to the project which it has adopted or made a condition of project approval to ensure compliance with the mitigation measures during project implementation. The mitigation measures included in the SEIR as certified by the City as adopted by the City serves that function. The MMRP includes all of the mitigation measures and project design features adopted by the City in connection with the approval of the proposed modified Project and has been designed to ensure compliance with such measures during implementation of the proposed modified Project. In accordance with CEQA, the MMRP provides the means to ensure that the mitigation measures are fully enforceable.

In accordance with the requirements of Public Resources Section 21081.6, the City hereby adopts the MMRP. The mitigation measures identified for the proposed modified Project were included in the Draft SEIR and Final SEIR to mitigate or avoid significant effects on the environment and has been designed to ensure compliance during project implementation. As revised, the final mitigation measures for the proposed modified Project are described in the MMRP. Each of the mitigation measures identified in the MMRP is incorporated into the proposed modified Project and made a condition of approval for permits, required by agreement, or other measures to ensure the MMRP is fully enforceable. The City finds that the impacts of the proposed modified Project have been mitigated to the extent feasible by the mitigation measures identified in the MMRP.

**8. Document Custodian.**

The custodian of the documents or other material which constitute the record of proceedings upon which the City's decision is based is the Community Development Department of the City of Carson.

**9. Substantial Evidence.**

The City finds and declares that substantial evidence for each and every finding made herein is contained in the SEIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.

**10. Entirety of Action.**

The City is certifying an SEIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the SEIR as comprising the proposed modified Project.

**11. Project EIR.**

The SEIR is a Project EIR for purposes of environmental analysis of the proposed modified Project. A Project EIR examines the environmental effects of a specific project. The SEIR serves as the primary environmental compliance document for entitlement decisions regarding the proposed modified Project by the City and other regulatory jurisdictions.

**12. Effect of Public Comments.**

The City finds that none of the public comments to the Draft SEIR or subsequent public comments or other evidence in the record, including any changes in the proposed modified Project in response to input from the community, include or constitute substantial evidence that would require recirculation of the SEIR prior to certification of the SEIR and that there is no substantial evidence elsewhere in the record of proceedings that would require substantial revision of the SEIR prior to its certification, and that the SEIR need not be recirculated prior to its certification.

**13. No Changes or Significant New Information.**

The City finds that except as specifically set forth below or in the SEIR, the proposed modified Project would not result in changes requiring major revisions to the FEIR because of the involvement of new significant impacts that were not previously evaluated; no substantial changes arise in the circumstances of the proposed modified Project's undertaking as compared with the approved Project analyzed in the FEIR and no new information appears that was not known or available at the time the FEIR was certified necessitating major revisions to the FEIR.

**14. Independent Review of Record.**

The City Council, after receiving a recommendation from the Planning Commission, certifies that the SEIR has been completed in compliance with CEQA. The City Council has independently reviewed the record and the SEIR prior to certifying the SEIR and approving the Project. By adopting these Findings, the City Council on behalf of the City confirms, ratifies, and adopts the findings and conclusions of the SEIR as supplemented and modified by these Findings. The SEIR and these Findings represent the independent judgment and analysis of the City and the City Council.

**15. Adequacy of SEIR to Support Approval of the Proposed Modified Project.**

The City certifies that the SEIR is adequate to support all actions in connection with the approval of the proposed modified Project, the adoption of the Specific Plan Amendment, the adoption of the Site Plan and Design Review (DOR) approval and Comprehensive Sign Program for Planning Area 2, the Development Agreement and the installation of on-site and off-site infrastructure, taking all other actions and recommendations as described in the staff report to which these Findings are attached. The City Council certifies that the SEIR is adequate to support approval of the proposed modified Project described in the SEIR, each component and phase of the proposed modified Project described in the SEIR, any variant of the Project described in the SEIR, any minor modifications to the proposed modified Project or variants described in the SEIR and the components of the proposed modified Project.

**16. Specific Findings of Impact Below.**

In accordance with Public Resources Code section 21081 and CEQA Guidelines sections 15091 and 15092, the City makes the specific findings required by CEQA with respect to each area of potential environmental impact as further set forth in Sections 4, 5 and 6 of these Findings. These Findings do not repeat the full discussions of environmental impacts, mitigation measures, and related explanations contained in the SEIR. The City ratifies, adopts, and incorporates, as though fully set forth, the analysis, explanation, findings, responses to comments and conclusions of the SEIR. The City adopts the reasoning of the SEIR, staff reports, and presentations provided by the staff and the Project sponsor as may be modified by these Findings.





## SECTION 4: EFFECTS DETERMINED TO BE SIGNIFICANT AND UNAVOIDABLE<sup>4</sup>

The City finds that the following impacts of the proposed modified Project remain significant and unavoidable, notwithstanding the imposition of all feasible mitigation measures, as set forth below. The City also finds that any alternative discussed in the SEIR that may reduce the significance of these impacts is rejected as infeasible for the reasons given in the SEIR and Section 4 of these Findings. Each potential unavoidable significant impact is overridden as set forth below in the Statement of Overriding Considerations.

### A. Visual Resources (*Aesthetics -Impact on Valued Resource*)<sup>5</sup>

#### 1. Description of Significant Effects

a. **Significant Effects.** As analyzed in the FEIR for the approved Project, the proposed modified Project would still include the conversion of a long-standing area of vacant land to development with residential and commercial land uses. In doing so, it would change the appearance of the Property by adding new building mass that would alter existing view conditions. Although the Property has been subject to some improvements since approval of the approved Project, related to remediation of the landfill, the Property remains substantially vacant and as described in the FEIR continues to contain no unique features or valued visual features. As such, the Property continues to contribute to the visual quality of the area by offering visual relief from development and a sense of spaciousness to those surrounding and traveling through the area of the Property. The FEIR identified a significant impact related to the loss and conversion of the existing openness of the Project site to a developed appearance with the approved Project. This remains the case for development of the proposed modified Project. Specifically, as described in the SEIR, during the proposed modified Project development, the Property would continue to appear like a typical construction site, similar to existing conditions. As analyzed in the FEIR for the approved Project, as buildings arise on the Project site, the loss of undeveloped area and a feeling of spaciousness would continue to be incrementally altered. At some point during construction, enough of the new buildings would be onsite to cause the significant impact identified above regarding the loss of a valued visual resource. Implementation of the approved Project as analyzed in the FEIR was anticipated to result in significant and unavoidable impacts related to the conversion of the appearance of the Project

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<sup>4</sup> Throughout these Findings, impact areas are generally discussed in the order presented in the SEIR, which follows the order of presentation in the FEIR.

<sup>5</sup> As noted in Sections 5 and 6 below, those aesthetic/visual impacts that are determined to have significant and unavoidable impacts following implementation of mitigation are discussed in this Section 4, while those mitigated to a less than significant level with imposition of specified mitigation are discussed in Section 5 below and those for which there are no impacts (no mitigation required) are discussed in Section 6 below.

site. As the proposed modified Project would also result in conversion of the appearance of the Property in a similar manner, such development would result in a significant unavoidable impact similar to that described in the FEIR.

**b. Cumulative Impacts.** At the time of the FEIR analysis, the Project site, including DD3, was substantially vacant. DD3 is also substantially vacant at this time. Although the proposed modified Project does not include development of DD3 and the list of related projects has changed, related projects considered in either the FEIR and related projects in the SEIR other than DD3 are too far away from the Property to contribute to this loss and therefore were not included in the assessment of cumulative impacts. The FEIR identified the impact from loss of open space as having the greatest effect for travelers along Del Amo Boulevard, which is a public view corridor traveled by a large number of people. Therefore, development of DD3 to the north of Del Amo Boulevard will, cumulatively with development of the currently undeveloped Property to the south of Del Amo Boulevard, result in the same significant and unavoidable impacts related to the conversion of the appearance of the Project site as described in the FEIR.

## **2. Project Design Features.**

The proposed modified Project includes project design features related to aesthetics and design criteria, as set forth in Section 5.A below that establish a framework that limits the potential effects of development on the visual qualities of the surrounding area. However, these project design features are not directly relevant to the loss or conversion of open space as they anticipate development of the buildings, signs and other improvements on the Property that result in the loss or conversion of open space.

## **3. Mitigation Measures**

The proposed modified Project includes mitigation measures related to aesthetics and design criteria, as set forth in Section 5.A below. However, these mitigation measures are not directly relevant to the loss or conversion of open space as they anticipate development of the buildings, signs and other improvements on the Property that result in the loss or conversion of open space.

## **4. Findings**

As was the case for the approved Project in the FEIR, the visual resource impact with respect to the loss and conversion of existing openness is a significant and unavoidable impact of the proposed modified Project and there is no mitigation available that can avoid or substantially lessen the significant environmental impact identified in the SEIR. The City finds that specific economic and social considerations, including the provision of employment opportunities for highly trained local workers, make infeasible the no project alternative identified in the SEIR, which is only alternative that would not result in finding that the impact of loss and conversion of the existing openness as significant and unavoidable.

As compared with the approved Project, the proposed modified Project would not have new significant impacts or more severe impacts than were disclosed in the FEIR, and no changed circumstances, significant new information or new or more severe significant impacts than were discussed in the FEIR apply. Therefore, the City finds that the impacts of the proposed modified Project with respect to loss and conversion of existing openness remains substantially similar to the impact disclosed in the FEIR for the approved Project.

## **5. Rationale**

Consistent with the FEIR, the SEIR identified a significant impact regarding the loss of a valued aesthetic resource; i.e., the spaciousness that is provided by the undeveloped Property. The loss of spaciousness occurs as a result of placing development at the Property rather than as a result of the particular type, size, or location of development. Any notable development on the Property would change its currently undeveloped character. Therefore, as was the case for the approved Project, this significant impact cannot be mitigated, and there would be no change under the proposed modified Project compared to the approved Project as to this impact.

## **6. Reference**

For a complete discussion of impacts associated with aesthetics, please see Section IV.B.-Visual Resources of the SEIR.

### **B. Traffic and Circulation--Operations Impact<sup>6</sup>**

#### **1. Description of Significant Effects**

##### **a. Trip Generation Calculations.**

Generation rates from Trip Generation, 9th Edition (ITE rates) were used to estimate the number of trips associated with the proposed modified Project. A number of reductions were applied to the standard ITE rates to account for internal trip capture, transit/walk/bike credits, and pass-by trips. A one (1) percent transit/walk/bike credit was applied to be reflective of conditions at the Project site; a ten (10) to twenty (20) percent internal trip capture credit was applied depending on the land use; and a ten (10) percent pass-by credit was applied to commercial and restaurant

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<sup>6</sup> As noted in Sections 5 and 6 below, those traffic and circulation impacts that are determined to have significant and unavoidable impacts following implementation of mitigation are discussed in this Section 4, and those for which there are no impacts (no mitigation required) are discussed in Section 6 below. While certain traffic and circulation impacts mitigated to a less than significant level with imposition of specified mitigation are discussed in Section 5, certain operational intersection impacts determined to have less than significant impacts after mitigation are discussed in their entirety in this Section 4, to maintain consistency with the discussion of these impacts in the SEIR, where the discussion of these impacts is commingled.

uses. This rate is considered reasonable given the location of the Project site along a major regional thoroughfare.

The proposed modified Project would generate an estimated net increase of 57,218 daily trips, including 2,775 trips (1,430 inbound/1,345 outbound) during the A.M. peak hour, and 4,291 trips (2,282 inbound/2,009 outbound) during the P.M. peak hour. Compared to the trip generation estimates presented in the FEIR, the proposed modified Project would result in 11,733 (17 percent) fewer daily trips, 267 (11 percent) more A.M. peak hour trips, and 1,481 (26 percent) fewer P.M. peak hour trips.

The FEIR analysis used trip generation Rates from Trip Generation, 7th Edition. The trip generation model used for the FEIR applied an average combined internal capture and pass-by credit of 35 percent for daily trips, 29 percent A.M. peak hour trips, and 37 percent P.M. peak hour trips. The trip generation model used for the proposed modified Project applies state of the industry trip credits that are more conservative compared to the trip credits applied in the FEIR. The proposed modified Project trip generation model applies average combined internal capture, pass-by, and transit/walk/bike credits of 22 percent for daily trips, 17 percent for A.M. peak hour trips, and 31 percent for P.M. peak hour trips.

To make a direct comparison in trip generation for the proposed modified Project and the approved Project, a trip generation model for the approved Project using the current state-of-practice trip generation model applied to the approved Project was also prepared. In comparison with the proposed modified Project, the approved Project analyzed with the 2017 state-of-practice methodology would generate more trips than the proposed modified Project.

#### **b. Intersection Analysis.**

Existing intersection conditions for the same 27 intersections evaluated in the FEIR were evaluated in the SEIR using updated A.M. and P.M. peak hour traffic counts. Of the 27 intersections, 23 are signalized intersections and four are unsignalized intersections. The three intersections identified as future project intersection are new project intersections and were only analyzed under the with-Project scenarios. This is consistent with the FEIR analysis. An ambient growth factor of 0.5 percent per year was applied to the Year 2016 traffic volumes to account for regional growth and represent Existing Conditions (Year 2017). Existing operating conditions at each intersection are by volume-to-capacity (V/C) ratios and level of service (LOS).

Of the 20 existing signalized intersections, 19 currently operate at LOS D or better during both peak periods across all analysis methodologies. One signalized intersection currently operates at a poor LOS (i.e., LOS E or F) during both the A.M. and P.M. peak hours: Intersection No. 23 Figueroa Street & Carson Street. Of the two unsignalized intersections located within the City of Carson, one intersection currently operates at a poor LOS during both the A.M. and P.M. peak hours: Intersection No. 2 Figueroa Street & I-405 northbound off-ramp (LOS F during both the A.M. and P.M. peak hours). Unsignalized intersections within Los Angeles County and within the City of Los Angeles are not evaluated for LOS operations. Compared to the existing conditions LOS results reported in the FEIR, which were based on 2005 traffic conditions, the

number of study intersections operating at a poor LOS is one fewer than in 2005.

The traffic analysis in the SEIR provides projected traffic volumes and an assessment of operating conditions under existing conditions with the addition of proposed modified Project-generated traffic. The impacts of the proposed modified Project on existing traffic operating conditions were then identified. Existing plus Project conditions were not evaluated in the FEIR, but were in the SEIR.

The Existing plus Project traffic volumes were analyzed to determine the projected V/C ratios and LOS for each of the analyzed intersections under this scenario. 14 of the 27 analyzed with Project intersections are projected to operate at an acceptable LOS.

The proposed modified Project would result in significant traffic impacts at the following ten intersections:

- 3. Main Street and I-405 southbound on-ramp (P.M. peak hour)
- 5. Vermont Avenue and Del Amo Boulevard (A.M. and P.M. peak hours)
- 7. Figueroa Street and Del Amo Boulevard (A.M. and P.M. peak hours)
- 8. Main Street and Del Amo Boulevard (P.M. peak hour)
- 10. Avalon Boulevard and Del Amo Boulevard (A.M. and P.M. peak hours)
- 12. Figueroa Street and I-110 northbound ramps (A.M. and P.M. peak hours)
- 20. Main Street and 213th Street (P.M. peak hour)
- 22. Vermont Avenue and Carson Street (A.M. and P.M. peak hours)
- 23. Figueroa Street and Carson Street (A.M. and P.M. peak hours)
- 25. Avalon Boulevard and Carson Street (P.M. peak hour)

Future year traffic projections without the proposed modified Project were developed for Year 2023. The objective of this analysis was to project future traffic growth and operating conditions that could be expected to result from regional growth, related projects, and transportation network changes in the vicinity of the Project site by Year 2023. The FEIR evaluated Year 2010 conditions for the future year analysis.

Future year (2023) peak hour traffic volumes were analyzed to determine the projected V/C ratio and LOS for each of the analyzed intersections. As shown in in the SEIR, 17 of the 22 intersections analyzed for impacts are projected to operate at LOS D or better during the morning and afternoon peak hours under future year conditions. The following four signalized intersections are projected to operate at a poor LOS:

- Main Street & I-405 southbound on-ramp (P.M. peak hour)
- 10. Avalon Boulevard & Del Amo Boulevard (P.M. peak hour)
- 22. Vermont Avenue & Carson Street (A.M. peak hour)
- 25. Avalon Boulevard & Carson Street (P.M. peak hours)

One unsignalized intersection is projected to operate at a poor LOS (LOS F):

- Figueroa Street & I-405 northbound off-ramp (A.M. & P.M. peak hours)

The SEIR traffic analysis provides projected traffic volumes and an assessment of operating conditions under future conditions with the addition of Project-generated traffic. The impacts of the proposed modified Project on future traffic operating conditions were then identified. Thirteen of the 27 intersections analyzed for impacts are projected to operate at LOS D or better during the morning and afternoon peak hours under Future Year (2023) plus Project conditions. The proposed modified Project would result in significant impacts at ten intersections under Future Year (2023) plus Project conditions:

- 3. Main Street and I-405 southbound on-ramp (P.M. peak hour)
- 5. Vermont Avenue and Del Amo Boulevard (A.M. and P.M. peak hours)
- 7. Figueroa Street and Del Amo Boulevard (A.M. and P.M. peak hours)
- 8. Main Street and Del Amo Boulevard (P.M. peak hour)
- 10. Avalon Boulevard and Del Amo Boulevard (A.M. and P.M. peak hours)
- 12. Figueroa Street and I-110 northbound ramps (A.M. and P.M. peak hours)
- 15. Figueroa Street and Torrance Boulevard (P.M. peak hour)
- 20. Main Street and 213th Street (P.M. peak hour)
- 22. Vermont Avenue and Carson Street (A.M. and P.M. peak hours)
- 25. Avalon Boulevard and Carson Street (A.M. and P.M. peak hours)

The incremental V/C increase associated with the proposed modified Project at each of the significantly impacted intersections is larger in the P.M. peak hour compared to the A.M. peak hour, and there are four intersections with significant impacts during the P.M. peak hour only.

The proposed modified Project will result in 11 significant impacts before mitigation; seven of which are significant and unavoidable. The FEIR determined that the approved Project would

have 12 significant impacts, and one significant and unavoidable impact. For informational purposes only, a comparison of intersection impacts between the approved Project and the proposed modified Project was conducted by applying the 2017 state-of-the-practice methodology and approach used in the analysis of the proposed modified Project to the approved Project. The proposed modified Project would have the same number of significant impacts and one fewer significant and unavoidable impact compared to the approved Project when analyzed using the same 2017 methodology. A more detailed comparison of intersection impacts in the FEIR versus those identified for the proposed modified Project is provided in Appendix D of the SEIR.

The proposed modified Project would result in significant impacts at two unsignalized intersections:

- 6. Hamilton Avenue & Del Amo Boulevard (A.M. and P.M. peak hours)
- 11. Hamilton Avenue & I-110 southbound ramps (A.M. and P.M. peak hours)

These two unsignalized intersections were analyzed under Existing, Existing plus Project, Future Base, and Future plus Project conditions. The volumes at the Hamilton Avenue & Del Amo Boulevard intersection met the signal warrant thresholds during both peak hours under all analysis scenarios. The volumes at the Hamilton Avenue and I-110 southbound ramps intersection also met the signal warrant thresholds during both peak hours under all analysis scenarios. Unlike the SEIR, the FEIR did not include a signal warrant analysis for any of the unsignalized intersections. Instead, the delay and LOS for the intersections of Hamilton Avenue & Del Amo Boulevard and Hamilton Avenue and the I-110 Freeway southbound ramps were included in the impact analysis, which determined that significant impacts would occur at both intersections during both the A.M. and P.M. peak hours.

Should either LADOT and/or the County of Los Angeles choose to install traffic signals at either of these locations, the proposed modified Project would be responsible for a fair share contribution to the costs of the signal installation.

### **c. Caltrans Freeways and Freeway Ramps**

Traffic generated by the proposed modified Project was added to freeway mainlines for the Existing plus Project analysis. The FEIR did not evaluate this scenario. Freeway mainline volumes for Year 2023 were calculated similar to the method used to project Year 2017 traffic volumes using the same growth factor. Traffic generated by the proposed modified Project was added to the freeway mainlines for the Future Year (2023) plus Project analysis.

Using the freeway analysis methodology described previously for Existing Conditions, the LOS for the 23 freeway study segments was calculated, and significant impacts would occur at the following study freeway segments:

- The I-110 Freeway



- Southbound between Sepulveda Boulevard and Carson Street (Existing plus Project, P.M. only)
- Northbound between Carson Street and Torrance Boulevard (Existing plus Project, P.M. only)
- Northbound between Torrance Boulevard and I-405 (A.M. and P.M.)
- Southbound between Torrance Boulevard and I-405 (P.M. only)
- Northbound between the I-405 and SR-91 freeways (A.M. only)
- Southbound between the I-405 and SR-91 freeways (A.M. and P.M.)
- Southbound between the SR-91 Freeway and Redondo Beach Boulevard (Future plus Project, P.M. only)
- The I-405 Freeway
  - Southbound between Alameda Street and Wilmington Avenue (Existing plus Project, P.M. only)
  - Southbound between Wilmington Avenue and Carson Street (P.M. only)
  - Northbound between Carson Street and Avalon Boulevard (A.M. only)
  - Southbound between Carson Street and Avalon Boulevard (P.M. only)
  - Northbound between Avalon Boulevard and the I-110 Freeway (Existing plus Project, A.M. only)
  - Southbound between the I-110 Freeway and Vermont Avenue (Existing plus Project A.M. and P.M., Future plus Project, P.M. only)
  - Southbound between Vermont Avenue and Normandie Avenue (P.M. only)
- The I-710 Freeway
  - Southbound between the I-405 Freeway and Del Amo Boulevard (Future plus Project, A.M. only)

In general, the proposed modified Project would result in more significant freeway segment impacts than those identified in the FEIR for the approved Project. The difference in number, degree, and location of significant freeway impacts is a result of changes in background traffic conditions, related project traffic patterns, and roadway and freeway capacity changes. If the approved Project evaluated in the FEIR were analyzed using current baseline traffic conditions

and 2017 state-of-practice methodologies, traffic impacts on the majority of Caltrans freeway facilities would be more severe for the approved Project than for the proposed modified Project. As further described in Appendix D of the SEIR, the approved Project would also result in significant impacts if likewise assessed under the current 2017 state-of-practice methodologies.

A queuing analysis was conducted for key freeway off-ramps to identify whether vehicles exiting the freeway may create queues backing onto the freeway mainline. Under the Existing plus Project, Future Year (2023), and Future Year (2023) plus Project analysis scenarios, the queue length is not projected to exceed the available queue storage capacity at any of the nine analyzed freeway off-ramps during either of the analyzed peak hours. As such, the proposed modified Project would not result any new significant queuing impacts.

**d. CMP Facilities**

None of the study area intersections are Congestion Management Program (CMP) arterial monitoring locations. Regional access to the Project site is provided by the I-110 Freeway located approximately 0.5 mile west of the Project site and the I-405 Freeway immediately east of the Project site. The CMP freeway monitoring stations closest to the Project site is immediately adjacent to the Project site along the I-405 Freeway south of the I-110 Freeway and north of Del Amo Boulevard. Based on the Project distribution and Project trip assignment, greater than 150 trips will be added to the monitoring site during the A.M. and P.M. peak hours. As a result, a CMP freeway impact analysis was conducted. The proposed modified Project would result in significant impacts during the existing year analysis in the southbound direction during the P.M. peak hour only. During the future year analysis, the proposed modified Project would result in significant impacts in both the southbound and northbound directions during the P.M. peak hour.

The CMP freeway analysis for the proposed modified Project was a conducted at a single CMP monitoring station and identified P.M. peak hour impacts. The FEIR identified an impact at the same CMP freeway monitoring station, but during the A.M. peak hour. The change in the time period of the impact would not constitute a new significant impact as compared to the approved Project. The differences in number and severity of impacts is a result of changes in background traffic, freeway capacity, and regional development patterns. If the approved Project evaluated in the FEIR were analyzed under the current conditions, the CMP freeway impacts would be more severe for the approved Project than for the proposed modified Project. As such, the proposed modified Project would not result in any new significant CMP traffic impacts as compared to the approved Project, impacts remain significant and unavoidable.

**e. Cumulative Impacts**

Eleven of the intersections analyzed for impacts are projected to operate at a poor LOS of LOS E or F during one or both of the analyzed peak hours under Future Year plus Project conditions. It is anticipated that related projects contributing to cumulative growth would be required on an individual basis to mitigate potentially significant traffic impacts to the extent possible. However, since no guarantee exists that mitigation measures would be implemented with the

identified related projects, in conjunction with the significant proposed modified Project impact after mitigation, it is concluded that the cumulative traffic impact on intersection operations would be significant and unavoidable.

The proposed modified Project has the same number of significant intersection impacts and one fewer significant and unavoidable intersection impact compared to the approved Project. The difference in number, degree, and location of significant impacts identified between the proposed modified Project and the approved Project is a result of differences in the Project Description. Further, the total trip generation contribution of related projects to the study area roadway network would be less than the related project trip generation identified for the approved Project. Therefore, the proposed modified Project together with all related projects would not result in any new significant cumulative intersection LOS impacts as compared to the approved Project.

Cumulative impacts would occur on three segments of the I-110 Freeway, four segments of the I-405 Freeway, and one segment of the I-710 Freeway. Like the approved Project, no feasible mitigation measures are available to mitigate the potentially significant impacts on these freeway segments to less than significant levels. Therefore, cumulative impacts on freeway service levels would also be significant and unavoidable for the approved Project. As such, the proposed modified Project together with all related projects would not result in any new significant cumulative impacts regarding freeway service levels as compared to the approved Project.

## **2. Project Design Features**

No project design features are identified for this impact area.

## **3. Mitigation Measures**

- **Mitigation Measure C-2.1:** Main Street and I-405 Southbound On-Ramp (Intersection No. 3). A significant impact would occur at this intersection during the P.M. peak hour under the existing year and future year analysis. The Applicant shall pay a fair-share contribution for the following intersection striping improvement:
  - Conversion of the eastbound left-turn lane to a through/left-turn lane is proposed.

The City reviewed Mitigation Measure C-2.1; however, Caltrans has jurisdiction over the intersection and, therefore, coordination and detailed design review with Caltrans is needed to determine its feasibility. Since it is unknown at this time whether Caltrans would allow implementation of this mitigation measure, the impact would be significant and unavoidable.

- **Mitigation Measure C-3:** Vermont Avenue and Del Amo Boulevard (Intersection No. 5). A significant impact would occur at this intersection during the A.M. and P.M. peak hours under the existing year and future year analysis. The Applicant shall pay a fair-share contribution for the following intersection striping and geometric improvements:
  - Addition of a second westbound left-turn lane; and

- Conversion of the northbound through/right-turn lane to a second northbound through and a dedicated right-turn lane. This would require the removal of approximately eight parking spaces.

The City reviewed Mitigation Measure C-3; however, the City of Los Angeles and Los Angeles County share jurisdiction over the intersection and, therefore, coordination and detailed design review with those jurisdictions is needed to determine its feasibility. Since it is unknown at this time whether these jurisdictions would allow implementation of this mitigation measure, the impact would be significant and unavoidable.

- **Mitigation Measure C-5:** Figueroa Street and Del Amo Boulevard (Intersection No. 7). A significant impact would occur at this intersection during the a.m. and p.m. peak hours under the existing year and future year analysis. The Applicant shall pay a fair-share contribution for the following intersection striping and geometric improvements:
  - Addition of a second westbound left-turn lane;
  - Conversion of the westbound right-turn lane to a through/right-turn lane;
  - Addition of a second southbound left-turn lane;
  - Conversion of the southbound through and southbound right-turn lane to a through/right-turn lane;
  - Conversion of the eastbound right-turn lane to a through/right-turn lane; and
  - Addition of a northbound right-turn-only lane.

The City reviewed Mitigation Measure C-5 and determined that it would conflict with the Carson General Plan. The proposed mitigation measure would also conflict with the Carson Master Plan of Bikeways, and the proposed mitigation measure would reduce lane widths below the City standards set forth in the Carson Master Plan of Bikeways. Due to the incompatibility of Mitigation Measure C-5 with City plans and policies described above, the impact at this intersection would be significant and unavoidable.

- **Mitigation Measure C-6:** Main Street and Del Amo Boulevard (Intersection No. 8). A significant impact would occur at this intersection during the P.M. peak hour under the existing year and future year analysis. The Applicant shall pay a fair-share contribution for the following intersection striping and geometric improvements:
  - Addition of a second westbound left-turn lane;
  - Addition of a second southbound dedicated through lane;
  - Conversion of the eastbound through/right-turn lane to a through lane and a right-turn lane; and

- Conversion of the northbound through/right-turn lane to a through lane and a right-turn lane.

The City reviewed Mitigation Measure C-6 and determined that it would conflict with the Carson General Plan if right-of-way cannot be acquired to accommodate the proposed improvements. The proposed mitigation measure would also conflict with the Carson Master Plan of Bikeways, and the proposed mitigation measure would reduce lane widths below the City standards set forth in the Carson Master Plan of Bikeways. Due to the uncertainty regarding the ability to acquire additional right-of-way on the northeast corner of the intersection, and the incompatibility of Mitigation Measure C-5 with City plans and policies described above if the right-of-way cannot be acquired, the impact would be significant and unavoidable.

- **Mitigation Measure C-6.1:** Avalon Boulevard and Del Amo Boulevard (Intersection No. 10). A significant impact would occur at this intersection during the a.m. and p.m. peak hours under the existing year and future year analysis. The Applicant shall pay a fair-share contribution for the following intersection striping and geometric improvements:
  - Conversion of the southbound through/right-turn lane to a through lane and a right-turn lane; and
  - Addition of a second northbound left-turn lane.

The City reviewed Mitigation Measure C-6.1 and determined that it would conflict with the Carson General Plan. Due to the incompatibility of Mitigation Measure C-6.1 with City plans and policies described above, the impact would be significant and unavoidable.

- **Mitigation Measure C-8:** Figueroa Street and I-110 Northbound Ramps (Intersection No. 12). A significant impact would occur at this intersection during the A.M. and p.m. peak hours under the existing year and future year analysis. The Applicant shall pay a fair-share contribution for the following intersection striping and geometric improvements:
  - Addition of a southbound through/right-turn lane;
  - Addition of a third southbound receiving lane; and
  - Conversion of the eastbound left/right-turn lane to a dedicated left-turn lane and a dedicated right-turn lane.

The City reviewed Mitigation Measure C-8 and determined that it would conflict with the Carson Mater Plan of Bikeways, which proposes bike lanes along Figueroa Street. Furthermore, Caltrans has jurisdiction over the intersection and, therefore, coordination and detailed design review with these jurisdictions is needed to determine its feasibility. Since it is unknown at this time whether these jurisdictions would allow implementation of this mitigation measure, and because of the

incompatibility with existing City plans and policies, the impact would be significant and unavoidable.

- **Mitigation Measure C-9:** Figueroa Street and Torrance Boulevard (Intersection No. 15). A significant impact would occur at this intersection during the P.M. peak hour under the future year analysis only. The Applicant shall pay a fair-share contribution for the following intersection striping and geometric improvements:
  - Conversion of the northbound through/right-turn lane to a through lane and a right-turn lane.

The City reviewed the components of Mitigation Measure C-9 and determined that the elimination of eight on-street parking spaces would be acceptable and that its implementation would be feasible. Therefore, the impact would be mitigated to a less than significant level.

- **Mitigation Measure C-10.1:** Main Street and 213th Street (Intersection No. 20). A significant impact would occur at this intersection during the P.M. peak hour under the existing year and future year analysis. The Applicant shall pay a fair-share contribution for the following intersection striping and geometric improvements:
  - Conversion of the westbound left/right-turn lane to a left-turn lane and a right-turn lane.

The City reviewed Mitigation Measure C-10.1 and determined that the elimination of eight on-street parking spaces would be acceptable and that its implementation would be feasible; therefore, the impact would be mitigated to a less than significant level.

- **Mitigation Measure C-11:** Vermont Avenue and Carson Street (Intersection No. 22). A significant impact would occur at this intersection during the A.M. and P.M. peak hours under the existing year and future year analysis. The Applicant shall pay a fair-share contribution for the following intersection striping and geometric improvements:
  - Conversion of the westbound right-turn lane to a through/right-turn lane; and
  - Conversion of the eastbound right-turn lane to a through/right-turn lane.

The City has reviewed Mitigation Measure C-11 and determined that it would conflict with the Carson General Plan as well as the Carson Street Master Plan. Further Los Angeles County has indicated that the loss of on-street parking on the north side of Carson Street west of Vermont Avenue, which is within its jurisdiction, is not acceptable because of the potential impacts to the adjacent commercial uses. Due to the reasons cited above, the impact would be significant and unavoidable.

- **Mitigation Measure C-14:** Avalon Boulevard and Carson Street (Intersection No. 25). A significant impact would occur at this intersection during the P.M. peak hour under the

existing year analysis, and during the A.M. and P.M. peak hours under the future year analysis. The Applicant shall pay a fair-share contribution for the following intersection striping improvements:

- Convert the southbound through/right-turn lane to a dedicated right-turn lane; and
- Convert the northbound through/right-turn lane to a dedicated right-turn lane.

The City reviewed the components of Mitigation Measure C-14 and determined that it is consistent with existing City plans and policies, and that its implementation would be feasible. Therefore, the impact would be mitigated to a less than significant level.

- **Mitigation Measure C-16:** In coordination with the Carson Circuit, Metro, Torrance Transit, and LADOT, the Applicant shall:
  - Request an extension of existing public bus routes into the Project site, which will increase transit capacity by adding service to the area;
  - Request that additional buses be deployed on extended routes to increase frequency and capacity on key routes serving the Project site; and
  - Provide transit stops, potentially including benches and shelters, in and adjacent to the Project site, which will improve the quality and increase the network density of transit service.

The City has reviewed Mitigation Measure C-16, and has determined that impacts to transit would be reduced to a less than significant level with implementation of the Mitigation Measure.

The City finds that the above Mitigation Measures reduce the potential impacts of the proposed modified Project with respect to traffic and circulation. These mitigation measures were taken into account in the analysis. There are no additional feasible mitigation measures the proposed modified Project could implement to avoid significant traffic and circulation impacts.

#### **4. Findings for Traffic and Circulation**

As was the case for the approved Project, certain operational transportation and traffic impacts are significant and unavoidable, and total mitigation is not possible. Certain changes in the form of mitigation measures (Mitigation Measures C-9, C-10.1, C-14, C-16) which avoid or substantially lessen the significant environmental effect as identified in the SEIR, have been required in the proposed modified Project, The City finds that as specified above, certain changes or alterations are within the responsibility and jurisdiction of agencies other than the City (Mitigation Measures: C-2.1, C-3, C-8, C-11). Additionally, the City finds that certain mitigation (Mitigation Measures C-5, C-6, C-6.1, C-8, C-11) are infeasible due to conflicts with the Carson General Plan and other plans and policies of the City, as specified above. Finally, due to the Project site changing from a landfill to a regional commercial use, including outlets, other impacts remain significant and unavoidable. The City finds that specific economic and social

considerations, including the provision of employment opportunities for highly trained local workers, make infeasible the no project alternative identified in the SEIR, which is only alternative which is only option that would not result in finding that the operational impacts to transportation and traffic are significant and unavoidable. In addition, the City finds that as to the specific findings of significant unavoidable impact above, the City has determined, as applicable and specified in each case, that that right-of-way cannot be acquired to accommodate the proposed improvements, that mitigation would conflict with the Carson General Plan and/or the Carson Master Plan of Bikeways or would reduce lane widths below the City standards set forth in the Carson Master Plan of Bikeways.

## **5. Rationale**

The proposed modified Project traffic impacts regarding level of service will remain significant and unavoidable after mitigation measures are applied as to seven intersections. The proposed modified Project would result six additional significant and unavoidable impacts compared to the approved Project. The difference in number, degree, and location of significant impacts identified for the approved Project compared to the analysis for the proposed modified Project, is a result of changes in background traffic conditions, related Project traffic patterns, roadway and freeway capacity changes, as well as differences in analysis methodology. The difference in the number of significant and unavoidable impacts is a result of differences in analysis methodology and changes in City policy and design standards. The proposed modified Project would have one fewer significant and unavoidable impact compared to the approved Project when analyzed using the same 2017 methodology.

The proposed modified Project's significant impact on three segments of the I-110 Freeway, four segments of the I-405 Freeway and one segment of the I-710 Freeway cannot be reduced to less than significant levels as no feasible mitigation measures are available. Therefore, the proposed modified Project's cumulative impact on freeway service levels would be significant and unavoidable. Implementation of additional freeway capacity to address significant cumulative conditions is beyond the ability of any individual project to implement. In addition, any improvements to freeway capacity would be outside the jurisdiction of the City of Carson. Therefore, the proposed modified Project's incremental impacts on poor cumulative conditions on identified segments would be considered significant and unavoidable. The FEIR also concluded that the approved Project's impacts were significant, and there were no feasible mitigation measures available. Therefore, impacts of the proposed modified Project would be similar to those of the approved Project assessed in the FEIR.

## **6. Reference**

For a complete discussion of impacts associated with transportation and circulation, please see Section IV.C.-Traffic and Circulation of the SEIR.



## C. Air Quality<sup>7</sup>

### 1. Description of Significant Effects

#### f. Significant Effects--Regional Construction Impacts.

The FEIR concluded that impacts related to construction of the approved Project, including implementation of the RAP with refinements to the design (which is the design currently proposed), preparation of the Property, and Property construction would substantially exceed the SCAQMD significance thresholds for ROC, CO, PM<sub>10</sub>, and NO<sub>x</sub> emissions following implementation of mitigation, and identified significant and unavoidable impacts for those emissions. Implementation of the proposed modified Project would be consistent with the approach under the approved Project except construction of the proposed modified Project is anticipated to occur over a compressed duration (approximately 32 months) as a worst-case analysis assuming a worst-case overlap of construction activity over the Property. Should Property-wide construction activity extend greater than 32 months resulting in delayed vertical construction on any of the planning areas, the worst-case construction-day analysis presented in the SEIR would not be exceeded. Construction emissions anticipated from the proposed modified Project would result in lower emissions than were anticipated in the FEIR. Due to the change in regulatory requirements regarding construction fleet efficiencies as well as architectural coating ROC content between the original analysis and this analysis, the emissions from the proposed modified Project are substantially less than those originally modeled. Therefore, with respect to regional construction impacts, the proposed modified Project, although still significant and unavoidable after implementation of mitigation with respect to ROC and CO, would not result in any new significant impact as compared to the approved Project with respect to ROC, NO<sub>x</sub>, CO, SO<sub>x</sub>, and PM<sub>10</sub> emissions. Emissions of SO<sub>x</sub> would not be significant and emissions of NO<sub>x</sub> and PM<sub>10</sub> from the proposed modified Project would result in less than significant impacts prior to implementation of mitigation whereas the FEIR reported significant and unavoidable impacts for this pollutant even with mitigation. This is due largely to the advances in technology for off-road equipment in response to more stringent federal and local emission standards. PM<sub>2.5</sub> has been identified as a pollutant of concern since certification of the FEIR. Therefore, the SEIR analyzed PM<sub>2.5</sub> emissions for the approved Project and provided a comparison to anticipate emissions of the particulate with implementation of the approved

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<sup>7</sup> As noted in Sections 5 and 6 below, those air quality impacts that are determined to have significant and unavoidable impacts following implementation of mitigation are discussed in this Section 4, while those mitigated to a less than significant level with imposition of specified mitigation are discussed in Section 5 and those for which there are no impacts (no mitigation required) are discussed in Section 6 below. However, although regional air quality impacts from certain criteria pollutants were determined to have less than significant impacts after mitigation, they are nonetheless discussed in this Section 4 of the Findings in order to maintain consistency with the discussion of these impacts in the SEIR, where the discussion of impacts of various emissions is commingled for regional construction and operational emissions.

Project. Applying SCAQMD's methodology for calculating PM<sub>2.5</sub> from PM<sub>10</sub> emissions, the approved Project would have resulted in significant and unavoidable PM<sub>2.5</sub> impacts during construction activities even with implementation of mitigation. However, the SEIR determined that the proposed modified Project would not exceed the SCAQMD daily threshold for PM<sub>2.5</sub> emissions and the impact for the proposed modified Project would be less than significant.

With the implementation of mitigation measures, regional construction emissions for the proposed modified Project would reduce ROC emissions. Depending on the flexibility of construction schedule, daily ROG emissions may be reduced from what was modeled as the amount of architectural coating applied daily will decrease as the length of architectural coating application is extended. Additionally, as the availability of lower VOC content architectural coatings increases, the potential for their use on the project also increases. With the extension of the architectural coating schedule and the reduction in VOC emissions there is the potential that emissions could be reduced to below regulatory thresholds. However, because the exact VOC content of available architectural coating is not known, and the flexibility of the architectural coating schedule is unknown, the extent of ROC reductions from the implementation of mitigation cannot be accurately quantified. CO emissions are largely due to the use of heavy-duty diesel construction equipment. Mitigation measures implemented by the SEIR limit the idling times of such equipment, proper maintenance, and the use of alternative clean fuels when feasible. Due to current state of technology and the availability of more efficient equipment, further mitigation is not feasible. Therefore, no further feasible mitigation is available given current technology, VOC content of coating materials, and flexibility of architectural coating scheduling, and, as with the approved Project, regional construction emissions with respect to ROC would remain significant and unavoidable under the proposed modified Project even with implementation of mitigation.

Mitigation and project design features would mitigate emissions associated with construction equipment to the extent feasible given the current state of technology. However, like the approved Project, ROC and CO emissions would remain significant and unavoidable.

**g. Significant Effects--Regional Operational Impacts.**

The FEIR calculated regional operational, as distinct from construction, emissions generated by the consumption of electricity and natural gas, area sources, and mobile sources at build out of the approved Project. As analyzed in the FEIR for the approved Project, and as described in Section IV.G. Air Quality of the SEIR, maximum daily operational emissions anticipated from the proposed modified Project would result in potentially significant regional impacts for ROC, NO<sub>x</sub>, CO, and PM<sub>10</sub> and significant impacts were identified, as shown in the FEIR, even with implementation of mitigation. As with the approved project, regional operation emissions of ROC, NO<sub>x</sub>, CO and PM<sub>10</sub> for the proposed modified Project would not be reduced to below regulatory thresholds after implementation of mitigation and would remain significant and unavoidable, although emissions would not exceed those anticipated by the FEIR. Therefore, the proposed modified Project would not result in any new significant impact with respect to emissions of ROC, NO<sub>x</sub>, CO, and PM<sub>10</sub>.

In addition, emissions of PM<sub>2.5</sub> atmospheric particulate matter with a diameter of 2.5 micrometers or less, have been identified as a pollutant of concern since approval of the FEIR and SCAQMD has added a regulatory threshold for PM<sub>2.5</sub>. Regional emissions of PM<sub>2.5</sub> are in excess of current SCAQMD thresholds. As described in Section IV.G. Air Quality of the SEIR, the proposed modified Project exceeds the SCAQMD PM<sub>2.5</sub> regulatory thresholds and would result in a potentially significant impact arising from a newly assessed regulatory requirement. Applying SCAQMD's methodology to the PM<sub>10</sub> results of the FEIR, PM<sub>2.5</sub> regional emissions from the approved Project would be in excess of the thresholds if current PM<sub>2.5</sub> thresholds had been promulgated and applied in 2006. Therefore, PM<sub>2.5</sub> impacts for the proposed modified Project (whether from build out, operations, or concurrent construction/operations) are substantially the same as for the approved Project if PM<sub>2.5</sub> had been regulated in 2006.

**h. Significant Effects--Regional Concurrent Construction and Operational Impacts.**

The FEIR calculated emissions that could occur should a nearly built-out Project operate while remaining construction activities occur. As shown in the FEIR, concurrent construction and operation emissions of the approved Project were anticipated to exceed SCAQMD thresholds for ROC, NO<sub>x</sub>, CO and PM<sub>10</sub> and a significant impact was identified. Consistent with the analysis in the FEIR, the SEIR also analyzed the combined construction and operational emissions in the event that the commercial phases are operational while the residential phase is still under construction. In accordance with applicable SCAQMD methodology, the concurrent emissions are compared to the operational thresholds. As described in Section IV.G, Air Quality of the SEIR, the proposed modified Project would also exceed the SCAQMD's significance thresholds for ROC, NO<sub>x</sub>, CO, PM<sub>10</sub> and would exceed SCAQMD's significance threshold for PM<sub>2.5</sub>. As with the approved Project, the proposed modified Project would not exceed the threshold for SO<sub>x</sub>. Emissions of PM<sub>2.5</sub> are in excess of current SCAQMD thresholds and would result in a potentially significant impact arising from a newly assessed regulatory requirement. The proposed modified Project would not result in any new or greater significant impact as compared to the approved Project with respect to SO<sub>x</sub>, or with respect to ROC, NO<sub>x</sub>, CO, and PM<sub>10</sub>. Applying SCAQMD's methodology to the PM<sub>10</sub> results of the FEIR, PM<sub>2.5</sub> regional emissions from the approved Project would be in excess of the thresholds if current PM<sub>2.5</sub> had thresholds been promulgated and applied in 2006. Therefore, PM<sub>2.5</sub> impacts for the proposed modified Project are substantially the same as for the approved Project if PM<sub>2.5</sub> had been regulated in 2006, but are considered new significant impacts for purpose of this analysis.

The commercial use proposed for PA 2 would be developed in two sub-phases. All remedial and horizontal construction including DDC, grading, pile driving, and building pads for the entire PA 2 would be completed during the first phase along with vertical construction of approximately 60 to 70 percent of the overall commercial square footage. The second phase would consist of vertical construction of the remaining 30 to 40 percent of total PA 2 vertical development. It is likely that the first phase would be occupied and operational while the second phase is under vertical construction. Therefore, there is the potential for concurrent PA 2 operational emissions (60 to 70 percent of PA 2 buildout operation emissions) associated with the first phase and PA 2 construction emissions (30 to 40 percent of entire vertical PA 2 construction) associated with the

second phase. Where the overlap of construction and operations occurs, the operational threshold applies. Potential concurrent PA 2 first phase operational and PA 2 second phase construction emissions could result in greater operational ROC emissions than was analyzed for buildout of the proposed modified Project. Therefore, Mitigation Measure G-7 has been revised to require that construction activities be managed and coordinated to ensure that Property-wide emissions of ROC do not exceed those shown in Table IV.G-14. With implementation of modified Mitigation Measure G-7, impacts associated with potential sub-phasing within planning areas would be similar to proposed modified Project buildout operations.

Further, this SEIR analyzes a worst-case construction duration of 32 months assuming a worst-case overlap of construction activity over the Property. Should Property-wide construction activity extend greater than 32 months resulting in delayed vertical construction on any of the planning areas, such as potential sub-phasing of PA 2, construction would occur over a longer period and potentially overlap with operations. The potential overlap of construction and operations would not exceed the worst-case Project buildout operational emissions analysis presented in this Draft SEIR with implementation of mitigation.

#### **i. Cumulative Impacts.**

SCAQMD has developed strategies to reduce criteria pollutant emissions on a regional basis. The proposed modified Project would comply with SCAQMD regulations and implement all feasible mitigation measures. In addition, the proposed modified Project would comply with adopted AQMP emissions control measures. Per SCAQMD rules and mandates as well as the CEQA requirement that significant impacts be mitigated to the extent feasible, these same requirements would also be imposed on construction projects throughout the region, which would include each of the related projects. However, since construction ROC and CO emissions would be significant on their own, as was the approved Project, emissions of ROC and CO due to construction of the proposed modified Project in combination with any of the related projects would also be significant with incorporation of mitigation. The analysis of cumulative impacts during the operational phase focuses on determining whether the proposed modified Project is consistent with forecasted future regional growth. Therefore, if all cumulative projects are individually consistent with the growth assumptions upon which the SCAQMD's AQMP is based, then future development would not impede the attainment of ambient air quality standards and a significant cumulative air quality impact would not occur. The proposed modified Project would be consistent with the assumptions and forecasts in the most recent AQMP, however, the proposed modified Project would contribute to a significant cumulative regional air quality impact as the region is a non-attainment for ozone and PM<sub>10</sub> and PM<sub>2.5</sub>, and operation of the proposed modified Project would exceed the SCAQMD daily significance thresholds for ROC, NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>. Therefore, the proposed modified Project, like the approved Project, would result in a cumulatively significant impact with regard to ROC, NO<sub>x</sub>, CO, and PM<sub>10</sub>. Similar to the approved Project, SO<sub>x</sub> emission would not exceed applicable thresholds. Therefore, impacts from SO<sub>x</sub> are not cumulative considerable. The proposed modified Project would result in a new, not previously analyzed, cumulative impact with regard to PM<sub>2.5</sub>.

## **2. Project Design Features**

The proposed modified Project would be developed under regulations, standards and guidelines established in the Specific Plan Amendment. The following design features were included in the approved Project and are also included in the proposed modified Project. These features result in a reduction in air quality emissions within the Property.

**a. Construction.**

Mobile off-road (wheeled or tracked) construction equipment used during construction of the proposed modified Project shall meet the USEPA Tier 4 final standards. In the event of specialized equipment use where Tier 4 equipment is not readily available in the Project vicinity at the time of construction, then the Contractor shall demonstrate lack of availability of Tier 4 equipment through documentation of lack of availability of Tier 4 equipment through documentation of lack of availability of such equipment and the equipment shall, at a minimum, meet the Tier 3 standard. Land uses that would locate on the Property would be limited to those that do not emit high levels of potentially toxic contaminants or odors. Excavations would be limited to avoid exposing landfill contents.

**b. Operation.**

A primary objective in the design of the proposed modified Project is to create a development that minimizes the air pollutant emissions that are generated by the proposed modified Project. The following are the key elements of the proposed modified Project that implement this design program:

- **Arrangement of Buildings.** The proposed array of residential, retail, and commercial uses would, in itself, promote a reduction of mobile source emissions by providing a supply of housing as well as employment opportunities within close proximity to one another, making it possible for an individual to both reside and work within the Property.
- **Location of Commercial Uses.** The placement of commercial uses in the design of the proposed modified Project serves the objective of minimizing mobile source pollutant emissions. Commercial uses that would be developed within the proposed modified Project would be located in close proximity to the access ramps of the I-405 Freeway and the I-110 Freeway. Such concentration and placement are intended to reduce vehicle miles traveled within the Property and within the region and subregion by reducing commute distances for non-resident workers. The provision of commercial space in close proximity to existing and proposed residential uses increases the probability that residents may work nearer to their home, thus reducing the vehicle miles traveled.
- **Impervious Barrier.** The proposed modified Project would include an impervious barrier to control odiferous and air toxic emissions in compliance with the approved RAP.

- **Best Available Control Technology.** All stationary-source emissions sources (e.g., landfill gas flares, emergency generator) would utilize BACT to meet SCAQMD requirements.
- **Air Filtration Systems.** The proposed modified Project would include air filtration systems for residential dwelling units designed to have a minimum efficiency reporting value (MERV) of 12. The air handling systems shall be maintained on a regular basis per manufacturer's recommendations by a qualified technician employed or contracted by the Applicant or successor.

### 3. Mitigation Measures.

The mitigation measures implement SCAQMD requirements and set forth a program of air pollution control strategies designed to reduce the proposed modified Project's air quality impacts to the extent feasible.

- **Mitigation Measure G-1:** General contractors shall implement a fugitive dust control program pursuant to the provisions of SCAQMD Rule 403.
- **Mitigation Measure G-2:** All construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications.
- **Mitigation Measure G-3:** General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues would turn their engines off, when not in use, to reduce vehicle emissions. Construction emissions should be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts.
- **Mitigation Measure G-4:** Electricity from power poles rather than temporary diesel- or gasoline-powered generators shall be used to the extent feasible.
- **Mitigation Measure G-5:** All construction vehicles shall be prohibited from idling in excess of 5 minutes, both on and off Property.
- **Mitigation Measure G-6:** Project heavy-duty construction equipment shall use alternative clean fuels, such as low-sulfur diesel or compressed natural gas with oxidation catalysts or particulate traps, to the extent feasible.
- **Mitigation Measure G-7:** The Applicant shall utilize coatings and solvents that are consistent with applicable SCAQMD rules and regulations. Should sub-phasing within any of the Planning Areas result in the overlap of construction and operation, construction shall be coordinated and managed to ensure that Property-wide coating activities would not result in the exceedance of maximum operational ROC emissions as shown in Table IV.G-14. Construction ROC emissions can be limited through the use of pre-fabricated and pre-coated materials, limiting the amount of daily coating activities,

and tenant coordination.

- **Mitigation Measure G-9:** All construction vehicle tires shall be washed at the time these vehicles exit the Property, or use vehicle tracking pad per approved SWPPP.
- **Mitigation Measure G-10:** All fill material carried by haul trucks shall be covered by a tarp or other means.
- **Mitigation Measure G-11:** Any intensive dust-generating activity such as grinding concrete for existing roads shall be controlled to the greatest extent feasible.
- **Mitigation Measure G-12:** The Applicant shall provide documentation to the City indicating both on and off Property air-borne risks associated with Remedial Action Plan construction have been evaluated to the satisfaction of DTSC, and at a minimum, perimeter air monitoring shall be completed for dust, particulates, and constituents determined to be Constituents of Concern (COCs).
- **Mitigation Measure G-13:** All point source facilities shall obtain all required permits from SCAQMD. The issuance of these permits by SCAQMD shall require the operators of these facilities to implement Best Available Control Technology and other required measures that reduce emissions of criteria air pollutants.
- **Mitigation Measure G-15:** All residential and non-residential buildings shall exceed the 2016 California Title 24 Energy Efficiency standards for water heating, space heating, and cooling, by a minimum of 5 percent or achieve equivalent energy efficiency savings by other means.
- **Mitigation Measure G-16:** All fixtures used for lighting of exterior common areas shall be regulated by automatic devices to turn off lights when they are not needed, but a minimum level of lighting should be provided for safety.
- **Mitigation Measure G-17:** Building materials shall comply with all applicable SCAQMD rules and regulations. The use of low-VOC cleaning products shall be required in all hotels. The Project shall incorporate the use of low-VOC architectural coating for repainting and maintenance/touch-up of the non-residential buildings and residential buildings for all common/non-living space/outdoor areas.
- **Mitigation Measure G-18:** The Applicant shall, to the extent feasible, schedule deliveries during off-peak traffic periods to encourage the reduction of trips during the most congested periods.
- **Mitigation Measure G-19:** The Applicant shall coordinate with the MTA and the City of Carson and Los Angeles Department of Transportation to provide information with regard to local bus and rail services.

- **Mitigation Measure G-20:** During site plan review, consideration shall be given regarding the provision of safe and convenient access to bus stops and public transportation facilities.
- **Mitigation Measure G-21:** The Applicant shall pay a fair-share contribution for a low-emission shuttle service between the Property and other major activity centers within the Project vicinity (i.e., the Metro Rail Blue Line station at Del Amo Boulevard and Santa Fe Avenue and the Carson Transfer Station at the South Bay Pavilion).
- **Mitigation Measure G-22:** The Applicant shall provide bicycle racks located at convenient locations throughout The District at South Bay.
- **Mitigation Measure G-23:** The Applicant shall provide bicycle paths along the main routes throughout The District at South Bay consistent with the Specific Plan.
- **Mitigation Measure G-24:** The Applicant shall provide convenient pedestrian access throughout The District at South Bay.
- **Mitigation Measure G-26:** Project construction shall be phased to extend the architectural coating phase to the greatest extent feasible to meet construction schedule. Further, architectural coating shall be required to meet the lowest VOC content available for the type of coating being applied.
- **Mitigation Measure G-27:** The on-Property residential units shall not contain any hearths, either wood burning, natural gas, or propane.
- **Mitigation Measure G-28:** The Project shall incorporate outdoor electrical outlets such that 10 percent of outdoor landscaping equipment can be electrically powered.
- **Mitigation Measure G-29:** The Project shall designate at least 8 percent of all commercial parking spaces for priority parking for carpool/vanpool and/or clean air vehicles and comply with California Green Building Standards Code (CALGreen).

The City finds that Mitigation Measures G-1 through G-11 and G-26 in the SEIR reduce the regional construction air quality impacts of the proposed modified Project. However, even with implementation of these mitigation measures, emissions of CO and ROC continue to exceed regional construction emission thresholds established by SCAQMD. As discussed above, no further feasible mitigation is available for CO or ROC emissions due to unknown construction scheduling, VOC content of architectural coatings, and state of current technology. The City finds that Mitigation Measures G-12 through G-25 and G-27 through G-29 reduce the regional operational air quality impacts of the proposed modified Project. However, after implementation of these mitigation measures, regional operational emissions of ROC, NO<sub>x</sub>, CO, PM<sub>10</sub> and PM<sub>2.5</sub> associated with the proposed modified Project continue to exceed SCAQMD thresholds. As described in the SEIR, these emissions are generated primarily by mobile sources over which the project applicant does not have control. Therefore, there are no additional feasible mitigation



measures the proposed modified Project could implement to avoid significant operational air quality impacts. With respect to each pollutant of concern analyzed in the FEIR, the proposed modified Project would not result in any new or greater significant impact as compared to the approved Project after implementation of applicable mitigation.

With respect to concurrent regional emissions during operation of commercial portions of the proposed modified Project and construction of residential portions, the SEIR concluded that impacts of the proposed modified Project are significant and unavoidable after mitigation with respect to ROC, NO<sub>x</sub>, CO, PM<sub>10</sub> and PM<sub>2.5</sub>. However, the proposed modified Project would not result in any new or greater significant impact as compared to the approved Project with respect to SO<sub>x</sub>, or with respect to ROC, NO<sub>x</sub>, CO, and PM<sub>10</sub> with new mitigation incorporated.

Emissions of PM<sub>2.5</sub> was not analyzed in the FEIR and has been identified as a pollutant of concern since certification of the 2006 Final EIR. As indicated above, with regard to regional operational emissions and combined regional operational and construction scenarios (for overlapping construction activities), emissions of PM<sub>2.5</sub> would be lessened but would remain significant and unavoidable for the proposed modified Project after application of FEIR Mitigation Measures G-15 and G-17 and SEIR Mitigation Measures G-26, G-27, G-28 and G-29. Applying SCAQMD's methodology to the PM<sub>10</sub> results of the FEIR, PM<sub>2.5</sub> regional emissions from the approved Project would be in excess of the thresholds if current PM<sub>2.5</sub> had thresholds been promulgated and applied in 2006. Therefore, PM<sub>2.5</sub> impacts for the proposed modified Project are substantially the same as for the approved Project if PM<sub>2.5</sub> had been regulated in 2006, but as this impact was not disclosed in the FEIR, it is conservatively considered a new significant unavoidable impacts for purpose of this analysis.

#### **4. Findings**

The City finds that, as was the case for the approved Project, regional construction (with respect to CO and ROC) and regional operational air quality emissions (with respect to ROC, NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>.) after the implementation of all feasible mitigation measures, would still exceed the SCAQMD daily emission thresholds and, as such, construction and operation of the proposed modified Project would have a significant and unavoidable impact on air quality. The City finds that all feasible changes or alterations, in the form of mitigation measures, have been required in, incorporated into, the proposed modified Project. Specifically, Mitigation Measures G-1 through G-29 serve to substantially lessen the significant environmental effect as identified in the SEIR. There are no additional feasible mitigation measures the proposed modified Project could implement to avoid the significant regional air quality impacts, and regional air quality impacts from operation of the proposed modified Project would remain significant and unavoidable. While the proposed modified Project would result in exceedances of the SCAQMD's regulatory thresholds, it would result in less daily emissions than anticipated under the FEIR. The City finds that there are no substantial changes in the circumstances of the proposed modified Project's undertaking, and no new information of substantial importance that was not known or available at the time the FEIR was certified requiring major revisions to the FEIR.

## 5. Rationale

Consistent with the FEIR, the SEIR identified that, with regard to regional construction impacts, even with the extension of the architectural coating schedule and the reduction in VOC emissions there is the potential that emissions might not be reduced below regulatory thresholds. Therefore, because the exact VOC content of available architectural coating is not known, and the flexibility of the architectural coating schedule is unknown, the extent of ROC reductions from the implementation of mitigation cannot be accurately quantified. Additionally, due to the state of current technology, no further mitigation is feasible to reduce CO emissions. Therefore, regional construction impacts would remain significant and unavoidable.

Like the FEIR, the SEIR calculated regional operational emissions generated by the consumption of electricity and natural gas, area sources, and mobile sources at build out of the approved Project. According to the calculations, the maximum daily operational emissions anticipated from the project would, exceed regulatory standards, and result in potentially significant regional impacts for ROC, NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>. Implementation of the Mitigation Measures described above would reduce operational regional air quality emissions. However, because pollutant emissions are driven by mobile sources, and because the project cannot control the vehicles used by residents, workers, consumers, or vendor, there is no feasible or enforceable mitigation that would reduce emissions to less than significant levels. Therefore, even with mitigation and due to technological constraints, the emissions of those pollutants would exceed regulatory thresholds and cannot be completely reduced.

## 6. Reference

For a complete discussion of impacts associated with operational Air Quality, please see Section IV.G.-Air Quality of the SEIR.

### D. Noise (*Certain Construction Noise Impacts*)<sup>8</sup>

#### 1. Description of Significant Effects

Construction activities for the proposed modified Project would include site preparation, on-site remediation, and site construction. As discussed in the FEIR, development of the Property would require Deep Dynamic Compaction (DDC) activities, some of which have already been

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<sup>8</sup> As noted in Sections 5 and 6 below, those noise impacts that are determined to have significant unavoidable impacts following implementation of mitigation are discussed in this Section 4, while those mitigated to a less than significant level with imposition of specified mitigation are discussed in Section 5 below and those for which there are no impacts (no mitigation required) are discussed in Section 6 below.

completed at the Property, as well as site preparation involving mass grading, fill and cap installation, grading and the construction of building pads as described in the FEIR. In addition, as was analyzed in the FEIR for the approved Project, the proposed modified Project would involve pile driving and general construction activities for the Property. Compared to the FEIR construction schedule of approximately four years, construction activities for the proposed modified Project are assumed to occur over 32 months with overlapping phases to provide a worst case construction day analysis. Should Property-wide construction activity extend greater than 32 months resulting in delayed vertical construction on any of the planning areas, the worst-case overlap of construction equipment noise would not be exceeded. Given the reduction in over 160,000 sq.ft. of commercial uses as compared to the approved Project, overall total construction for the proposed modified Project should likewise be reduced in comparison. Nonetheless, the SEIR included a detailed quantitative analysis of construction noise impacts focusing on DDC, pile driving and concurrent DDC and pile driving activities, which are the major anticipated sources of noise and vibration impacts from construction.

**a. Deep Dynamic Compaction.**

Approximately 68 acres of the Property has undergone DDC since certification of the FEIR, however, to compact landfill areas for development, DDC may be necessary in additional areas of the Property. Based on assumptions made in the SEIR to reflect the anticipated construction schedule (which assumed concurrent DDC and pile driving in PA2 and PA3 as a worst-case scenario), the SEIR analyzed construction noise impacts at three sensitive receptors located in proximity to the Property on the north at DD 3 (R1), south (R3) and west (R4) of the Property as further described in Draft SEIR Table IV.H-1. The analysis assumed operation of a single DCC rig with associated dozer and operation of three DDC rigs and associated dozers, which is consistent with actual past DDC activity on the Property. The analysis concluded that under both scenarios, prior to imposition of mitigation measures, the proposed modified Project would result in a significant increases in ambient noise levels at R3 and R4 (which have single-family residences) and R1 (proposed multi-family residences on DD3) as shown in Draft SEIR Table IV.H-3. Because impacts on residential uses within DD3 (which was part of the approved Project analyzed in the FEIR) were not analyzed in the FEIR, but are analyzed in the SEIR, the SEIR concluded that DDC activities would result in a new potentially significant impact at R1 (DD3) if residences were constructed at the time the DDC took place.

The original FEIR Mitigation Measure H-1 requires that temporary sound barriers be used, as needed, whenever construction activities occur within 150 feet of residential property. This measure has been kept in place and modified to require that all active construction work areas be enclosed by a continuous eight-foot-tall sound barrier that achieves a noise reduction of 20 dBA or in the alternative, equivalent measures that will achieve sound level reductions of at least 20 dBA, or such lesser fraction thereof, required to reach 65 dBA at the boundary of occupied residential uses, by other noise-reducing measures. Should a temporary sound barrier be installed, the barrier shall be located at the grade upon which the noise-generating equipment are operated to block the line-of-sight of the construction activity at surrounding sensitive receptors.

Under the proposed modified Project, as with the approved Project, following implementation of

mitigation noise impacts associated with DDC activities would be less than significant for receptors R1, R3, and R4 with the use of one DDC rig and with the use of three DDC rigs would result in a significant increase in ambient noise at R3 only. Therefore, the proposed modified Project would not result in any new significant impacts as compared to the approved Project related to increase in ambient noise with the use of one DDC rig and associated dozer. With the use of three DDC rigs, the proposed modified Project would, like the approved Project, result in a significant increase in ambient noise at R3 but less than significant impacts at R1 and R3. Therefore, the proposed modified Project would not result in any greater impact related to DDC noise as compared to the approved Project for Receptors R3 and R4 and would not result in a new impact related to R1. Regardless, like the approved Project, this impact would remain significant and unavoidable.

**b. Pile Driving.**

The FEIR anticipated that pile driving would occur in the southern and western sections of the Property, potentially exposing nearby residences to short-duration, high impulse noise levels that would exceed allowable limits without the incorporation of mitigation measures. Pile driving activities for the proposed modified Project would generally occur in similar locations as were anticipated for the approved Project. The analysis in the SEIR included pile driving throughout the Property, including on eastern portions of PA2 as pile driving activity within PA 2 would be in close proximity to approved residential uses within DD3. The SEIR assumed up to seven pile drivers could be operating concurrently on the Property. Prior to mitigation, the simultaneous operation of seven pile drivers would generate noise levels up to 96 dBA Leq at R1 and would generate noise levels up to 95 dBA Leq at R3 and R4 and increases over ambient noise levels greater than 5 dBA (see Table IV.H-3), which are considered significant impacts. Therefore, as with the approved Project, potentially significant impacts related to pile driving noise levels at R3 and R4 would occur without implementation of mitigation. Due to approval of a sensitive uses within DD3, the proposed additional pile driving within PA 2 and previously anticipated pile driving within PA 1 would result in a new, not previously analyzed, impact on occupied residential uses within DD3. Residential uses within DD3 were not analyzed in the FEIR, because DD3 was a part of the approved Project and analysis of project-on-project impact is not required. As such, impacts to DD3 from pile driving would result in a new potentially significant impact at R1 (DD3).

With implementation of Mitigation Measure H-1, pile drivers used within 1,500 feet of sensitive receptors are required to be equipped with noise control techniques that have a minimum quieting factor of 10 dBA. This mitigation measure has been modified in the SEIR from the similar FEIR measure to allow other noise reducing techniques to achieve a minimum reduction of 10 dBA at the noise source. As with the approved Project, impacts from pile driving related to increases in ambient noise would be significant under the proposed modified Project even with implementation of mitigation for R3 and R4. As such, the proposed modified Project would not result in any new significant impact for pile driving at R3 and R4 as compared to the approved Project. With implementation of Mitigation Measure H-1 including the modifications to Part 1 and Part 3, impacts would be reduced to less than significant levels at R1. However, as with the approved Project, pile driving noise levels at R3 and R4 would remain significant and

unavoidable. Therefore, with imposition of the required noise mitigation contained in Mitigation Measures H-1, the proposed modified Project would not result in any greater impact related to pile driving noise as compared to the approved Project for Receptors R3 and R4 (though the impact would, as with the approved Project, be significant and unavoidable) and would not result in a new significant impact related to R1. Regardless, like the approved Project, this impact would remain significant and unavoidable.

**c. Concurrent DDC and Pile Driving.**

As multiple crews may be working concurrently through a specific planning area or across the Property, the SEIR also considered concurrent operation of three DCC rigs and dozers concurrently with three pile drivers at various locations on the Property in adjacent areas and in proximity to the sensitive receptors. Prior to mitigation, noise levels experienced from this concurrent use would be significant at all three sensitive receptors. With mitigation, construction noise levels associated with pile driving alone and concurrent pile driving/DDC activities would not result in increases in ambient noise of 5 dBA or more at R1, but would result in increases of up to 10.2 dBA  $L_{eq}$  and 7.1 dBA  $L_{eq}$  at R3 and R4, respectively. Therefore, even after application of Mitigation Measure H-1 set forth in the SEIR, including Parts 1 and 3 (which are modified from the similar Mitigation Measure contained in the FEIR), increases in ambient noise levels associated with operation of one or three DDC rigs and associated dozers, when coupled with three pile drivers operating concurrently would have significant unavoidable impacts at R3 and R4. Impacts at Receptors R3 and R4 would be similar under the proposed modified Project and the approved Project. Because residential uses within DD3 were not analyzed in the FEIR, concurrent DDC and pile driving would result in a new potentially significant impact at R1 (DD3). However, with implementation of Mitigation Measure H-1, including the modifications to Part 1 and Part 3, impacts for the proposed modified Project are reduced to a less than significant level at R1 and no new impacts would occur. Like the approved Project, this impact would remain significant and unavoidable with respect to Receptors R3 and R4 and no new impact would occur.

**d. Cumulative Impacts.**

Of the 27 related projects that have been identified within the proposed modified Project's study area, there are a number of projects that have not already been built or are currently under construction. Additionally, it is possible that the recently approved residential use within DD3 undergoes construction concurrent with the proposed modified Project. However, DD3 is surrounded by a plant nursery, Porsche experience track, and the I-405 Freeway and as such there are no noise-sensitive land uses located adjacent to DD3 that could be affected by concurrent construction of DD3 and the proposed modified Project. Additionally, noise impact of construction activities for the proposed modified Project and each related project (that has not already been built) would also still be short-term, limited to the duration of construction and would be localized. In addition, it is anticipated that each of the related projects would have to comply with the local noise ordinance, as well as mitigation measures that may be prescribed pursuant to CEQA provisions that require significant impacts to be reduced to the extent feasible, as was also anticipated for the approved Project. However, since construction noise impacts due

to DDC and pile driving activities for the proposed modified Project would be significant on its own, as was the case for the approved Project, noise impacts due to DDC and pile driving activities for the proposed modified Project in combination with any of the related projects would also be significant without mitigation.

## 2. Project Design Features

No project design features are identified for this impact area.

## 3. Mitigation Measures

- **Mitigation Measure H-1:** Prior to the issuance of any grading, excavation, haul route, foundation, or building permits, the Applicant shall provide proof satisfactory to the Building and Safety and Planning Divisions of the Community Development Department that all construction documents require contractors to comply with City of Carson Municipal Code, as may be modified by variance, which requires all construction and demolition activities, including pile driving, to occur between 7:00 a.m. and 8:00 p.m. Monday through Saturday and that a noise management plan for compliance and verification has been prepared by a monitor retained by the Applicant. At a minimum, the plan shall include the following requirements:
  - 1. Noise-generating equipment operated at the Property shall achieve a minimum noise level reduction of 10 dBA lower than the reference noise levels used in this analysis, as listed below, to be verified by submittal of manufacturer specifications, evidence of retrofit (i.e., mufflers, intake silencers, lagging, and/or engine enclosures), or monitoring data. All equipment shall be properly maintained to ensure that no additional noise, due to worn or improperly maintained parts, would be generated.
  - 2. Pile drivers used within 1,500 feet of sensitive receptors shall be equipped with noise control techniques (e.g., use of noise attenuation shields or shrouds) having a minimum quieting factor of 10 dBA, or equivalent measures shall be used to result in a minimum reduction of 10 dBA at the source.
  - 3. Effective continuous temporary sound barriers (at least 8-foot-tall as measured from the grade upon which the noise-producing equipment are operating) equipped with noise blankets rated to achieve sound level reductions of at least 20 dBA shall enclose the active construction work area to block line-of-site between the construction equipment and occupied noise-sensitive receptors. In the alternative, equivalent measures may be used that will achieve sound level reductions of at least 20 dBA, or such lesser fraction thereof required to reach 65 dBA, at the boundary of occupied residential uses.
  - 4. Loading and staging areas must be located on site and away from the most noise-sensitive uses surrounding the site as determined by the Building and Safety

and Planning Divisions of the Community Development Department.

- 5. An approved haul route authorization that avoids noise-sensitive land uses to the maximum extent feasible.
- 6. A construction relations officer shall be designated to serve as a liaison with residents, and a contact telephone number shall be provided to residents.
- **Mitigation Measure H-4:** A construction and construction-related monitor satisfactory to the Community Development Director (or his/her designee) shall be retained by the Applicant to document compliance with the mitigation measures. Said Monitor's qualifications, identification, address, and telephone number shall be listed in the contracts and shall be placed in the pertinent files of the Community Development Department. The Monitor will be required to monitor all construction and construction-related activities on the Property on a periodic basis; keep all written records, which shall be open for public inspection; and to file monthly reports with the City and appropriate permit granting authorities. In addition:
  - 1. Information shall be provided on a weekly basis regarding construction activities and their duration. A Construction Relations Officer shall be established and funded by the Applicant, and approved by the Community Development Director (or his/her designee), to act as a liaison with neighbors and residents concerning on-site construction activity. As part of this mitigation measure, the Applicant shall establish a 24-hour telephone construction hotline, which will be staffed between the hours of 8:00 a.m. and 5:00 p.m. on a Monday through Saturday basis throughout the Project's entire construction period for the purposes of answering questions and resolving disputes with adjacent property owners. The hotline number shall be posted on the Property.
  - 2. The Applicant shall require in all construction and construction-related contracts and subcontracts, provisions requiring compliance with special environmental conditions included in all relevant entitlement approval actions of the City of Carson. Such provisions shall also include retention of the power to effect prompt corrective action by the Applicant, its representative, or prime contractor, subcontractor, or operator to correct noticed noncompliance.
  - 3. During construction, loading and staging areas must be located on-site and away from occupied noise-sensitive uses surrounding the Property as determined by the Planning Manager.

The City finds that application of Mitigation Measures H-1 through H-4 will reduce the potential construction noise impacts of the proposed modified Project. However, as was the case for the approved Project, after the implementation of these mitigation measures, noise impacts would still exceed the allowable noise thresholds impacts with respect to use of three DDC rigs, pile driving and concurrent DDC and pile driving, and, as such, construction of the proposed

modified Project, as would the approved Project, would have a significant and unavoidable impact on noise levels. The mitigation measures implemented for the proposed modified Project have been modified from those set forth in the FEIR to provide more specificity with respect to the proposed development of the Property. As compared with the approved Project, with implementation of Mitigation Measures H-1 and H-4, as modified, the proposed modified Project would not result in any new significant impacts.

#### **4. Findings for Construction Noise**

The City finds that all feasible changes or alterations, in the form of mitigation measures H-1 and H-4 as set forth in the SEIR, have been required in, incorporated into, the proposed modified Project. These mitigation measures serve to substantially lessen the significant environmental effect from construction noise as identified in the SEIR. However, following imposition of Mitigation Measures H-1, and H-4 as modified in the SEIR, the proposed modified Project, as with the approved Project, would result in significant unavoidable noise impacts with respect to DDC with three rigs, pile driving with seven rigs, and a combination of DDC and pile driving. These significant unavoidable impacts are the same as those disclosed in the FEIR for the approved Project.

There are no additional feasible mitigation measures the proposed modified Project could implement to avoid the significant construction impacts, due to the construction schedule, etc., and construction noise impacts of the proposed modified Project would remain significant and unavoidable. The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the SEIR. Specifically, the City finds that while the project would result in an exceedance of noise regulatory thresholds, it would result in a shorter construction timeframe than if the Project were to be carried out with less on-site equipment. Less intensive construction work would reduce the economic benefit of the Project to the City, including by delaying operations, would increase costs of construction, and delay remediation efforts.

The City finds that as compared to the approved Project, the proposed modified Project will not require major revisions to the FEIR with respect to noise because of involvement of new significant impacts that were not previously evaluated; no substantial changes are proposed in the proposed modified Project that would require major revisions to the FEIR, and no substantial changes arise in the circumstances of the proposed modified Project's undertaking, requiring major revisions to the FEIR; and there is no new information of substantial importance that was not known or available at the time the FEIR was certified. The previous mitigation measures H-1 and H-4 as modified in the SEIR, continue to apply.

#### **5. Rationale**

Consistent with the FEIR, the SEIR calculated construction noise impacts created by the proposed modified Project. With the implementation of mitigation measures, construction noise levels associated with pile driving alone and concurrent pile driving/DDC activities would result



in significant impacts that would result in an increase of ambient noise of up to 10.2 dBA  $L_{eq}$  and 7.1 dBA  $L_{eq}$  at receptors R3 and R4, respectively, with mitigation incorporated. While DDC and pile driving for the proposed modified Project would result in an exceedance of noise regulatory thresholds, impacts would be similar to that of the approved Project, and would not result in a greater impact than that of the approved Project. Because residential uses within DD3 were not analyzed in the FEIR, concurrent DDC and pile driving would result in a new potentially significant impact at R1 (DD3). However, with implementation of Mitigation Measure H-1, including the modifications to Part 1 and Part 3, as with the approved Project, impacts for the proposed modified Project are reduced to a less than significant level at R1 and no new impacts would occur. Therefore, construction noise impacts, like that analyzed by the FEIR for the approved Project, would remain significant and unavoidable.

## 6. Reference

For a complete discussion of impacts associated with Noise, please see Section IV.H.-Noise of the SEIR.

## **SECTION 5: EFFECTS DETERMINED TO BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL**

The City finds that the following impacts, which were identified as potentially significant in the SEIR, have been reduced to less-than-significant levels with application of the mitigation measures set forth below.

### **A. Visual Resources (*Aesthetics - Contrast with Existing Development; Comparison with Existing Regulations; Shade and Shadow; Artificial Lighting*<sup>9</sup>)**

#### **1. Description of Significant Effects**

##### **a. Contrast with Existing Development.**

The Property, as with the Project Site at the time the approved Project was approved, is located in an urbanized area and is a former landfill that is currently undergoing remediation. Both the approved Project and proposed modified Project would place uses on the Property that vary from existing off-site residential uses, although location of such uses on the Property, signage and lighting would differ under the two plans. In addition, the proposed modified Project contains a podium building on PA 2 of up to 85 feet in height that is not present under the approved Project. The FEIR identified a potentially significant impact for development that might vary from the conceptual plan contained in the approved specific plan along two edges where additional heights of commercial buildings could result in a substantial contrast with the existing off-site residential development or if signage along the I-405 Freeway were provided in a manner not consistent with the conceptual plan in the approved Specific Plan. The SEIR applied similar standards for evaluation of context, concluding that a significant impact could occur with respect to contrast if commercial uses were developed in close proximity to existing residential uses or if signage were provided in a manner not consistent with that shown in the SPA, such that the overall thematic scheme provided to minimize contrast within the Property would not occur.

As with the approved Project, the proposed modified Project would add a new developed appearance and signage to the top of the Property along the I-405 Freeway. Although the signage proposed for the proposed modified Project varies from the signage proposed for the approved Project, project design features including implementation of the comprehensive sign

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<sup>9</sup> As noted in Section 4 above and 6 below, those aesthetic/visual impacts that are determined to have significant and unavoidable impacts following implementation of mitigation are discussed in Section 4, while those mitigated to a less than significant level with imposition of specified mitigation are discussed in this Section 5 and those for which there are no impacts (no mitigation required) are discussed in Section 6 below.

program in the SPA and mitigation requiring compliance with those standards, will provide consistency in design, style and direction for placement and size of signs and will provide an overall thematic scheme that minimizes contrast within the property. The SEIR also includes mitigation measures to that ensure that lighting from signs shall not have a significant impact on adjacent residential uses. With application of substantially similar mitigation measures as required for the approved Project, which include compliance with SPA conceptual sign locations, sign standards and requirements, impacts related to contrast are reduced to a less than significant level.

Maximum heights for the approved Project were for a hotel of 75 feet in height. While these changes could modify the relationship of development on the Property as compared with the approved Project, due to the large size of the Property, the limited nature of changes in the development program and the mitigation measures imposed with respect to signage and location of uses, these changes from the approved Project are not considered significant. Similar to the approved Project, the proposed modified Project would place commercial uses on the south and southwest edges of the Property adjacent to the Torrance Lateral, which separates the Property from residential uses. Unlike the approved Project, which allowed a theatre and hotel in proximity to residential uses to the south of the Property, under the proposed modified Project large parking areas would be located at the northeast and southeast corners, and smaller commercial uses would be spread with the center of the Property. Although it is at a height of up to 85 feet, the proposed building on PA 2 is more than 250 feet from the residential uses and is sufficiently set back so as not to contrast with existing residential development. If the conceptual plans for the proposed modified Project were changed to permit development of tall buildings adjacent to existing residential uses, the variation in heights of buildings could result in a potentially significant impact. However, with application of substantially similar mitigation measures as required for the approved Project, which include provision of a greater setback for commercial uses to increase the amount of buffer area to adjoining residential units and compliance with SPA conceptual sign locations, sign standards and requirements, such impacts are reduced to a less than significant level. As with the approved Project, a mitigation measure imposing certain required setbacks is imposed to reduce this impact to a less than significant level.

With respect to regional context, the proposed modified Project, like the approved Project, would have a character that is typically expected of regional commercial shopping areas and mixed-use projects throughout the region, including commercial uses on a large portion of the Property interspersed with large tracts of parking areas and landscape features. The SPA establishes development standards and guidelines to regulate the aesthetics of the proposed modified Project and to reduce contrast with surrounding uses. Mixed use residential is permitted in the northwest portion of the Property under both the approved Project and the proposed modified Project. The development of the proposed modified Project, like the approved Project, would contribute to the urban form in an expected manner, and would therefore be in keeping with the overall character of the regional area. However, unlike the approved Project, which stated that densities would be 60 du/acre, it is possible that densities could increase to 80 du/acre on PA 1 with a General Plan amendment. Nonetheless, like the approved Project, the proposed modified Project would

provide an in-fill development in the regional context and contribute to the general urban character of the area. Remedial infrastructure, including an operations and equipment station for the landfill gas extraction system and other treatment facilities are housed within small buildings constructed of neutral materials and would not cause a substantial contrast with surrounding buildings in the proposed development.

Neither the approved Project nor the proposed modified Project involve direct changes to the aesthetic character of any off-site locations. Similar to the approved Project, the proposed modified Project poses a potential to affect existing retail businesses in the City, particularly the area in proximity to the Property, due to a potential for increase in retail vacancies within existing off-site retail areas at off-site locations. These potential impacts included boarding up of buildings and lack of maintenance, which can cause degradation of the visual appearance of the area affected. However, such occurrence would continue to be limited and short term in duration. As described in the Urban Decay Retail Market Impact Analysis performed for the proposed modified Project, such occurrences would be limited and short term (within the first five years after opening of the Project) and like the approved Project, the forecasted growth in retail demand that will occur over the next 15 years is sufficient to support existing retail development as well as the proposed modified Project. As a result, no long-term adverse impact on existing retail businesses is anticipated. Thus the addition of the proposed modified Project's new retail activities would also not likely cause any widespread prolonged urban decay. The FEIR analysis found that the approved Project would have a projected vacancy for the initial phasing of total retail that was considered sufficient to cause some urban decay, while food and drug store demand was underserved in 2005. In contrast, using current market data, the SEIR determined the proposed modified Project would not have a significant impact on the initial phasing of total retail, but would have some limited and short term occurrences regarding local-serving commercial impact (food and drug store) demand as noted above. Therefore, the impacts of the proposed modified Project are similar to those of the approved Project.

#### **b. Comparison of Existing Regulations**

The General Plan policies in the Land Use Element and the Open Space and Conservation Element analyzed in the FEIR have not changed since the FEIR. The design features of the proposed modified Project are in substantial conformity with the applicable General Plan policies; thus, a less than significant impact would occur regarding General Plan consistency with respect to design and visual resources. The proposed modified Project will be subject to the detailed regulations established by the SPA, which pursuant to the City's Zoning Ordinance will be the governing regulations for the Property. As noted in Section IV.A of the SEIR, the SPA is determined to be in substantial conformity with the City's approved General Plan. This regulatory structure continues to ensure substantial conformity of the proposed modified Project with the General Plan. The SPA restricts the potential for adverse effects of development on the visual quality of the area by regulating the development on the Property, including (but not limited to) the following areas: (1) permitted uses, (2) maximum permitted building heights, (3) setbacks, (4) signage, and (5) lighting.

Similar to the approved Project, the greatest impacts that could occur from the proposed modified Project development under the limitations established in the SPA have been addressed in the analysis in the remainder of this section of the SEIR. As indicated, development pursuant to the SPA would not have a significant impact on the visual quality of the environment, except for two situations (potentially tall buildings, and signs along the I-405 Freeway), which can be mitigated. Like the approved Project, since the proposed modified Project, with the implementation of the proposed mitigation measures below, would not result in significant impacts and would be in substantially conformity with the General Plan policies related to design as further described in Section IV.A of the SEIR, the proposed modified Project would continue to be compatible with existing zoning protections for the visual quality of the environment. As such, the proposed modified Project would not result any new significant impacts as compared to the approved Project. SEIR Table IV.A-1, Proposed Modified Project Consistency with City of Carson General Plan, describes the applicable General Plan policies and the proposed modified Project's consistency with these General Plan Land Use polices.

**c. Shade and Shadow**

The FEIR included a shading analysis of the approved Project. According to the FEIR, the maximum off-site shading that could occur on sun-sensitive uses is limited. The greatest shading on nearby residential development would occur during winter mornings. Impacts on shading from the approved Project were found to be less than significant. While the proposed modified Project would not change the heights of buildings as compared to the approved Project, a new mitigation measure is proposed for the proposed modified Project to conduct a shade analysis to establish setbacks to ensure impacts would remain less than significant.

**d. Artificial Lighting**

The approved Project and the proposed modified Project are located within an urban area, amidst existing roadways (including the I-405 Freeway) with numerous sources of nighttime illumination. No substantive changes in the surrounding overall urban glow of the Project area have occurred since the approved Project was assessed. Like the approved Project, the proposed modified Project would add new lighting to the Project area, causing increases to the lighting levels of the existing setting. Because proposed modified Project lighting would include design features included in the SPA and would be in compliance with CALGreen lighting standards that limit off-site light spill by controlling light intensity and by shielding of light sources, the proposed modified Project's ambient lighting would continue to blend with surrounding areas and would not create substantial contrast with overall urban lighting conditions.

Due to advances in technology that include LED signs and displays, the proposed modified Project could include larger and brighter signage along the I-405 Freeway as compared to the approved Project. The proposed modified Project's lighting and signage would be required to comply with all CALGreen site lighting and Caltrans glare standards. Thus, to determine whether the proposed modified Project would comply with State lighting standards, and / or affect nearby sensitive receptors and passersby, a lighting study, as supplemented as noted below, was undertaken to analyze the proposed modified Project's signage plan. Such an

analysis was not performed for the approved Project. The lighting study also provides guidance to limit light spills off the Project site and prevent glare in residential areas, as well as prevent glare from bright lights or signs in residential areas, as well as glare experienced by drivers.

The report concluded that the lighting and sign display is different under the proposed modified Project with respect to, among other things, sign type, use of digital display, number of signs, sign dimensions, location of signs, and sign features. In addition, the proposed modified Project differs with respect to lighting, and it features lit wall and building signage that would vary in location, size, and intensity from that analyzed in the FEIR, including by increasing the number of large pylon signs adding Project identification signage, and by removing the more cluttered series of ten monument signs along the frontage of the highway. Under the SPA, additional signage has been provided within the interior of the Property as well. Regulation of signage through a Master Sign Program or comprehensive sign program approved by the City continues to be a requirement under the SPA.

A supplemental lighting study evaluated the Project's updated illuminated sign plan to identify all potential impacts on surrounding property. The supplemental lighting study also concluded that, with the mitigations proposed, the modified sign locations, heights, and illumination types would not create a new source of light trespass at adjacent residential properties, and that impact would remain less than significant. Likewise, with regard to glare, the original Lighting Study evaluated the potential for sign lighting to create a new source of glare at adjacent residential properties. The supplemental lighting study concluded that the impact of glare would remain less than significant with the mitigation proposed. With regard to both the option with four pylon signs (Option A) depicted on Figure IV.B-6a of the SEIR, and the option with three pylon signs (Option B) depicted on Figure IV.B-6b of the SEIR, the proposed mitigation measures would ensure that glare from these signs would not create a significant impact on adjacent residential units. Mitigation Measures B-3a and B-3b would control glare and off-site light trespass from such signs by reducing either their size or luminance. Finally, the supplemental light study concluded that glare impacts to drivers on the I-405 Freeway would remain less than significant.

As with the original lighting plan, the modified signage locations, types, and heights would not substantially alter the character of the off-site surrounding property and would also not interfere with off-site activities, and the impacts of the refined lighting would remain less than significant with the same mitigation as identified in the SEIR. The refinements would not result in any new significant impacts as compared to the approved Project.

Like the FEIR, a mitigation measure would be required to ensure that the presentation of signs along the I-405 Freeway is in compliance with the conceptual sign requirements set forth in the SPA, to avoid a significant impact. As the proposed modified Project's lighting would continue not to substantially alter the character of off-site areas surrounding the Project site and would also not interfere with off-site activities, the impacts of proposed modified Project lighting would remain less than significant. The FEIR imposed a mitigation measure for the approved Project to limit any potential offsite effects on residential development adjacent to the Project site. The proposed modified Project would be subject to this mitigation measure, which has been updated

to reflect the conclusions of the lighting study, and like the approved Project, with implementation of the mitigation set forth in the FEIR, would result in a less than significant Project impact. As such, the proposed modified Project would not result any new significant impacts as compared to the approved Project.

**e. Cumulative Impacts**

The nearest cumulative projects are the proposed 300-unit development in Development District 3 (DD3) and a multi-family residential project located near the intersection of Main Street and West Clarion Drive, approximately 0.35 mile southwest of the Project site. The approved Project will be buffered from the Property and the new development by Del Amo Boulevard, but will have views of the new development, signage and parking fields. These views would be consistent with those that would have been expected from the residences if the approved Project had been constructed. The Main Street project would be buffered from the Project site by the existing residential neighborhood southwest of the Project site. Furthermore, all related projects in the City would continue to be subject to numerous provisions of the Carson Municipal Code, which includes development standards, procedures for Site Plan and Design Review, and, for some sites, design review under the Design Overlay zoning designation. Therefore, other projects in the City would be expected to also minimize and mitigate adverse aesthetic impacts. Should other projects result in significant impacts due to unusual circumstances, those occurrences would be isolated and at some distance from the proposed modified Project. The impacts of the related projects would be less than significant. As such, with respect to the visual resource effects described above, the proposed modified Project together with all related projects would not result in any new significant cumulative impacts as compared to the approved Project.

**2. Project Design Features**

The SPA addresses project design features that provide guidelines for aesthetic elements of the proposed modified Project. The following features were considered elemental to evaluation of aesthetics impacts in the FEIR and were carried over to the SEIR with updates to reflect the proposed modified Project:

**Landscaping:** Minor modifications and additions have been provided for the plant list; however, the intent to use native species in a manner that provides uniformity to the Property remains unchanged, including the creation of landscape theme areas. However, landscape on the Property will not be required to substantially coordinate with landscaped entries of adjacent developments, although enhanced landscape is still required at project entrances. Additionally, in order to allow visibility of the Property’s signage, vertical landscape and/or hardscape elements along internal streetscapes may be placed every 50 feet on average (instead of every 50 feet on center), with the ability to plant required trees outside the right-of-way, so long as the number of trees provided is greater than or equal to the number of trees required for the length of the street.

**Buildings:** Buildings may be constructed from materials other than colorful stucco.

**Signage:** The proposed modified Project will provide a hierarchy of signs similar to the

approved Project, with some modifications. As further set forth in SPA Section 6.6, there are two options presented for freeway pylon signs for the proposed modified Project. Under the first option (Option A), there will be four freeway pylon signs, of which two will have a two-sided LED digital display with changeable message display and color changing illumination and two will be static signs. In the second option (Option B), there will be three pylon signs, each with a two-sided LED digital display with changeable message display and color changing illumination. Under either option, there will be an 88-foot maximum height above the I-405 Freeway grade. Up to nine Project Name ID signs (15-foot maximum height) may be permitted. Other project Entry Monument signs may be up to 38 feet in height. Other project identity signs and wall-mounted signs and billboards, ranging in height from 6 to 30 feet, may be mounted on walls or roofs per **Table IV.B-1, General Sign Standards** of the SEIR, including **Figure IV.B-6a, Conceptual Sign Locations—Option A**, and **Figure IV.B-6b, Conceptual Sign Locations—Option B**, which show the conceptual sign locations.

**Conceptual Sign Requirements as Set Forth in the SPA:** Because of their high visibility, signs are prominent elements of the physical environment of the proposed modified Project. The signage will be governed by a comprehensive sign program that will provide consistency in design style and direction for placement and size of signs, including a standardized way-finding program. These requirements also include provisions that ensure that lighting from signs shall not have a significant impact on adjacent residential uses. The comprehensive sign program shall be subject to approval by the City. Final sign designs, including designs for any electronic message center sign, may vary and will be provided as part of a comprehensive sign program that shall be reviewed and approved by the City.

### 3. Mitigation Measures

- **Mitigation Measure B-1:** The minimum setback for buildings greater than 52 feet in height along the Torrance Lateral, adjacent to residential uses, shall be 250 feet.
- **Mitigation Measure B-2:** The distribution, placement, and orientation of signs along the I-405 Freeway shall be in substantial compliance with the signage concepts and in compliance with the sign standards in the SPA.
- **Mitigation Measure B-3a:** If any portion of the illuminated surface of the sign is visible from a residential use within 1,000 feet of said sign at night, then the proposed modified Project sign luminance shall be reduced to less than 300 cd/m<sup>2</sup> at night.
- **Mitigation Measure B-3b:** If any portion of the illuminated surface of the sign is visible from a residential use within 1,000 feet of said sign, sign area and/or sign luminance shall be limited so that the light trespass illuminance is less than 0.74 foot-candle at said residential property line.
- **Mitigation Measure B-4:** All Project development shall undergo site plan review by the Planning Manager to ensure that the following design measures have been implemented:



- Landscaping. All Landscaping shall be consistent with a plant palette of native trees, shrubs, and groundcovers that shall add uniformity to the Property. Plants shall be selected to support and complement the themes of the various Project components. Specially themed landscaping treatments shall occur at key locations (e.g., freeway edge, channel slope, and entertainment area). Of more detailed note: (1) continuous shrub and ground cover plantings shall be provided in the medians and edges of internal streets with vertical landscape and/or hardscape elements on average every 50 feet along the edges; (2) 5% landscape coverage shall be provide in parking lots, including landscape adjacent to edges of parking fields, and (3) 50% landscape coverage shall be provide on the sides of parking structures visible to residences, not inclusive of commercial over podium.
- Buildings. Buildings shall include the following design features: varied and articulated building façades, with a variety of architectural accent materials for exterior treatment at visually accessible locations.
- Accessory Facilities and Walls. Wall facades shall be varied and articulated. Accessory facilities such as trash bins, storage areas, etc., shall be covered and screened as set forth in the SPA.
- Lighting. Lighting shall be limited in intensity, light control methods, and pole heights, so as to be directed on site, and not interfere with off-site activities.

The City finds that the proposed modified Project could result in a potentially significant impact with regards to contrast with surrounding uses and shade shadow if taller commercial uses are located in close proximity to residences. However, with implementation of Mitigation Measure B-1, this impact would remain less than significant. The City finds that the proposed modified Project would result in a significant impact with regard to artificial lighting and that implementation of Mitigation Measures B-2, B-3a, B-3b, and B-4 reduce the potential artificial lighting impacts of the proposed modified Project to less than significant levels. These mitigation measures were taken into account in the analysis in the SEIR.

#### **4. Findings**

The proposed modified Project would not result in any new significant impacts as compared to the approved Project and no new mitigation measures are proposed. As compared to the approved Project, the proposed modified Project changes will not require major revisions to the FEIR because of the involvement of new significant impacts that were not previously evaluated. Specifically, with regard to visual resources (1) no substantial changes are proposed in the proposed modified Project that would require major revisions to the FEIR; (2) no substantial changes arise in the circumstances of the proposed modified Project's undertaking, requiring major revisions to the FEIR; and (3) no new information appears that was not known or available at the time the FEIR was certified. As compared with the approve Project, no substantial changes are proposed with regarding to project design features, construction, or operations. . Therefore, no significant impacts exist related to contrast with existing development, views, artificial

lighting, and shade and shadow, and the previous Mitigation Measures B-1 to B-4, as updated by the SEIR, continue to apply. As compared with the approved Project, impacts are similar and there is no new significant impact.

## **5. Rationale**

The proposed modified Project could result in a significant impact as compared to the approved regarding shade and shadows by shading adjacent buildings, but with implementation of existing mitigation measures as updated by the SEIR, including setting the buildings on the Project site back from adjacent buildings, this impact would remain less than significant. Additionally, through the implementation of a signage plan that is in full conformance with the Specific Plan, and with approval from the Carson City Council as necessary, as well as through the implementation of mitigation measures, impacts from artificial lighting will be less than significant. Finally, within the application of the mitigation measures, impacts from contrast with existing development and views will be less than significant, as the Property is not a view resource and impacts can be appropriately reduced by use of setbacks and buffer areas.

## **6. Reference**

For a complete discussion of impacts associated with Visual Resources, please see Section IV.B. - Visual Resources of the SEIR, including supporting material as supplemented in the Appendix.

### **B. Traffic and Circulation--Construction<sup>10</sup>**

#### **1. Description of Significant Effects**

##### **a. Construction.**

The proposed modified Project construction would generate traffic from construction worker travel, as well as the arrival and departure of trucks delivering construction materials to the site. The number of construction workers would vary throughout the construction period with the building construction stage generating the highest number of trips. During building construction, the proposed modified Project is expected to involve a total of 562 workers onsite during peak

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<sup>10</sup>As noted in Section 4 above and Section 6 below, those traffic and circulation impacts that are determined to have significant and unavoidable impacts following implementation of mitigation are discussed in Section 4, and those for which there are no impacts (no mitigation required) are discussed in Section 6 below. While certain traffic and circulation impacts mitigated to a less than significant level with imposition of specified mitigation are discussed in this Section 5, certain operational intersection impacts determined to have less than significant impacts after mitigation are discussed in their entirety in Section 4, to maintain consistency with the discussion of these impacts in the SEIR, where the discussion of these impacts is commingled.

construction days. During all phases of construction, construction workers are anticipated to park on-site at the western end of Cell 1 and at the southern end of Cell 3 adjacent to the existing landfill operations. Most of the trips by construction workers would occur during hours that would avoid the A.M. and P.M. peak traffic periods. As such, impacts attributable to construction worker travel would be less than significant.

The site is expected to generate equipment and delivery trucks during each phase of construction. One example would be concrete delivery, which would be required for the buildings on-site. Other materials could include plumbing supplies, electrical fixtures, and items used in furnishing the buildings. These materials would be delivered to the site and stored onsite. These deliveries are expected to occur in variously sized vehicles including small delivery trucks to cement mixer trucks and 18-wheel trucks. Additionally, construction equipment would have to be delivered to the site. This equipment could include cranes, bulldozers, excavators, and other large items of machinery. Most of the heavy equipment is expected to be transported to the site on large trucks such as 18-wheelers or other similar vehicles.

The proposed modified Project is estimated to generate a maximum of up to 124 delivery trucks per day on peak activity days during the approximate one-month overlap of Phases I and II. The vast majority of those delivery trucks (122) would be generated by Phase II activities. Consistent with the FEIR construction analysis, soil is expected to be balanced onsite; therefore, no haul trips are expected during the peak activity days.

While there are overlapping phases of construction, the peak construction activity day would occur during the building construction phase. The maximum trip generation total to 1,584 daily passenger car equivalent (PCE trips), of which 267 PCE trips would occur during each of the morning and evening peak hours. At any given time, the peak construction activity as well as any overlap of construction and operations is estimated to generate fewer daily and peak hour trips than are projected for the proposed modified Project once it is completed and occupied. Therefore, construction-related traffic impacts for the duration of the construction period are expected to be less than those described for proposed modified Project operations.

The commercial use proposed for PA 2 would be developed in two sub-phases. All remedial and horizontal construction including DDC, grading, pile driving, and building pads for PA 2 would be completed during the first phase along with vertical construction of approximately 60 to 70 percent of the overall commercial square footage. The second phase would consist of vertical construction of the remaining 30 to 40 percent of total PA 2 vertical development. It is likely that the first phase would be occupied and operational while the second phase is under vertical construction. Therefore, there is the potential for concurrent PA 2 operational trips (60 to 70 percent of PA 2 buildout operation trips) associated with the first phase and PA 2 vertical construction trips (30 to 40 percent of entire vertical PA 2 construction) associated with the second phase. Where the overlap of construction and operations occurs, the operational threshold applies. Potential concurrent PA 2 first phase operational and PA 2 second phase construction trips would not exceed PA 2 buildout operational trips and would not result in increased Property-wide operational trips. Therefore, impacts associated with potential sub-phasing within planning areas would be similar to proposed modified Project buildout operations.

Haul truck trips would be reduced under the proposed RAP design since the need for the hauling of 2,000,000 cubic yards of clay, requiring approximately 150 truck trips per 10-hour day over a 1.5-year period would be reduced. Under the proposed RAP refinements, the proposed modified Project would generate one to six truck trips per day, depending on the construction phase. Haul truck traffic on local streets would be limited due to the proximity of the Project site to the I-405 Freeway, and with the implementation of a City-approved Truck Haul Route program, which would prohibit trucks traffic on local residential streets, haul truck activity would have a less than significant traffic impact. Lane and sidewalk closures and utility line construction may affect emergency vehicle access, travel time, and pedestrian access. However, traffic management procedures would be implemented to assist in the movement of traffic that could interfere with emergency vehicles. Furthermore, proposed modified Project construction activities would not impede access to nearby businesses or residential uses. There are no sidewalk closures for the duration of construction. The sidewalks along Main Street and Del Amo Boulevard fronting the construction site will be open during construction. As a result, construction traffic impacts for these issues would be less than significant.

The cumulative impact conclusion from the FEIR (less than significant) with respect to worker trips, hauling, and pedestrian and vehicle access would remain valid and applicable to the proposed modified Project. As such, the proposed modified Project together with all related projects would not result in any new significant impacts related to those items as compared to the approved Project.

**b. Public Transportation**

The analysis of public transportation impacts was conducted using the same methodology as that in the FEIR. Potential increases in transit trips generated by the proposed modified Project were estimated using the CMP regional transit analysis methodology. The proposed modified Project had less severe CMP transit impacts than the impacts described for the FEIR. As such, the proposed modified Project would not result in any new significant impacts as compared to the approved Project.

Without applying the transit/walk/bike trip credit, the proposed modified Project would result in an estimated increase in vehicle trip generation of approximately 2,807 net vehicle trips during the A.M. peak hour and 4,353 during the P.M. peak hour. Applying the AVR factor of 1.4 to the estimated vehicle trips would result in an estimated increase of approximately 3,930 and 6,094-person trips during the A.M. and P.M. peak hours, respectively. Applying the 3.5 percent transit use would result in approximately 138 new transit person trips during the weekday A.M. peak hour and 213 new transit person trips during the weekday P.M. peak hour.

The proposed modified Project would utilize up to 11 percent of available transit capacity during the peak hours using the CMP assumption of transit trips equating to 3.5 percent of all trips generated. At this level of transit capacity utilization, the proposed modified Project is anticipated to result in a significant CMP transit impact. However, the impact would be less severe than the impact described for the approved Project in the FEIR, which reported a utilization of up to 25 percent of available transit capacity. At this level of absorption of transit

system capacity, it is concluded that Project-related impacts to the regional transit system would be potentially significant.

The FEIR identified a significant and unavoidable cumulative impact with regard to regional transit. The SEIR also identified that the combination of the proposed modified Project and related project would generate a demand for public transportation that would exceed existing transit capacity. However, the SEIR concludes that with the imposition of Mitigation Measures C-16, and G-19 through G-21, regional transit impacts for the proposed modified Project individually and cumulatively would be less than significant and the proposed modified Project would not result in any new significant cumulative impacts for public transit as compared to the approved Project. As such, there is no new significant impact associated with the proposed modified Project for regional transportation.

## **2. Project Design Features**

No project design features are identified for this impact area.

## **3. Mitigation Measures**

The proposed modified Project could result in a significant impact with regard to traffic and circulation construction impacts. However, with implementation of the following mitigation measure, this impact would remain less than significant.

- **Mitigation Measure C-1:** A Construction Traffic Management Plan shall be developed by the contractor and approved by the City of Carson to alleviate construction period impacts, which may include but is not limited to the following measures:
  - In the unlikely case that on-site truck staging areas are insufficient, provide off-site truck staging in a legal area (per the local jurisdiction's municipal code) furnished by the construction truck contractor. Anticipated truck access to the Project site will be off Street B and Street A.
  - Schedule deliveries and pick-ups of construction materials during non-peak travel periods (e.g., early morning, midday) to the extent possible and coordinate to reduce the potential of trucks waiting to load or unload for protracted periods.
  - As a vehicular travel lane, parking lane, bicycle lane, and/or sidewalk closures are anticipated, worksite traffic control plan(s), approved by the City of Carson, should be implemented to route vehicular traffic, bicyclists, and pedestrians around any such closures.
  - Establish requirements for loading/unloading and storage of materials on the Project site, including the locations where parking spaces would be affected, the length of time traffic travel lanes would be blocked, and sidewalk closures or pedestrian diversions to ensure the safety of the pedestrian and access to local

businesses and residences.

- Ensure that access will remain unobstructed for land uses in proximity to the Project site during project construction.
- Coordinate with the City and emergency service providers to ensure adequate access is maintained to the Project site and neighboring businesses and residences.

The proposed modified Project could result in a significant impact with regard to public transit impacts. However, with implementation of the following mitigation measures, this impact would remain less than significant.

- **Mitigation Measure C-16:** In coordination with the Carson Circuit, Metro, Torrance Transit, and LADOT, the Applicant shall:
  - Request an extension of existing public bus routes into the Project site, which will increase transit capacity by adding service to the area;
  - Request that additional buses be deployed on extended routes to increase frequency and capacity on key routes serving the Project site; and
  - Provide transit stops, potentially including benches and shelters, in and adjacent to the Project site, which will improve the quality and increase the network density of transit service.
- **Mitigation Measure G-19:** The Applicant shall coordinate with the MTA and the City of Carson and Los Angeles Department of Transportation to provide information with regard to local bus and rail services.
- **Mitigation Measure G-20:** During site plan review, consideration shall be given regarding the provision of safe and convenient access to bus stops and public transportation facilities.
- **Mitigation Measure G-21:** The Applicant shall pay a fair-share contribution for a low-emission shuttle service between the Property and other major activity centers within the Project vicinity (i.e., the Metro Rail Blue Line station at Del Amo Boulevard and Santa Fe Avenue and the Carson Transfer Station at the South Bay Pavilion).

#### 4. Findings

The City finds that Mitigation Measure C-1 reduces the potential construction related traffic and circulation impacts of the proposed modified Project to less than significant levels. Therefore, with the implementation of Mitigation Measure C-1, which was identified in the FEIR, no construction traffic significant will exist. As compared with the approved Project, impacts are similar and there is no new significant impact.

The City finds that Mitigation Measures C-16, and G-19 through G-21, reduce potential regional transit impacts to a less than significant level. Therefore, with the implementation of Mitigation Measures C-16, and G-19 through G-21, which are updated from the FEIR, no significant regional transit impacts will exist. In comparison, the impact of the approved Project was determined in the FEIR to be significant and unavoidable. Therefore, there is no new significant impact associated with the proposed modified project for regional transportation.

## **5. Rationale**

Haul truck trips would be required under the proposed modified Project. However, haul truck traffic on local streets would be limited due to the proximity of the Project site to the I-405 Freeway, and with the implementation of a City-approved Truck Haul Route program, which would prohibit trucks traffic on local residential streets, haul truck activity would have a less than significant traffic impact. Additionally, lane and sidewalk closures and utility line construction may affect emergency vehicle access, travel time, and pedestrian access. However, traffic management procedures implemented through mitigation measures, would be implemented to assist in the movement of traffic that could interfere with emergency vehicles. As a result, construction traffic impacts for these issues would be less than significant. As compared with the approved Project, impacts are similar and there is no new significant impact.

Public transportation would be utilized under the proposed modified Project. However, as compared to the approved Project, which anticipated a utilization of up to 25 percent of available transit capacity, the proposed modified Project would utilize up to 11 percent of available transit capacity. Further, transit service providers routinely adjust service up to two times a year to address future cumulative demand. Additional transit riders would also increase farebox recovery on transit lines, and therefore project-generated transit riders would help to fund the service. As such, cumulative transit-related impacts on the regional transit system would be considered less than significant. With the imposition of Mitigation Measures C-16, and G-19 through G-21, regional transit impacts for the proposed modified Project would be less than significant. In comparison, the impact of the approved Project would be significant and unavoidable. Therefore, there is no new significant impact associated with the proposed modified project for regional transportation.

## **6. References**

For a complete discussion of impacts associated with transportation and traffic, please see Section I-44 and Section IV.C. - Traffic and Circulation of the SEIR.

### **C. Geology and Soils<sup>11</sup>**

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<sup>11</sup> As noted in Section 6 below, those geology and soils impacts that are mitigated to a less than significant level

## 1. Description of Significant Effects

### a. Construction.

As analyzed in the FEIR for the approved Project, construction would require the excavation, movement, and on-site storage of large volumes of soil and generalized site preparation for the proposed modified Project would require deep dynamic compaction, mass grading, backfill, capping and pile driving, rough grading and pad construction. Remediation activities would continue to occur during the site preparation stage although some activities including installation of the Groundwater Extraction and Treatment System, some of the landfill cap membrane, and portions of the landfill gas system have already been completed since certification of the FEIR. Site preparation would be coordinated with any remaining remediation procedures as approved by the DTSC. Consistent with the analysis in the FEIR, construction of the proposed modified Project would be coordinated with the remaining elements of the Upper OU RAP that need to be installed on the Property. Phased implementation and occupancy of the Property would occur with the proposed modified Project in accordance with the requirements of the Upper OU RAP, the Carson Municipal Code, DTSC approvals, and any other relevant requirements necessary to meet the remediation goals of the Upper OU RAP.

As analyzed in the FEIR for the approved Project, construction would be conducted according to the requirements of the Carson Municipal Code, the Upper OU RAP, as well as requirements of the National Pollutant Discharge Elimination System (NPDES) General Construction Permit. The Applicant would submit updated soils engineering and engineering geology reports prior to any grading activities or modification of topography. With the enforcement of code and permit requirements, similar to what was discussed under the FEIR, including geotechnical and geological analyses of the Property and code-established procedures associated with grading and construction, the proposed modified Project would remain in compliance with existing regulatory requirements. Vibration monitoring during DDC and vibration limits established by Mitigation Measure H-2 (as further described in Section IV.H-1 – Noise of the SEIR) would keep subsidence to a minimum. Therefore, the potential for the proposed modified Project to be susceptible to geologic hazards caused by grading and other construction activities would be less than significant. As such, the proposed modified Project would not result in any new significant impacts as compared to the approved Project.

For the proposed structures constructed as part of the proposed modified Project, as with those analyzed in the FEIR, exposure to settlement would be reduced to less than significant levels through the implementation of driven pile foundations, in which concrete building pads and floors would be supported by piles driven through the waste and into underlying soils capable of

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with imposition of specified mitigation are discussed in this Section 5 and those for which there are no impacts (no mitigation required) are discussed in Section 6 below.



supporting proposed new loadings. Exposure to ground shaking hazards would remain reduced through the implementation of seismic construction standards set forth in the Carson Municipal Code, and the City's Building Code, which include design provisions for structures within 9.3 miles of an active fault. The Carson Municipal Code would also still require the preparation of updated soils, geotechnical, or geology reports and the compliance of the proposed modified Project with any recommendations developed as part of any such report. The required final design level geotechnical reports would also still be required to adhere to the California Department of Conservation regulations that address potential liquefaction hazards which may be present at the Property.

Therefore, as stated in the FEIR, with compliance with the most recent State Building Code and the City's Building Code seismic design standards and site evaluation requirements including adherence to California Department of Conservation regulations, the risk of exposure of the Project's occupants and structures to ground shaking, liquefaction, differential settlement, or other geologic hazards would be less than significant. Similar to the FEIR, implementation of the final design level geotechnical recommendations would ensure that the final site conditions would not be susceptible to, and would not cause, off site geologic hazards. As such, the proposed modified Project would not result any new significant geologic impacts as compared to the approved Project.

**b. Operation.**

As described in the FEIR, the Project site remains located within a seismically active region that is susceptible to seismic risks. The proposed modified Project use is the same as the approved Project, and as such, there will be no additional impacts as compared to the approved Project.

**c. Cumulative Impacts.**

The cumulative context for the proposed modified Project is the seismic region of the greater Los Angeles Basin. As discussed in the FEIR, due to the high seismic activity common to the region, the potential for ground shaking and other geological hazards would be similar throughout the related Project study area. In general, seismic and other geotechnical hazards do not combine with one another making the hazards site specific. Each of the cumulative projects would require case-by-case approvals, including plan check and issuance of building permits similar to what would be required of the proposed modified Project. Building permits for the related projects would involve a site-specific evaluation of slope stability, ground rupture, liquefaction, and ground movement just as the proposed modified Project would be required to implement. As required by the City Code and State regulations, appropriate structural design and site preparation requirements would still be enforced for each of the related projects. Although the related projects, in combination with the proposed modified Project, would expose more people and structures to seismic risk or other potentially hazardous geologic conditions, with the implementation of City regulations, cumulative impacts related to geologic risk would be minimized and thus less than significant. Although other geologic hazards related to soil stability may be localized because the Property comprises a former landfill, the related project to be constructed on DD3 is located outside of the footprint of the landfill and therefore will not affect

the proposed modified Project. As such, the proposed modified Project together with all related projects would not result in any new significant cumulative impacts as compared to the approved Project.

## **2. Project Design Features**

The proposed modified Project's structural design would comply with the design standards set forth in the Carson Municipal Code. The proposed modified Project would also comply with the Los Angeles County Code in meeting all applicable building regulations and required evaluation of current soils, project specific geotechnical, and site-specific geologic conditions for the development of the proposed modified Project in accordance with the California Building Code as well as any local amendments. In addition, all proposed development associated with the proposed modified Project would be required to adhere to the Seismic Hazards Mapping Act.

### **a. Site Preparation**

Site preparation activities would continue to be integrated with remediation and subsurface construction standards required by the Upper OU RAP. As discussed in the FEIR, the Upper OU RAP outlined a procedure for the capping of the waste layers and the overlaying and compaction of fill soils. Due to the presence of the capped waste and need to maintain the integrity of the landfill cap, the Upper OU RAP establishes specific criteria for development of the Property. A modification to the Upper OU RAP was approved by DTSC in the ESD issued in July 2009. The ESD allows for use of a linear low-density polyethylene geomembrane instead of clay as the main component of the cap, and changes required to the vapor barrier to allow residential land use. Other changes included modifications to the design employed for the landfill gas control and groundwater treatment systems which ultimately do not affect the geotechnical hazards present at the Property but would nonetheless be considered in the ultimate foundation design of all proposed improvements.

### **b. Driven Piles**

The proposed modified Project will utilize driven piles, in lieu of slabs on grade as outlined by the FEIR. Piles would be driven through existing fill/waste soils to approximately 10 to 20 feet into underlying native soils. Floor slabs, including parking structures and residences, would be supported by these piles. Pile caps would be used to connect the piling and the overlying impermeable cap. Piles could range from approximately 40 to 90 feet in length, with an average length of 65 feet. Existing roadways are not underlain by fill/waste and, as such, roadway construction in existing alignments would not require the use of foundation pilings but would still require evaluation and design in accordance with the City's Building Code requirements.

**c. DDC As Needed**

To further avoid differential settlement, DDC was completed on approximately 68 acres as anticipated by the FEIR. Depressions that were caused by DDC were filled with fill to create a smooth surface. Additional DDC may take place.

**3. Mitigation Measures**

- **Mitigation Measure E-1:** In accordance with City of Carson Municipal Code, the Applicant shall comply with site-specific recommendations set forth in engineering geology and geotechnical reports prepared to the satisfaction of the City of Carson Building Official, as follows:
  - The engineering geology report shall be prepared and signed by a California Certified Engineering Geologist and the geotechnical report shall be prepared and signed by a California Registered Civil Engineer experienced in the area of geotechnical engineering. Geology and geotechnical reports shall include site-specific studies and analyses for all potential geologic and/or geotechnical hazards. Geotechnical reports shall address the design of pilings, foundations, walls below grade, retaining walls, shoring, subgrade preparation for floor slab support, paving, earthwork methodologies, and dewatering, where applicable.
  - Geology and geotechnical reports may be prepared separately or together.
  - Where the studies indicate, compensating siting and design features shall be required.
  - Laboratory testing of soils shall demonstrate the suitability of underlying native soils to support driven piles to the satisfaction of the City of Carson Building Official.
- **Mitigation Measure E-2:** Due to the classification of portions of the Property as a liquefaction zone, the Applicant shall demonstrate that liquefaction either (a) poses a sufficiently low hazard to satisfy the defined acceptable risk criteria, in accordance with CGS Special Bulletin 117A, or (b) implements suitable mitigation measures to effectively reduce the hazard to acceptable levels (CCR Title 14, Section 3721). The analysis of liquefaction risk shall be prepared by a registered civil engineer and shall be submitted to the satisfaction of the City Building Official.
- **Mitigation Measure E-3:** Any roads realigned from the existing configuration, or otherwise, located in areas underlain by waste soils, shall comply with site-specific recommendations as set forth in engineering, geology, and geotechnical reports prepared to the satisfaction of the City of Carson building officials.

The City finds that the above Mitigation Measures reduce the potential geology and soils impacts

of the project to less than significant levels. These mitigation measures were taken into account in the analysis.

#### **4. Findings**

The City finds that as compared to the approved Project, the proposed modified Project changes will not require major revisions to the FEIR, nor involve new significant impacts that were not previously evaluated. Specifically, with regard to geology and soils (1) no substantial changes are proposed in the proposed modified Project, which would require major revisions to the FEIR; (2) no substantial changes arise in the circumstances of the proposed modified Project's undertaking, requiring major revisions to the FEIR; and (3) no new information appears that was not known or available at the time the FEIR was certified. Therefore, no significant impacts exist related to geology and soils, and the previous mitigation measures E-1 to E-3, identified in the FEIR, continue to apply. As compared with the approved Project, impacts are similar and there is no new significant impact.

#### **5. Rationale**

As compared with the approved Project, under the proposed modified Project, no substantial changes are proposed with regarding to project design features, construction, or operations. The proposed modified Project would remain in compliance with City and State regulations and is not expected to expose people or structures to any unstable geologic conditions or seismically related geologic hazards that would result in substantial damage to structures or infrastructure or exposure of people to risk of loss, injury, or death. Since the proposed modified Project would not exceed the thresholds of significance relative to City and State regulations, or expose persons to geologic hazards, impacts would less than significant, similar to those of the approved Project assessed in the FEIR, and no new or worsening impacts would occur in comparison with the approved Project.

#### **6. Reference**

For a complete discussion of impacts associated with geology and soils, please see Section IV.E.-Geology and Soils of the SEIR.

## **D. Air Quality<sup>12</sup>**

### **1. Description of Significant Effects**

#### **a. Localized Operational Impacts**

With respect to operational emissions, the SEIR utilized SCAQMD current screening methodology and concluded that localized emissions of NO<sub>x</sub> and CO would be less than significant but that localized emissions of PM<sub>10</sub> and PM<sub>2.5</sub> would be exceed screening level thresholds and result in potentially significant impacts. Previous methodology analyzed localized impacts on specific receptors. Current screening methodology does not require modeling for specific receptors. Instead, localized impacts are analyzed at the distance to the nearest receptor. Assuming that all activity would occur within a smaller area (5 acres) provides a worst-case analysis as emissions would be more concentrated within a smaller area. Where emissions exceed the screening tables, a refined screening analysis was conducted to determine the potential to result in significant impacts. Operational emissions of the proposed modified Project are anticipated to begin as early as 2020. Utilizing this criteria, the maximum daily operational emissions anticipated from on-Property emissions of the proposed modified Project exceed the screening level thresholds for PM<sub>10</sub> and PM<sub>2.5</sub>, meaning that emissions could result in potentially significant impacts.

The SEIR concluded that although localized operational impacts of PM<sub>2.5</sub> were not analyzed in the FEIR for the approved Project, applying SCAQMD's methodology to the PM<sub>10</sub> results of the FEIR, PM<sub>2.5</sub> localized emissions from the approved Project would be in excess of the threshold at the nearest sensitive receptor if current PM<sub>2.5</sub> thresholds had been promulgated and applied in 2006. Therefore, localized PM<sub>2.5</sub> impacts prior to mitigation for the proposed modified Project are substantially the same as for the approved Project if PM<sub>2.5</sub> had been regulated in 2006.

In order to determine whether significant impacts existed following mitigation, a refined analysis was conducted to determine the potential for localized PM<sub>10</sub> and PM<sub>2.5</sub> emissions to impact sensitive receptors. The results of the refined analysis are included in Section IV.G - Air Quality. The results of the analysis show that with mitigation the proposed modified Project would reduce impacts to below the regulatory requirements and therefore would not result in a new significant

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<sup>12</sup> As noted in Section 4 above and Section 6 below, those air quality impacts that are determined to have significant and unavoidable impacts following implementation of mitigation are discussed in Section 4, while those mitigated to a less than significant level with imposition of specified mitigation are discussed in this Section 5 and those for which there are no impacts (no mitigation required) are discussed in Section 6 below. However, although regional air quality impacts from certain criteria pollutants were determined to have less than significant impacts after mitigation, they are nonetheless discussed above in Section 4 in order to maintain consistency with the discussion of these impacts in the SEIR, where the discussion of impacts of various emissions is commingled for regional construction and operational emissions.

impact as compared to the approved Project with respect to PM<sub>10</sub> and PM<sub>2.5</sub>.

With respect to CO, the FEIR evaluated Project-generated CO concentrations at intersection locations that would experience a 2 percent increase in traffic volumes. CO concentrations anticipated to be generated by the approved Project was found to be negligible and therefore, less than significant. Localized emissions associated with the operation of diesel-fueled emergency generators, with compliance with SCAQMD regulations, were determined to be less than significant.

The methodology for analyzing localized impacts has changed considerably since the FEIR analysis. The analysis of impacts associated with the proposed modified Project from localized emissions is assessed based on the revised methodology and, therefore, direct correlation of values is not applicable between the two analyses for CO hotspot determination. The FEIR qualitatively analyzed localized impacts from on-Property operational activities. Based on the revised SCAQMD Methodology, a quantitative analysis was performed to assess on-Property impacts to local sensitive receptors.

CO hotspots are now analyzed based on average daily trips through the intersection rather than LOS determinations. Under the new methodology, the intersection with the greatest traffic under the future plus project scenario is the intersection of S. Main Street and E. Del Amo Boulevard with average daily vehicles of 62,297 through that intersection. This is below the 100,000 vehicles per day threshold and therefore would be less than significant with respect to mobile emissions of CO. The proposed modified Project would not result in any new significant impacts as compared to the approved Project.

With respect to CO hotspots, future plus proposed modified Project traffic volumes would not exceed SCAQMD's daily intersection threshold of 100,000 vehicles per day. Future plus proposed modified Project traffic volumes are inherently cumulative. Therefore, like the approved Project, the proposed modified Project would not result in cumulative impacts related to CO hotspots.

#### **b. Odors.**

During construction, the proposed modified Project is anticipated to generate odors typical of construction projects that are temporary in nature and not significant. The SEIR concluded that due to mandatory compliance with SCAQMD regulations related to use of architectural coatings and solvents, odor impacts from construction are anticipated to be less than significant with respect to the proposed modified Project and also cumulatively less than significant when analyzed with other related projects. Operationally, the uses comprising the proposed modified Project are substantially the same as those of the approved Project and are not the type of uses typically associated with odors. With respect to odors from the landfill, as discussed in the FEIR, implementation of the RAP would limit potential odiferous emissions from the former landfill that could affect on-Property and off-Property uses. Implementation of the RAP would still occur under the proposed modified Project. Therefore, the proposed modified Project would not result in any new significant impact and compared to the approved Project impacts would be the same. Although impacts were found to be less than significant with the FEIR imposed

mitigation measures, as may be updated, that were carried forward from the FEIR to minimize odor impacts.

## **2. Project Design Features.**

The Project Design Features set forth in Section 4.B.2 of these Findings are incorporated here by this reference.

## **3. Mitigation Measures**

Mitigation Measures G-13 through G-24, and G-27 through G-29, set forth in Section 4.B of these Findings are incorporated here by this reference with respect to localized operational air quality impacts. Mitigation Measures G-8 and G-14 set forth in Section 4.B of these Findings are incorporated here by this reference with respect to odor impacts. These mitigation measures were taken into account in the analysis.

## **4. Findings**

The City finds that the Mitigation Measures G-13 to G-24 and G-27 to G-29 reduce the potential localized operational air quality impacts of the proposed modified Project to less than significant levels and local operational activities would not exceed the SCAQMD daily emission thresholds. With respect to odors, the City finds that with implementation of Mitigation Measures G-8 and G-14, impacts from odors would be less than significant. In each case, the City finds that as compared with the approved Project, impacts are similar and there is no new significant impact.

## **5. Rationale**

Localized operational emissions for the proposed modified Project would exceed the screening level thresholds for localized emissions of  $PM_{10}$ , and  $PM_{2.5}$ . Therefore, a refined analysis was conducted to determine the potential for localized  $PM_{10}$  and  $PM_{2.5}$  emissions to impact sensitive receptors. The results of the analysis show that with mitigation the proposed modified Project would reduce impacts to below the regulatory requirements and therefore would not result in a new significant impact as compared to the approved Project with respect to  $PM_{10}$  and  $PM_{2.5}$ . Odors during construction were determined to be less than significant as they would be temporary in nature and typical of odors normally found during construction. In addition, odors due to land uses are not anticipated as the land uses proposed would not be of the type typically associated with odors. Implementation of the RAP would limit odors from the existing landfill. With implementation of additional mitigation to control construction odors and limit operational odors and compliance with the RAP, impacts from odors would be less than significant.

## **6. Reference**

For a complete discussion of impacts associated with air quality, please see Section IV.G. – Air Quality of the SEIR.

## E. Noise<sup>13</sup>

### 1. Description of Significant Effects.

The proposed modified Project's general construction and operational noise analysis addresses potential noise impacts to neighboring noise-sensitive receiver locations related to general construction and the long-term operations of the proposed modified Project compared to the FEIR. Construction vibration impacts associated with DDC and pile driving activities were also evaluated for the proposed modified Project and compared to the FEIR. Specific operational noise sources addressed in the analysis included roadway noise and stationary point-source noise from mechanical equipment, including roof-top equipment, loading docks and trash and recycling areas, parking facilities and potential noise generating uses such as outdoor theater and entertainment, mechanical equipment/point sources, and parking facilities.

#### a. Construction

##### (i) General Construction Activities

Construction activities for the approved Project and proposed modified Project would be similar. The SEIR analyzed worst case construction noise for the proposed modified Project. With the exception of pile driving and DDC, composite construction noise (i.e., noise generated from multiple pieces of construction equipment working concurrently) was estimated for the Project using FHWA models and was based on concurrent operation of 94 pieces of heavy construction equipment, which is more than would be expected to be utilized. Combined noise levels were estimated assuming construction activities in all three planning areas would overlap. Under the FEIR, which analyzed impacts at R3 and R4 only, prior to mitigation significant noise impacts were anticipated to occur at both R3 and R4. The SEIR analyzed impacts at R1 as well as R3 and R4. Because 2017 ambient noise is approximately 10 dBA lower than it was in 2005, increased in ambient noise due to similar construction activities would be more noticeable than if the projects were carried out in 2005. If construction noise for the approved Project and the proposed modified Project were analyzed against the same ambient noise levels, impacts from general construction noise would be similar. As with the approved Project, prior to mitigation, general construction noise from the proposed modified Project would result in significant impacts to off-Property sensitive receptors at R3 and R4. In addition, the proposed modified

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<sup>13</sup> As noted in Sections 5 and 6 below, those noise impacts that are determined to have significant unavoidable impacts following implementation of mitigation are discussed in Section 4 above, while those mitigated to a less than significant level with imposition of specified mitigation are discussed in this Section and those for which there are no impacts (no mitigation required) are discussed in Section 6 below.



Project, prior to mitigation, would result in a new, not previously analyzed impact related to construction noise at Receptor R1. Following application of Mitigation Measure H-1, Part 1 and Part 3, as modified, noise levels associated with general construction activity would not result in significant increases in ambient noise at R1, R3 or R4. Therefore, as with the approved Project, general construction noise levels would not result in any significant impacts to R3 or R4 and with respect to DD3 (R1) there would be no new significant impact.

Construction noise impacts are considered significant if noise from construction activities only occurring over more than 20 days would exceed 65 dBA at single-family residential uses or 70 dBA at multiple-family residential uses. General construction-only noise levels would not exceed 65 dBA at R3 or R4 or 70 dBA at R1 with implementation of modified Mitigation Measure H-1. Therefore, general construction noise levels associated with development of the proposed modified Project would not result in any new significant impacts to R3 or R4 as compared to the approved Project. With respect to R1 (DD3), the proposed modified Project would not result in a significant new impact

(ii) DDC

Construction noise impacts are considered significant if noise from construction activities only occurring over more than 20 days would exceed 65 dBA at single-family residential uses or 70 dBA at multiple-family residential uses. DDC noise levels would not exceed 65 dBA at R3 or R4 and would not exceed 70 dBA at R1 with implementation of modified Mitigation Measure H-1. Therefore, impacts related to construction-only noise levels during DDC activities would be less than significant with incorporation of mitigation.

(iii) Pile Driving and Concurrent Pile Driving and DDC Activities

Construction noise impacts are considered significant if noise from construction activities only occurring over more than 20 days would exceed 65 dBA at single-family residential uses or 70 dBA at multiple-family residential uses. Construction noise levels associated with pile driving alone and concurrent pile driving/DDC activities would not exceed 65 dBA at R3 and R4 and would not exceed 70 dBA at R1 with implementation of modified Mitigation Measure H-1. Therefore, with respect to maximum construction noise levels, pile driving alone and concurrent pile driving/DDC would be less than significant with respect to R3 and R4 and a significant new impact would not occur at R1.

**a. Vibration Impacts.**

(i) DDC

As discussed in the FEIR, DDC may be required in areas not previously compacted. Pursuant to Mitigation Measure H-2 of the FEIR, a DDC Pilot Program was performed in April 2008 by Tetra Tech to observe and review vibration impacts of DDC activities. The testing procedures consisted of dropping increasing weights at increasing heights with concurrent checking of monitored levels so as to ensure that off-site vibration levels do not exceed the 0.2 in/s PPV

significance threshold for fragile buildings on the residential side of the Torrance Lateral Channel. Based on review of survey data, it was recommended that the DDC design be altered to minimize the depth of the craters. Subsequent to the pilot test, DDC was performed on approximately 68 acres of the Property from October 13, 2008, through December 11, 2008, and intermittently from May 19, 2009 through September 11, 2009. Pursuant to Mitigation Measure H-3 of the FEIR, continuous vibration monitoring was conducted during DDC activities. Tetra Tech prepared a Deep Dynamic Compaction Report detailing the DDC scope and monitoring results. According to the DDC Report, continuous vibration monitoring allowed the crew to adjust the drop height to reduce vibration levels when the maximum 0.2 in/s PPV significance threshold for fragile structures was approaching. Therefore, the proper methodology to ensure that vibration levels do not exceed 0.2 in/s PPV is already in place. Reducing the drop height when DDC vibration levels reach the 0.2 in/s PPV threshold would still allow DDC to be completed along the Project boundary while ensuring that impacts to vibration-sensitive structures are minimized.

It is anticipated that the proposed modified Project would require DDC activities on additional areas of the Property. It is possible that DDC may occur at distances closer to R3 and R4 than compacted before. FEIR Mitigation Measure H-2 requiring a Pilot Program, although performed in 2008, will remain applicable in order to adequately address groundborne vibration concerns related to DDC in areas closer to R3 and R4. The DDC contractors shall follow the requirements and methodology put forth in Mitigation Measure H-2 at distances nearest the sensitive receptors. With implementation of Mitigation Measures H-2 and H-3, no new impacts would occur.

Assuming the recently approved residential use within DD3 (R1) would be occupied during DDC activities, potential new impacts related to R1 would occur. Because DD3 will consist of new construction, the residential structures would be considered well-engineered. The significance threshold for structural damage for well-engineered structures is 2.0 in/s PPV. DDC activities near boundaries of the Property would not exceed the 2.0 in/s PPV significance threshold for well-engineered structures with continued vibration monitoring as required by Mitigation Measure H-3, and a less than significant short-term vibration impact to DD3 would occur.

(ii) Pile Driving

Impacts related to groundborne vibration would be significant if pile driving activities would result in vibration levels greater than 0.2 in/s PPV at the mobile home residences to the west and south of the Property and 2.0 in/s PPV to future occupied residential uses within DD3. Residential land uses would be located at a sufficient distance (greater than 75 feet) from any potential pile driving activity so that vibration from such activities would be below the peak particle velocity threshold of 2.0 in/s for R1 and 0.2 in/s for R3 and R4. In addition, as discussed in the FEIR, the vibration associated with pile driving would be substantially reduced due to the lower density of material on the Property (i.e., trash with soil cover versus compact soils with rock) and the intervening Torrance Lateral (i.e., impeding transmission of surface waves and higher-amplitude motion from pile driving). Additionally, the piles will be predrilled through the

trash layer to an approximate depth of 50 feet below the surface. When native soil is reached at approximately 50 feet below the surface, the piles will be driven approximately 15 to 20 additional feet. Having the piles predrilled and not driven until depths of approximately 50 feet below the surface would reduce ground-borne vibration impacts considerably.

Piles were driven on the Property near the southern boundary, directly across the Torrance Lateral Channel from neighboring mobile homes, and vibration levels were monitored. Vibration levels monitored at the residential side of the channel, approximately 150 feet from the piles, reached vibration levels of up to 0.14 in/s PPV, which is below the 0.2 in/s PPV threshold for fragile structures. As pile driving activities move further away from the Property boundary and toward the center of the Property, vibration levels at sensitive receptors would be reduced. The operation of multiple pile drivers would not result in increased vibration levels experienced at neighboring receptors. According to information provided by the construction contractor, pile driving cannot occur in close proximity to another vibratory source. Therefore, should multiple pile drivers operate concurrently, the construction crew will arrange the equipment as necessary to ensure efficient and proper installation of the piles. Because vibration levels diminish as the distance to sensitive receptors increases and multiple pile drivers are assumed to be spread out within the site at distances of 50 feet or more, the operation of multiple pile drivers would not result in cumulative vibration impacts.

Due to approval of a sensitive use within DD3, the proposed additional pile driving within PA 2 and previously anticipated pile driving within PA 1 would result in a new, not previously analyzed, because DD3 was a part of the approved Project and analysis of project-on-project impact is not required, impact on the future occupied residential uses within DD3. According to the FEIR, potential vibration velocities could reach the 0.2 in/s PPV threshold for fragile buildings within 75 feet of the vibration activity. Like the approved Project, the proposed modified Project would not conduct vibratory pile driving for PA 1 or PA 2 within 75 feet of sensitive uses, including DD3. The applicable threshold at DD3, well-engineering structures, is 2.0 in/s PPV; therefore, vibratory pile driving would not occur at distances near enough to result in structural damage within DD3. The parking areas to the north and south of PA 2 would not require piles. Therefore, a majority of the work for PA 2 will occur nearest the I-405 Freeway and not closer to vibration-sensitive buildings than were previously analyzed in the FEIR and not within 75 feet of future occupied residential uses within DD3 (R1). Therefore, impacts related to additional pile driving activities within PA 2 and impacts not previously analyzed for R1 would be less than significant.

In order to ensure that pile driving activities do not exceed the 2.0 in/s PPV threshold at R1 (if DD3 is occupied) and 0.2 in/s PPV threshold at R3 and R4, Mitigation Measure H-3 has been modified to require that vibration monitoring is conducted during pile driving activities. Should vibration levels exceed 2.0 in/s PPV at the north side of Del Amo Boulevard (if DD3 is occupied) or 0.2 in/s PPV at the residential side of the Torrance Lateral Channel, all work shall halt until new parameters are established. Therefore, the proposed modified Project would not result any new significant impacts for construction vibration as compared to the approved Project with modification of mitigation.

(iii) Concurrent DDC and Pile Driving

The FEIR did not discuss the potential for concurrent DDC and pile driving. As discussed above, pile driving cannot occur in close proximity to another vibratory source. Therefore, should DDC and pile driving occur concurrently, the construction crew will arrange the equipment as necessary to ensure efficient and proper installation of the piles. Because vibration levels diminish as the distance to sensitive receptors increases and multiple pile drivers and DDC equipment are assumed to be spread out within the Property at distances of 50 feet or more, the operation of multiple pieces of vibratory equipment would not result in cumulative vibration impacts. Further, modified Mitigation Measure H-3 requires continued vibration monitoring throughout DDC and pile driving activities to ensure that levels do not exceed the 2.0 in/s PPV threshold at the north side of Del Amo Boulevard (if DD3 is occupied) or the 0.2 in/s PPV threshold at the residential side of the Torrance Lateral Channel for structural damage. Therefore, impacts will be less than significant.

**b. On-Property Mobile Noise Sources**

Relative to on-site delivery truck noise, Mitigation Measure H-7 prohibits truck deliveries within 250 feet of an off-Property residential use between the hours of 10:00 P.M. and 7:00 A.M. With implementation of Mitigation Measure H-7, on-site operational noise related to mobile sources would be less than significant.

**c. Stationary Noise Sources**

Relative to the existing noise environment, on-Property activity associated with the proposed modified Project is estimated to increase the ambient noise level by 0.1 dBA at R1, 2.5 dBA at R3, and 1.4 dBA at R4, which are less than the significance threshold of a 5 dBA increase. Composite on-site noise level increases at all other receptor locations are expected to be less than significant as well, given their distance from the Project site and the presence of intervening structures. Mitigation Measures H-5 and H-6, which provide for sound buffering between the parking structures and nearby residential uses, will further reduce and ensure that parking lot noise will not produce a significant impact. As such, the composite noise level impact on the nearest sensitive receptors due to the proposed modified Project's future operations would be less than significant, and no mitigation would be required. Due to Carson Municipal Code provisions that limit noise from stationary sources such as roof-top mechanical equipment and emergency generators, noise levels would still be less than significant at the property line for each related project. For this reason, on-site noise produced by any related project would not be additive to Project-related noise levels. As such, stationary source noise impacts attributable to cumulative development would remain less than significant for the proposed modified Project.

**d. Cumulative Impacts**

Each of the 27 related projects would generate stationary-source and mobile-source noise due to construction activities and ongoing day-to-day operations. None of the related projects are located at distances that would cumulatively contribute to the increase in ambient noise during

general construction activities or vibration from DDC and pile driving at studied receptors. The related projects are of a residential, retail, commercial, office building, or institutional nature and these uses are not typically associated with excessive exterior noise generation during operations. However, each project would produce on-site operational noise. Because on-site operational noise sources for related projects would be limited to the site, they would not cumulatively contribute to on-Property noise sources from the proposed modified Project.

## 2) Project Design Features.

The Project Design Features set forth in Section 4.B.2 of these Findings are incorporated here by this reference.

## 3) Mitigation Measures

The proposed modified Project could result in significant impacts with regard to vibration impacts. However, with implementation of the following mitigation measures, this impact would remain less than significant.

- **Mitigation Measure H-2:** The Applicant, prior to initiating additional DDC activities on a site-wide basis, shall conduct a DDC Pilot Program (Pilot Program). The Pilot Program shall be implemented via the following guidelines:
  - Prior to the initiation of the Pilot Program, the Applicant shall locate vibration monitors at the following locations: (1) along the Property fenceline opposite the off-site residential uses located to the north (if Development District 3 [DD3] is under vertical construction or constructed at the time DDC activities are initiated), south, and southwest of the Property (i.e., within the Property), and (2) along the far side of the Torrance Lateral Channel and along the north side of Del Amo Boulevard (if DD3 is under vertical construction or constructed at the time DDC activities are initiated) in line with the monitors placed within the Property itself.
  - Continuous monitoring shall be conducted on an ongoing basis during the Pilot Program. All vibration levels measured by the monitors shall be logged with documentation of the measurements provided to the City.
  - Initial DDC drops shall be limited in weight, height, and/or location dictated by calculations that demonstrate that the potential vibration levels are below the 0.2 inch per second (in/s) PPV threshold limit at the residential side of the Torrance Lateral Channel or the 2.0 in/s PPV threshold limit at DD3 (if DD3 is under vertical construction or constructed at the time DDC activities are initiated).
  - Increases in DDC weight, height, and/or location shall occur in small increments, with continuous monitoring to ensure compliance with the 0.2 PVV (residential side of Torrance Lateral Channel) and 2.0 in/s PPV (if DD3 is under vertical construction or constructed at the time DDC activities are initiated) threshold

limits.

- If vibration levels at any time during the Pilot Program exceed the 0.2 PPV (residential side of Torrance Lateral Channel) or 2.0 in/s PPV (if DD3 is under vertical construction or constructed at the time DDC activities are initiated) threshold levels, DDC activity shall immediately stop, until new drop parameters are established that would reduce the vibration levels to less than the 0.2 PPV or 2.0 in/s PPV threshold levels.
- **Mitigation Measure H-3:** Continuous vibration monitoring shall be conducted on an ongoing basis during DDC and pile driving activities. All vibration levels measured by the monitors shall be logged with documentation of the measurements provided to the City. If DDC and/or pile driving vibration levels at any time exceed the 0.02 inches per second (in/s) PPV (at the residential side of Torrance Lateral Channel) or 2.0 in/s PPV (at Development District 3 [DD3] if DD3 is under vertical construction or constructed at the time DDC activities are initiated) threshold levels, DDC and/or pile driving activity shall immediately stop, until modified construction methods are established that would reduce the vibration levels to less than the applicable threshold levels, as defined above.

The proposed modified Project could result in significant impacts with regard to on-site traffic operational noise. However, with implementation of the following mitigation measures, this impact would remain less than significant.

- **Mitigation Measure H-5:** All commercial parking lots shall be located a minimum of 150 feet from an off-site residential structure use located to the south and west (across the Torrance Lateral Channel) unless a minimum 8-foot-high wall is provided along the property boundary to limit noise levels associated with parking lot activities.
- **Mitigation Measure H-6:** All parking structures shall be located a minimum of 150 feet from an off-site residential structure use located to the south and west (across the Torrance Lateral Channel) unless the exterior wall of the parking structure that faces the off-site residential use is a solid wall or provides acoustical louvers (or equivalent noise reduction measures).
- **Mitigation Measure H-7:** During operation of a building (following construction), truck delivery within 250 feet of an off-Property residential use shall not occur between 10:00 p.m. and 7:00 a.m.

#### 4) Findings

The City finds that implementation of Mitigation Measures H-1 through H-4<sup>14</sup> would reduce impacts with respect to general construction noise and construction vibration to less than significant levels. The City finds with respect to stationary point-source noise from mechanical equipment, including roof-top equipment, loading docks and trash and recycling areas, parking facilities and potential noise generating uses such as outdoor theater and entertainment, mechanical equipment/point sources, and parking facilities, that no significant operational noise impacts will be created by the proposed modified Project. However, implementation of Mitigation Measures H-5 through H-7, which were identified in the FEIR (and are subject to minor clarifying modification in the SEIR), would further reduce operational impacts. The City further finds that as compared with the approved Project, the proposed modified Project would result in substantially the same impact (less than significant with mitigation) as the approved Project, there are no substantial changes in the circumstances of the proposed modified Project's undertaking, and no new information of substantial importance that was not known or available at the time the FEIR was certified requiring major revisions to the FEIR. As compared with the approved Project, impacts are similar and there is no new significant impact.

### 5) Rationale

Utilizing worst-case equipment reference noise levels to analyze general construction noise, the SEIR concluded that impacts related to general construction house would be less than significant at residential uses to south and west of the Torrance Lateral Channel (R3 and R4) and to the approved residential units within DD3 (R1) with implementation of mitigation. With regard to construction vibration during DDC and pile driving activities, impacts would be less than significant with implementation of mitigation. Specifically, a pilot program that was conducted for previous DDC and pile driving activities on the Property would be repeated to ensure that vibration impacts to residential structures would not exceed applicable thresholds. As such, there are no sensitive uses that would be impacted by on-Property general construction noise or construction vibration from the proposed modified Project and noise and vibration levels produced by any related project would not be additive to Project-related noise and vibration levels.

With respect to on-site operational noise impacts on surrounding sensitive land uses, the Carson Municipal Code imposes limits on noise from stationary sources such as roof-top mechanical equipment and emergency generators and such equipment would include noise control measures and shielding as needed to comply with the ordinance. Further, the SEIR concluded that ambient noise in the vicinity of the Property is typically higher than the noise levels generated by this equipment that would reach sensitive receptors. Accordingly, on-site operational noise levels for the proposed modified Project are determined to be less than significant at the property line for the Property. Residential uses south of the Torrance Lateral Channel (south of the intersection of

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<sup>14</sup> Mitigation Measures H-1 and H-4 are discussed in greater detail in Section 4(D), above.

Del Amo Boulevard and South Main Street) would be shielded from operational noise from DD3 by intervening structures within PA 1. In addition, the Property would provide noise-attenuation/shielding characteristics from I-405 Freeway traffic noise to the area, particularly for residential uses located south and west of the Property.

The commercial use proposed for PA 2 would be developed in two phases. All remedial and horizontal construction including DDC, grading, pile driving, and building pads for the entire PA 2 would be completed during the first phase along with vertical construction of approximately 60 to 70 percent of the overall commercial square footage nearest the Torrance Lateral Channel. The second phase would consist of vertical construction of the remaining 30 to 40 percent of total PA 2 vertical development, nearest Del Amo Boulevard. It is likely that the first phase would be occupied and operational while the second phase is completing vertical construction. Therefore, there is the potential for concurrent PA 2 operational noise associated with the first phase and PA 2 general construction noise associated with the second phase. As shown on Table IV.H-8, mitigated general construction activity would result in less than significant impacts at all studied sensitive receptors. In addition, the occupied first phase buildings would screen sensitive receptors south of the Torrance Lateral Channel from general construction activity nearest Del Amo Boulevard, which would occur greater than 1,500 feet from residential receptors south of the Torrance Lateral Channel. Therefore, given the distance of construction activity on PA2 associated with the second phase and screening provided by buildings in the first phase, concurrent construction and operation activity at PA 2 would not result in any additional impact with respect to R3 and R4. With respect to R1, general construction activity nearest Del Amo Boulevard would occur as analyzed and would result in less than significant impacts after implementation of mitigation. Therefore, concurrent construction and operation activity at PA 2 would not result in any additional impact with respect to R1.

As such, there are no sensitive uses that would be impacted by on-Property operational noise or combined operation and construction noise generated by the proposed modified Project and noise levels produced by any related project would not be additive to Project-related noise levels.

## 6) Reference

For a complete discussion of impacts associated with noise, please see Section IV.H. - Noise and Circulation of the SEIR.

## F. Utilities--Wastewater<sup>15</sup>

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<sup>15</sup> While certain wastewater impacts are less than significant even without the imposition of mitigation measures, they have been retained in this Section 5 to maintain consistency with the discussion of these impacts in the SEIR, where the discussion of the significance of various wastewater impacts is commingled.



## **1. Description of Significant Effects**

### **a. Construction**

Construction of the proposed modified Project would be similar to that described in the FEIR. As anticipated in the FEIR, a negligible amount of wastewater would still be generated by construction personnel during construction of the proposed modified Project. Wastewater generation from construction activities is still not anticipated to cause a measurable increase in wastewater flows at a time when a sewer's capacity is already constrained or to cause a sewer's capacity to become constrained. Additionally, construction is still not anticipated to generate wastewater flows that would substantially or incrementally exceed the future scheduled capacity of any treatment plant by generating flows greater than those anticipated. Thus, the proposed modified Project would not result in any significant impacts as compared to the approved Project, and impacts during construction would remain less than significant.

As also anticipated in the FEIR, the proposed modified Project's on-site wastewater system would continue to be developed during the construction of the proposed modified Project, after implementation of the remediation cap and site grading, and prior to the construction of new buildings and may require new tie-ins to the existing sewer lines. If such new connections are required, construction activity would take place within the Del Amo Boulevard and Main Street rights-of-way, which could result in secondary, short-term construction impacts, namely traffic disruptions. Such construction would still require approval of the Sanitation Districts of Los Angeles County (District) and would be carried out in accordance with standard District procedures. The FEIR analysis of Project impacts on traffic includes a discussion of construction impacts, and recommends a Construction Traffic Management Plan Worksite Traffic Control Plan as a mitigation measure. When the proposed modified Project is compared to the approved Project analyzed under the FEIR, there are no new significant impacts or changes, and short-term impacts on traffic due to the construction of the proposed modified Project's sewer line improvements would remain less than significant.

### **b. Wastewater--Operation**

Operation of the proposed modified Project would be like that described in the FEIR. The projected daily and annual wastewater generation for the FEIR was 721,113 gallons per day (gpd) and 263.3 million gallons per year. The proposed modified Project would revise the approved Project to include an additional 50 hotel rooms, but even with the hotel room increase would nonetheless reduce the overall scope and square footage of the approved Project by approximately 160,292 sq. ft. The proposed modified Project is anticipated to generate 645,348 gpd of wastewater. With the addition of the 300 units on DD3 (considered solely to provide a direct comparison with the analysis in the FEIR) the total usage is 692,158 gpd, which is a reduction of 28,955 gpd compared to the 721,113 gpd of wastewater the FEIR determined would be generated for the approved Project. On an annual basis, the proposed modified Project would generate 235.56 million gallons per year, and with the 300 units on DD3, solely for purposes of comparison, 252.6 million gallons per year, which results in a reduction of 12.35 million gallons per year of wastewater discharge compared to the 263.3 million gallons per year of wastewater

the FEIR determined would be generated for the approved Project.

As was anticipated for the approved Project, wastewater would continue to be conveyed to, and treated at, the Joint Water Pollution Control Plant (JWPCP) for the proposed modified Project. The JWPCP has a design capacity of 400 mgd and currently processes an average flow of 260 mgd. This is an increase in capacity and decrease in processing flow when compared to the 2006 design capacity of 385 mgd and processes an average flow of 324.9 mgd. The FEIR determined that the approved Project's additional waste flow would require the use of 1.2 percent of the remaining 60.1 mgd capacity, and would not cause an exceedance of the available capacity. Given that the wastewater treatment capacity has increased at the JWPCP since 2006, while average flow has decreased, the proposed modified Project would only require the use of 0.50 percent of the remaining 140 mgd capacity (as compared to the 1.2 percent utilization for the approved Project of the remaining 60.1 mgd capacity, as described in the FEIR). As such, the proposed modified Project would still not cause an exceedance of the available capacity at the JWPCP.

The FEIR also determined that the approved Project's total 721,113 gpd (or 0.72 million gpd) would be less than the remaining capacity of 14.4 mgd in the District's 42-inch Main Street Relief Sewer, which would only receive a portion of that total. Subsequently, it has been determined that all wastewater from the proposed modified Project would flow to the Main Street Relief Sewer. The proposed modified Project's total 645,358 gpd (or 0.64 mgd) would be less than the remaining capacity of 14.0 mgd in the District's 42-inch Main Street Relief Sewer. While no known capacity constraints have been identified, capacities need to be verified at the time actual new connections are made. As a matter of course, the District reviews projects at the time building permits are issued and new sewer connection permits requested. As indicated in the FEIR, connections to trunk lines require that the District issue a Trunk Sewer Connection Permit and that connection fees be paid at the time of permit issuance, which fees will be utilized by the District to construct incremental expansions of the sewerage system to accommodate the proposed modified Project to mitigate any potential impact it may have on the existing wastewater system. The proposed modified Project's estimated 645,358 gpd would likewise be subject to District's review at the time building permits are issued and new sewer connection permits are requested, and payment of fees would be required and utilized to expand capacity to serve the proposed modified Project. Additionally, as discussed in the FEIR, all expansions of the Districts' facilities are sized, and service is phased in a manner that is consistent with the SCAG regional growth forecast and are, therefore, limited to levels associated with the approved growth identified by SCAG. The proposed modified Project is consistent with SCAG regional forecasts for the South Bay Cities sub-region.

Therefore, like the approved Project, the proposed modified Project is not anticipated to cause a measurable increase in wastewater flows at a point in time where or at a time when a sewer's capacity is already constrained, nor would it cause a sewer's capacity to become constrained. The proposed modified Project would not substantially or incrementally exceed the future scheduled capacity of any treatment facility as the remaining capacity at the JWPCP has increased since the FEIR was prepared and the proposed modified Project requires less capacity than did the approved Project. Therefore, with the required sewer connection permit and the

payment of fees, no significant impacts in relation to infrastructure or regional treatment capacity would occur. As such, when the proposed modified Project is compared to the approved Project analyzed under the FEIR, there are no new significant impacts or changes with the retention of the existing mitigation measures in place.

**c. Cumulative Impacts**

The related projects would collectively generate 421,554 gpd of wastewater, or 153.87 million gallons per year. With the proposed modified Project, the total wastewater generation would be 1,066,912 gpd or 389.4 million gallons per year. The wastewater infrastructure that would support the identified related projects would not utilize the wastewater infrastructure in the vicinity of the Property that would be utilized by the proposed modified Project. Thus, cumulative impacts on the local conveyance system would remain less than significant.

The JWPCP has a design capacity of 400 mgd and processes an average flow of 280 mgd. The additional waste flow of the proposed modified Project and the related projects combined would require the use of 0.8 percent of the remaining 120 mgd capacity, and would not cause an exceedance of the available capacity. Thus, cumulative impacts on the wastewater treatment capacity would also remain less than significant.

All the related projects would individually require a Trunk Sewer Connection Permit, issued by the JWPCP. The Los Angeles County Department of Public Works must first determine if there is allotted sewer capacity available for any project prior to accepting building plans for approval. Therefore, cumulative impacts to the local and regional sewer conveyance and treatment system, from the implementation of the proposed modified Project and the identified related projects are not anticipated to exceed capacities of the local sewer system or treatment facility. As such, cumulative impacts would remain less than significant and the proposed modified Project together with all related projects would not result in any new significant cumulative impacts as compared to the approved Project.

**1. Project Design Features.**

**a. Sewer System**

The proposed modified Project would provide an on-site sewer system that would connect with the existing trunk sewer lines in Del Amo Boulevard and Main Street. The on-site system would remain able to include use of the existing on-site lines in Street A and Street B, or, if determined to be necessary, may replace these lines with lines better suited to the currently proposed development.

**b. Water Conservation**

The proposed modified Project would incorporate water conservation methods such as ultralow-flow toilets, low-flow showerheads, low-flow fixtures and water saving appliances, as required by existing regulations. The Specific Plan Amendment includes provisions for use of reclaimed

water for irrigation, etc. The on-site system would be connected to West Basin Recycling Facility.

## 2. Mitigation Measures

Although development of the proposed modified Project would not produce significant impacts to sanitary sewers, the following measures identified in the FEIR, as updated, would continue to apply to ensure that the increase in sewage generation would result in a less than significant impact:

- **Mitigation Measure J.2-1:** All required sewer improvements shall be designed and constructed according to the standards of the City of Carson and County of Los Angeles.
- **Mitigation Measure J.2-2:** Fee payment is required prior to the issuance of a permit to connect to district sewer facilities.
- **Mitigation Measure J.2-3:** The Building and Safety and Planning Divisions of the Community Development Department shall review building plans to ensure that water-reducing measures are utilized, as required by Title 24 of the California Administrative Code. These measures include, but are not limited to, water -conserving dishwashers, low-volume toilet tanks, and flow -control devices for faucets.
- **Mitigation Measure J.2-4:** When available, the proposed modified Project shall use reclaimed water for the irrigation system and for other appropriate purposes such as during construction.

The City finds that the above Mitigation Measures reduce the potential wastewater impacts of the Project to less than significant levels. These mitigation measures were taken into account in the analysis.

## 3. Findings

The City finds that for the above-identified changes or alteration resulting from the proposed modified Project related to wastewater create: no substantial changes are proposed in the proposed modified Project that would require major revisions to the FEIR; no substantial changes in the circumstances of the proposed modified Project's undertaking, requiring major revisions to the FEIR; and no new information of substantial importance that was not known or available at the time the FEIR was certified. Therefore, no significant impacts exist related to wastewater, and the previous mitigation measures J.2-1 to J.2-4, identified in the FEIR and updated, continue to apply.

## 4. Rationale

No substantial changes are proposed with regard to project design features, construction, or operations. With the implementation of the recommended mitigation measures, any local

deficiencies in sewer lines would be identified and remedied and wastewater generation by the proposed modified Project would be reduced. Similar to the approved Project assessed in the FEIR, no significant impact on wastewater conveyances or the capacity of the Joint Water Pollution Control Plant would occur, and no new or worsening impacts would occur in comparison with the approved Project. As compared with the approved Project, impacts are similar and there is no new significant impact.

## **5. Reference**

For a complete discussion of impacts associated with wastewater, please see Section IV.J.2.-Wastewater of the SEIR.

### **G. Utilities--Solid Waste**

#### **1. Description of Significant Effects**

##### **a. Solid Waste--Construction**

As analyzed in the FEIR for the approved Project, construction and demolition debris would be generated during the construction of the proposed modified Project. The proposed modified Project would reduce the scope of the approved Project. Overall, with these proposed modifications, the square footage and construction would be less but roughly equivalent to that of the approved Project.

Similar to the FEIR, street improvements in conjunction with the installation of domestic water and sewer infrastructure are also planned as part of proposed modified Project construction activities. Portions of the water treatment facility and remediation related improvements have been implemented onsite. Should existing roadways be removed, construction debris would consist primarily of asphalt paving. The installation of water and sewer lines would also generate related construction debris. However, as the Project site remains essentially undeveloped, no structures would be demolished during construction of the proposed modified Project. Solid waste associated with the above-listed improvements would still be disposed of at an unclassified landfill accepting inert waste.

The proposed modified Project would generate a total of approximately 10,828 tons of construction debris. Of the total, approximately 3,982 tons of commercial construction debris would be generated, which is 28 tons less than the approximately 4,010 tons of commercial construction debris as compared to the approved Project assessed in the FEIR. The proposed modified Project would also result in the construction of 1,250 residential units which would generate 6,846 tons of residential construction debris, which is 1,587 tons less than the approximately 8,433 tons of residential construction debris as compared to the approved Project as assessed in the FEIR. With the inclusion of the 300 residential units currently entitled for construction in DD3 (for comparison purposes only), the amount of residential construction debris would be similar to that of the approved Project. If no construction debris would be recycled, the proposed modified Project's construction would generate a total amount of 10,828

tons solid waste, which is less than the 12,443 tons of solid waste identified in the FEIR.

Current State regulations requires 65 percent diversion of construction waste, which represents an increase from the previous requirement of 50 percent. This would result in an increase in diversion with the proposed modified Project as compared to the approved Project. With implementation of the proposed modified Project mandatory diversion of construction and demolition debris, a minimum of 65 percent of the generated construction waste would be diverted, and thus, not be disposed of at landfill facilities. Therefore, the actual total amount of construction debris disposed of at a landfill would be approximately 3,790 tons. The remaining capacity of the Azusa Landfill is estimated at 57.56 million tons, or 46.05 million cubic yards. Given the remaining permitted capacity and the average disposal rate of 846 tpd in 2015, this landfill has approximately 185 years remaining capacity. As the proposed modified Project construction debris would represent approximately 0.004 percent of remaining inert landfill capacity, impacts attributable to the proposed modified Project's construction debris are also less than significant and less than those originally estimated by the FEIR for the approved Project.

**b. Solid Waste--Operation**

Operation of the proposed modified Project would be similar to that described in the FEIR. The FEIR estimated the amount of solid waste that would be disposed of during Project operations would be 10,064 tons per year (tpy). The proposed modified Project is estimated to generate approximately 11,964.34 tpy and dispose 10,380.88 tpy. With the addition of the 300 units in DD3 (considered solely to provide a direct comparison with the analysis in the FEIR) the total waste generated would be 12,225.34 tpy and disposed of would be 10,602.88 tpy. Comparing the estimated solid waste disposal for the proposed modified Project to the disposal projected for the approved Project, the proposed modified Project's disposal of solid waste would be slightly greater than the approved Project's original estimate of 10,064 tpy. With the inclusion of the 300 units in DD3 (for comparison purposes only) the proposed modified Project would dispose of 538.88 tpy more of solid waste than the approved Project

As identified in the FEIR, in considering the proposed modified Project's contribution to the Countywide waste stream, solid waste generation would constitute a very small fraction of the amount of solid waste generated in Los Angeles County on an annual basis. Specifically, the solid waste generated by the proposed modified Project at buildout would constitute 0.12 percent of the 9.5 million tons of solid waste disposal in Los Angeles County in 2015. Assuming diversion of solid waste generated would occur considering the current efforts and mandates to reduce solid waste disposed of in landfills, the proposed modified Project would constitute 0.10 percent of the 9.5 million tons of solid waste disposal in Los Angeles County in 2015.

Municipal solid waste generated within the City is primarily disposed of at the El Sobrante Landfill located in Riverside County or H.M. Holloway Landfill in Kern County. The El Sobrante Landfill has a remaining capacity of 145,530,000 tons and a maximum permitted throughput of 16,054 tpd. The anticipated closure date is January 1, 2045. The H.M. Holloway Landfill has a remaining capacity of 7,522,934 cubic yards. Based on this remaining capacity and a maximum permitted throughput of 2,000 tpd, the landfill has an expected closure date of

December 1, 2030. Based on the conclusion in the 2015 Los Angeles County Integrated Waste Management Plan annual report, and the remaining capacity in the two primary landfills used to dispose of waste generated in the City, there is adequate landfill capacity as the County has ongoing planning efforts to assure 15 years of landfill capacity on an ongoing basis. Although the proposed modified Project is anticipated to yield slightly more solid waste per year as compared to the approved Project, with the identified measures, and the current record of City and County compliance with the recommended waste reduction and recycling and other regulatory requirements, impacts associated with the proposed modified Project would also be less than significant, as was also concluded in the FEIR for the approved Project.

Through a combination of compliance with state requirements regarding recycling, the limited proportion of Countywide solid waste generation attributable to the proposed modified Project, available capacity within existing landfills, and the ongoing legally required solid waste planning programs, the proposed modified Project operations would have a less than significant impact with regard to landfill disposal capacity. As the proposed modified Project would comply with City-required recycling programs, the proposed modified Project operations would be consistent with the applicable provisions of the Source Reduction and Recycling Element (SRRE). As such, a less than significant impact would result.

### **c. Cumulative Impacts**

The development of the identified related projects would generate solid waste during construction. As with the proposed modified Project, debris generated by the related projects would be required to be recycled pursuant to the State requirement to divert 65 percent of construction and demolition debris. As described above, Azusa Land Reclamation has capacity estimated at 57.56 million tons, or 46.05 million cubic yards. Given the remaining permitted capacity and the average disposal rate of 846 tpd in 2015, this landfill has capacity for approximately 189 years. Therefore, given sufficient capacity, cumulative impacts regarding construction debris are concluded to be less than significant.

During operations, cumulative solid waste disposal for the cumulative projects is forecasted to be approximately 3,659.79 tons on an annual basis. With the 10,380.88 tons of solid waste disposed of by the proposed modified Project, a total of 14,040.67 tons of solid waste would be disposed of annually. It is anticipated that the proposed modified Project and other related projects would not conflict with solid waste policies and objectives in the City's SRRE or Construction and Demolition Debris Recycling Program. Impacts to solid waste policies and objectives intended to help achieve the statewide goal of 75 percent recycling, composting or source reduction by 2020 from implementation of the proposed modified Project and related projects would not be cumulatively significant. Cumulative annual solid waste disposal, including the approximately 10,380.88 tons of solid waste under the proposed modified Project, represents 0.15 percent of the total 9.5 million tons of solid waste generated in Los Angeles County in 2015. Based on this small percentage as well as the City's recycling programs and ongoing planning efforts at a Countywide level assuring 15 years of landfill capacity on an ongoing basis, cumulative impacts on municipal landfill capacity are concluded to be less than significant.

## 2. Project Design Features

No project design features are identified for this impact area.

## 3. Mitigation Measures

The following measures were adopted in the FEIR, as updated, and are incorporated into the SEIR:

- **Mitigation Measure J.3-1:** All structures constructed or uses established within any part of the Project site shall be designed to be permanently equipped with clearly marked, durable, source -sorted recycling bins at all times to facilitate the separation and deposit of recyclable materials.
- **Mitigation Measure J.3-2:** Primary collection bins shall be designed to facilitate mechanized collection of such recyclable wastes for transport to on- or off-site recycling facilities.
- **Mitigation Measure J.3-3:** The Applicant shall coordinate with the City of Carson to continuously maintain in good order for the convenience of patrons, employees, and residents clearly marked, durable, and separate recycling bins on the same lot, or parcel to facilitate the deposit of recyclable or commingled waste metal, cardboard, paper, glass, and plastic therein; maintain accessibility to such bins at all times, for collection of such wastes for transport to on- or off-site recycling plants; and require waste haulers to utilize local or regional material recovery facilities as feasible and appropriate.
- **Mitigation Measure J.3-4:** Any existing on-site roads that are torn up shall be ground on site and recycled into the new road base.
- **Mitigation Measure J.3-5:** Compaction facilities for non-recyclable materials shall be provided in every occupied building greater than 20,000 square feet in size to reduce both the total volume of solid waste produced and the number of trips required for collection, to the extent feasible.
- **Mitigation Measure J.3-6:** All construction debris shall be recycled in a practical, available, accessible manner, to the extent feasible, during the construction phase.

The City finds that the above Mitigation Measures reduce the potential solid waste impacts of the proposed modified Project to less than significant levels. These mitigation measures were taken into account in the analysis.

## 4. Findings

The City finds that the above-identified changes or alteration resulting from the proposed modified Project, related to solid waste create: no substantial changes to the proposed modified



Project that would require major revisions to the FEIR; no substantial changes in the circumstances of the proposed modified Project's undertaking, requiring major revisions to the FEIR; and no new information of substantial importance that was not known or available at the time the FEIR was certified. Therefore, no significant impacts exist related to solid waste, and the previous mitigation measures J.3-1 to J.3-6, identified in the FEIR, continue to apply. As compared with the approved Project, impacts are similar and there is no new significant impact.

## 5. Rationale

The proposed modified Project would result in an increase in solid waste disposal in the City compared to the approved Project assessed in the FEIR. However, as compared to the approved Project, changes as a result of the proposed modified Project will not require major revisions to the FEIR as no new significant impacts were identified. No substantial changes are proposed with regard to solid waste generation, and there is not any other substantive change or information that requires substantial changes to the FEIR with regard to solid waste. The proposed modified Project would not dispose of solid waste at a level that exceeds the available capacity of the existing and/or planned solid waste facilities, and is consistent with the solid waste policies and objectives set forth in the Carson Municipal Code and the City's SRRE. Construction of the proposed modified Project would not result in a comparatively substantive increase in inert solid waste generation that would create a need for additional inert solid waste disposal facilities to adequately handle inert waste generated by the proposed modified Project. Thus, construction related waste would still result in a less than significant impact.

## 6. Reference

For a complete discussion of impacts associated with Solid Waste, please see Section IV.J-3.- Solid Waste of the SEIR.

H. **Hazardous Materials** (*Routine transport, use or disposal or accidental release of hazardous materials; significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would create a significant hazard to the public or the environment*)<sup>16</sup>

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<sup>16</sup> As noted in Section 6 below, those hazards impacts that are mitigated to a less than significant level with imposition of specified mitigation are discussed in this Section 5 and those for which there are no impacts (no mitigation required) are discussed in Section 6 below.

## 1. Description of Significant Effects.

The proposed modified Project contains the same general land uses and associated operations as the approved Project and would have similar impacts. The FEIR determined that the approved Project would not result in a significant impact with regard to hazardous and hazardous materials and that removal of hazardous materials, if required, would be limited, would occur in accordance with all regulations and would be hauled over designated routes to avoid routing within 0.25 miles of an existing or proposed school.

The RAP contemplates phased remediation of the Cells comprising the former landfill. The proposed modified Project retains phased remediation of the Property and the subsequent development of urban uses, although development is now proposed to be carried out by more than one developer and to take place on each Cell on a phased basis. To accommodate the phased development of the Property, the proposed modified Project seeks to allow phased occupancy of cells (meaning one or two planning areas could be open to commercial uses while the remaining area(s) are undergoing concurrent remediation and construction activities). Vertical construction also could take place in phases, provided that 1) the exposure risk to construction workers from such phased construction of any cell is within acceptable levels as determined by DTSC; 2) all remedial work within a cell is carried out prior to initial occupancy of any portion of that cell, and 3) the risk of exposure from such occupancy of any cell is within acceptable levels as determined by DTSC. No residential occupancy would be allowed until all areas of the landfill are capped, and all necessary remedial actions completed for the entire Property. Mitigation Measure D-4 shall ensure that phased occupancy will not exceed the risk of exposure determined acceptable by DTSC and with implementation of mitigation, no significant impact will occur as a result of phased development, construction or occupancy.

In addition, as described in the Volume I, page IV.G-24 (see Corrections and Errata), SCAQMD Rule 1166 (Volatile Organic Compound Emissions from Decontamination of Soil) requires SCAQMD approval of a mitigation plan prior to commencement of the handling and/or transportation of VOC-contaminated soils to control the emissions of VOCs, that includes designating the person to conduct site inspection with the SCAQMD Executive Officer prior to issuance of the Plan. VOC concentration is required to be monitored and recorded every 15 minutes commencing at the beginning of excavation or grading. VOC-contaminated soils are required to be separated from non-VOC-contaminated stockpiles, sprayed with water and treated and covered and other measures to be taken to minimize the risk of VOC exposure. SCAQMD Rule 1466 (Control of Particulate Emissions from Soils with Toxic Air Contaminants) requires the minimization of off-site fugitive dust emissions containing TACs during earth-moving activities containing certain TACs which includes implementation of dust control measures such as enclosing the active earth-moving area with fencing and windscreen, wetting soil, stabilizing

the soil, and segregating contaminated stockpile from clean soil shall be required.

A 2008 Oil/Water Well Investigation Report by Arcadis dated July 9, 2008 was performed that identified the possibility that at least two potentially abandoned oil wells and at least two water wells may have been located on the Property prior to its uses as a landfill, but these wells could not be located. If wells are located, the State Department of Oil, Gas and Geothermal Resources would be contacted. As required by Mitigation Measure D-6, the applicant's contractor will incorporate the contingency plan recommended under the Oil/Water Well Investigation Report into construction specifications. The contingency plan will be physically on site during earthwork activities and implemented in the event that a previously unknown or unlocated well is encountered at the Property.

## **2. Project Design Features.**

No project design features are identified for this impact area.

## **3. Mitigation Measures.**

Mitigation measures were provided to ensure that any revisions to the RAP would be approved by DTSC. The following mitigation measures were included in the approved Project MMRP to ensure that any revisions to the RAP are approved by DTSC and that access to the necessary areas or monitoring programs required in the RAPs would be provided although no significant hazards impact was determined. While it will also result in a less than significant impact, the proposed modified Project would implement these mitigation measures as updated and as applicable to the current stage of remediation:

- Mitigation Measure D-1: To the extent the Applicant desires to refine or modify requirements in the RAP, the Applicant shall provide documentation to the City indicating DTSC approval of such refinements or modifications prior to commencement of construction.
- Mitigation Measure D-2: The Applicant shall provide documentation to the City indicating DTSC shall permit proposed residential use prior to issuance of a building permit for residential development.
- Mitigation Measure D-3: The Applicant shall provide documentation to the City indicating both on- and off-site risks associated with RAP construction have been evaluated to the satisfaction of the DTSC, and at a minimum, perimeter air monitoring shall be completed for dust, particulates, and constituents determined to be Constituents of Concern (COCs). Should the air monitoring indicate any violations of air quality as defined in the RAP, then construction activities causing the exceedance shall cease until modifications have been implemented to remedy the exceedances.
- Mitigation Measure D-4: The Applicant shall provide to the City documentation indicating that (1) a cell-specific risk assessment has been prepared by the Applicant and

approved by DTSC demonstrating that the risk of exposure for occupancy of that cell is within acceptable levels to DTSC and (2) DTSC has approved a remedial action completion report documenting that the remedial systems are properly functioning prior to issuance of a Certificate of Occupancy.

- Mitigation Measure D-6: The Applicant's construction contractor shall incorporate the contingency plan recommended under the July 9, 2008, Oil/Water Well Investigation report by Arcadis into construction specifications. The contingency plan shall be physically on site during any earthwork activities and implemented in the event that a previously unknown well is encountered at the Property.

#### **4. Findings**

The City finds that, regarding the above hazards and hazardous materials issues, that former Mitigation Measure D-5 in the FEIR is deleted from the SEIR as it is no longer applicable and remaining FEIR mitigation measures are applied with certain modifications to address new requirements applicable to the proposed modified Project. Mitigation Measure D-4 will continue to assure that phased occupancy will not exceed the risk of exposure determined acceptable by DTSC and with implementation of mitigation, no significant impact will occur. The City finds that after implementation of the above referenced mitigation measures there are no significant impacts from implementation of the proposed modified Project with respect to RAP-related hazard issues (e.g., those issues related to routine transport, use or disposal or accidental release of hazardous materials; significant hazards to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; hazardous emissions or handling or hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; location on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would create a significant hazard to the public or the environment). The City finds that with respect to location of oil and water wells on site, new mitigation measure D-6 would be implemented and, with implementation, impacts would be less than significant. As compared with the approved Project, impacts are similar and there is no new significant impact.

#### **5. Rationale**

Although no significant impact was identified in either the FEIR or the SEIR, Mitigation Measures D-1 to D-4 were identified in the FEIR, and Mitigation Measure D-6 was identified in the SEIR. These mitigation measures are implemented to further mitigate any impact regarding hazards and hazardous material. With implementation of these mitigation measures, the impacts for hazards and hazardous material remain less than significant for the proposed modified Project.

#### **6. Reference**

For a complete discussion of impacts associated with hazardous materials, please see Draft SEIR

Section III, General Description of the Environmental Setting and Section VI, Hazards and Hazardous Materials.

**I. Public Services--Fire Protection**

**1. Description of Significant Effects**

Fire protection service will still be provided to the Property by the Los Angeles County Fire Department (LACoFD), as was the approved Project. During construction, with the implementation of code-required safety features, any additional demand on fire services that would occur would not exceed the current capabilities of the LACoFD, and impacts during construction of the proposed modified Project would be less than significant.

During operation, the occupancy of the new buildings would increase the demand for LACoFD staffing, equipment, and facilities, same as for the approved Project. The proposed modified Project would reduce the amount of commercial square footage and would increase by 50 the number of hotel rooms as compared to the approved Project. The proposed modified Project would allow 1,250 residential units. Fire Station No. 36 is the current closest station to the Property and, therefore, is likely to provide first response for emergency incidents. Emergency access would be provided via the proposed access points. Like the approved Project, the proposed modified Project's potentially significant demand on existing fire service facilities would be reduced to a less than significant level through the implementation of all applicable fire code regulations regarding site access, fire hydrant spacing, water-storage, building materials, construction standards, and fire flow. While the approved Project was required to pay a fair-share contribution for new fire facilities, LACoFD has not identified or requested such a contribution for facilities. However, the proposed modified Project would generate annually recurring revenue to the Los Angeles County General Fund in the form of taxes and other miscellaneous charges. A portion of such revenue, including direct assessments that are received by the LACoFD, would be used to address costs associated with demand for LACoFD operations and staffing.

**2. Project Design Features**

No project design features are identified for this impact area.

**3. Mitigation Measures**

The following mitigation measures are included in the approved Project MMRP to ensure that all applicable fire code regulations, mandatory fee payments and recommended fire safety measures have been applied. With the implementation of the mitigation measures as updated from the FEIR, impacts to fire services would be less than significant.

- Mitigation Measure I.1-1: Prior to construction, the Applicant shall submit buildings plans to the Los Angeles County Fire Department (LACoFD) for review. Based on such plan check, any additional fire safety recommendations shall be implemented to the

satisfaction of the LACoFD.

- Mitigation Measure I.1-2: The Applicant shall provide adequate ingress/egress access points for emergency response to the satisfaction of the LACoFD.
- Mitigation Measure I.1-3: The Applicant shall comply with all applicable fire code and ordinance requirements for construction, access, water mains, fire flows, and fire hydrants as required by the LACoFD.
- Mitigation Measure I.1-4: Every building shall be accessible to Fire Department apparatus by way of access roadways, with an all-weather surface of not less than the width prescribed by the LACoFD. The roadway shall extend to within 150 feet of all portions of exterior building walls when measured by an unobstructed route around the exterior of the building.
- Mitigation Measure I.1-5: Requirements for access, fire flows, and hydrants, shall be addressed during the City's subdivision tentative map stage.
- Mitigation Measure I.1-6: Fire sprinkler systems shall be installed in all residential and commercial occupancies to the satisfaction of the LACoFD.
- Mitigation Measure I.1-7: The Applicant shall ensure that adequate water pressure is available to meet Code-required fire flow. Based on the size of the buildings, proximity of other structures, and construction type, a maximum fire flow up to 4,000 gallons per minute (gpm) at 20 pounds per square inch (psi) residual pressure for up to a four-hour duration may be required.
- Mitigation Measure I.1-8: Fire hydrant spacing shall be 300 feet and shall meet the following requirements:
  - No portion of a lot's frontage shall be more than 200 feet via vehicular access from a properly spaced fire hydrant;
  - No portion of a building shall exceed 400 feet via vehicular access from a properly spaced fire hydrant;
  - Additional hydrants shall be required if spacing exceeds specified distances;
  - When a cul-de-sac depth exceeds 200 feet on a commercial street, hydrants shall be required at the corner and mid-block;
  - A cul-de-sac shall not be more than 500 feet in length, when serving land zoned for commercial use; and
  - Turning radii in a commercial zone shall not be less than 32 feet. The measurement

shall be determined at the centerline of the road. A turning area shall be provided for all driveways exceeding 150 feet in length at the end of all cul-de-sacs, to the satisfaction of the LACoFD.

- Mitigation Measure I.1-9: All on-site driveways and roadways shall provide a minimum unobstructed (clear-to-sky) width of 28 feet. The on-site driveways shall be within 150 feet of all portions of the exterior walls of the first story of any building. The centerline of the access driveway shall be located parallel to, and within 30 feet of an exterior wall on one side of the proposed structure or otherwise in accordance with the City Fire Code.
- Mitigation Measure I.1-10: All on-site driveways shall provide a minimum unobstructed (clear-to-sky) width of 28 feet. Driveway width shall be increased under the following conditions:
  - If parallel parking is allowed on one side of the access roadway/driveway, the roadway width shall be 34 feet; and
  - If parallel parking is allowed on both sides of the access roadway/driveway, the roadway width shall be 36 feet in a residential area or 42 feet in a commercial area.
- Mitigation Measure I.1-11: The entrance to any street or driveway with parking restrictions shall be posted with LACoFD-approved signs stating “NO PARKING – FIRE LANE” in 3-inch-high letters, at intermittent distances of 150 feet. Any access way that is less than 34 feet in width shall be labeled “Fire Lane” on the final tract map and final building plans.
- Mitigation Measure I.1-12: The following standards apply to the Project’s residential component only:
  - A cul-de-sac shall be a minimum of 34 feet in width and shall not be more than 700 feet in length;
  - The length of the cul-de-sac may be increased to 1,000 feet if a minimum 36 foot-wide roadway is provided; and
  - An LACoFD-approved turning radius shall be provided at the terminus of all residential cul-de-sacs.
- Mitigation Measure I.1-14: All access devices and gates shall meet the following requirements:
  - Any single-gated opening used for ingress and egress shall be a minimum of 26 feet clear-to-sky;
  - Any divided gate opening (when each gate is used for a single direction of travel, i.e.,

ingress or egress) shall be a minimum width of 20 feet clear to sky;

- Gates and/or control devices shall be positioned a minimum of 50 feet from a public right-of-way and shall be provided with a turnaround having a minimum of 32 feet of turning radius. If an intercom system is used, the 50 feet shall be measured from the right-of-way to the intercom control device;
- All limited access devices shall be of a type approved by LACoFD; and
- Gate plans shall be submitted to LACoFD prior to installation. These plans shall show all locations, widths, and details of the proposed gates.
- Mitigation Measure I.1-15: All proposals for traffic calming measures (speed humps/bumps/cushions, traffic circles, roundabouts, etc.) shall be submitted to LACoFD for review prior to implementation.
- Mitigation Measure I.1-16: Provide three sets of alternate route (detour) plans with a tentative schedule of planned closures prior to the beginning of construction. Complete architectural/structural plans are not necessary.
- Mitigation Measure I.1-17: Any temporary bridges shall be designed, constructed, and maintained to support a live load of at least 70,000 pounds. A minimum vertical clearance of 13'6" shall be required throughout construction.
- Mitigation Measure I.1-18: Disruptions to water services shall be coordinated with LACoFD, and alternate water sources shall be provided for fire protection during such disruptions

#### **4. Findings**

The City finds that, regarding the above fire service issues, no new significant impact exists, previous mitigation measures I.1-1 to I.1-12 would remain in effect, new mitigation measures I.1-14 to I.1-16 would be implemented, and impacts would be less than significant.

#### **5. Rationale**

Although no significant impact was identified in either the FEIR or the SEIR, Mitigation Measures I.1-1 to I.1-12 were identified in the FEIR, and Mitigation Measures I.1-14 to I.1-16 were identified in the SEIR. These mitigation measures are implemented to further mitigate any impact regarding fire protection. With implementation of these mitigation measures, the impacts for fire protection remain less than significant for the proposed modified Project.

#### **6. Reference**

For a complete discussion of impacts associated with fire protection, please see Section III. - General Description of the Environmental Settings.



## **J. Public Services--Police Protection**

### **1. Description of Significant Effects**

The Property is located within the jurisdiction of the Los Angeles County Sheriff's Department (Sheriff's Department). The City, including the Property, is still served by the Carson Sheriff Station located at 21356 South Avalon.

During construction, a chain-link fence would continue to secure the perimeter of the Property, and the Applicant would provide security as needed in accordance with standard practices in the area and as required by the City throughout the construction period of the proposed modified Project as analyzed in the FEIR for the approved Project. With implementation of a Construction Management Plan and coordination between the proposed modified Project's construction managers and the Sheriff's Department, the potential impact of construction on emergency access would be reduced to a less than significant level.

### **2. Project Design Features**

No project design features are identified for this impact area.

### **3. Mitigation Measures**

Like the approved Project, the proposed modified Project would increase the demand for police services such that significant impacts to existing service ratios may occur. However, the proposed modified Project would not substantially deviate from the approved Project, and in the case of commercial land uses, the overall square footage has decreased as compared to the approved Project. As such, the same mitigation measures would likewise reduce impacts to less than significant and are carried forward and applied to the proposed modified Project. Further, a new mitigation measure has been added to the SEIR as it is applicable to the proposed modified Project, but was not applicable to the approved Project, and would further reduce impacts to police services. With the implementation of the mitigation measures, impacts to police services would be less than significant.

- Mitigation Measure I.2-1: The Applicant shall provide private security services within Planning Areas 2, and 3 that are occupied by commercial development. On-site security services shall maintain an ongoing dialogue with the Sheriff's Department so as to maximize the value of the security service provided.
- Mitigation Measure I.2-2: The Applicant shall incorporate into the Project design a space for a Sheriff's substation for use by the Los Angeles County Sheriff's Department.
- Mitigation Measure I.2-3: The Applicant shall install video cameras throughout the commercial development within Planning Areas 2, and 3 with digitally recorded feed to the substation that is also accessible via the internet at the Carson Sheriff's Station.

- Mitigation Measure I.2-4: The Applicant shall develop jointly with the Sheriff's Department a community policing plan, subject to final review and approval by the Sheriff's Department.
- Mitigation Measure I.2-5: The Applicant shall confer with the Sheriff's Department and, if private security is not sufficient, shall fund Deputy Sheriffs on an overtime basis to augment security during peak periods, as jointly determined by the Applicant or its successor, and the Sheriff's Department.
- Mitigation Measure I.2-6: The management of the entertainment venues located within the Project site shall notify the Sheriff's Station in advance of planned activities (i.e., movie schedules).
- Mitigation Measure I.2-7: The Sheriff's Department Crime Prevention Unit shall be contacted for advice on crime prevention programs that could be incorporated into the proposed modified Project, including Neighborhood Watch.
- Mitigation Measure I.2-8: Applicant(s) for Planning Areas 1, 2, and 3 shall pay a fair-share contribution for Sheriff department services, facilities, and equipment that is required to offset the impacts of the proposed modified Project, as determined by the City of Carson after consultation with the Sheriff's Department.

#### **4. Findings**

The City finds that, regarding the above police service issues, no new significant impact exists, previous mitigation measures I.2-1 to I.2-7 would remain in effect, new mitigation measure I.2-8 would be implemented, and impacts would be less than significant.

#### **5. Rationale**

Although no significant impact was identified in either the FEIR or the SEIR, Mitigation Measures I.2-1 to I.2-7 were identified in the FEIR, and Mitigation Measure I.2-8 was identified in the SEIR. These mitigation measures are implemented to further mitigate any impact regarding police protection. With implementation of these mitigation measures, the impacts for police protection remain less than significant for the proposed modified Project.

#### **6. Reference**

For a complete discussion of impacts associated with police protection, please see Section III. General Description of the Environmental Settings.

### **K. Public Services--Parks**

#### **1. Description of Significant Effects**

The City evaluates parks based on the ratio of park acreage per residents as residents are deemed

most likely to utilize area parks. As with the approved Project, the proposed modified Project would increase the demand for parks and recreation services in the City. The City has identified 11 parks located in proximity to the Property and potentially used by residents. For the proposed modified Project, which includes 1,250 residential units, in accordance with the City regulations, the proposed modified Project would be required to dedicate 10.31 acres of land. The proposed modified Project proposes to meet the requirements through the provision of park space, on-site improvements, and/or, the payment of in-lieu fees. Therefore, the proposed modified Project would be consistent with City requirements and, thus, would have a less than significant impact with regard to the provision of park space. With regard to private open space, the proposed modified Project would provide less private open space than that required by the Municipal Code, although it proposes to include other amenities that would serve residents. The Specific Plan identifies various features to contribute to meeting the common open space requirement, the amount of such space has not been determined at this time. As a significant impact could occur regarding the provision of park fees, and private and common open space, mitigation measures establishing requirements and standards were adopted in the FEIR, and as modified to address the Specific Plan requirements, are imposed on the proposed modified Project to ensure that impacts will be less than significant.

## **2. Project Design Features**

No project design features are identified for this impact area.

## **3. Mitigation Measures**

Like the approved Project, the proposed modified Project would increase the demand for parks and recreation services among new residents in the City. The following mitigation measures are carried forward from the FEIR as updated, are included in the approved Project MMRP, and are also incorporated into the SEIR:

- Mitigation Measure I.4-1: Residential uses of the Project shall provide park and recreation facilities pursuant to Municipal Code Section 9207.19, equivalent to 3 acres per 1,000 population, that would be met through the provision of park space, on-site improvements, and/or the payment of in-lieu fees.
- Mitigation Measure I.4-2: Residential uses of The Project shall meet the intent of Municipal Code Sections 9128.54 and 9128.15 through the provision of private open space as defined therein and/or the provision of additional amenities that meet the recreational needs of Project residents, e.g., health clubs.
- Mitigation Measure I.4-3: Public open space for residential uses of the Project shall be calculated on a per-unit basis:
  - For PA 1:
    - Studio and 1-Bedroom Units: a minimum of 150 sq. ft. per unit

- 2-Bedroom Units: a minimum of 220 sq. ft. per unit
  - 3+-Bedroom Units: a minimum of 250 sq. ft. per unit
  - All with a minimum dimension of 15 feet in any direction
- For DD3:
    - All Units: a minimum of 300 sq. ft. per unit with a minimum dimension of 15 feet in any direction

#### **4. Findings**

The City finds that, regarding the above parks service issues, no new significant impact exists, previous Mitigation Measures I.4-1 to I.4-3 would remain in effect, and impacts would be less than significant.

#### **5. Rationale**

Although no significant impact was identified in either the FEIR or the SEIR, Mitigation Measures I.4-1 to I.4-3 were identified in the FEIR. These mitigation measures are implemented to further mitigate any impact regarding parks. With implementation of these mitigation measures, the impacts for parks remain less than significant for the proposed modified Project.

#### **6. Reference**

For a complete discussion of impacts associated with parks, please see Section III. General Description of the Environmental Settings.

### **L. Public Services— Other Public Facilities (Libraries)**

#### **1. Description of Significant Effects.**

The proposed modified Project is within the service area of the Carson Regional Library (Carson Library), a 33,112-sq. ft. facility, located approximately 1.5 miles south of the Project site at 151 East Carson Street. The Carson Library service area includes the southern half of the City and nearby unincorporated areas of the County. Library demand is primarily based on residential population. The proposed modified Project would allow 1,250 residential units, and would reduce commercial development and increase the number of hotel rooms. Thus, impacts would remain similar as under the approved Project. As analyzed in the FEIR for the approved Project, the proposed modified Project could have significant impacts on the County Library system.

#### **2. Project Design Features**

No project design features are identified for this impact area.

### **3. Mitigation Measure**

The County Library system utilizes developer fees to mitigate impacts within the unincorporated areas of Los Angeles County. As such, the following mitigation measure is included in the approved Project MMRP and is thereby incorporated into the proposed modified Project. With implementation of the mitigation measure, impacts to libraries would be less than significant.

- Mitigation Measure I.5-1: Applicants for residential uses shall pay a fair-share contribution for the improvement of library facilities that are required to off-set impacts of the Project, subject to approval of the County of Los Angeles Public Library.

### **4. Findings**

The City finds that, regarding the above library services issue, no new significant impact exists, previous mitigation measure I.5-1 would remain in effect, and impacts would be less than significant.

### **5. Rationale**

Although no significant impact was identified in either the FEIR or the SEIR, Mitigation Measure I.5-1 was identified in the FEIR. This mitigation measure is implemented to further mitigate any impact regarding libraries. With implementation of this mitigation measure, the impacts for libraries remain less than significant for the proposed modified Project.

### **6. Reference**

For a complete discussion of impacts associated with libraries, please see Section III. General Description of the Environmental Settings.

## **M. Utilities and Service Systems (*Construction of new water facilities or expansion of existing facilities*)**

### **1. Description of Significant Effects**

As indicated in the FEIR, the Project site is served by a 16-inch concrete lined and coated main along Del Amo Boulevard and by a 12-inch main in Main Street. There are also secondary feeds from the two main lines that provide service into the interior of the Property and that could be used to serve the proposed modified Project. Within the Property, the water system consists of 12-inch PVC water mains buried under Street A and Street B, the existing on-site access roads within PA 1, PA 2, and PA 3. This backbone distribution of mains and fire hydrants was engineered for future commercial and industrial uses and was approved by the Los Angeles County Department of Public Works.

There is a backbone reclaimed water system in place on the northern side of the I-405 Freeway and Dominguez Channel, which is operated by the West Basin Municipal Water District (WBMWD). The WBMWD currently implements a program for water recycling in the South

Bay area. Recycled water can be used for landscape irrigation, cooling towers, and refineries, as well as street sweeping and toilet flushing.

The proposed modified Project would not exceed distribution infrastructure capabilities. As analyzed in the FEIR for the approved Project the proposed modified Project would not create a significant impact relative to the existing conveyance system. Therefore, the proposed modified Project would result in a less than significant impact with regard to water conveyance systems as well as fire flow with the incorporation of the mitigation measure below.

## **2. Project Design Features**

No project design features are identified for this impact area.

## **3. Mitigation Measure**

The following mitigation measure is included in the approved Project MMRP to ensure sufficient fire flow exists for the proposed modified Project and is thereby incorporated into the SEIR. With the implementation of the mitigation measure, impacts to water facilities would be less than significant.

- Mitigation Measure J.1-8: Water lines and hydrants shall be sized and located so as to meet the fire flow requirements established by the Los Angeles County Fire Department.

## **4. Findings**

The City finds that, regarding water conveyance issue there are no significant impacts identified in the FEIR with respect to the approved Project or the SEIR with respect to the proposed modified Project. Previous Mitigation Measures J.1-8 would remain in effect, and impacts would be less than significant.

## **5. Rationale**

Although no significant impact was identified in either the FEIR or the SEIR, Mitigation Measures J.1-8 was identified in the FEIR. Implementation of this mitigation measure would further mitigate any impact regarding water supply and water conveyance. With implementation of these mitigation measure, the impacts for water conveyance remain less than significant for the proposed modified Project.

## **6. Reference**

For a complete discussion of impacts associated with utilities and service systems, please see Section III. General Description of the Environmental Settings.

## **N. Utilities and Service Systems—Sufficient Water Supplies**

### **7. Description of Significant Effects**

Water service in the City is provided by the California Water Service Company (Cal Water) and the Southern California Water Company. The Property is served by Cal Water, which serves a 35-square-mile area including most of the City. Water supplies for Cal Water are from local groundwater and purchased imported water.

A Water Supply Assessment (WSA) was prepared to assess whether the projected water demands for the approved Project could be met by its projected water supply. The WSA determined that Cal Water had adequate water supplies to meet the projected demands of the approved Project in addition to those of its existing customers and other anticipated future water users in the for the 20-year period under all conditions.

The proposed modified Project contains similar land uses and would result in a decrease of commercial square footage and an increase of 50 hotel rooms. The overall number of residential units would remain the same. Since a WSA was prepared for the approved Project, a technical memorandum is provided in the SEIR that provides an analysis to determine whether demand and generation rates have been adequately addressed by the WSA and have not substantially increased due to project modifications; that there are no changes in circumstances or conditions that substantially affect the ability of Cal Water to provide a sufficient supply of water to the proposed modified Project; and that there is no significant new information that would affect the analysis and conclusions in the water supply assessment and applicable water management plans.

The analysis conducted used the same use factors as those used in the WSA for the approved Project. The proposed modified Project is projected to require a total estimated daily water demand of 629,445 gpd and a total estimated annual demand of 705 afy. When compared to the approved Project, the proposed modified Project would result in a decrease of 166,025 gpd and 187 afy. Moreover, it is anticipated that overall demand for water by the proposed modified Project would be even further reduced by water savings from intervening developments in water conservation technology and features, which are now prominent in project design with compliance with CALGreen Code, and which were not available when the WSA projections were originally prepared.

However, for purposes of comparison with the WSA, it is necessary to account for the 300 units on DD3, which were included in the WSA analysis as part of the approved Project. The 300 units were determined in the WSA to have a water demand of 60,900 gpd, or 68 afy. When these units are added to the proposed modified Project for comparative purposes with the FEIR, the proposed modified Project and the DD3 300-unit development together would result in a total estimated daily water demand of 690,345 gpd and a total estimated annual demand of 773 afy, which is a decrease of 105,125 gpd and 119 afy as compared with the water demand established in the WSA. Therefore, even considering the additional 300 residential units in DD3, the actual water demand of the proposed modified Project would be even a greater decrease as compared to that of the approved Project.

Therefore, the proposed modified Project would require less water than previously projected for the approved Project. Thus, the proposed modified Project would not result in a substantial increase in water demand compared to the approved Project – in fact a decrease in water demand

– and the proposed modified Project would not trigger the necessity to prepare a new WSA. Impacts related to water demand for the proposed modified Project would be less than significant.

## **8. Project Design Features**

No project design features are identified for this impact area.

## **9. Mitigation Measures**

As analyzed in the FEIR for the approved Project, although development of the proposed modified Project would not result in significant impacts to water supply services, the following mitigation measures, which are included in the approved Project MMRP and thereby incorporated into this SEIR would ensure that water resources would be conserved to the extent feasible.

- Mitigation Measure J.1-1: The Building Department and the Planning Division shall review building plans to ensure that water-reducing measures are utilized, as required by Title 20 and Title 24 of the California Administrative Code. These measures include, but are not limited to, water conserving dishwashers, low-volume toilet tanks, and flow control devices for faucets.
- Mitigation Measure J.1-2: The Project shall comply with the City’s landscape ordinance, “A Water Efficient Landscape Ordinance,” as required by the State Water Conservation Landscape Act.
- Mitigation Measure J.1-3: The Applicant shall provide reclaimed water for the Project’s non-potable water needs, if feasible.
- Mitigation Measure J.1-4: Landscaping of the Property shall utilize xeriscape (low-maintenance, drought-resistant) plantings.
- Mitigation Measure J.1-5: Automatic irrigation systems shall be set to ensure irrigation during early morning or evening hours to minimize water loss due to evaporation. Sprinklers must be reset to water less in cooler months and during rainfall season so that water is not wasted on excessive landscape irrigation.
- Mitigation Measure J.1-6: The Project shall be designed to recycle all water used in cooling systems to the maximum extent possible.
- Mitigation Measure J.1-7: To the maximum extent feasible, reclaimed water shall be used during the grading and construction phase of the Project for the following activities: (1) dust control, (2) soil compaction, and (3) concrete mixing.

## **10. Findings**



The City finds that, regarding water supplies there are no significant impacts identified in the FEIR with respect to the approved Project or the SEIR with respect to the proposed modified Project. Previous Mitigation Measures J.1-1 through J.1-7 would remain in effect, and impacts would be less than significant.

### **11. Rationale**

Although no significant impact was identified in either the FEIR or the SEIR, Mitigation Measures J.1-1 to J.1-8 were identified in the FEIR. These mitigation measures were implemented to further mitigate any impact regarding water supply. With implementation of these mitigations measure, the impacts for water supply remain less than significant for the proposed modified Project.

### **12. Reference**

For a complete discussion of impacts associated with utilities and service systems, please see Section III. General Description of the Environmental Settings.

## **SECTION 6: EFFECTS DETERMINED NOT TO BE SIGNIFICANT OR LESS THAN SIGNIFICANT**

The City finds that, based upon substantial evidence in the record, as discussed below, the following impacts associated with the proposed modified Project are less than significant.

### **A. Aesthetics/Visual Resources (*Views; Scenic Vistas; Scenic Resources*)<sup>17</sup>**

#### **1. Views**

##### **(i) Impacts from Public Vantage Points**

Views toward and over the Property from the I-405 Freeway remain limited, and have not substantially changed as compared to the approved Project. Therefore, similar to the approved Project and described above, the two visual resources along the I-405 Freeway (the Wingfoot Two a rigid frame blimp replacement (when it is in port) and the large statue of the man (now holding a flag) are located north of the Property and would still remain visible from freeway locations once proposed modified Project development is complete.

Views along Del Amo Boulevard have also not substantially changed since assessed in the FEIR, except for additional construction equipment on the Property due to remediation activities as was anticipated by the FEIR. The proposed modified Project's elevation and berms remain at a higher elevation, blocking clear views of surrounding development and features. When surrounding areas are apparent, those views are of the general urban environment and not toward any identified visual resource.

Views along Main Street continue to include industrial uses interspersed with vacant and underdeveloped lands on the west and residential development, the Property, and open space on the east. Views along Main Street remain similar to those addressed in the FEIR, except for additional construction equipment on the Property due to remediation activities. There are still no views of unique scenic resources from vantage points along Main Street.

##### **(ii) Private Vantage Points**

As detailed in the FEIR and consistent with existing conditions, views over the Property from the residential neighborhood located to the south and southwest of the Property would remain

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<sup>17</sup> As noted in Sections 4 and 5 above, those aesthetic/visual impacts that are determined to have significant and unavoidable impacts following implementation of mitigation are discussed in Section 4, while those mitigated to a less than significant level with imposition of specified mitigation are discussed in Section 5 above and those for which there are no impacts (no mitigation required) are discussed in this Section 6.

limited as discussed. There would be no views available of unique scenic resources, and views would largely be blocked by the slope along the Project edge and existing development. The same would apply to other private locations discussed in the FEIR, except that the views from the Dominguez Hills Golf Course would now be from the Porsche Driving Experience facility, which is somewhat hillier. However, due to the location of this site, and the viewing distance and parameters, this private location would experience substantially similar views as compared to the approved Project. Other private vantage points would continue to have views substantially similar to those outlined in the FEIR. Like the approved Project, there would be no views available of unique scenic resources from vantage points within these areas, and, as with the approved Project, views of the nearby Big Man statue and the Blimp facility would not be affected.

### (iii) Conclusions Regarding View Impacts

As discussed in the FEIR, the Property is not considered a view resource, as it is still in a degraded state, and does not include qualifying unique or natural qualities. The Project vicinity still does not contain notable features that would typically fall under the heading of view resource, e.g., unique geologic features, natural areas, etc. Views of the two notable features that might catch the eye of travelers through the area, the Wingfoot Two and the Big Man statue on the south of the I-405 Freeway would not be lost due to development of the proposed modified Project. Views over the Property are limited due to intervening development, the flat terrain in the areas surrounding the Property, and the fact that the Property sits atop a berm that slopes down to surrounding areas. Therefore, similar to the approved Project, the proposed modified Project would not substantially diminish any such views, and impacts on views of unique, valued scenic resources would be less than significant. As such, the proposed modified Project would not result any new significant impacts as compared to the approved Project.

## 2. Scenic Vistas; Scenic Resources

As was the case when the FEIR was prepared, the area near the Property still does not contain notable features that would be considered unique geologic features or scenic resources located near a scenic highway, and does not have any scenic vistas. While the Property continues to be adjacent to the I-405 Freeway, that portion of the freeway is not designated as a state scenic highway. As such, the proposed modified Project would not substantially damage any scenic resources within a state scenic highway. No significant impacts would occur, and no mitigation measures would be necessary.

Accordingly, the City finds that, as with the approved Project, there are no significant impacts from implementation of the proposed modified Project with respect to scenic vistas or scenic resources, no mitigation was applied in the FEIR and no new mitigation measures are necessary. As compared with the approved Project, impacts are similar and there is no new significant impact.

### **B. Agriculture and Forestry Resources** *(Farmland to Non-Agricultural Use; Conflict with Agricultural Zoning or Williamson Act Contract; Forest/Timberland Zoning; Loss or*

*Conversion of Forest Land Use; Conversion of Farmland or Forest Land)*

The Property remains a former landfill located within a heavily developed area of the City and has not previously supported agricultural uses. No agricultural uses or related operations are present on the Property and the Property is not shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. In addition, the Property is not zoned for agricultural uses nor is the Property under a Williamson Act contract. Therefore, no impact on the conversion farmland or agricultural resources would occur.

With regard to forest land, according to the City's General Plan, there are still no parcels designated as forest land or timberland within the Property. Therefore, implementation of the proposed modified Project would not conflict with existing zoning or cause the rezone of forestland or timberland within the City. No mitigation measures are necessary, as there would be no impacts.

Accordingly, the City finds that, as with the approved Project, there are no significant impacts from implementation of the proposed modified Project with respect to agriculture or forestry, no mitigation was applied in the FEIR and no new mitigation measures are necessary. As compared with the approved Project, impacts are similar and there is no new significant impact.

**C. Air Quality<sup>18</sup>**

**1. Localized Construction Impacts.**

The FEIR determined that with the application of mitigation measures, the approved Project would result in significant and unavoidable localized PM<sub>10</sub> emissions and less than significant localized NO<sub>x</sub>, and CO emissions during construction. Methodology for analyze localized construction impacts has changed significantly since 2005. The analysis of impacts from localized emissions in the SEIR is based new methodology and therefore direct correlation of values may not be applicable. Using current state-of-the-practice methodology, the SEIR concluded that localized construction emissions would be less than significant with respect to NO<sub>x</sub>, CO, and PM<sub>10</sub> for the proposed modified Project. As compared with the approved Project, localized emissions of NO<sub>x</sub>

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<sup>18</sup> As noted in Sections 4 and 5 above, those air quality impacts that are determined to have significant and unavoidable impacts following implementation of mitigation are discussed in Section 4, while those mitigated to a less than significant level with imposition of specified mitigation are discussed in Section 5 and those for which there are no impacts (no mitigation required) are discussed in this Section 6. However, although regional air quality impacts from certain criteria pollutants were determined to have less than significant impacts after mitigation, they are nonetheless discussed in Section 4 in order to maintain consistency with the discussion of these impacts in the SEIR, where the discussion of impacts of various emissions is commingled for regional construction and operational emissions.

and CO would be similar, and impacts of PM<sub>10</sub> would be reduced from significant to less than significant. Localized emissions of PM<sub>2.5</sub>, which was not previously analyzed in the FEIR and has been identified as a pollutant of concern since certification of the FEIR, also would not exceed the SCAQMD localized threshold, and would be less than significant with respect to the proposed modified Project.

Accordingly, the City finds that as with the approved Project, construction activities would not exceed the SCAQMD daily emission thresholds, there are no significant impacts from implementation of the proposed modified Project with respect to localized construction impacts involving air quality, no mitigation was applied in the FEIR, and no new mitigation measures are necessary. As compared with the approved Project, impacts are similar as noted above and there is no new significant impact.

## 2. Toxic Air Contaminants (TACs).

As discussed in the FEIR, DTSC has determined that potential health effects due to air emissions relative to on-Property commercial activities would be less than significant. Additionally, development of residential uses would not be allowed until DTSC has concluded that the development would be implemented in a manner that is protective of human health and the environment. The proposed modified Project is subject to DTSC authority and would be subject to the same remedial actions and clearances as the approved Project.

The FEIR evaluated the potential for TAC emissions related to diesel particulate matter (DPM) emissions associated with heavy equipment operations during construction activities. The maximum individual increase in lifetime cancer risk was determined to be 1.2 in a million, less than the applicable threshold of 10 in a million, and was determined to be less than significant. However, the methodology for analyzing risk from construction impacts has changed since the FEIR analysis. The analysis of the impacts from TAC emissions from construction of the proposed modified Project is assessed based on the revised methodology. While construction risk is called out separately, cancer and chronic risk are cumulative over their averaging periods and therefore comparison to numeric indicators is for informational purposes only. Significance determinations for associated risk from the proposed modified Project combines construction and operational risk over the 30-year averaging period. The increased efficiencies of the construction equipment and efficiencies of diesel reduction features demonstrate that the proposed modified Project's risk from construction would be less than that originally identified in the FEIR with the use of a diesel particulate trap (1.2 per million). Impacts from the proposed modified Project would not result in new significant impacts with respect to TAC emissions from construction.

The proposed modified Project would result in similar land uses and include regional commercial, general commercial, entertainment, residential, and hotels as the approved Project, and operations of the proposed modified Project, as with the approved Project, would result in minimal on-Property emissions of DPM. However, to provide a worst-case analysis, operational DPM emissions have been accounted for in the health risk assessment for the proposed modified Project. Additionally, the FEIR did not analyze construction-related health risk to off-Property receptors. Utilizing the most recent methodology, a combined construction and operational HRA

was conducted. With respect to on-property sources, the SEIR concluded that with respect to combined construction and operational risk, the total combined risk is below the SCAQMD numeric indicators. Therefore, without mitigation, the combined risk from the construction and operation of the proposed modified Project would not result in a new significant impact as compared to the approved Project.

With respect to off-property sources, SCAQMD studies verify that ambient levels of TACs, especially DPM, have been steadily decreasing over time. Additionally, a quantitative evaluation of the impact to future on-Property residents from exposure to TACs generated on the I-405 Freeway is not required in this SEIR. CARB's Air Quality and Land Use Handbook requires a site-specific health risk analysis if a sensitive receptor is cited within 500 feet of a freeway. Proposed residential uses within PA 1 would be sited at a minimum of 1,400 feet from the I-405 Freeway. Therefore, a site-specific health risk analysis is not required. Although not currently anticipated, residential use is permitted by right or with an appropriate permit within PA 2. Any residential use located within CARB's recommended separation distance of 500 feet would be subject to FEIR Mitigation Measure G-25. However, because the proposed modified Project is subject to FEIR mitigation requiring installation of MERV 12 air filtration systems on future residential units, has been included as a PDF (project design feature) for the proposed modified Project. Thus, impacts to on-Property residents from off-Property sources of TACs would be less than significant. The calculated combined risk from the construction and operation of the proposed modified Project would not result in a new significant impact as compared to the approved Project. Thus, impacts to on-Property residents from off-Property sources of TACs (I-405 Freeway) would be less than significant.

SCAQMD recognizes that projects not exceeding project-level thresholds would not be cumulatively considerable. With implementation of the construction PDF requiring Tier 4 emissions ratings for construction equipment, risk would be reduced to less than significant levels. In the event of specialized equipment use where Tier 4 equipment is not readily available in the Project vicinity at the time of construction, then the Contractor shall demonstrate lack of availability of Tier 4 equipment through documentation of lack of availability of such equipment and the equipment shall, at a minimum, meet the Tier 3 standard. Therefore, the proposed modified Project, like the approved Project, would not result in any exceed project-level health risk thresholds and would not be cumulatively considerable.

Therefore, the City also finds there are no significant project related or cumulative impacts with respect to toxic air contaminants. With respect to each such potential impact, no mitigation was applied in the FEIR and no new mitigation measures are necessary. As compared with the approved Project, impacts are similar and there is no new significant impact.

**D. Biological Resources** (*Effect Specified Species; Effect Specified Habitat; Effect Protected Wetlands; Effect Movement of Fish or Species; Conflict with Local Regulations Re Biological Resources; Conflict with Conservation Plans*)

The Property, and as with the Project site at the time the approved Project was approved, is located in an urbanized setting and uses surrounding the Property include the I-405 Freeway, Del

Amo Boulevard, beyond which is a nursery and the Porsche Driving Experience, residential development, light industrial uses, and vacant/underdeveloped lots. The Property consists of the 157-acre former landfill site that is currently undergoing remediation activities. The Property has been completely disturbed and no vegetation or habitat is present to support candidate, sensitive, or special-status species and the FEIR identified no impacts with respect to this threshold. The FEIR concluded that there would be no significant impact. As the Property remains in its prior state (with minor remedial construction undertaken), the proposed modified Project would not constitute a substantial direct or indirect modification or removal of habitat for candidate, sensitive, or special-status species, and no significant impact would occur.

The Property is not in or adjacent to any riparian area and is not identified in the City’s General Plan as a natural, conservation or open space resource and the Property still does not contain natural hydrologic features or federally protected wetlands. The FEIR identified no impacts with respect to native resident or migratory fish or wildlife species. The Property does not function as a wildlife corridor and no bodies of water exist to provide habitat for fish. As the condition of the Property remains in its prior state (with minor remedial construction undertaken), the proposed modified Project also would not affect riparian habitat or natural communities, would not result in an adverse effect on any federally protected wetlands or potentially federally protected wetlands and would not have impacts with respect to native resident or migratory fish or wildlife species and no significant impacts would occur.

The FEIR identified no impacts with respect to natural features or protected biological resources. The Property still does not contain any notable natural features or protected biological resources and would not conflict with any local policies or ordinances protecting biological resources, including a tree preservation policy or ordinance, same as the approved Project. Therefore, no significant impact would occur.

As described in the FEIR, no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan applies to the Property and the FEIR identified no impacts with respect to this threshold. Since approval of the approved Project, there has been no adoption of any of the foregoing with respect to the Property and therefore, the proposed modified Project would also not conflict with any Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan adopted after the approval of the approved Project. Therefore, no significant impact would occur.

Accordingly, the City finds that, as with the approved Project, there are no significant impacts from implementation of the proposed modified Project with respect to biological resource issues, no mitigation was applied in the FEIR and no mitigation is required. As compared with the approved Project, no new significant impact exists.

**E. Cultural Resources** (*Historical Resources, Archaeological Resources, Paleontological Resource, Human Remains*)

The FEIR concluded that the Property does not contain any buildings, structures, objects, sites,

or districts with any historical associations or significance necessary for California Register eligibility and as such would have less than significant impacts on historical resources. Since the proposed modified Project would be developed within the Property and there are no historical resources on the Property, the proposed modified Project would also result in less than significant impact to historical resources.

As indicated in the FEIR, since the Property is a former landfill site, there is no potential for the site to yield archaeological resources and impacts would be less than significant. Since the proposed modified Project would be developed within the Property, there would still be no potential for subsurface archaeological resources to be present, and impacts would be less than significant.

As indicated in the FEIR, the Property has been disturbed in the past due to its use as a former landfill. Therefore, there is no potential to encounter unknown paleontological resources or buried human remains. Since the proposed modified Project would be developed within the Property, there would still be no potential to encounter paleontological resources, and impacts would be less than significant.

As indicated in the FEIR, the Property has been disturbed in the past due to its use as a former landfill. Therefore, there is no potential to encounter buried human remains. Since the proposed modified Project would be developed within the Property, there would still be no potential for to encounter buried human remains, and impacts would be less than significant.

Accordingly, the City finds that, as with the approved Project, there are no significant impacts from implementation of the proposed modified Project with respect to cultural resource issues, no mitigation was applied in the FEIR and no new mitigation measures are necessary. As compared with the approved Project, impacts are similar and there is no new significant impact.

**F. Geology and Soils** (*expose people or structures to substantial adverse effects involving landslides; impacts from soil erosion or loss of topsoil; location on unstable geologic unit or soil or that could become unstable from landslide, lateral spreading, subsidence, liquefaction or collapse be located on expansive soils; located on soils incapable of supporting septic or alternative wastewater systems*).<sup>19</sup>

The Property as well as the surrounding area is relatively flat and does not contain any steep slopes. Therefore, the potential for landslides or slope instability is considered low. Thus, the proposed modified Project would not expose people or structures to risk of loss, injury, or death

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<sup>19</sup> As noted in Section 5 above, those geology and soils impacts that are mitigated to a less than significant level with imposition of specified mitigation are discussed in Section 5 and those for which there are no impacts (no mitigation required) are discussed in this Section 6.



associated with landslides, and as with the approved Project analyzed in the FEIR with respect to this impact area impacts would be less than significant.

As discussed in the FEIR, the approved Project, results in construction over a large area, development of the landfill site would be highly regulated by the RAP which would preclude impacts from soil erosion and would be subject to additional regulations that address soil erosion through the construction period. The proposed modified Project, would be subject to the same regulatory structure and implementation of the RAP. Thus, the proposed modified Project would not result in substantial soil erosion or loss of topsoil, and, as with the approved Project, impacts would be less than significant.

As discussed in the FEIR, the DTSC approved RAP anticipated development of the former landfill site with urban development. As such, the RAP takes into accounting underlying geologic conditions on the Property that could potentially compromise the RAP implementation. As these impacts have been considered in the RAP, development of the Property would not be adversely affected by unstable geologic conditions, no significant impacts would occur and the proposed modified Project would not result in greater impacts than the approved Project.

The proposed modified Project, as true with the approved Project, would be required to adhere to the Carson Municipal Code which incorporates, by reference, Los Angeles County Code, Title 26, including site preparation standards which would address potential expansive soils that may be present at the site. In general, the use of engineered fill and pile supported foundations effectively minimizes adverse effects of any potentially expansive soils. Therefore, no impact would occur related to expansive soils and the proposed modified Project would not result in greater impacts than the approved Project.

The Property is located within an urbanized area that is currently served by existing sewer systems. The proposed modified Project would tie into the existing sewer lines and would not involve the use of septic tanks. Therefore, no impact regarding soils supporting the use of septic tanks or alternative wastewater disposal systems would occur and the proposed modified Project would not result in greater impacts than the approved Project.

Accordingly, the City finds that, as with the approved Project, there are no significant impacts from implementation of the proposed modified Project with respect to the above geology and soil issues, no mitigation was applied in the FEIR and no mitigation was applied in the FEIR and no new mitigation measures are necessary. As compared with the approved Project, impacts are similar and there is no new significant impact.

**G. Hazards** (*safety hazard due to proximate airport or air strip location, interference with*

*adopted emergency response or evaluation plan, wildland fire risk)*<sup>20</sup>

The proposed modified Project contains the same general land uses and associated operations as the approved Project and would have similar impacts. The closest public airport to the Property is the Compton Airport, which is located approximately 3.25 miles to the north. Therefore, development of the proposed modified Project would not occur within 2 miles of a public or public use airport and would not result in a safety hazard for people residing or working near the Project Site. Thus, the proposed modified Project would not pose a safety hazard for people working or residing on the Property from public airport related hazards, and no impact would occur. The Property still is located approximately 0.4 miles south of the port for the Goodyear Blimp, which is now Wingfoot Two, a rigid frame blimp replacement. However, operation of the proposed modified Project, which is substantially the same as the approved Project, would not interfere with blimp operations and would not result in a safety hazard for people working and residing in or around the Property. Thus, no significant impact would occur relative to private airstrips. In each case, impacts from the proposed Project would be similar to those from the approved Project and no new significant impact would occur.

The City has adopted a Multi-Hazard Functional Plan for emergency response within the City and complies with the Los Angeles County Emergency Management Plan, pertaining to emergency response requirements. The proposed modified Project, the same as the approved Project, would be required to comply with both the City's Multi-Hazard Functional Plan and the Los Angeles County Emergency Management Plan to ensure that the proposed modified Project would not interfere with an adopted emergency response or evacuation plan. Further, the proposed modified Project would include on-site circulation improvements that would enhance access within and adjacent to the Property. Therefore, impacts would be less than significant related to emergency access. Impacts from the proposed Project would be similar to those from the approved Project and no new significant impact would occur.

With respect to wildfires, the FEIR concluded that there is no impact with respect to this threshold as the Project site is located within an urbanized area and there are no adjacent wildland areas. This remains the case for the proposed modified Project. Based on the California Department of Forestry and Fire Protection Fire Hazard Severity Zones Map for Los Angeles County, the City is categorized as Non-Very High Fire Hazard Severity Zones or an area outside of the Very High Fire Hazard Severity Zones. Therefore, the proposed modified Project would not create or expose people or structures to a risk of loss, injury, or death involving wildland fires, and no impact would occur.

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<sup>20</sup> As noted in Section 5 above, those hazards impacts that are mitigated to a less than significant level with imposition of specified mitigation are discussed in Section 5 and those for which there are no impacts (no mitigation required) are discussed in this Section 6.

The City finds that, as with the approved Project, there are no significant impacts from implementation of the proposed modified Project with respect to the above hazard issues, no mitigation was applied in the FEIR and no additional mitigation measures are necessary. Accordingly, the City finds that, as compared with the approved Project, no new significant impact exists.

**H. Hydrology and Water Quality** (*Water Quality Standards/Discharge Requirements; Degrade Water Quality; Delete Groundwater Supplies or Interfere with Recharge; Alteration of Drainage Pattern Resulting in Erosion, Siltation, or Flooding; Exceed Capacity of Stormwater Drainage Systems or Polluted Runoff; Place Housing in 100-Year Flood Area; Place Structures in 100-Year Flood Area to Impede/Redirect Flood Flows; Exposure to Flooding; Exposure to Seiche, Tsunami or Mudflow*)

Like the approved Project, the proposed modified Project would be required to adhere to the National Pollutant Discharge Elimination System (NPDES) General Construction Permit. The changes under the proposed modified Project would have no substantive difference in terms of the BMPs that would be implemented to reduce potential water quality adverse effects. Rather, likely BMPs would be even more stringent with the newer version of the General Construction Permit that has been updated since certification of the FEIR. Once constructed, the proposed elements of the proposed modified Project would still be required to adhere to the drainage control requirements for the City as also discussed in the FEIR. All proposed elements of the proposed modified Project would be subject to the drainage control requirements of the 2009 Standard Urban Stormwater Mitigation Plan (SUSMP) permit requirements and the City's Storm Water Pollution Control Measures for New Development Projects. The SUSMP permit requirements were approved in 2009 and therefore represent newer regulatory requirements than those discussed and analyzed in the 2006 Final EIR. Discharges associated with the groundwater treatment program are permitted under the Los Angeles County Sanitization Industrial Wastewater Discharge Permit. All groundwater treatment effluent is required to adhere to discharge requirements of the Groundwater Extraction and Treatment System permit. Therefore, considering that the proposed changes in the details of the site improvements are consistent with the stormwater drainage approach and the more stringent regulatory requirements that have occurred since the 2006 Final EIR, the proposed modified Project would not result in a significant impact relative to water quality or water quality standards. As such, impacts related to discharge associated with the proposed modified Project would be substantially similar to those of the approved Project, no mitigation measures were previously applied, no new mitigation measures would be necessary and, as with the approved Project, impacts would be less than significant.

As with the approved Project, the proposed modified Project would not require the use of groundwater at the Property since potable water would be supplied from sources that do not involve the portions of the aquifers underlying the Property, since it is a former landfill. As such, no direct access to groundwater on the approved Project site is available the Property. Therefore, the water needs of the proposed modified Project would not substantially deplete groundwater supplies. Any increase of impervious area resulting from the proposed modified Project could marginally reduce percolation, which could result in a reduction in groundwater recharge;

however, the extent to which local groundwater supplies would be depleted would be limited, and groundwater recharge would be discouraged due to the Property being a former landfill. The proposed modified Project would have substantially the same water usage as the approved Project. To the extent this usage comes from groundwater from off-site sources, impacts on groundwater depletion would likewise be substantially the same and less than significant, and an adequate water supply remains available. As such, impacts related to substantially depleting groundwater supplies or interfering substantially with groundwater recharge associated with the proposed modified Project would be substantially similar to those of the approved Project and less than significant.

The Property remains located in an urban area which features designed drainage systems that connect the City's urban stormwater drainage infrastructure. The Property and the surrounding area do not feature any stream or river; therefore, no stream or river course would be altered with implementation of the proposed modified Project. Therefore, any alterations to existing drainage patterns, should they occur, are not of a sufficient magnitude to result in substantial erosion or siltation on- or off-site. In addition, the proposed modified Project would have to comply with the City's drainage control requirements and the 2009 SUSMP to address stormwater. With compliance with applicable regulations, impacts to water quality due to an alteration of the drainage pattern would be less than significant. As such, impacts related to alteration of existing drainage patterns would be substantially similar to those of the approved Project and less than significant.

The proposed modified Project would introduce new impervious surfaces to the Property. The RAP requires an impermeable landfill cap across the Property. Therefore, as analyzed in the FEIR, the proposed modified Project would be required to implement drainage control features in accordance with the City's drainage control regulations. In addition, the proposed modified Project is required to implement the 2009 SUSMP requirements. As such, impacts related to discharge associated with the proposed modified Project would be substantially similar to those of the approved Project, no mitigation measures were previously applied, no new mitigation measures would be necessary and, as with the approved Project, impacts would be less than significant.

With respect to runoff water, the RAP requires an impermeable landfill cap across the Property. Therefore, just as was the case analyzed in the FEIR, the proposed modified Project would be required to implement drainage control features in accordance with the City's drainage control regulations as well as 2009 SUSMP requirements. In addition, the proposed modified Project is required to implement the 2009 SUSMP requirements. There is no substantive change in development between the proposed modified Project and the approved Project. As such, impacts related to drainage control associated with the proposed modified Project would be substantially similar to those of the approved Project, new regulations would apply, and, as with the approved Project, impacts would be less than significant.

No portion of the Property is designated as being located within a 100-year flood plain as mapped on federal Flood Hazard Boundary or Flood Insurance Rate Maps or any other flood hazard delineation map. Therefore, as with the approved Project, no impacts related to hazards

associated with flooding would occur.

The Property is not located within close proximity to a dam or levee. Based on the topography of the Property and surrounding area, there is not a significant risk for flooding. The proposed modified Project would not expose people or structures to flooding as a result of failure of a dam or levee. Therefore, no significant impact relative to this issue would occur.

The Property still located in an urbanized area with relatively flat topography approximately 6.5 miles east of the Pacific Ocean. In addition, the Property is not located within close proximity to an enclosed body of water. Therefore, the proposed modified Project would not expose people to the risk of tsunami, seiche, or mudflows, and no significant impact would occur.

Accordingly, the City finds that, as with the approved Project, there are no significant impacts from implementation of the proposed modified Project with respect to the hydrology and water quality issues, no mitigation was applied in the FEIR and no new mitigation measures are necessary. As compared with the approved Project, impacts are similar as noted above, and there is no new significant impact.

## **I. Land Use and Planning**

### **1. City Land Use Plans and Policies; Land Use Plan Designations; Zoning Regulations**

The FEIR determined that the approved Project would be compatible with the existing land use plans, policies or regulations intended to prevent an impact to the environment, and impacts related to City policies would be less than significant. Overall, the majority of the goals and policies of the Land Use Element included in this analysis have not substantially changed from those evaluated within the FEIR as they remain relevant to the proposed modified Project. However, due to the modifications of the proposed modified Project, additional land use policies, which were not applicable to the approved Project, were analyzed in the SEIR.

Further, the FEIR included a consistency analysis of the approved Project with the previous Land Use Element, adopted in 1982, due to a (then)pending lawsuit challenging the adoption of the General Plan update in 2004. Subsequently, the 2004 Land Use Element was approved after the certification of the FEIR and before preparation of this SEIR. Thus, the 2004 Land Use Element is the formally adopted Land Use Element for the City of Carson. Therefore, a consistency analysis of the proposed modified Project with the 1982 Land Use Element is not required in this SEIR and the associated goals, objectives, and policies have been removed from the previous FEIR land use consistency analysis.

Since the approval of the approved Project, the City has included projected population growth and development capacity associated with the approved Project in updated City plans and documents, including the Housing and Economic Development Elements. Further, like the approved Project, the proposed modified Project continues to help to achieve several goals and objectives of the General Plan, such as developing a productive reuse of a brownfield site that is

compatible with surrounding uses and provides new residential, retail, entertainment, and employment opportunities. The proposed modified Project also still aids the General Plan goal of an expanded commercial base, including encouraging specialty retail development. The proposed modified Project would help the City fulfill its housing need as the proposed modified Project together with development of DD3 could develop up to 1,550 new residential units, which, if fully developed, comprises approximately 91 percent of the City's projected housing need.

As analyzed in the FEIR for the approved Project, and as shown in Table IV.A-1 of the SEIR, the proposed modified Project would be consistent with the City's General Plan and would not result in new significant impacts. The proposed modified Project's impacts related to compatibility with land use plans would be similar to those identified in the FEIR (less than significant). As such, the proposed modified Project would not result in any new significant impacts as compared to the approved Project.

Like the approved Project, the proposed modified Project would maintain the existing land use designation of Mixed Use –Residential, and is not proposing any change in use or designation. The Mixed Use – Residential land use designation allows for a maximum of 60 du/ac, which is consistent with the SPA. As was anticipated within former DD1 of the approved Project, residential units are permitted within PA 1 and portions of PA 2, with a maximum of 1,250 units permitted within the planning areas. With development of housing at a density of no more than 60 du/acre, the proposed modified Project would be consistent with the existing land use designation of Mixed-Use/Residential and the Land Use Map designations and other policies and objectives established for the Property by the General Plan. An alternative allowing residential development of PA 1 at 80 du/acre is also described in the Specific Plan, but is authorized only upon amendment of the General Plan. Therefore, as with the approved Project, and as analyzed in detail in Section IV.A-14 through IV.A-27 of the Draft SEIR, development of the proposed modified Project would be compatible with the existing General Plan policies and regulations of the City including those related to land use, economic development and housing and impacts related to consistency with the General Plan would be similar to those identified in the FEIR and would be less than significant.

Use of a Specific Plan to regulate zoning is consistent with State law for systematic implementation of a City's General Plan. Like the approved Project, the proposed modified Project will retain the Specific Plan zoning designation and the use of a specific plan to provide a set of land use and zoning regulations for the Property. No amendment to the City's zoning ordinance is proposed, the proposed modified Project remains consistent with the City's zoning ordinance, is compatible with existing zoning regulations of the City and impacts related to consistency with the City's zoning would be similar to those identified in the FEIR for the approved Project and less than significant. As such, the proposed modified Project would not result in any new significant impacts with respect to compatibility with City General Plan, land use and zoning policies and regulations as compared with the approved Project.

## **2. Regional RTP/SCS**

The FEIR included a consistency analysis of the approved Project and SCAG's Regional

Comprehensive Plan and Guide and concluded that the approved Project would be compatible with the existing land use plans, policies or regulations intended to prevent an impact to the environment, and impacts related to SCAG policies would be less than significant. Since the approval of the approved Project, anticipated growth from the approved Project has been incorporated into subsequent SCAG RTP/SCS growth projections. The proposed modified Project (together with development on DD3) retains the same number of residential dwelling units proposed for the Property as compared to the approved Project, and proposes a reduction in commercial square footage as also compared to the approved Project. Because the growth anticipated by the approved Project has already been incorporated in the SCAG RTP/SCS growth projections, and since the proposed modified Project would have equal to or fewer growth impacts than the approved Project, the proposed modified Project is also consistent with the SCAG RTP/SCS growth projections. No new impacts related to consistency with SCAG policies and projections would occur and impacts would be similar to those identified in the FEIR and less than significant. As such, the proposed modified Project would not result in any new significant impacts as compared to the approved Project.

### **3. South Coast Air Quality Management District Management Plan**

The FEIR evaluated the approved Project's consistency with the Air Quality Management Plan (AQMP) then in effect. The SEIR evaluates consistency of the proposed modified Project to the current 2012 AQMP. Projects that are consistent with the assumptions in the AQMP do not interfere with attainment because the growth is included in the projections utilized to formulate the AQMP. Thus, projects, uses and activities that are consistent with the applicable growth projections and control strategies used in the development of the AQMP would not jeopardize attainment of the air quality levels identified in the AQMP, even if they exceed SCAQMD's significance levels. Growth anticipated from the approved Project has been incorporated into the 2016 SCAG RTP/SCS growth projections and the RTP/SCS and the City's General Plan and therefore is consistent with growth projections contained in the AQMP, since the AQMP is based on RTP/SCS growth forecasts. Therefore, the proposed modified Project is also consistent with the AQMP and no new impacts related to consistency with AQMP land use policies and regulations would occur. As such, the proposed modified Project would not result in any new significant impacts as compared to the approved Project.

### **4. Existing Land Use Patterns**

The approved Project would be an infill development located within an existing urban setting, and would provide a continuation of existing development patterns within the northwestern portion of Carson. Furthermore, the approved Project would not disrupt important linkages between existing districts surrounding the Project site, since the surrounding uses vary and are located within distinct areas and would not introduce uses that would alter the urban character of the existing land uses surrounding the Project site. Thus, the FEIR determined that the approved Project would not physically divide an established community.

Land uses in the vicinity of the Property have varied very little since the 2006 FEIR was certified and the land uses proposed for the proposed modified Project are substantially the same as those

considered in the FEIR. As noted in the FEIR, the Property lies in a distinct area, separate from the residential development to the south and west with an open space buffer formed by the Torrance Lateral and the adjacent landscaped slope. To the north, Del Amo Boulevard separates the Property from the proposed multifamily residential development on DD3. Other surrounding uses are not residential and are not considered sensitive receptors, and include industrial and commercial uses to the north and west, and the I-405 Freeway to the east. The proposed modified Project would also be an infill development within an existing urban environment and would be consistent with land use patterns and policies of the City for the Property and surrounding land uses. Therefore, like the approved Project, the proposed modified Project would not physically divide an established community and would not interfere with the activities at adjacent off-site locations. No new impact would occur and impacts associated with the proposed modified Project would be similar to those identified in the FEIR and less than significant. As such, the proposed modified Project would not result in any new significant impacts as compared to the approved Project.

## **5. Impacts on Existing Uses**

A Retail Impact Study (RIS) was prepared for the approved Project in 2005 and has been updated for the proposed modified Project in 2017.

The FEIR evaluated the approved Project's potential to cause adverse economic effects in the surrounding market area, which could lead to secondary environmental impacts, such as urban decay in the area surrounding the Project site. Based on the RIS prepared for the approved Project, the FEIR determined development of the approved Project would have a short-term negative effect upon existing retail uses, most likely in smaller, older retail centers, within the market area served by the approved Project. However, this impact would be alleviated in the mid-term (i.e., by 2025) as the local market grows and matures and the new retail activities would not likely cause any widespread, prolonged urban decay. Impacts on the physical environment from the approved Project induced vacancies or effects on sales would be less than significant.

For the regional commercial impact analysis for the proposed modified Project, the same retail trade area and local serving trade area were utilized and a visitor component from tourists outside the primary 5.0 mile radius for regional retail was include to capture the expected patronage from tourists at the proposed premium outlets. The updated study projected the level of vacancies to increase from 5.0 percent in existing conditions to 9.3 percent over the 2016–2025 short-term period. While this increase in the level of vacancy may cause some retailers to experience loss in retail sales, the projected increase is still below the 10 percent threshold indicating these short-term impacts would most likely not lead to urban decay. For the 2016–2040 long-term period, the vacancy level is projected to decline to 6.0 percent as growth continues into the future. The long-term vacancy level would be sufficiently near the existing level of 5.0 percent, and as such is not considered to cause a loss of retail sales nor increase vacancies to the point of inducing urban decay. Therefore, while the introduction of regional commercial uses with implementation of the proposed modified Project would result in a short-term increase in retail loss and increased vacancies, these effects are not considered significant,



especially as long-term effects would decline back near existing conditions. Impacts on the physical environment from induced vacancies or effects on sales with the introduction of regional commercial uses under the proposed modified Project would be less than significant.

For the local-serving commercial impact analysis, the updated study projected the level of vacancy to increase from 4.5 percent in existing conditions to 11.2 percent over the 2016–2025 short-term period. The projected increase in vacancies exceeds the 10 percent threshold, where some surrounding local-serving uses could experience loss in sales, which could potentially lead to closures and ultimately to urban decay. However, the duration of these effects would depend on the rate of growth in the local household demand. Over the 2016–2040 long-term period, the vacancy level is anticipated to decline to a very low level of 0.6 percent as household growth continues into the future. The long-term vacancy level would be very low and as such is not considered to cause a loss of retail sales nor increase vacancies to the point of inducing urban decay. Therefore, while the introduction of local-serving commercial uses with implementation of the proposed modified Project would increase the vacancy level to 11.2 percent, this projected increase is slightly over the 10 percent threshold, where these effects are anticipated to cause a temporary spike in the market and would be substantially reduced over the long term. Impacts on the physical environment from induced vacancies or effects on sales with the introduction of local-serving commercial uses under the proposed modified Project would be less than significant.

## **6. Conflict with Habitat Conservation Plan or Natural Community Conservation Plan.**

As described in the FEIR, no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan applies to the Property and the FEIR identified no impacts with respect to this threshold. Since approval of the approved Project, there has been no adoption of any of the foregoing with respect to the Property and therefore, the proposed modified Project would also not conflict with any Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan adopted after the approval of the approved Project. Therefore, no significant impact would occur.

The FEIR did not identify mitigation measures for Land Use impacts for the approved Project as there were no significant impacts identified as a result of approved Project implementation. The City finds that, as with the approved Project, there are no significant impacts from implementation of the proposed modified Project with respect to land use and planning issues and no new mitigation measures are necessary. As compared with the approved Project, no new significant impact exists.

### **I. Mineral Resources** (*loss of know mineral resources; loss of locally important mineral resource recovery site delineated on a plan*)

The only major known mineral resource in the City is oil and some gas, both of which may only be accessed by drilling and pumping. The City is located within the expansive Dominguez and

Wilmington Oil Fields, which extend through several cities in the South Bay region of the Los Angeles Basin. There is no drilling activity within the Property or in the immediate vicinity. If future drilling is proposed near the Property, drilling activities could occur directly or diagonally at other locations. Thus, as with the approved Project, the proposed modified Project would not cause a loss of access to the resource, and no significant impact to mineral resources would occur.

The City finds that, as with the approved Project, there are no significant impacts from implementation of the proposed modified Project with respect to mineral resources, no mitigation was applied in the FEIR and no new mitigation measures are necessary. As compared with the approved Project, no new significant impact exists.

**J. Noise** (*project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport; a project located in the vicinity of a private airstrip; result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; on-road construction noise sources; operational on-road mobile noise sources*)<sup>21</sup>

**1. Airport or Airstrip Location.**

The proposed modified Project is not located within an airport land use plan area. Additionally, the closest airport is the Compton Airport, located approximately 3.25 miles north of the Property. Thus, the proposed modified Project would not expose people residing or working in the area to excessive noise levels. The nearest private airstrip is the port for Wingfoot Two a rigid frame blimp replacement airstrip operations facility, located approximately 0.5-mile northeast of the Property to the east of the I-405 Freeway. As the blimp does not generate loud airport noise, the continuing operations of the private airstrip would not expose people residing or living on the Property to excessive noise levels.

**2. Off-Site Construction Noise**

Similar to the approved Project, in addition to on-site construction noise, haul trucks, delivery trucks, and construction workers would still require access to the Property throughout the construction duration. While construction workers would arrive from many parts of the region,

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<sup>21</sup>As noted in Sections 4 and 5 above, those noise impacts that are determined to have significant unavoidable impacts following implementation of mitigation are discussed in Section 4 above, while those mitigated to a less than significant level with imposition of specified mitigation are discussed in Section 5 and those for which there are no impacts (no mitigation required) are discussed in this Section 6.

and thus different directions, haul trucks and delivery trucks would still generally travel to the Property via the I-405 Freeway ramps at Avalon Boulevard (northbound travel) and Main Street (southbound travel), thus avoiding local streets with sensitive receptors. The proposed haul route has not been modified and is anticipated to follow the same route approved for the approved Project. Furthermore, as was contemplated for the approved Project, construction traffic would also not be present during the noise-sensitive late evening and nighttime hours. As such, the proposed modified Project would not result in any new significant off-site construction noise as compared to the approved Project and no mitigation is required.

### **3. Operational Impacts, Mobile Noise Sources/Offsite Roadway Noise**

The operational noise analysis addresses potential noise impacts to neighboring noise-sensitive receiver locations related to the long-term operations of the proposed modified Project compared to the FEIR. Specific noise sources addressed in the analysis included roadway noise. The FEIR analyzed these mobile impacts for the approved Project and determined that Project related traffic would not increase traffic noise levels by a significant threshold. The proposed modified Project is forecasted to generate 15% fewer daily trips as compared with the approved Project. As with the approved Project, traffic volumes associated with the proposed modified Project would have the potential to increase roadway noise levels on local roadways around the Property. Relative to increase in traffic noise, the greatest proposed modified Project-related traffic noise increase is anticipated to occur along the segments of Del Amo Boulevard, between Stamps Drive and Figueroa Street. At those locations, noise level increases above ambient for the proposed modified Project would be less than the 5 dBA and 3 dBA significance thresholds and therefore would be less than significant. Thus, the proposed modified Project would not result in any new significant impacts for off-Property roadway noise as compared to the approved Project and no mitigation is required.

With respect to cumulative impacts, each of the 27 related projects would generate mobile-source noise due to ongoing day-to-day operations. The related projects are of a residential, retail, commercial, office buildings, or institutional nature and these uses are not typically associated with excessive exterior noise generation. However, each project would produce traffic volumes that are capable of generating a roadway noise impact. Traffic volumes from the proposed modified Project and the 27 related projects, combined with ambient traffic growth, were analyzed. Cumulative traffic volumes would result in a maximum increase of 2.3 dBA CNEL along Del Amo Boulevard, between South Main Street and Figueroa Street. As this noise level increase would be below 3 dBA CNEL, roadway noise impacts due to cumulative traffic volumes would be less than significant along segments of Del Amo Boulevard. Furthermore, impacts from Project-related traffic noise along all other local roadway segments with sensitive receptors would be lower than 3 dBA CNEL, and thus, remain less than significant. Impacts are less than significant and no mitigation is required.

The City finds that, as with the approved Project, there are no significant impacts from implementation of the proposed modified Project with respect to the above airport or airstrip related noise issues, off-site construction traffic noise, or operational noises due to mobile sources/roadway noise. No mitigation was applied in the FEIR and no new mitigation measures

are necessary. As compared with the approved Project, no new significant impact exists.

**K. Population and Housing** (*induce substantial population growth; displace substantial numbers of existing housing units; displace substantial numbers of people*)

The proposed modified Project would allow for approximately 1,250 residential units and a total of 1,834,833 sq. ft. of commercial uses, including 350 rooms in two hotels, on the Property. Compared to the approved Project, the proposed modified Project would result in an additional 50 hotel rooms and an overall reduction of 160,292 sq. ft. of commercial floor area. An additional 300 units of housing are anticipated to be constructed on DD3, and the addition of those units to the 1,250 units proposed for the Property would result in 1,500 units of housing on the Project site, consistent with the Housing Element of the City's General Plan.

The proposed modified Project could support a population increase of approximately 4,550 persons, and would be within SCAG forecasted short- and long-term growth within the South Bay Cities Subregion. The proposed modified Project is considered an infill development, would not result in the extension of roads or other infrastructure, and does not exceed SCAG projected growth.

The Property still currently undeveloped and does not contain any residential development. The Property was formerly used as a landfill and cleanup of the landfill is currently underway. Therefore, the proposed modified Project would not displace existing housing or persons necessitating the construction of replacement housing, and no impact would occur.

The City finds that, as with the approved Project, there are no significant impacts from implementation of the proposed modified Project with respect to population and housing, no mitigation was applied in the FEIR and no new mitigation measures are necessary. As compared with the approved Project, no new significant impact exists.

**L. Public Services--Schools**

As analyzed in the FEIR for the approved Project, the proposed modified Project would generate students that would be within the boundaries of the Carson Street Elementary School, Stephen M. White Middle School, and Carson High School. The increase in students would result in potentially significant impacts to Los Angeles Unified School District (LAUSD) schools. However, pursuant to California Government Code Section 65995, the Applicant would be required to pay school fees. Payment of such fees is deemed full mitigation of a project's development impacts. Therefore, with payment of the required fees, the proposed modified Project would result in a less than significant impact to schools.

The City finds that, as with the approved Project, with the payment of required school fees there are no significant impacts from implementation of the proposed modified Project with respect to schools, no mitigation was applied in the FEIR and no new mitigation measures are necessary. As compared with the approved Project, no new significant impact exists.

**M. Recreation** (*increase use such that substantial deterioration; facilities that might have an adverse effect*)

As analyzed in the FEIR for the approved Project, the proposed modified Project proposes to meet City open space requirements through the provision of park space, on-site improvements, and the payment of in-lieu fees when required in connection with residential development. As described in the Draft SEIR at Pages VI-23, increase in recreation demand is generally associated with addition of new residential uses. Therefore, the proposed modified Project would have a less than significant impact with regard to the provision of park space. Like the approved Project, the proposed modified Project would also not increase the use of recreational facilities such that substantial physical deterioration of the facilities would occur. In addition, with the implementation of the mitigation measures relative to parks, the proposed modified Project would still not require the construction or expansion of recreation facilities that might have an adverse physical effect on the environment. As such, impacts regarding recreation would be less than significant.

The City finds that, as with the approved Project, there are no significant impacts from implementation of the proposed modified Project with respect to recreation, no mitigation was applied in the FEIR and no new mitigation measures are necessary. As compared with the approved Project, no new significant impact exists.

**N. Transportation and Traffic** (*change in air traffic patterns resulting in safety risks; increased hazards due to design feature*)<sup>22</sup>

**1. Air Traffic Patterns; Hazards Due to Design Feature**

The Property is not located within a known air traffic flight path. The closest airport to the project site is Compton Airport, which is located approximately 3.25 miles north of the Property and has a landing pattern configuration in an east-west direction, therefore development of the project would not result in a safety hazard for people residing or working in the project area or

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<sup>22</sup> As noted in Sections 4 and 5 above, those traffic and circulation impacts that are determined to have significant and unavoidable impacts following implementation of mitigation are discussed in Section 4, and those for which there are no impacts (no mitigation required) are discussed in this Section 6. While certain traffic and circulation impacts mitigated to a less than significant level with imposition of specified mitigation are discussed in Section 5, certain operational intersection impacts determined to have less than significant impacts after mitigation are discussed in their entirety in Section 4, to maintain consistency with the discussion of these impacts in the SEIR, where the discussion of these impacts is commingled. Likewise, certain construction impacts, such as worker trips hauling, pedestrian and vehicle access, for which no mitigation is required, are also addressed in Section 5, where the discussion of construction and other impacts is commingled.

for air traffic patterns. The FEIR found no significant impact with respect to changes in air traffic patterns, and concluded that with the type of uses and height of structures proposed for the approved Project, which had a maximum height of 75 feet, the approved Project would not result in changes to air traffic patterns. The proposed modified Project, which has a maximum height of 85 feet and similar types of uses, would not increase risks associated with air traffic or result in a change in air traffic patterns or create a safety risk. Therefore, as with the approved Project, no significant impact would occur.

There are no existing hazardous design features, such as sharp curves or dangerous intersections, on-site or within the vicinity of the Property. The site plan for the proposed modified Project is similar to that of the approved Project. The site design does not include the creation of any such design hazards or include any uses that are incompatible with normal traffic operations. Therefore, impacts related to traffic hazards or incompatible uses would be less than significant.

The City finds that, as with the approved Project, there are no significant impacts from implementation of the proposed modified Project with respect to air traffic patterns or roadway design hazards, no mitigation was applied in the FEIR and no new mitigation measures are necessary. As compared with the approved Project, no new significant impact exists.

#### **O. GHG Emissions**

The FEIR for the approved Project was certified before the requirement to analyze the potential environmental impacts of GHG emissions, which was recently added to the CEQA Guidelines. As such, under existing law, the proposed modified Project was not required to analyze GHG emissions. However, this analysis was completed (See SEIR Section VII. – Other Environmental Considerations) as is discussed below. In the absence of any adopted, quantitative GHG emissions threshold, the proposed modified Project would not have a significant effect on the environment if the proposed modified Project is found to be consistent with the applicable regulatory plans and policies to reduce GHG emissions, including the emissions reduction measures discussed within CALGreen Code, SCAG’s 2016 RTP/SCS, and City of Carson Energy Efficiency Climate Action Plan (EECAP) energy efficiency goals and strategies.

The proposed modified Project would comply with CALGreen requirements including, but not limited to, installation of ENERGY STAR compliant appliances to the greatest extent feasible, installation of solar, electric or lower-nitrogen oxides gas-fired water heaters, and installation of water-efficient irrigation systems. Additionally, CALGreen requires designated parking spaces for carpool or alternative fueled vehicles, long- and short-term bike parking, and installation of electrical conduit for future electric vehicle charging parking spaces.

The proposed modified Project would be consistent with and support the goals of the 2016 RTP/SCS, which seeks improved access and mobility by placing destinations closer together, thereby decreasing the time and cost of traveling between them. Consistent with SCAG’s 2016 RTP/SCS alignment of transportation, land use, and housing strategies, the proposed modified Project would accommodate projected increases in travel demand by implementing smart land

use strategies. The proposed modified Project includes retail, entertainment, and residential uses, providing a greater jobs/house balance and bringing retail and entertainment destinations to a location within close proximity to existing residential uses with access to alternative forms of transportation. This would promote greater opportunities for biking, walking, and the use of transit within the area.

Through the City's EECAP, the City has established goals and strategies that would reduce GHG emissions. The EECAP reduction measures primarily focus on ways to reduce energy as energy usage accounted for 70 percent of all City GHG emissions in 2012 and increasing energy efficiency and reducing GHG emissions from energy to meet attainment goals. In addition to EECAP energy efficiency goals, utility providers are required to provide 50 percent of their electricity supply from renewable sources by the year 2030, further reducing the demand on nonrenewable sources. The proposed modified Project would comply with CALGreen energy efficiency requirements, which would be consistent with EECAP goals for increasing energy and water use efficiency in new residential and commercial developments.

As described in detail in the SEIR, the proposed modified Project would be consistent with GHG emissions reduction strategies and would not conflict with any applicable plan, policy, regulation or recommendation to reduce GHG emissions. Therefore, through implementation of required GHG emissions reduction strategies, the proposed modified Project would be consistent with and would not hinder the ability of the State to achieve emissions reduction targets. The proposed modified Project would be consistent with and would not hinder the ability of the State to achieve emissions reduction strategies.

The City finds that, regarding the above GHG emissions issues, no significant impact exists, no mitigation measures are necessary, and impacts would be less than significant.

## **P. Energy**

The proposed modified Project would be designed in a manner that is consistent with relevant energy conservation plans designed to encourage development that results in the efficient use of energy resources. The proposed modified Project would be developed under regulations, standards, and guidelines established in the SPA. As a result, the proposed modified Project would implement Project Design Features for energy conservation consistent with the SPA, as well as Project Design Features that potentially go beyond those specified by regulation such as Title 24. Therefore, the proposed modified Project would be consistent with the City's applicable plans for conserving energy and impacts would be less than significant.

### **1. Construction**

Construction energy consumption would result primarily from transportation fuels used for haul trucks, heavy-duty construction equipment, and construction workers traveling to and from the site. Construction activities can vary substantially from day to day, depending on the specific type of construction activity and the number of workers and vendors traveling to the site.

Energy use during construction is forecasted by assuming a conservative estimate of construction activities. The energy usage required for proposed modified Project construction has been estimated based on the number and type of construction equipment that would be used during proposed modified Project construction, the extent that various equipment is utilized in terms of equipment operating hours or miles driven, and the estimated duration of construction activities. Energy for construction worker commuting trips has been estimated based on the predicted number of workers for the various phases of construction and the estimated VMT. The assessment also includes a discussion of the proposed modified Project's compliance with relevant energy-related regulatory measures and proposed modified Project Design Features included in the SPA that would minimize the amount of energy usage during construction.

The proposed modified Project would implement a recycling and waste management plan, as outlined in the SPA, to recycle mixed construction debris in a practical, accessible manner, to the extent feasible, during the construction phase. Implementation of the construction waste management plan would reduce truck trips to landfills, which are typically located some distance away from City centers, and increase the amount of waste recovered at material recovery facilities, thereby further reducing transportation fuel consumption. Therefore, construction of the proposed modified Project would not result in the wasteful, inefficient, and unnecessary consumption of energy.

## **2. Operation**

Like the approved Project, operation of the proposed modified Project would require energy in the form of electricity and natural gas for building heating, cooling, cooking, lighting, water demand and wastewater treatment, consumer electronics, and other energy needs, and transportation-fuels, primarily gasoline, for vehicles traveling to and from the Property. The energy usage required for proposed modified Project operations and routine and incidental maintenance activities is estimated based on the increase in energy demand from the new buildings. The energy usage analysis takes into account building energy standards pursuant to the Title 24 Building Standards Code and CALGreen Code. Energy for transportation from employees, patrons, and residents to the Property is estimated based on the predicted number of trips to and from the site and the estimated vehicle miles traveled (VMT). The SPA requires that electric vehicle charging stations be located throughout the SPA area. The SPA and the Carson Municipal Code requires the installation of bike racks throughout the development.

Due to the reduction in overall non-residential square footage and current more stringent energy efficiency requirements compared to what was in effect during FEIR certification, the proposed modified Project is expected to consume less electricity and natural gas as compared to the approved Project. Additionally, the proposed modified Project would result in fewer daily trips than the approved Project. Considering fewer trips combined with more stringent fuel efficiency standards, the proposed modified Project is expected to consume less transportation fuel as compared to the approved Project.

The proposed modified Project would comply with or exceed the applicable provisions of Title 24 and the CALGreen Code in effect at the time of building permit issuance. As specified in the



SPA, the proposed modified Project would be designed to include numerous energy and waste saving features as well as waste reduction features that would allow the proposed modified Project to comply with and potentially exceed the Title 24 standards and achieve greater energy savings than required by state regulations. As such, the proposed modified Project would minimize energy demand overall and in contrast to the approved Project. Therefore, with the incorporation of these features, operation of the proposed modified Project would not result in the wasteful, inefficient, and unnecessary consumption of electricity.

The proposed modified Project would minimize operational transportation fuel demand consistent with State and City goals. Therefore, operation of the proposed modified Project would not result in the wasteful, inefficient, and unnecessary consumption of transportation fuel and impacts would be less than significant.

### **3. Energy Infrastructure**

The proposed modified Project's estimated energy and transportation fuel demand would represent a very small fraction of the energy sales from regional providers and state transportation fuel supplies.

Energy demands during the construction of the proposed modified Project would not represent a substantial fraction of the available energy supply in terms of equipment and transportation fuels and would not substantially affect existing local and regional supply and capacity for the future. Furthermore, construction of the proposed modified Project would use equipment that would be consistent with the energy standards applicable to construction equipment including limiting idling fuel consumption and using contractors that comply with applicable CARB regulatory standards that affect energy efficiency. Thus, construction of the proposed modified Project would not conflict with energy standards applicable to heavy-duty construction equipment and associated on-road trucks and vehicles. Because proposed modified Project construction would entail energy demands largely associated with equipment and transportation fuels, construction of the proposed modified Project would not increase demands on the electric power network during peak and base period demand periods. As a result, construction energy impacts on supplies and infrastructure would be less than significant.

The proposed modified Project's electricity and natural gas usage is expected to represent a small fraction of SCE's and SoCalGas' energy use and would therefore not constitute a discernible increase in the utilities' energy demands. Based on the required load forecast projections by CEC for the SCE service area and SoCalGas, these utilities would be expected to meet the proposed modified Project's demand, which is less than the approved Project, on electricity and natural gas services and supply and infrastructure impacts would be less than significant.

With respect to operational transportation-related fuel usage, the proposed modified Project would support statewide efforts to improve transportation energy efficiency, including co-location of complimentary land uses on the site, its location near major transit facilities, installation of EVSE, etc. As the proposed modified Project would incorporate characteristics and measures that would reduce transportation fuel usage, the proposed modified Project energy

impacts on transportation fuel supplies and infrastructure would be less than significant.

#### 4. Findings

The City finds that, regarding the above energy issues, no significant impact exists, no mitigation measures are necessary, and impacts would be less than significant.

##### Q. Secondary Impacts (*off-site impacts; off-site impacts of new public service facilities*)

In addition to the proposed modified Project's direct significant impacts, the proposed modified Project implements a series of mitigation measures intended to reduce the level of impacts. Most of these measures would have no impacts at off-site locations. However, impacts from implementation of the off-site mitigation measures is further discussed in the SEIR.

Certain mitigation measures, including Mitigation Measures C-9, C-10.1 and C-14 required off-site roadway improvements. Implementation of these mitigation measures would require minor construction activities at each of the mitigated intersections identified above.

Proposed improvements would consist of re-striping of roadways that would involve removal of the old striping by sandblasting, if necessary, and then provision of new striping. This work would be done at the near surface, without a need for deep excavation. The intersection improvements identified above would offer enhanced traffic flows and would otherwise operate under the same general conditions that occurred prior to implementation of the improvements. The air quality and noise analyses presented in Chapter IV of this SEIR address the potential impacts at those locations where potential impacts are most likely to occur. As such, no further analysis is required. Through compliance with existing regulations, all other potential impacts associated with long-term operations of these improvements are addressed and result in less than significant impacts. However, construction of these intersection improvements would have short-term construction impacts on several of the environmental issues that are analyzed in Chapter IV of this SEIR. Foremost among these topics are air quality and noise. To the extent that these intersection improvements occur concurrent with peak or near peak on-site construction activity, the construction of these intersection improvements would incrementally add to the proposed modified Project's significant impact on regional air quality emissions. Localized air quality impacts are not anticipated to be significant since the magnitude and location of the construction of these intersection improvements would not be of a sufficient magnitude to cause or contribute to the approved modified Project's impacts. Intersection mitigation identified as feasible in the SEIR (Mitigation Measures C-9, C-10.1 and C-14) are each feasible within existing right of way and are primarily comprised of restriping and removal of parking spaces. Therefore, noise impacts are not likely to be significant. To the extent that sensitive noise receptors are located within proximity of these intersection improvements, the construction of these improvements may cause significant short-term noise impacts. Such impacts would be short term and mitigated via standard work management procedures for reducing noise proximate to sensitive receptors.

Construction of these improvements would also have impacts on traffic at the indicated

intersections. For example, in some cases the construction of the intersection improvements would disrupt intersection operations and/or create congestion. However, such impact would be short-term and mitigated via standard, work management procedures for reducing travel impacts during construction; and would therefore be less than significant. Disruptions to traffic flows could also cause impacts on emergency access for fire and police services. Such disruptions would also be short term and reduced through the implementation of the work management procedures. These impacts would also be further reduced through coordination with the service providers; and again, would be less than significant. Construction impacts associated with physical changes at the intersections would be limited, and compliance with existing regulations and standard construction practices would avoid significant impacts relative to this group of environmental issues. Construction impacts on the remaining environmental issues analyzed in the SEIR would be minor, and less than significant.

Mitigation Measures I.4-1 requires park dedication or development or payment of in-lieu fees and I.5-1 require payment of library fees, which may result in new park or library development, respectively. Similar to the approved Project evaluation, development of park and recreation facilities, as well as libraries, are typically considered neighborhood amenities and encouraged in land use planning, as important community resources. By providing open space and landscaping, parks offer relief from development, and are typically considered attractive environmental features. Structural facilities, when they are present within park sites, are typically elements of a larger site, and are integrated into the site design. Libraries tend to be conservative in their design and would not detract from the aesthetics of their surroundings. Therefore, the impacts of new park and library facilities on aesthetics would be less than significant. Vehicle trips associated with these facilities generally occur during non-peak travel periods. Furthermore, these vehicle trips are accounted for in the trip generation rates for the proposed modified Project's residential uses and thus would not generate traffic impacts beyond those identified in Section IV.C of this SEIR. Therefore, these uses would not cause significant impacts beyond those associated with the proposed modified Project. New park and library facilities would also be developed in accordance with all engineering, building and safety standards to avoid potential hazards and to reduce geotechnical and hydrology impacts to less than significant levels. As these facilities would not generate traffic volumes greater than those identified in Chapter IV of this SEIR, regional air quality impacts associated with the operations of these facilities would be less than significant. Local air quality impacts for the proposed modified Project are less than significant, as would be the local air impacts associated with the park and library trips.

Libraries by their nature tend to be sensitive to noise, so it is not anticipated that there would be operational noise impacts due to potentially expanded library facilities. However, noise from park facilities could result in a significant impact if there are sensitive uses located in close proximity to the new park facilities. However, it is anticipated that such impacts would be addressed via the design of the facilities. Notwithstanding, it is conservatively concluded that the creation of new off-site park facilities, should such facilities be actually constructed, could result in significant noise impacts if the new park facilities are located immediately adjacent to sensitive uses. Impacts of parks on and libraries on public services are less than significant as

both types of improvements offer direct enhancements to the quality of public services, although they may result in incremental, and less than significant impacts with regard to increased demand for police and fire protection services. Utility services for parks and libraries would be provided in accordance with standard practices and with the implementation of standard mitigation measures, impacts would be reduced to less than significant levels. As discussed, these secondary effects would not produce a significant impact.

Mitigation Measures J.1-3, J.1-8 and J.2-2 address provision of utility lines to the Property. Like the approved Project, Mitigation Measures J.1-3 (regarding water service), J.1-8 (regarding fire flow), J.2-2 (regarding waste water), and J.2-4 (regarding reclaimed water) address the provision of utility lines to the Property. These measures require site plan review and final identification of connections to the existing infrastructure network in the Project vicinity. Depending on final design, it may be necessary to add new infrastructure connections to the water and sewer lines located in Main Street and Del Amo Boulevard. Upon final review additional line improvements may be required. Further, the Property may connect to a reclaimed water system.

Like the approved Project, the implementation of connections between the Property and these off-site utility lines would involve minor, short-term construction activities. It would require trenching in the streets, making the connections, backfilling of the trenches, and repaving the roadways. If other line work is required, although not currently expected, the construction process would be similar, but more extensive street paving could be required. Some roadway trenching would also be required along Del Amo Boulevard adjacent to the Property. As discussed, these secondary effects would not produce a significant impact.

The City finds that there are no significant impacts from implementation of the proposed modified Project with respect to secondary impacts, no mitigation was applied in the FEIR, and no new mitigation measures are necessary. As compared with the approved Project, no new significant impact exists.

## **R. Significant Irreversible Impacts**

CEQA Guidelines Section 15126.2(c) requires that an EIR evaluate significant irreversible environmental changes that would be caused by implementation of a proposed project to ensure that such changes are justified. Irreversible changes include the use of nonrenewable resources during the construction and operation of a project to such a degree that the use of the resource thereafter becomes unlikely. A significant environmental change can result from a primary and/or secondary impact that generally commits future generations to similar uses. Irreversible environmental change can also result from environmental accidents associated with a project. Like the approved Project, construction of the proposed modified Project would require the use of nonrenewable resources, such as wood, the raw materials in steel, metals such as copper and lead, aggregate materials used in concrete and asphalt such as sand and stone, water, petrochemical construction materials such as plastic, and petroleum based construction materials. In addition, fossil fuels used to power construction vehicles would also be consumed.

Like the approved Project, operation of the proposed modified Project would also involve the

ongoing consumption of nonrenewable resources, such as electricity, petroleum-based fuels, fossil fuels, and water, which are commonly consumed in the existing surrounding urban environment. Energy resources would be used for heating and cooling of buildings, lighting, and transporting of patrons to and from the Project site. Operation of the proposed modified Project would occur in accordance with California Code of Regulations Title 24, Part 6, and Building Standards Code Title 24, Part 11 (“CALGreen Code”), which set forth conservation practices that would limit the amount of energy consumed by the proposed modified Project. Nonetheless, the use of such resources would continue to represent a long-term commitment of essentially nonrenewable resources. Operation of the proposed modified Project would also result in an increased commitment of public maintenance services such as waste disposal and treatment as well as an increased commitment of the infrastructure that serves the Project site.

The commitment of the nonrenewable resources required for the construction and operation of the proposed modified Project would limit the availability of these resources during the life of the proposed modified Project. However, due to the prior use of the major portion of the Project site as a landfill and the presence of hazardous materials in its underlying soils, postponement of the use of the Property to a future time would not provide remediation of the Property or ensure a better future use. In addition, the use of such resources as building materials and energy for operation would be of a relatively small scale in relation to the proposed modified Project’s fulfillment of DTSC remediation goals and the City’s development goals for the area. As such, the use of such resources would not be considered significant. Further, the limited use of potentially hazardous materials contained in typical cleaning agents and pesticides for landscaping, would occur on the site. Such materials would be used, handled, stored, and disposed of in accordance with applicable government regulations and standards, which would serve to protect against a significant and irreversible environmental change resulting from the accidental release of hazardous materials.

## **S. Growth Inducing Impacts**

CEQA Sections 15126(d) and 15126.2(d) require that an EIR discuss the ways in which a project could foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. Growth can be induced or fostered in several general ways: (1) Direct growth associated with a project; (2) Creation of demand not satisfied within a project; (3) Creation of surplus infrastructure capacity not utilized by a project; and (4) Creation of capacity by an agency not required by a project.

### **1. Direct Growth Associated with the Proposed Modified Project**

The proposed land uses, related facilities and the respective populations that would directly utilize them, represent an increment of direct on-site growth. The proposed modified Project would allow for approximately 1,250 residential units (not including the 300 units entitled for construction in Development District 3 [DD3]), and a total of 1,834,833 square feet (sq. ft.) of commercial uses, including 350 rooms in two hotels, on the 157-acre Project site. The proposed modified Project could support a population increase of approximately 4,550 persons, and would be within Southern California Association of Governments’ (SCAG) forecasted short- and long-

term growth within the South Bay Cities Subregion. The proposed modified Project's growth would be consistent with SCAG Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) goals and objectives. As the approved Project was certified in 2006, the growth anticipated from the approved Project has been incorporated into subsequent SCAG RTP/SCS growth projections. Therefore, the proposed modified Project would result in a decrease in population growth and anticipated employment growth compared to the approved Project and would be consistent with SCAG's growth projections for the city between 2020 and 2040. Further, the Project site is an infill project within a larger metropolitan area. Its development would serve growth that is ongoing and anticipated in the Southern California area and the subregion.

The 2014–2021 Housing Element of the City's General Plan stated that the City's population in 2010 was 91,714 residents and projected the population to increase to 97,500 in 2020 the increase would be approximately 5,786 residents, which represents a 6.3 percent increase in population for the City. Further the population is projected to increase to 160,000 residents in 2035. Assuming full buildout of the proposed modified Project by 2020, the additional 4,550 residents generated by the proposed modified Project would represent 4.6 percent of the total City's forecasted population growth by 2020. Assuming the long-term scenario of full operation of the proposed modified Project by 2035, the additional 4,550 residents generated by the proposed modified Project would represent 2.8 percent of the total City's forecasted population growth by 2035. Therefore, the proposed modified Project would not substantially increase the city's population between 2020 and 2035.

The SEIR analyzed potential impacts associated with implementation of the proposed modified Project. Further, the SEIR analyses identify other related project growth that is already occurring within the Project vicinity due to ongoing growth in the area, including the 300 units entitled for construction in DD3, and accounted for the cumulative effects of these projects on the environment in conjunction with the proposed modified Project. Therefore, the impacts of direct growth on the physical environment is accounted for in the SEIR; and the direct growth attributable to the proposed modified Project would not be classified as induced growth beyond expected levels in the region or the subregion.

## **2. Creation of Demand Not Satisfied within the Proposed Modified Project**

Like the approved Project, the proposed modified Project's resident and employee populations may produce demand for goods, services or facilities not directly provided or satisfied within the proposed modified Project. At the same time, a portion of the demand for housing in the City could be accommodated by the proposed modified Project's residential component. The Project site is surrounded by a broad urban area, which currently provides a range of goods and services. The larger area provides a complex network of housing, employment and commercial opportunities. Parts of the on-site resident and employee populations are expected to seek employment and housing, respectively, in areas surrounding the Project site and at greater distance, just as existing off-site residents and employees should be expected to seek employment or housing within the Project site.

Both the residential and the commercial components are consistent with SCAG's subregion projections, and would help to absorb existing demand, rather than create new demand. The potential effects of the proposed modified Project on commercial development in the area has been addressed in the FEIR. The FEIR concluded that implementation of the proposed modified Project is not anticipated to result in short- or long-term impacts to the regional commercial sector but is projected to have a short-term negative effect on the local serving commercial sector. However, it is forecasted that these effects would be substantially reduced through the long-term as household growth continues. Therefore, it can be concluded that the proposed modified Project would tend to be a disincentive to some of the growth of new retail activity rather than inspire it.

The need for new housing in the region has been documented in the City's 2014-2021 Housing Element, which is consistent with SCAG's regional housing needs assessment for the City. The proposed modified Project housing and population are within the SCAG forecasts for the City. Further, compared to the FEIR, employment opportunities between 2005 and 2015 increased in the subregion but have slightly decreased within the City. The subregion ratio of jobs to housing in 2005 was 1.4 and has increased to 1.79 in 2015. The subregion's ratio had increased by 0.39 in the 10-year period. However, for the City, the 2005 ratio was 3.43 and decreased to 2.98 in 2015, which represents a 0.45 decrease over the 10-year period. While the jobs to housing ratio has decreased for the city, the demand for additional housing will occur through the future.

Therefore, the mix of proposed modified Project uses and generated residential, employment, and commercial population would not be considered growth inducing. The proposed modified Project would not provide uses that are not otherwise already occurring in the area as part of the overall anticipated growth pattern, but rather provide a mixed-use development that provides for some demand to be met internally, and the proposed modified Project would absorb, and therefore minimally reduce anticipated demand, rather than create new demand.

Like the approved Project, the proposed modified Project would also cause an increase in the demand for public services that could indirectly induce off-site growth in service facilities, if the existing supply of such public services in the area were not adequate to provide for the proposed modified Project's residents and employees. Service agencies in the area are already providing, subject to mandates and funding, improvements in services to meet the needs of ongoing, anticipated growth. These improvements can often require the provision of new physical facilities whose development can have impacts on the physical environment. The proposed modified Project's large scale and unique operating characteristics (e.g., large number of residential units, large public visitor /shopping areas, etc.) would cause the proposed modified Project to be a contributor to the growing demand for public services.

### **3. Creation of Surplus Infrastructure Capacity Not Utilized by the Proposed Modified Project**

The area surrounding the Project site is currently developed with water, wastewater, power, natural gas, telephone, and transportation infrastructure. The proposed modified Project's demand wastewater and solid waste services would be met through existing facilities and/or

improvements otherwise planned to meet regional growth. However, at the time site plans for the proposed modified Project are submitted to the utility providers, additional facilities may be required. The provision of new utilities in an efficient manner would likely require sizing of improvements to meet the needs beyond any single project. Further, mitigation measures recommended for the proposed modified Project are necessary to address the proposed modified Project's traffic impacts. Implementation of those mitigation measures would add additional lanes and turning movements at the impacted intersections. Such improvements increase roadway capacity. As this capacity may be greater than that needed to offset the proposed modified Project's impacts at that intersection, that capacity may be considered growth inducing as increases in traffic can occur through the intersection without degrading the intersection's level of service, depending on the increase. To the extent that these utility and transportation improvements would serve additional development in the Project area, beyond that required by the proposed modified Project, the excess capacity could potentially be considered growth inducing.

However, such excess capacity would add small incremental improvements to an existing system, which would accommodate a small amount of additional growth that is otherwise ongoing, and anticipated. Furthermore, the new infrastructure that would be implemented for the proposed modified Project would occur within the existing infrastructure network. It would not open new areas for development, whose development is only precluded by the need for an expanded infrastructure network. Thus, improvements to infrastructures systems would, therefore, support small increments of additional growth, that would occur over the near-term horizon.

#### **4. Creation of Capacity by an Agency Not Required by the Proposed Modified Project**

Like the approved Project, in considering the infrastructure needs of the proposed modified Project, public agencies could increase infrastructure capacity under their jurisdictions beyond that required by the proposed modified Project to achieve economies of scale. Such agencies may look longer term, and beyond the services required by the proposed modified Project, or needs otherwise described above. According to the discretion of the public agencies, new facilities, which would be sized larger than the requirements of the proposed modified Project, may be intended to provide more efficient service to existing users, in which case, such construction would not be considered growth-inducing. On the contrary, public agencies may also choose to create additional capacity in infrastructure in anticipation of future growth, in which case, such development would be growth-inducing. However, it is not anticipated that the public service agencies would seek to create additional capacity, beyond that required for currently anticipated growth.

### **SECTION 7: ALTERNATIVES**

In addition to the alternatives considered in the FEIR, the SEIR evaluated a reasonable range of alternatives to the approved project that was described in the Draft SEIR. The Draft SEIR identified three alternatives to the proposed modified Project. The City finds that two of the



alternatives discussed in the FEIR (Alternative 2, Development per General Plan and Alternative 4, Alternative Site) are no longer relevant in regard to the proposed modified Project and the City adopts the SEIR's analysis and conclusions eliminating these alternatives from further consideration. FEIR Alternative 1 (No Project Alternative) and Alternative 3 (Reduced Project Alternative) were determined to remain feasible as modified in the SEIR to the proposed modified Project. The alternatives considered feasible and analyzed in the SEIR are as follows: Alternative 1A, No Project – No Development; Alternative 1B, No Project – Development Under Approved Project; and Alternative 2, Reduced Modified Project. The alternative analysis also identified an Environmentally Superior Alternative, pursuant to CEQA Guidelines. The City finds that the three potentially feasible alternatives analyzed in the SEIR, including a No Project alternative meeting the requirements of CEQA, represent a reasonable range of potentially feasible alternatives that reduce one or more significant impacts of the Project. As presented in the SEIR, the alternatives were described and compared with each other and with the proposed project.

The City certifies that it has independently reviewed and considered the information on alternatives provided in the SEIR and in the record. The SEIR reflects the City's independent judgment as to alternatives. The City finds that the proposed modified Project provides the best balance between the project sponsor's objectives, the City's goals and objectives, the Project's benefits as described below in the Statement of Overriding Considerations, and mitigation of environmental impacts to the extent feasible. The three CEQA alternatives proposed and evaluated in the SEIR are rejected for the following reasons. Each individual reason presented below constitutes a separate and independent basis to reject the project alternative as being infeasible.

#### **A. Alternative 1A, No Project – No Development**

Alternative 1A assumes that the proposed modified Project would not be developed, and that the Property would remain as it is in existing conditions. This alternative would avoid all of the proposed modified Project's potentially significant and mitigatable impacts and the significant and unavoidable Visual Resources, Air Quality, Noise, and Traffic and Circulation impacts identified in the SEIR. This alternative is rejected as infeasible because although it would continue to implement the RAP as consistent with the FEIR and would meet one of the Project objectives by achieving remediation of the environmental conditions on the Project site, this Alternative would not achieve most of Project objectives. Specifically, Alternative 1A would not achieve most Project objectives, including: (1) enhancement and diversification of the City's economic base, (2) increase in new employment opportunities and additional housing units within the City, (3) development of a signature project that would maximize the advantages of the site's location and provide an enhanced urban center within the central portion of the City while taking advantage of the site's proximity to the I-405 Freeway; (4) promote the economic success of the City (since it would not redevelop a brownfield that is currently unused, nor would it provide for the site's operations and maintenance after remediation); (5) maximize shopping and entertainment opportunities; (6) maintain a sustainable balance of residential and non-residential uses; (7) generate tax revenues for the City of Carson or (8) provide a long-term source of revenues for remediation of the Property.

## **B. Alternative 1B, No Project – Development Under Approved Project**

Alternative 1B assumes that the approved Project analyzed in the FEIR would be developed on the 168-acre Project site. Maximum development on the Project site, as analyzed in the FEIR, would consist of a total of 1,995,125 sq. ft. of commercial uses and 1,550 residential units. Under Alternative 1B, the Project site would be developed with uses similar to those of the proposed modified Project but with an additional 160,292 sq. ft. of commercial uses. The 157 acres of the Project site, which is a former landfill site (and referred to as the Property in the proposed modified Project), would continue to undergo remediation, capping, and maintenance and operation consistent with implementation of the RAP and the FEIR. Alternative 1B would implement the RAP and develop the Project site as described in the FEIR. Implementation of Alternative 1B would satisfy all the objectives of the proposed modified Project, including to achieve remediation of the environmental conditions on the Project site. Alternative 1B would reduce certain operational traffic impacts, as the approved Project (when considered applying the 2017 state-of-the-practice methodology and approach used in the analysis of the proposed modified Project) would have the same number of significant impacts and one fewer significant and unavoidable impact compared to the proposed modified Project with respect to street intersections. However, in regard to impacts to freeway segments, the approved Project would significantly impact seven freeway segments while the proposed modified Project would significantly impact ten bi-directional freeway segments under the Existing plus Project analysis and nine bi-directional freeway segments under the Future plus Project analysis. Although the impacts of the approved Project impacts to freeway segments as described in the FEIR would be slightly reduced compared to the proposed modified Project, impacts would remain significant and unavoidable, similar to the proposed modified Project, and if the approved Project evaluated in the FEIR were analyzed under the current conditions, the Caltrans freeway impacts would be more severe for the approved Project than for the proposed modified Project. Nonetheless, the City rejects Alternative 1B, as development of the approved Project would result in greater impacts than the proposed modified Project related to public transportation, air quality, traffic noise, GHG emissions, and energy consumption. With respect to regional construction impacts, impacts during maximum conditions would be greater than the proposed modified Project for ROC, NO<sub>x</sub>, CO, SO<sub>x</sub>, and PM<sub>10</sub> and would result in significant and unavoidable impacts for all five pollutants while the proposed modified Project would result in less than significant impacts related to NO<sub>x</sub>, SO<sub>x</sub>, and PM<sub>10</sub>. Although PM<sub>2.5</sub> was not analyzed in the FEIR, applying SCAQMD's methodology to calculate PM<sub>2.5</sub> to the PM<sub>10</sub> results of the FEIR, the approved Project would have resulted in significant and unavoidable impacts while the proposed modified Project would result in less than significant impacts related to PM<sub>2.5</sub>. In all other impact areas, the approved Project and would have similar impacts compared to the proposed modified Project.

## **C. Alternative 2, Reduced Modified Project**

Alternative 2 assumes that the scale of the proposed modified Project would be reduced through a 25 percent reduction in all proposed land uses (i.e., residential units and commercial floor area). The proportionate mix of commercial and residential uses would be the same as under the proposed modified Project; however, maximum development would consist of 938 residential

units and commercial floor area would consist of 1,376,125 sq. ft. The reduction in development under Alternative 2 could be achieved through fewer structures (smaller building footprint) or reduced building heights. Alternative 2 would continue to implement the RAP and the former landfill site would continue to undergo remediation, capping, and maintenance consistent with the FEIR. Alternative 2 would have less severe impacts to the regional freeway and public transit systems and no ramp queuing impacts, but has the same significant and unavoidable impacts as the proposed modified Project with respect to all other transportation and circulation impact areas. Due to the reduction in the size of the proposed development as compared with the proposed modified Project, Alternative 2 has lesser impacts with respect to geological hazards; regional air quality impacts, including TAC emissions, and localized operational impacts; construction and on-site operational and traffic noise, waste-water generation, solid waste generation, GHG and energy use. However, Alternative 2 has similar impacts as the proposed modified Project with respect to all other impact areas. Further, impacts of Alternative 2 from regional construction and operational air quality emissions, visual resources, construction noise and, as identified above, traffic and circulation, that are significant and unavoidable with respect to the proposed modified Project remain significant and unavoidable under Alternative 2. As with the proposed modified Project, all other potentially significant impacts are reduced to a less than significant level with mitigation applied.

While Alternative 2 would meet the majority of the proposed modified Project objectives, Alternative 2 would not meet the basic proposed modified Project objectives with regard to the reuse of a large brownfield site by generating the revenue necessary to pay for, and effectuate remediation of, the environmental conditions on the Project site. Specifically, the 25 percent reduction in land uses would not achieve the same level of productive reuse of a large brownfield site as the proposed modified Project by approving a project capable of generating the revenue necessary to pay for and effectuate remediation of the environmental conditions and development on the Project site as the proportional financial burden would be greater for Alternative 2 than for the proposed modified Project and the financial return would be less likely to support such development and remediation of the Property and may make remediation infeasible. In addition, while Alternative 2 would also promote the economic well-being of the Project area by diversifying and increasing the area's economic base, since this alternative would have 25 percent fewer residential units and commercial floor area, it would not meet the objective to maximize work opportunities and shopping and entertainment opportunities to the same extent as the proposed modified Project. In providing a mix of regional and neighborhood commercial uses, hotel, restaurants, and residential uses, Alternative 2 would most likely meet the proposed modified Project's objective to provide a signature/gateway development that contributes to the creation of a vibrant urban core for the City. However, since Alternative 2 would reduce all uses by 25 percent, it would not provide the same level of pedestrian traffic or vibrancy as the proposed modified Project. Further, while implementation of Alternative 2 would result in slightly reduced environmental effects compared to the proposed modified Project, impacts would be similar as the proposed modified Project. Alternative 2 is rejected by the City as infeasible as it would not achieve the basic economic goals of the City. Alternative 2 would not achieve productive reuse of a large brownfield site as the reduced density project would not be capable of generating the revenue necessary to pay for and effectuate remediation of the

environmental conditions on the Property site, would not achieve the same level of enhancement of the City's economic base, would create fewer jobs and fewer housing units within the City than would the proposed modified Project.

In summary, Alternative 2 is rejected as infeasible as i) it would not achieve productive reuse of a large brownfield site as the reduced density project; ii) would not be capable of generating the revenue necessary to pay for and effectuate remediation of the environmental conditions on the Property site; iii) would not achieve the same level of enhancement of the City's economic base; and iv) would create fewer jobs and fewer housing units within the city than would the proposed modified Project.

#### **D. Environmentally Superior Alternative**

The City finds that Alternative 1A, No Project – No Development, would be environmentally superior to the proposed modified Project based on the minimization or avoidance of physical environmental impacts; however, Alternative 1A does not meet the majority of the Project objectives.

CEQA Guidelines (Section 15126.6(c)), requires that the SEIR identify an environmentally superior alternative among the other alternatives if the no project alternative is the environmentally superior alternative. The City finds that Alternative 2, Reduced Modified Project Alternative, is the environmentally superior alternative as Alternative 2 would slightly reduce environmental effects compared to the proposed modified Project. However, Alternative 2 would not allow the City to achieve the most productive reuse of a large brownfield site by approving a project capable of generating the revenue necessary to pay for and effectuate remediation of the environmental conditions on the Project site. In addition, Alternative 2 would not meet the objective to maximize work opportunities and shopping and entertainment opportunities to the same extent as the proposed modified Project. Further, since Alternative 2 would reduce all uses by 25 percent, it would not provide the same level of pedestrian traffic or vibrancy as the proposed modified Project.

CITY OF CARSON  
THE DISTRICT AT SOUTH BAY SPECIFIC PLAN PROJECT  
STATEMENT OF OVERRIDING CONSIDERATIONS

**Pursuant to Section 15091 of the State CEQA Guidelines  
and Section 21081 of the Public Resources Code**

The City Council of the City of Carson, upon consideration of all evidence in the record of proceedings for the proposed modified Project (inclusive of this Exhibit), adopts the following findings based on its independent review and judgment. The City Council specifically finds and determines that this Statement of Overriding Considerations is based upon and supported by substantial evidence in the record.

The City adopted a statement of overriding considerations in connection with its adoption of the 2006 FEIR. The FEIR contains substantial informational value for consideration of the proposed modifications to the approved Project. Additionally, the approved Project and the proposed modified Project are substantively the same, retain similar characteristics, and generally contain minimal differences. The FEIR has already fully evaluated the environmental impacts determined to be potentially significant and has assessed the manner in which the approved Project's significant effects can be reduced or avoided through the implementation of mitigation measures. Impacts that could not be mitigated to a level below significance were considered significant and unavoidable adverse impacts, for which a statement of overriding consideration was adopted pursuant to CEQA Guidelines Section 15093. To the extent that an additional statement of consideration is required by CEQA, this Statement of Overriding Considerations is made as to each of the significant unavoidable impacts of the proposed modified Project identified in the SEIR (whether or not such impacts exceed the level of impact disclosed for the approved Project in the FEIR).

The City has carefully considered and balanced the benefits of the proposed modified Project against its unavoidable environmental risks in determining that the specific economic, legal, social, technological, or other benefits outweigh the unavoidable significant adverse environmental effects related to land use. Section 15093(b) of the State CEQA Guidelines provides that when the decision of the public agency results in the occurrence of significant impacts that are identified in the SEIR, the agency must state in writing the reasons to support its actions based on the SEIR and/or other information in the record. The reasons set forth below are based on the SEIR and other information in the record.

This Statement of Overriding Consideration is based on the City's review of the FEIR, SEIR, and other information in the administrative record. Based upon said review and the substantial evidence in the administrative record, including but not limited to the SEIR, the City finds that the benefits of the proposed modified Project outweigh its unavoidable adverse environmental

effects, and furthermore, finds that such adverse, environmental effects are acceptable.

Implementation of the proposed modified Project would enable the City to achieve objectives of the City, as established in the General Plan, the existing Specific Plan, the Specific Plan Amendment, and the SEIR, while avoiding significant environmental effects to the extent possible. Each of the separate benefits of the proposed modified Project, as stated below, is determined to be, unto itself and independent of the other benefits of the proposed modified Project, a basis for overriding all unavoidable adverse environmental impacts identified in these Findings. The benefits and reasons for the approval of the proposed modified Project despite the occurrence of significant unavoidable Project impacts on visual resources (aesthetics – impact on valued resources [loss and conversion of existing openness of the Property]), traffic and circulation (operations [trip generations, intersections, Caltrans freeways and freeway ramps, CMP freeway impacts, cumulative impacts]), noise (construction [deep dynamic compaction, pile driving, concurrent deep dynamic compaction and pile driving]), and air quality (construction and operations [regional construction, regional operations, regional concurrent construction and operational impacts, cumulative impacts]), which create or otherwise contribute to related cumulative impacts, consist of the items listed below. The alternatives which were identified in the SEIR would not meet, either in part or in whole to the same extent as the proposed modified Project, the fundamental project objectives and goals of the proposed modified Project, each and all of which are deemed and considered by the City to be benefits of the proposed modified Project, as summarized below:

1. Achieve the productive reuse of a large brownfield site, with a project that generates the revenue necessary to pay for and effectuate remediation of the environmental conditions on Property.

The proposed modified Project would provide for a productive reuse of the Property, which is a contaminated, former landfill/brownfield site, through implementation of the RAP and development of the site. It would add approximately 1,834,833 sq.ft. of commercial use and 1,250 residential units within the Property, which would result in a notable increase in property tax revenues for 157 acres of what is currently substantially vacant land. Sales tax revenues and transient occupancy tax revenues would notably increase, due primarily to the \$775 million in estimated total development costs for buildings, etc., which will result in increased valuation to the land. Historically, site management and operation and maintenance of the landfill has cost approximately \$4 million a year. Sales tax revenues and transient occupancy tax revenues would notably increase, due primarily to the development of this site which will cost approximately \$775 million in total development costs for the site, resulting in increased valuations to the land and property tax. However, due to their size, these revenues would not likely be available under Alternative 1A (No Project-No Development) or adequate under Alternative 2 (Reduced Modified Project). While Alternative 1B (Development Under the Approved Project) would allow for productive reuse of the brownfield site and provide adequate revenue for long-term operation and maintenance and site management, it would result in greater impacts than the proposed modified Project related to public transportation, air quality, traffic noise, GHG emissions, and energy consumptions.

In sum, the proposed modified Project is a project capable of generating the revenue necessary to pay for and effectuate site management, operation and maintenance of the landfill, and developmental reuse of the Property, and to generate sufficient financial return likely to support such use of the Property without resulting in the greater environmental impacts that would be associated with the approved Project.

The City finds that the opportunity to realize additional property, sales and transit occupancy tax revenues is an important consideration for the City to achieve the productive reuse and maintenance of the brownfield site.

2. Promote the economic well-being of the City by encouraging the diversification and development of its economic base, and assist in creating both short and long term employment opportunities for the residents of the City.

The mixed-use nature of the proposed modified Project encourages diversification and development of its economic base. As noted above and below, the proposed modified Project provides substantial diversification in terms of residential versus commercial uses. Additionally, within the commercial uses there is a broad diversification of uses that range from the provisions of various types of sales taxes (restaurants, outlets, entertainment, etc.) to transient occupancy taxes (hotel uses). Further, as discussed below, the proposed modified Project will provide significant benefits to the City and community in terms of creating both short and long-term employment opportunities for the residents of the City including construction work and long-term jobs in the commercial and hospitality industries, which are reasonably expected to result in more personal income likely to be spent locally, resulting in additional tax revenues and economic development.

Consequently, it is reasonably expected that the City and its residents will enjoy the economic and social benefits from the diversity of the economic benefits provided by the proposed modified Project. These economic opportunities are especially significant in light of the traditionally high unemployment levels, budgetary, and other constraints experienced by the City as noted in this Statement of Overriding Consideration, and which can be further compounded by economic downturns in budgetary situations involving less diversification.

3. Maximize shopping and entertainment opportunities to serve the population and maintain a sustainable balance of uses by approving a mixed-use project that allows entertainment, retail shopping, restaurants, and residential uses.

The proposed modified Project will provide retail options that currently do not exist in the trade area, and with updated, modern, and energy efficient buildings, and in close proximity to local consumers and residents. Detailed evidence in the record, including the urban decay analysis in the SEIR, demonstrates the City's need for more convenient sources of commercial goods for which consumer demand exists, both locally and regionally, and which can serve customers in a safe and secure environment.

Additionally, housing supply is limited in Carson, which the proposed modified Project addresses through the provision of up to 1,250 additional residential units, including multi-family units, in closed proximity to mixed uses.

The proposed modified Project would provide a regional facility in a mixed-use development, visibly noticeable along a major freeway corridor. In combination with the 300 residential units entitled for construction on DD3, the proposed modified Project includes mixed uses with up to 1,550 residential units and up to 1,834,833 sq.ft. of commercial use within the Property. The large scale of the proposed modified Project and the proposed mix of visitor and local serving uses would create an opportunity to support a large range of entertainment, retail shopping, restaurants, and residential uses. Among others, this allows for social benefits and interactions as promoted by the mixed use concept. This is significant in the City of Carson where such locations are not sufficient to fill anticipated long-term future demand.

4. Provide a diversity of both short term and long-term employment opportunities for local residents by approving a project that will generate substantial construction work opportunities and long-term jobs in the commercial and hospitality industries.

The proposed modified Project will provide significant benefits to the City and community in terms of construction work and long-term jobs in the commercial and hospitality industries. Construction work will be required to remediate the brownfill site consistent with the RAP, as well as to do vertical construction for 1,550 residential units (including DD3) and up to 1,834,833 sq.ft. of commercial use within the Property. The direct job estimate of the Cell 2 development is anticipated to bring 2,710 direct jobs based on project construction spending estimated at \$325 million. The cumulative development of Cells 1, 3, 4 and 5 could yield another \$450 million in direct construction spending at 8.34 jobs per million dollars of construction spending, or 3,753 direct jobs in addition to the Cell 2 jobs. The CRA estimates that as many as 13,151 direct, indirect and induced jobs will be generated by the full development of the District at South Bay.

- Direct jobs are occupations that work directly on the construction project, such as project planners, designers, engineers and construction workers.
- Indirect jobs means positions at suppliers of materials for the project, such as steel, concrete, wood, and more.
- Induced jobs are jobs created by the spending of monies provided as project salaries for items such as groceries, gas, entertainment, etc.

Consequently, it is reasonably expected that the City and its residents will enjoy the economic and social benefits from added employment opportunities afforded by the proposed modified Project. These employment opportunities are especially significant in light of the traditionally higher unemployment levels experienced by the City in comparison to the rest of the State.



5. Improve the housing stock by approving a project that includes a substantial residential component.

In combination with the 300 residential units entitled for construction on DD3, the proposed modified Project addresses through the provision of up to 1,550 additional residential units in close proximity to mixed uses. This is a substantial residential component, and addresses a significant portion of the housing stock anticipated by the General Plan Housing Element, etc., for the City of Carson. As noted above, this new housing stock is especially significant given the shortage of housing stock in Carson.

6. Provide a signature/gateway project that contributes to the creation of a vibrant urban core for the City, taking advantage of the site's proximity to the San Diego Freeway.

The proposed modified Project has been designed to take advantage of its location adjacent to the I-405 Freeway. The proposed modified Project would (1) present a substantial new development along the freeway edge that would attract public attention; (2) provide identification of the proposed modified Project's visitor-oriented commercial recreation/entertainment activities through building placement and/or signage; (3) include, through SPA requirements, a set of sign and landscape standards and guidelines that would integrate the proposed modified Project's proposed signage program with the overall aesthetic concept for the proposed modified Project; and (4) include, through the SPA, provisions for landscaping/aesthetic treatment along the proposed modified Project's freeway edge. Project entries from arterials roads are designated within the SPA as "Entries" landscape theme areas and would be subject to enhanced landscaping standards. Landscape would also be required along the internal streetscapes. The Property would also be subject to the Design Guidelines in Section 7 of the SPA, which cover site and landscape design standards, as well as architectural standards for each planning area. Other improvements, such as dedicated public plazas and public art, are required in the Entertainment Area and enhance the quality of the pedestrian environment.

These factors will help create a vibrant urban core for the City on a former landfill site, which is particularly important for the City. Since Carson was an unincorporated area for so long, with little political representation, it often ended up as the literal dumping ground of its neighbors. By the time Carson finally incorporated as a city in 1968, its landscape was pockmarked with dozens of refuse dumps, landfills, and auto dismantling plants that none of its neighbors wanted in their cities. Creation of a vibrant urban core, and enhancing the attractiveness of the City, will have social benefits (by remediating a former landfill, beautifying the community, providing landscaping, providing recreational and entertainment opportunities for a wide-range of age groups, enhancing social interaction and community identity, etc.) and economic benefits (promote increased revenues by attracting business, increasing land values, providing jobs, etc.), each of which have a particular significance for the City given its history.

7. Stimulate private sector investment in Property by implementing a project that is fiscally

sound and capable of financing the construction and maintenance of necessary infrastructure improvements.

The proposed modified Project is of sufficient size and scope to be fiscally sound and capable of financing construction and maintenance of necessary infrastructure improvements, including remediation. As noted above and below, the proposed modified Project would result in a notable increase of revenues to the City. Additionally, private sector investment in the Property is structured to stimulate the provision of sufficient revenue-generating resources to finance construction of, and maintain, the infrastructure improvements outlined by the proposed modified Project. Among others, this includes approximately \$10 million to finance the construction and maintenance of certain on and off-site improvements, remediation of the landfill, etc., through a development agreement with a potential developer on Planning Area 2, with an estimated total of \$775 million in total development costs for buildings, etc. Additional development agreement(s) are anticipated for future development in other planning areas.

8. Develop the project site in a manner that enhances the attractiveness of the City's freeway corridor and the major arterials that adjoin the project site.

As discussed above, the proposed modified Project has been designed to take advantage of its location adjacent to the I-405 Freeway and the adjoining major arterials, as well as to enhance the attractiveness of those locations. Creation of a vibrant urban core, and enhancing the attractiveness of the City, will have social benefits (by remediating a former landfill, beautifying the community, providing landscaping, providing recreational and entertainment opportunities for a wide-range of age groups, enhancing social interaction and community identity, etc.) and economic benefits (promote increased revenues by attracting business, increasing land values, providing jobs, etc.), each of which have a particular significance for the City given its history.

9. Increase revenues to the City by approving a project that provides for a variety of commercial and retail activities with the potential to generate substantial sales and property tax revenue.

As discussed above, the variety of commercial and retail activities potentially provided by the proposed modified Project would increase revenues to the City. The proposed modified Project would add approximately 1,834,833 sq.ft. of commercial use and 1,250 (1,550 including DD3) residential units within the Property, which would result in a notable increase in property tax revenues for 157 acres of what is currently vacant land. Sales tax revenues and transient occupancy tax revenues would notably increase, due primarily to the 1,834,833 sq.ft. of commercial use within the Property including hotels. Sales tax revenues and transient occupancy tax revenues would notably increase, due primarily to the \$775 million in estimated total development costs for buildings, etc., which will result in increased valuation to the land. The estimated sales tax for Planning Area 2 is estimated to produce over \$3,000,000 per year, and the remainder of the site is estimated at \$3,000,000 gross per year property tax, for a total of \$5,000,000 to

\$7,000,000 per year. Further, the Project is estimated to generate approximately \$500,000 per year in transient occupancy tax to the City from the proposed modified Project's planned hotel uses. Revenues which are not otherwise encumbered would be available for the City's General Fund, which is the primary funding source for the construction, operation and maintenance of a number of essential City services, programs and facilities, including public safety, recreation programs, transit, and administrative functions, among other things.

Tax revenues in the City are important given the current budget and fiscal constraints being experienced by the City, and that the City's demographics and business realities are likely to continue to detrimentally affect revenues, potentially threatening ongoing budget shortfalls. The City has more residents to serve, but the cost of doing so has increased. The City finds that the opportunity to realize additional property, sales and transit occupancy tax revenues is an important consideration for the City.

10. Promote the economic wellbeing of the City by increasing revenues to the City through development of a variety of commercial and retail activities with the potential to generate substantial sales and property tax revenue.

As discussed above, the proposed modified Project will provide increased revenues to the City through commercial and retail activities that are anticipated to generate substantial sales and property tax revenue. This promotes the economic well-being of the City, including the funding of a number of essential services provided by the City. The population growth generated by housing at the proposed modified Project would also support other commercial enterprises in the vicinity of the Property, and the commercial component would serve populations in surrounding neighborhoods.

11. Provide hotel rooms to meet an identified market need, and in so doing serve nearby businesses, community activities, and proposed on-site uses.

The proposed modified project provides up to 350 hotel rooms, which can serve the nearby businesses, community activities and proposed on-site uses. This is important to the City as it not only fills a need for hotels, but it contributes to other benefits such as the assisting with the creation of a vibrant urban core, economic development, etc., each of which is an important part of an integrated whole to addressing issues of importance to the City identified throughout this Statement of Overriding Considerations.

12. Consistent with other objectives, provide a project design that interfaces with surrounding uses in a manner that provides for a transition between the project and adjacent areas.

As described more fully in the SPA and the SEIR, the Property is subject to the Design Guidelines in Section 7 of the SPA, which cover site and landscape design standards, as well as architectural standards for each planning area and other requirements designed to provide for appropriate transitions. Remediation and reuse of a former landfill site, in a matter that allows for beautification and a successful interface between adjacent uses,

promotes aesthetic and visual benefits, which can result in additional social and economic benefits as discussed above.

Additional benefits include those related to pedestrian, bicycle and other modes of transportation. The proposed modified Project provides connectivity for pedestrians and bicyclists between the diverse uses within the Specific Plan area consistent with The City of Carson Master Plan of Bikeways. Multi-purpose paths (pedestrian and bicycle traffic) are proposed from Avalon Boulevard into the proposed modified Project's southeastern entrance. At the Del Amo Boulevard entrance, the bike lanes will be painted buffered lanes. At the Avalon Boulevard entrance, the multi-purpose path will run alongside the roadway and will be divided for safety. Multi-purpose paths provide for concurrent, side-by-side use by both bicyclists and pedestrians. The proposed modified Project would also promote the use of public transportation. The Property is located directly adjacent to the Carson Circuit North South Shuttle Line on Main Street. Three local Los Angeles County Metro (Routes 205, 246/45, 550), the Metro Silver Line, four Torrance Transit (1, 3, R3, 4), eight Carson Circuit (A, B, C, D, E, G, S), and one Commuter Express (Route 448) bus routes provide service within the study area. The use of public and alternative modes of transportation is important to the City given attendant public health, connectivity, and potential environmental benefits.

Each of these benefits provides a separate and independent basis for overriding the significant environmental effects of the proposed modified Project. In considering and weighing the benefits, the City has fully considered the relatively short or temporary duration of some of the impacts as compared to the long-term benefits provided by the proposed modified Project.

There are no feasible mitigation measures or alternatives that would further reduce or eliminate the significant unavoidable Project impacts on visual resources (aesthetics – impact on valued resources [loss and conversion of existing openness of the Property]), traffic and circulation (operations [trip generations, intersections, Caltrans freeways and freeway ramps, CMP freeway impacts, cumulative impacts]), noise (construction [deep dynamic compaction, pile driving, concurrent deep dynamic compaction and pile driving]), and air quality (construction and operations [regional construction, regional operations, regional concurrent construction and operational impacts, cumulative impacts]), which create and/or otherwise contribute to related cumulative impacts. For the reasons stated above, and based on substantial evidence in the record before it, the City finds that these unavoidable adverse environmental impacts are acceptable and, furthermore, finds that the benefits of the Project outweigh its unavoidable adverse environmental effects.

### **Conclusion And Findings**

The City finds that it previously adopted a statement of overriding considerations in connection with its adoption of the FEIR, and to the extent that an additional statement of consideration is required by CEQA, this Statement of Overriding Considerations is made as to each of the significant unavoidable impacts of the proposed modified Project identified in the SEIR (whether or not such impacts exceed the level of impact disclosed for the approved Project in the FEIR).

The City finds that the proposed modified Project has been carefully reviewed and that the goals, objectives and policies included in the proposed modified Project along with the mitigation measures identified in the SEIR have avoided or substantially lessen several environmental impacts, to the extent feasible. Nonetheless, the proposed modified Project may have certain environmental effects which cannot be avoided or substantially lessened. The City has carefully considered all of the environmental impacts that have not been mitigated to an insignificant level. The City has also carefully considered the economic, fiscal, legal, social and technological benefits of the proposed modified Project, as well as other considerations. The City has balanced the benefits of the proposed modified Project against its unavoidable and unmitigated adverse environmental impacts and, based upon substantial evidence in the record, has determined that the benefits of the proposed modified Project outweigh the adverse environmental effects.

Based on the foregoing, and pursuant to Public Resources Code section 21081 and State CEQA Guidelines Section 15093, the City finds that the remaining significant and unavoidable impacts of the proposed modified Project are acceptable in light of its economic, fiscal, technological, and social benefits as well as other considerations, including achieving the productive reuse of a large brownfield site (including remediation of the landfill), promote economic wellbeing, provision of short-term and long-term employment opportunities, etc., as noted above. Such benefits outweigh such significant and unavoidable impacts and provide the substantive and legal basis for this Statement of Overriding Considerations.

Finally, the City finds that, to the extent that any impacts identified in the SEIR remain unmitigated, mitigation measures have been required to the extent feasible, although the impacts could not be reduced to a less-than-significant level. Accordingly, when deciding to approve the proposed modified Project, the City is faced with the presumed unmitigated impacts which are limited in nature. When considering the significant benefits outlined in this Statement of Overriding Consideration against limited impacts, the balance of weight clearly falls in favor of the merits of the Project and its benefits.

For the reasons stated herein, and each of them separately and independently of the others, the City has adopted this Statement of Overriding Considerations.

# EXHIBIT “3”

## MITIGATION MONITORING AND REPORTING PROGRAM

### MITIGATION MONITORING AND REPORTING PROGRAM

When making findings, CEQA requires that a lead agency must adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of project approval to ensure compliance during project implementation. As required by CEQA, the City adopts, concurrently with the adoption of these Findings, a Mitigation Monitoring and Reporting Program to meet the requirements of Public Resources Code Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the proposed modified Project. The MMRP, as presented in the Final SEIR, is designed to serve this purpose for the mitigation measures identified in the SEIR. The MMRP requires that the City or other governmental agencies monitor mitigation measures designed to reduce or eliminate significant impacts, as well as those mitigation measures designed to reduce environmental impacts that are less than significant. The MMRP includes all the mitigation measures identified in the FEIR and has been designed to ensure compliance during implementation of the proposed modified Project.

The MMRP describes the procedures for the implementation of all of the mitigation measures identified in the SEIR for the proposed modified Project. Mitigation measures set forth in the MMRP are specific and enforceable and are capable of being fully implemented by the City of Carson, the various applicants, including the Carson Reclamation Authority, and/or other identified public agencies of responsibility. It is the intent of the MMRP to (1) verify satisfaction of the required mitigation measures of the SEIR; (2) provide a methodology to document implementation of the required mitigation; (3) provide a record of the Monitoring Program; (4) identify monitoring responsibility; and (5) establish administrative procedures for the clearance of mitigation measures. As stated in the SEIR, the 300-unit residential development entitled for construction on Development District 3 (DD3) on the 11 acres north of Del Amo Boulevard is not included under the proposed modified Project and as such, would not be subject to the mitigation measures established in this MMRP, unless specifically stated, but would instead continue to be subject to the MMRP already adopted for the approved Project.

The MMRP lists mitigation measures according to the same numbering system contained in the Draft SEIR sections. Each mitigation measure is categorized by topic, with an accompanying discussion of the following:

- The enforcement agency (i.e., the agency with the authority to enforce the mitigation measure);
- The monitoring agency (i.e., the agency to which mitigation reports involving feasibility, compliance, implementation, and development

operation are made); and

- The phase of the proposed modified Project during which the mitigation measure should be monitored (i.e., prior to issuance of a building permit, construction, or occupancy).

The Implementing Parties shall be the applicable Applicant(s), who shall be obligated to demonstrate that compliance with the required mitigation measures has been effected. Where the term “Applicant(s) Horizontal” or similar terminology is used in the table below, it shall be deemed to refer to the developer(s)/operator(s) (or contractor(s) of same) responsible for construction, operation and maintenance, as applicable, of the horizontal infrastructure improvements, including utilities, roads, entry signage, entry plazas, other infrastructure, piles, cap and slab, remedial systems and building protection systems whether located on or off of the Property. Where the term “Applicant(s) Vertical” or similar terminology is used, it shall be deemed to refer to the developers/operators (or contractors of same) responsible for construction, operation and maintenance of only the above grade (vertical) improvements (i.e., above the slab) to be constructed within each Planning Area on the Property, including signage and lighting improvements.

All departments listed below are within the City of Carson unless otherwise noted. The entity responsible for the implementation of all mitigation measures shall be the Applicant(s) unless otherwise noted.

The City finds that the impacts of the proposed modified Project have been mitigated to the extent feasible by the mitigation measures identified in the Final SEIR and in the MMRP. The City adopts the MMRP for the proposed modified Project that accompanies the SEIR. The MMRP designates responsibility and anticipated timing for the implementation of mitigation measures and conditions within the jurisdiction, of the City. The City approves and will implement all the mitigation measures identified in the SEIR.

**A. Mitigation Measures**

Mitigation Measures		Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
						Initials	Date
<b>VISUAL RESOURCES</b>							
<b>Mitigation Measure B-1:</b> The minimum setback for buildings greater than 52 feet in height along the Torrance Lateral, adjacent to residential uses, shall be 250 feet.	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Vertical	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division			
<b>Mitigation Measure B-2:</b> The distribution, placement, and orientation of signs along the I-405 Freeway shall be in substantial compliance with the signage concepts and in compliance with the sign standards in the SPA.	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Vertical	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division			
<b>Mitigation Measure B-3a:</b> If any portion of the illuminated surface of the sign is visible from a residential use within 1,000 feet of said sign at night, then the proposed modified Project sign luminance shall be reduced to less than 300 cd/m <sup>2</sup> at night.	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Vertical	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division			
<b>Mitigation Measure B-3b:</b> If any portion of the illuminated surface of the sign is visible from a residential use within 1,000 feet of said sign, sign area and/or sign luminance shall be limited so that the light trespass illuminance is less than 0.74 foot-candle at said residential property line.	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Vertical	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division			
<b>Mitigation Measure B-4:</b> All Project development shall undergo site plan review by the Planning Manager to ensure that the following design measures have been implemented: <ul style="list-style-type: none"> <li>– <b>Landscaping.</b> All Landscaping shall be consistent with a plant palette of native trees, shrubs, and</li> </ul>	Prior to issuance of a building permit/Pre-Construction	Applicant(s)/ Vertical and, as to Landscaping, etc., Applicant(s)	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division			



Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
<p>groundcovers that shall add uniformity to the Property. Plants shall be selected to support and complement the themes of the various Project components. Specially themed landscaping treatments shall occur at key locations (e.g., freeway edge, channel slope, and entertainment area). Of more detailed note: (1) continuous shrub and ground cover plantings shall be provided in the medians and edges of internal streets with vertical landscape and/or hardscape elements on average every 50 feet along the edges; (2) 5% landscape coverage shall be provided in parking lots, including landscaping adjacent to edges of parking fields; and (3) 50% landscape coverage shall be provided on the sides of parking structures visible to residences, not inclusive of commercial over podium.</p> <ul style="list-style-type: none"> <li>- <b>Buildings.</b> Buildings shall include the following design features: varied and articulated building façades, with a variety of architectural accent materials for exterior treatment at visually accessible locations.</li> <li>- <b>Accessory Facilities and Walls.</b> Wall facades shall be varied and articulated. Accessory facilities such as trash bins, storage areas, etc., shall be covered and screened as set forth in the SPA.</li> <li>- <b>Lighting.</b> Lighting shall be limited in intensity, light control methods, and pole heights, so as to be directed on site, and not interfere with off-site activities.</li> </ul>		Horizontal					

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date
<b>TRAFFIC AND CIRCULATION</b>						
<p><b>Mitigation Measure C-1:</b> A Construction Traffic Management Plan shall be developed by the contractor and approved by the City of Carson to alleviate construction period impacts, which may include but is not limited to the following measures:</p> <ul style="list-style-type: none"> <li>- In the unlikely case that on-site truck staging areas are insufficient, provide off-site truck staging in a legal area (per the local jurisdiction's municipal code) furnished by the construction truck contractor. Anticipated truck access to the Project site will be off Street B and Street A.</li> <li>- Schedule deliveries and pick-ups of construction materials during non-peak commute travel periods (e.g., early morning, midday) to the extent possible and coordinate to reduce the potential of trucks waiting to load or unload for protracted periods.</li> <li>- As a vehicular travel lane, parking lane, bicycle lane, and/or sidewalk closures are anticipated, worksite traffic control plan(s), approved by the City of Carson, should be implemented to route vehicular traffic, bicyclists, and pedestrians around any such closures.</li> <li>- Establish requirements for loading/unloading and storage of materials on the Project site including the locations where parking spaces would be affected, length of time traffic travel lanes would be blocked, sidewalk closures or pedestrian diversions to ensure the safety of the pedestrian and access to local businesses and residences.</li> <li>- Ensure that access will remain unobstructed for land uses in proximity to the Project site during project construction.</li> <li>- Coordinate with the City and emergency service</li> </ul>	<p>Prior to issuance of a grading permit/Pre-Construction; during Construction</p>	<p>Applicant(s)/ Construction Contractor Horizontal and Applicant(s)/ Construction Contractor Vertical, as applicable</p>	<p>City of Carson Department of Public Works, Traffic Engineering Division</p>	<p>City of Carson Department of Public Works, Traffic Engineering Division</p>		

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
<p>providers to ensure adequate access is maintained to the Project site and neighboring businesses and residences.</p> <p><b>Mitigation Measure C-2.1: Main Street and I 405 Southbound On-Ramp (Intersection No. 3).</b> A significant impact would occur at this intersection during the P.M. peak hour under the existing year and future year analysis. The Applicant shall pay a fair-share contribution for the following intersection striping improvement:</p> <ul style="list-style-type: none"> <li>- Conversion of the eastbound left-turn lane to a through/left-turn lane is proposed.</li> </ul> <p><b>Mitigation Measure C-3: Vermont Avenue and Del Amo Boulevard (Intersection No. 5).</b> A significant impact would occur at this intersection during the A.M. and P.M. peak hours under the existing year and future year analysis. The Applicant shall pay a fair-share contribution for the following intersection striping and geometric improvements:</p> <ul style="list-style-type: none"> <li>- Addition of a second westbound left-turn lane; and</li> <li>- Conversion of the northbound through/right-turn lane to a second northbound through and a dedicated right-turn lane. This would require the removal of approximately eight parking spaces.</li> </ul>	<p>Prior to issuance of a building permit/Pre-Construction</p>	<p>Applicant(s) Horizontal</p>	<p>City of Carson Department of Public Works, Traffic Engineering Division</p>	<p>City of Carson Department of Public Works, Traffic Engineering Division</p>			

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date
<p><b>Mitigation Measure C-5:</b> Figueroa Street and Del Amo Boulevard (Intersection No. 7). A significant impact would occur at this intersection during the A.M. and P.M. peak hours under the existing year and future year analysis. The Applicant shall pay a fair-share contribution for the following intersection striping and geometric improvements:</p> <ul style="list-style-type: none"> <li>- Addition of a second westbound left-turn lane;</li> <li>- Conversion of the westbound right-turn lane to a through/right-turn lane;</li> <li>- Addition of a second southbound left-turn lane;</li> <li>- Conversion of the southbound through and southbound right-turn lane to a through/right-turn lane;</li> <li>- Conversion of the eastbound right-turn lane to a through/right-turn lane; and</li> <li>- Addition of a northbound right-turn-only lane.</li> </ul>	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Horizontal	City of Carson Department of Public Works, Traffic Engineering Division	City of Carson Department of Public Works, Traffic Engineering Division		
<p><b>Mitigation Measure C-6:</b> Main Street and Del Amo Boulevard (Intersection No. 8). A significant impact would occur at this intersection during the P.M. peak hour under the existing year and future year analysis. The Applicant shall pay a fair-share contribution for the following intersection striping and geometric improvements:</p> <ul style="list-style-type: none"> <li>- Addition of a second westbound left-turn lane;</li> <li>- Addition of a second southbound dedicated through lane;</li> <li>- Conversion of the eastbound through/right-turn lane to a through lane and a right-turn lane; and</li> <li>- Conversion of the northbound through/right-turn lane to a through lane and a right-turn lane.</li> </ul>	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Horizontal	City of Carson Department of Public Works, Traffic Engineering Division	City of Carson Department of Public Works, Traffic Engineering Division		

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date
<p><b>Mitigation Measure C-6.1:</b> Avalon Boulevard and Del Amo Boulevard (Intersection No. 10). A significant impact would occur at this intersection during the A.M. and P.M. peak hours under the existing year and future year analysis. The Applicant shall pay a fair-share contribution for the following intersection striping and geometric improvements:</p> <ul style="list-style-type: none"> <li>- Conversion of the southbound through/right-turn lane to a through lane and a right-turn lane; and</li> <li>- Addition of a second northbound left-turn lane.</li> </ul>	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Horizontal	City of Carson Department of Public Works, Traffic Engineering Division	City of Carson Department of Public Works, Traffic Engineering Division		
<p><b>Mitigation Measure C-8:</b> Figueroa Street and I 110 Northbound Ramps (Intersection No. 12). A significant impact would occur at this intersection during the A.M. and P.M. peak hours under the existing year and future year analysis. The Applicant shall pay a fair-share contribution for the following intersection striping and geometric improvements:</p> <ul style="list-style-type: none"> <li>- Addition of a southbound through/right-turn lane;</li> <li>- Addition of a third southbound receiving lane; and</li> <li>- Conversion of the eastbound left/right-turn lane to a dedicated left-turn lane and a dedicated right-turn lane.</li> </ul>	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Horizontal	City of Carson Department of Public Works, Traffic Engineering Division	City of Carson Department of Public Works, Traffic Engineering Division		
<p><b>Mitigation Measure C-9:</b> Figueroa Street and Torrance Boulevard (Intersection No. 15). A significant impact would occur at this intersection during the P.M. peak hour under the future year analysis only. The Applicant shall pay a fair-share contribution for the following intersection striping and geometric improvements:</p> <ul style="list-style-type: none"> <li>- Conversion of the northbound through/right-turn lane to a through lane and a right-turn lane.</li> </ul>	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Horizontal	City of Carson Department of Public Works, Traffic Engineering Division	City of Carson Department of Public Works, Traffic Engineering Division		

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date
<p><b>Mitigation Measure C-10.1:</b> Main Street and 213th Street (Intersection No. 20). A significant impact would occur at this intersection during the P.M. peak hour under the existing year and future year analysis. The Applicant shall pay a fair-share contribution for the following intersection striping and geometric improvements:</p> <ul style="list-style-type: none"> <li>- Conversion of the westbound left/right-turn lane to a left-turn lane and a right-turn lane.</li> </ul>	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Horizontal	City of Carson Department of Public Works, Traffic Engineering Division	City of Carson Department of Public Works, Traffic Engineering Division		
<p><b>Mitigation Measure C-11:</b> Vermont Avenue and Carson Street (Intersection No. 22). A significant impact would occur at this intersection during the A.M. and P.M. peak hours under the existing year and future year analysis. The Applicant shall pay a fair-share contribution for the following intersection striping and geometric improvements:</p> <ul style="list-style-type: none"> <li>- Conversion of the westbound right-turn lane to a through/right-turn lane; and</li> <li>- Conversion of the eastbound right-turn lane to a through/right-turn lane.</li> </ul>	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Horizontal	City of Carson Department of Public Works, Traffic Engineering Division	City of Carson Department of Public Works, Traffic Engineering Division		
<p><b>Mitigation Measure C-14:</b> Avalon Boulevard and Carson Street (Intersection No. 25). A significant impact would occur at this intersection during the P.M. peak hour under the existing year analysis, and during the A.M. and P.M. peak hours under the future year analysis. The Applicant shall pay a fair-share contribution for the following intersection striping improvements:</p> <ul style="list-style-type: none"> <li>- Convert the southbound through/right-turn lane to a dedicated right-turn lane; and</li> <li>- Convert the northbound through/right-turn lane to a dedicated right-turn lane</li> </ul>	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Horizontal	City of Carson Department of Public Works, Traffic Engineering Division	City of Carson Department of Public Works, Traffic Engineering Division		

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date Remarks
<p><b>Mitigation Measure C-16:</b> In coordination with the Carson Circuit, Metro, Torrance Transit, and LADOT, the Applicant shall:</p> <ul style="list-style-type: none"> <li>- Request an extension of existing public bus routes into the Project site, which will increase transit capacity by adding service to the area;</li> <li>- Request that additional buses be deployed on extended routes to increase frequency and capacity on key routes serving the Project site; and</li> <li>- Provide transit stops, potentially including benches and shelters, in and adjacent to the Project site, which will improve the quality and increase the network density of transit service.</li> </ul>	Post-Construction of the 1 <sup>st</sup> Phase of Project	Applicant(s) Horizontal	City of Carson Department of Public Works, Traffic Engineering Division	City of Carson Department of Public Works, Traffic Engineering Division		
<b>HAZARDS AND HAZARDOUS MATERIALS</b>						
<p><b>Mitigation Measure D-1:</b> To the extent the Applicant desires to refine or modify requirements in the RAP, the Applicant shall provide documentation to the City indicating DTSC approval of such refinements or modifications prior to commencement of construction.</p>	Prior to issuance of grading permit/Pre-Construction	Applicant(s) Horizontal	Department of Toxic Substances Control (DTSC), City of Carson Department of Community Development, Planning Division	California Environmental Protection Agency (Cal EPA), DTSC, City of Carson Department of Community Development, Planning Division		

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date
<b>Mitigation Measure D-2:</b> The Applicant shall provide documentation to the City indicating DTSC shall permit any proposed residential uses prior to issuance of a building permit for residential development.	Prior to issuance of building permit/Pre-Construction	Applicant(s) Horizontal	DTSC	Cal EPA, DTSC, City of Carson Department of Community Development, Planning Division		
<b>Mitigation Measure D-3:</b> The Applicant shall provide documentation to the City indicating both on- and off-site risks associated with RAP construction have been evaluated to the satisfaction of the DTSC, and at a minimum, perimeter air monitoring shall be completed for dust, particulates, and constituents determined to be Constituents of Concern (COCs). Should the air monitoring indicate any violations of air quality as defined in the RAP, then construction activities causing the exceedance shall cease until modifications have been implemented to remedy the exceedances.	Pre-Construction	Applicant(s) Horizontal	DTSC, City of Carson Department of Community Development, Planning Division	Cal EPA, DTSC, City of Carson Department of Community Development, Planning Division		
<b>Mitigation Measure D-4:</b> The Applicant shall provide to the City documentation indicating that (1) a cell-specific risk assessment has been prepared by the Applicant and approved by DTSC demonstrating that the risk of exposure for occupancy of that cell is within acceptable levels to DTSC and (2) DTSC has approved a remedial action completion report documenting that the remedial systems are properly functioning prior to issuance of a Certificate of Occupancy.	Prior to issuance of a Certificate of Occupancy	Applicant(s) Horizontal	DTSC, City of Carson Department of Community Development, Planning Division	Cal EPA, DTSC, City of Carson Department of Community Development, Planning Division		



Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date
<p><b>Mitigation Measure D-6:</b> The Applicant's construction contractor shall incorporate the contingency plan recommended under the July 9, 2008, Oil/Water Well Investigation report by Arcadis into construction specifications. The contingency plan shall be physically on site during any earthwork activities and implemented in the event that a previously unknown well is encountered at the Property.</p>	Construction	Applicant(s)/ Construction Contractor Horizontal	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division		
<b>GEOLOGY AND SOILS</b>						
<p><b>Mitigation Measure E-1:</b> In accordance with City of Carson Municipal Code, the Applicant shall comply with site-specific recommendations set forth in engineering geology and geotechnical reports prepared to the satisfaction of the City of Carson Building Official, as follows:</p> <ul style="list-style-type: none"> <li>-- The engineering geology report shall be prepared and signed by a California Certified Engineering Geologist and the geotechnical report shall be prepared and signed by a California Registered Civil Engineer experienced in the area of geotechnical engineering. Geology and geotechnical reports shall include site-specific studies and analyses for all potential geologic and/or geotechnical hazards. Geotechnical reports shall address the design of pilings, foundations, walls below grade, retaining walls, shoring, subgrade preparation for floor slab support, paving, earthwork methodologies, and dewatering, where applicable.</li> <li>-- Geology and geotechnical reports may be prepared separately or together.</li> <li>-- Where the studies indicate, compensating siting</li> </ul>	Prior to issuance of a grading permit/Pre-Construction	Applicant(s) Horizontal and Applicant(s) Vertical, as applicable	City of Carson Department of Community Development, Building and Safety Division	City of Carson Department of Community Development, Building and Safety Division		

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date
<p>and design features shall be required.</p> <ul style="list-style-type: none"> <li>Laboratory testing of soils shall demonstrate the suitability of underlying native soils to support driven piles to the satisfaction of the City of Carson Building Official.</li> </ul>						
<p><b>Mitigation Measure E-2:</b> Due to the classification of portions of the Property as a liquefaction zone, the Applicant shall demonstrate that liquefaction either (a) poses a sufficiently low hazard to satisfy the defined acceptable risk criteria, in accordance with CGS Special Bulletin 117A, or (b) implements suitable mitigation measures to effectively reduce the hazard to acceptable levels (CCR Title 14, Section 3721). The analysis of liquefaction risk shall be prepared by a registered civil engineer and shall be submitted to the satisfaction of the City Building Official.</p>	Prior to issuance of a grading permit/Pre-Construction	Applicant(s) Horizontal and Applicant(s) Vertical, as applicable	City of Carson Department of Community Development, Building and Safety Division	City of Carson Department of Community Development, Building and Safety Division		
<p><b>Mitigation Measure E-3:</b> Any roads realigned from the existing configuration, or otherwise located in areas underlain by waste soils, shall comply with site-specific recommendations as set forth in engineering, geology, and geotechnical reports prepared to the satisfaction of the City of Carson building officials.</p>	Prior to issuance of a grading permit/Pre-Construction	Applicant(s) Horizontal	City of Carson Department of Community Development, Building and Safety Division	City of Carson Department of Community Development, Building and Safety Division		

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
<b>AIR QUALITY</b>							
<b>Mitigation Measure G-1:</b> General contractors shall implement a fugitive dust control program pursuant to the provisions of SCAQMD Rule 403.	Prior to the issuance of a grading permit/ Construction	Applicant(s)/ Construction Contractor Horizontal and Applicant(s)/ Construction Contractor Vertical, as applicable	South Coast Air Quality Management District (SCAQMD)	City of Carson Department of Community Development, Planning Division			
<b>Mitigation Measure G-2:</b> All construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications.	Prior to the issuance of a grading permit/ Construction	Construction Contractor Horizontal and Construction Contractor Vertical, as applicable	SCAQMD, City of Carson Department of Community Development, Building and Safety Division	City of Carson Department of Community Development, Building and Safety Division			
<b>Mitigation Measure G-3:</b> General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues would turn their engines off, when not in use, to reduce vehicle emissions. Construction emissions should be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts.	Prior to the issuance of a grading permit/ Construction	Construction Contractor Horizontal and Construction Contractor Vertical, as applicable	SCAQMD	City of Carson Department of Community Development, Building and Safety Division			

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
<b>Mitigation Measure G-4:</b> Electricity from power poles rather than temporary diesel- or gasoline-powered generators shall be used to the extent feasible.	Prior to the issuance of a grading permit/Construction	Construction Contractor Horizontal and Construction Contractor Vertical, as applicable	SCAQMD	City of Carson Department of Community Development, Building and Safety Division			
<b>Mitigation Measure G-5:</b> All construction vehicles shall be prohibited from idling in excess of 5 minutes, both on and off Property.	Prior to the issuance of a grading permit/Construction	Construction Contractor Horizontal and Construction Contractor Vertical, as applicable	SCAQMD	City of Carson Department of Community Development, Building and Safety Division			
<b>Mitigation Measure G-6:</b> Project heavy-duty construction equipment shall use alternative clean fuels, such as low-sulfur diesel or compressed natural gas with oxidation catalysts or particulate traps, to the extent feasible.	Prior to the issuance of a grading permit/Construction	Construction Contractor Horizontal and Construction Contractor Vertical, as applicable	SCAQMD	City of Carson Department of Community Development, Building and Safety Division			

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
<p><b>Mitigation Measure G-7:</b> The Applicant shall utilize coatings and solvents that are consistent with applicable SCAQMD rules and regulations. Should sub-phasing within any of the Planning Areas result in the overlap of construction and operation, construction shall be coordinated and managed to ensure that Property-wide coating activities would not result in the exceedance of maximum operational ROC emissions as shown in Table IV.G-14. Construction ROC emissions can be limited through the use of pre-fabricated and pre-coated materials, limiting the amount of daily coating activities, and tenant coordination.</p>	Prior to the issuance of a grading permit/Construction	Applicant(s)/ Construction Contractor Horizontal and Applicant(s)/ Construction Contractor Vertical, as applicable	SCAQMD	City of Carson Department of Community Development, Building and Safety Division			
<p><b>Mitigation Measure G-8:</b> The Applicant shall comply with SCAQMD Rule 402 to reduce potential nuisance impacts due to odors from construction activities.</p>	Prior to the issuance of a grading permit/Construction	Applicant(s)/ Construction Contractor Horizontal and Applicant(s)/ Construction Contractor Vertical, as applicable	SCAQMD	City of Carson Department of Community Development, Building and Safety Division			
<p><b>Mitigation Measure G-9:</b> All construction vehicle tires shall be washed at the time these vehicles exit the Property, or use vehicle tracking pad per approved SWPPP.</p>	Prior to the issuance of a grading permit/Construction	Construction Contractor Horizontal and Construction Contractor Vertical, as applicable	SCAQMD	City of Carson Department of Community Development, Building and Safety Division			

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
<b>Mitigation Measure G-10:</b> All fill material carried by haul trucks shall be covered by a tarp or other means.	Prior to the issuance of a grading permit/Construction	Construction Contractor Horizontal and Construction Contractor Vertical, as applicable	SCAQMD	City of Carson Department of Community Development, Building and Safety Division			
<b>Mitigation Measure G-11:</b> Any intensive dust-generating activity such as grinding concrete for existing roads shall be controlled to the greatest extent feasible.	Prior to the issuance of a grading permit/Construction	Construction Contractor Horizontal and Construction Contractor Vertical, as applicable	SCAQMD	City of Carson Department of Community Development, Building and Safety Division			
<b>Mitigation Measure G-12:</b> The Applicant shall provide documentation to the City indicating both on- and off-Property air-borne risks associated with Remedial Action Plan construction have been evaluated to the satisfaction of DTSC, and at a minimum, perimeter air monitoring shall be completed for dust, particulates, and constituents determined to be Constituents of Concern (COCs).	Prior to the issuance of a grading permit/Pre-Construction	Applicant(s) Horizontal	City of Carson Department of Community Development, Building and Safety Division	City of Carson Department of Community Development, Building and Safety Division			
<b>Mitigation Measure G-13:</b> All point source facilities shall obtain all required permits from SCAQMD. The issuance of these permits by SCAQMD shall require the operators of these facilities to implement Best Available Control Technology and other required measures that reduce emissions of criteria air pollutants.	Prior to the issuance of a grading permit/Pre-Construction	Applicant(s) Horizontal and Applicant(s) Vertical, as applicable	SCAQMD	City of Carson Department of Community Development, Building and Safety Division			

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
<b>Mitigation Measure G-14:</b> Land uses on the Property shall be limited to those that do not emit high levels of potentially toxic contaminants or odors.	Pre-Construction	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division			
<b>Mitigation Measure G-15:</b> All residential and non-residential buildings shall exceed the 2016 California Title 24 Energy Efficiency standards for water heating, space heating, and cooling, by a minimum of 5 percent or achieve equivalent energy efficiency savings by other means.	Prior to the issuance of a building permit/ Pre-Construction	Applicant(s) Vertical	City of Carson Department of Community Development, Building and Safety Division	City of Carson Department of Community Development, Building and Safety Division			
<b>Mitigation Measure G-16:</b> All fixtures used for lighting of exterior common areas shall be regulated by automatic devices to turn off lights when they are not needed, but a minimum level of lighting should be provided for safety.	Prior to the issuance of a building permit/ Pre-Construction	Applicant(s) Vertical	City of Carson Department of Community Development, Building and Safety Division	City of Carson Department of Community Development, Building and Safety Division			
<b>Mitigation Measure G-17:</b> Building materials shall comply with all applicable SCAQMD rules and regulations. The use of low-VOC cleaning products shall be required in all hotels. The Project shall incorporate the use of low-VOC architectural coating for repainting and maintenance/touch-up of the non-residential buildings and residential buildings for all common/non-living space/outdoor areas.	Prior to the issuance of a grading permit/ Construction	Applicant(s)/ Construction Contractor Vertical	City of Carson Department of Community Development, Building and Safety Division	City of Carson Department of Community Development, Building and Safety Division			

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
<b>Mitigation Measure G-18:</b> The Applicant shall, to the extent feasible, schedule deliveries during off-peak traffic periods to encourage the reduction of trips during the most congested periods.	Construction/ Post-Construction	Applicant(s) Horizontal and Applicant(s) Vertical, as applicable	City of Carson Department of Community Development, Building and Safety Division	City of Carson Department of Community Development, Building and Safety Division			
<b>Mitigation Measure G-19:</b> The Applicant shall coordinate with the MTA and the City of Carson and Los Angeles Department of Transportation to provide information with regard to local bus and rail services.	Post- construction	Applicant(s) Vertical	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division			
<b>Mitigation Measure G-20:</b> During site plan review, consideration shall be given regarding the provision of safe and convenient access to bus stops and public transportation facilities.	Pre-construction	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division			
<b>Mitigation Measure G-21:</b> The Applicant shall pay a fair-share contribution for a low-emission shuttle service between the Property and other major activity centers within the Project vicinity (i.e., the Metro Rail Blue Line station at Del Amo Boulevard and Santa Fe Avenue and the Carson Transfer Station at the South Bay Pavillion).	Prior to Certificate of Occupancy/ Post- Construction	Applicant(s) Vertical	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division			
<b>Mitigation Measure G-22:</b> The Applicant shall provide bicycle racks located at convenient locations throughout The District at South Bay.	Prior to Certificate of Occupancy/ Post- Construction	Applicant(s) Horizontal and Applicant(s) Vertical, as applicable	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division			



Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date
<b>Mitigation Measure G-23:</b> The Applicant shall provide bicycle paths along the main routes throughout The District at South Bay consistent with the Specific Plan.	Prior to issuance of a grading permit/Pre-Construction	Applicant(s) Horizontal	City of Carson Department of Community Development, Planning and Traffic Engineering Divisions	City of Carson Department of Community Development, Planning and Traffic Engineering Divisions		
<b>Mitigation Measure G-24:</b> The Applicant shall provide convenient pedestrian access throughout The District at South Bay.	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Horizontal	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division		
<b>Mitigation Measure G-26:</b> Project construction shall be phased to extend the architectural coating phase to the greatest extent feasible to meet construction schedule. Further, architectural coating shall be required to meet the lowest VOC content available for the type of coating being applied.	Prior to issuance of a building permit/Pre-Construction	Applicant(s)/ Construction Contractor Vertical	City of Carson Department of Community Development, Building and Safety and Planning Divisions	City of Carson Department of Community Development, Building and Safety and Planning Divisions		
<b>Mitigation Measure G-27:</b> The on-Property residential units shall not contain any hearths, either wood burning, natural gas, or propane.	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Vertical (Residential only)	City of Carson Department of Community Development, Building and Safety and Planning Divisions	City of Carson Department of Community Development, Building and Safety and Planning Divisions		

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date
<b>Mitigation Measure G-28:</b> The Project shall incorporate outdoor electrical outlets such that 10 percent of outdoor landscaping equipment can be electrically powered.	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Horizontal and Applicant(s) Vertical, as applicable	City of Carson Department of Community Development, Building and Safety and Planning Divisions	City of Carson Department of Community Development, Building and Safety and Planning Divisions		
<b>Mitigation Measure G-29:</b> The Project shall designate at least 8 percent of all commercial parking spaces for priority parking for carpool/vanpool and/or clean air vehicles and comply with California Green Building Standards Code (CALGreen).	Prior to issuance of building permit/Pre-Construction; Prior to issuance of Certificate of Occupancy/Post-Construction	Applicant(s) Vertical	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division		
<b>NOISE</b>						
<b>Mitigation Measure H-1:</b> Prior to the issuance of any grading, excavation, haul route, foundation, or building permits, the Applicant shall provide proof satisfactory to the Building and Safety and Planning Divisions of the Community Development Department that all construction documents require contractors to comply with City of Carson Municipal Code, as may be modified by variance, which require all construction and demolition activities, including pile driving, to occur between 7:00 a.m. and 8:00 p.m. Monday through Saturday and that a noise management plan for compliance and verification has been prepared by a monitor retained by the Applicant. At a minimum, the plan shall include the following requirements:	Prior to issuance of any grading, excavation, haul route, foundation, or building permits/Pre-Construction	Applicant(s) Horizontal and Applicant(s) Vertical, as applicable	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Building and Safety Division		
1. Noise-generating equipment operated at the Property shall achieve a minimum noise level						

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance																																																				
					Initials	Date																																																			
<p>reduction of 10 dBA lower than the reference noise levels used in this analysis, as listed below, to be verified by submittal of manufacturer specifications, evidence of retrofit (i.e., mufflers, intake silencers, lagging, and/or engine enclosures), or monitoring data. All equipment shall be properly maintained to ensure that no additional noise, due to worn or improperly maintained parts, would be generated.</p> <table border="1" data-bbox="560 130 1023 1711"> <thead> <tr> <th>Equipment Type</th> <th>Reference Noise Level at 50 Feet (dBA L<sub>max</sub>)</th> <th>Mitigated Noise Level at 50 Feet (dBA L<sub>max</sub>)</th> </tr> </thead> <tbody> <tr><td>Welder</td><td>74</td><td>64</td></tr> <tr><td>Forklift</td><td>75</td><td>65</td></tr> <tr><td>Tractor Trailer</td><td>76</td><td>66</td></tr> <tr><td>Paver</td><td>77</td><td>67</td></tr> <tr><td>Air Compressor</td><td>78</td><td>68</td></tr> <tr><td>Loader</td><td>79</td><td>69</td></tr> <tr><td>Concrete Mixer Trucks</td><td></td><td></td></tr> <tr><td>Water Trucks</td><td></td><td></td></tr> <tr><td>Rollers</td><td>80</td><td>70</td></tr> <tr><td>Trencher</td><td></td><td></td></tr> <tr><td>Excavators</td><td></td><td></td></tr> <tr><td>Cranes</td><td>81</td><td>71</td></tr> <tr><td>Dozer</td><td>82</td><td>72</td></tr> <tr><td>Compactor</td><td>83</td><td>73</td></tr> <tr><td>Scraper</td><td>84</td><td>74</td></tr> <tr><td>Grader</td><td>85</td><td>75</td></tr> </tbody> </table>	Equipment Type	Reference Noise Level at 50 Feet (dBA L <sub>max</sub> )	Mitigated Noise Level at 50 Feet (dBA L <sub>max</sub> )	Welder	74	64	Forklift	75	65	Tractor Trailer	76	66	Paver	77	67	Air Compressor	78	68	Loader	79	69	Concrete Mixer Trucks			Water Trucks			Rollers	80	70	Trencher			Excavators			Cranes	81	71	Dozer	82	72	Compactor	83	73	Scraper	84	74	Grader	85	75						
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Loader	79	69																																																							
Concrete Mixer Trucks																																																									
Water Trucks																																																									
Rollers	80	70																																																							
Trencher																																																									
Excavators																																																									
Cranes	81	71																																																							
Dozer	82	72																																																							
Compactor	83	73																																																							
Scraper	84	74																																																							
Grader	85	75																																																							

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
<p>Concrete Saw Pavement Scarifier</p> <p>90                      80</p> <p>2. Pile drivers used within 1,500 feet of sensitive receptors shall be equipped with noise control techniques (e.g., use of noise attenuation shields or shrouds) having a minimum quieting factor of 10 dBA, or equivalent measures shall be used to result in a minimum reduction of 10 dBA at the source.</p> <p>3. Effective continuous temporary sound barriers (at least 8 feet tall as measured from the grade upon which the noise-producing equipment are operating) equipped with noise blankets rated to achieve sound level reductions of at least 20 dBA shall enclose the active construction work area to block line-of-site between the construction equipment and occupied noise-sensitive receptors. In the alternative, equivalent measures may be used that will achieve sound level reductions of at least 20 dBA, or such lesser fraction thereof required to reach 65 dBA, at the boundary of occupied residential uses.</p> <p>4. Loading and staging areas must be located on site and away from the most noise-sensitive uses surrounding the site as determined by the Building and Safety and Planning Divisions of the Community Development Department.</p> <p>5. An approved haul route authorization that avoids noise-sensitive land uses to the maximum extent feasible.</p> <p>6. A construction relations officer shall be designated to serve as a liaison with residents, and a contact telephone number shall be provided to</p>							

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
residents.							

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date
					Remarks	
<p><b>Mitigation Measure H-2:</b> The Applicant, prior to initiating additional DDC activities on a site-wide basis, shall conduct a DDC Pilot Program (Pilot Program). The Pilot Program shall be implemented via the following guidelines:</p> <ul style="list-style-type: none"> <li>- Prior to the initiation of the Pilot Program, the Applicant shall locate vibration monitors at the following locations: (1) along the Project's fence-line opposite the off-site residential uses located to the north (if Development District 3 [DD3] is under vertical construction or constructed at the time DDC activities are initiated), south, and southwest of the Property (i.e., within the Property), and (2) along the far side of the Torrance Lateral Channel and along the north side of Del Amo Boulevard (if DD3 is under vertical construction or constructed at the time DDC activities are initiated) in line with the monitors placed within the Property itself.</li> <li>- Continuous monitoring shall be conducted on an ongoing basis during the Pilot Program. All vibration levels measured by the monitors shall be logged with documentation of the measurements provided to the City. Initial DDC drops shall be limited in weight, height, and/or location dictated by calculations that demonstrate that the potential vibration levels are below the 0.2 inch per second (in/s) PPV threshold limit at the residential side of the Torrance Lateral Channel or the 2.0 in/s PPV threshold limit at DD3 (if DD3 is under vertical construction or constructed at the time DDC activities are initiated).</li> <li>- Increases in DDC weight, height, and/or location</li> </ul>	<p>Prior to initiating additional DDC activities/Pre-Construction</p>	<p>Applicant(s) Horizontal</p>	<p>City of Carson Department of Community Development, Planning Division</p>	<p>City of Carson Department of Community Development, Planning Division</p>		

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date
<p>shall occur in small increments, with continuous monitoring to ensure compliance with the 0.2 in/s PPV (residential side of Torrance Lateral Channel) and 2.0 in/s PPV (if DD3 is under vertical construction or constructed at the time DDC activities are initiated) threshold limits.</p> <p>– If vibration levels at any time during the Pilot Program exceed the 0.2 in/s PPV (residential side of Torrance Lateral Channel) or 2.0 in/s PPV (if DD3 is under vertical construction or constructed at the time DDC activities are initiated) threshold levels, DDC activity shall immediately stop, until new drop parameters are established that would reduce the vibration levels to less than the 0.2 in/s PPV or 2.0 in/s PPV threshold levels.</p>						
<p><b>Mitigation Measure H-3:</b> Continuous vibration monitoring shall be conducted on an ongoing basis during DDC and pile driving activities. All vibration levels measured by the monitors shall be logged with documentation of the measurements provided to the City. If DDC and/or pile driving vibration levels at any time exceed the 0.2 inch per second (in/s) PPV (at the residential side of Torrance Lateral Channel) or 2.0 in/s PPV (at Development District 3 [DD3] if DD3 is under vertical construction or constructed at the time DDC activities are initiated) threshold levels, DDC and/or pile driving activity shall immediately stop, until modified construction methods are established that would reduce the vibration levels to less than the applicable threshold levels, as defined above.</p>	Construction	Applicant(s)/ Construction Contractor Horizontal	City of Carson Department of Community Development, Building and Safety and Planning Divisions	City of Carson Department of Community Development, Building and Safety and Planning Divisions		
<p><b>Mitigation Measure H-4:</b> A construction and construction-related monitor satisfactory to the Community Development Director (or his/her designee)</p>	Construction	Applicant(s) Horizontal and Applicant(s)	City of Carson Department of Community	City of Carson Department of Community		

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
<p><b>Mitigation Measures</b></p> <p>shall be retained by the Applicant to document compliance with the mitigation measures. Said Monitor's qualifications, identification, address, and telephone number shall be listed in the contracts and shall be placed in the pertinent files of the Community Development Department. The Monitor will be required to monitor all construction and construction-related activities on the Property on a periodic basis; keep all written records, which shall be open for public inspection; and to file monthly reports with the City and appropriate permit granting authorities. In addition:</p> <ol style="list-style-type: none"> <li>Information shall be provided on a weekly basis regarding construction activities and their duration. A Construction Relations Officer shall be established and funded by the Applicant, and approved by the Community Development Director (or his/her designee), to act as a liaison with neighbors and residents concerning on-site construction activity. As part of this mitigation measure, the Applicant shall establish a 24-hour telephone construction hotline, which will be staffed between the hours of 8:00 a.m. and 5:00 p.m. on a Monday through Saturday basis throughout the Project's entire construction period for the purposes of answering questions and resolving disputes with adjacent property owners. The hotline number shall be posted on the Property.</li> <li>The Applicant shall require in all construction and construction-related contracts and subcontracts, provisions requiring compliance with special environmental conditions included in all relevant entitlement approval actions of the City of Carson. Such provisions shall also include retention of the</li> </ol>		Vertical, as applicable	Development, Planning Division	Development, Planning Division			



Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date
<p>power to effect prompt corrective action by the Applicant, its representative, or prime contractor, subcontractor, or operator to correct noticed noncompliance.</p> <p>3. During construction, loading and staging areas must be located on-site and away from occupied noise-sensitive uses surrounding the Property as determined by the Planning Manager.</p>						
<p><b>Mitigation Measure H-5:</b> All commercial parking lots shall be located a minimum of 150 feet from an off-site residential structure use located to the south and west (across the Torrance Lateral Channel) unless a minimum 8-foot-high wall is provided along the property boundary to limit noise levels associated with parking lot activities.</p>	Prior to issuance of a grading permit/Pre-Construction	Applicant(s) Vertical	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division		
<p><b>Mitigation Measure H-6:</b> All parking structures shall be located a minimum of 150 feet from an off-site residential structure use located to the south and west (across the Torrance Lateral Channel) unless the exterior wall of the parking structure that faces the off-site residential use is a solid wall or provides acoustical louvers (or equivalent noise reduction measures).</p>	Prior to issuance of a grading permit/Pre-Construction	Applicant(s) Vertical	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division		
<p><b>Mitigation Measure H-7:</b> During operation of a building (following construction), truck delivery within 250 feet of an off-Property residential use shall not occur between 10:00 p.m. and 7:00 a.m.</p>	Prior to issuance of a grading permit/Pre-Construction	Applicant(s) Vertical	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division		

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date
<b>FIRE PROTECTION</b>						
<b>Mitigation Measure I.1-1:</b> Prior to construction, the Applicant shall submit building plans to the Los Angeles County Fire Department (LACoFD) for review. Based on such plan check, any additional fire safety recommendations shall be implemented to the satisfaction of the LACoFD.	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Vertical	Los Angeles County Fire Department (LACoFD)	LACoFD		
<b>Mitigation Measure I.1-2:</b> The Applicant shall provide adequate ingress/egress access points for emergency response to the satisfaction of the LACoFD.	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Vertical	LACoFD	LACoFD		
<b>Mitigation Measure I.1-3:</b> The Applicant shall comply with all applicable fire code and ordinance requirements for construction, access, water mains, fire flows, and fire hydrants as required by the LACoFD.	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Horizontal and Applicant(s) Vertical, as applicable	LACoFD	LACoFD		
<b>Mitigation Measure I.1-4:</b> Every building shall be accessible to Fire Department apparatus by way of access roadways, with an all-weather surface of not less than the width prescribed by the LACoFD. The roadway shall extend to within 150 feet of all portions of exterior building walls when measured by an unobstructed route around the exterior of the building.	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Horizontal and Applicants Vertical, as applicable	LACoFD	LACoFD		
<b>Mitigation Measure I.1-5:</b> Requirements for access, fire flows, and hydrants shall be addressed during the City's subdivision tentative map stage.	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Horizontal	LACoFD	LACoFD		
<b>Mitigation Measure I.1-6:</b> Fire sprinkler systems shall be installed in all residential and commercial occupancies to the satisfaction of the LACoFD.	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Vertical	LACoFD	LACoFD		

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date
<p><b>Mitigation Measure I.1-7:</b> The Applicant shall ensure that adequate water pressure is available to meet Code-required fire flow. Based on the size of the buildings, proximity of other structures, and construction type, a maximum fire flow up to 4,000 gallons per minute (gpm) at 20 pounds per square inch (psi) residual pressure for up to a four-hour duration may be required.</p>	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Horizontal and Applicant(s) Vertical, as applicable	LACoFD	LACoFD		
<p><b>Mitigation Measure I.1-8:</b> Fire hydrant spacing shall be 300 feet and shall meet the following requirements:</p> <ul style="list-style-type: none"> <li>- No portion of a lot's frontage shall be more than 200 feet via vehicular access from a properly spaced fire hydrant;</li> <li>- No portion of a building shall exceed 400 feet via vehicular access from a properly spaced fire hydrant;</li> <li>- Additional hydrants shall be required if spacing exceeds specified distances;</li> <li>- When a cul-de-sac depth exceeds 200 feet on a commercial street, hydrants shall be required at the corner and mid-block;</li> <li>- A cul-de-sac shall not be more than 500 feet in length, when serving land zoned for commercial use; and</li> <li>- Turning radii in a commercial zone shall not be less than 32 feet. The measurement shall be determined at the centerline of the road. A turning area shall be provided for all driveways exceeding 150 feet in length at the end of all cul-de-sacs, to the satisfaction of the LACoFD.</li> </ul>	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Horizontal and Applicant(s) Vertical, as applicable	LACoFD	LACoFD		

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
<b>Mitigation Measure I.1-9:</b> All on-site driveways and roadways shall provide a minimum unobstructed (clear-to-sky) width of 28 feet. The on-site driveways shall be within 150 feet of all portions of the exterior walls of the first story of any building. The centerline of the access driveway shall be located parallel to, and within 30 feet of, an exterior wall on one side of the proposed structure or otherwise in accordance with the City Fire Code.	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Vertical	LACoFD	LACoFD			
<b>Mitigation Measure I.1-10:</b> All on-site driveways shall provide a minimum unobstructed (clear-to-sky) width of 28 feet. Driveway width shall be increased under the following conditions: <ul style="list-style-type: none"> <li>- If parallel parking is allowed on one side of the access roadway/driveway, the roadway width shall be 34 feet; and</li> <li>- If parallel parking is allowed on both sides of the access roadway/driveway, the roadway width shall be 36 feet in a residential area or 42 feet in a commercial area.</li> </ul>	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Vertical	LACoFD	LACoFD			
<b>Mitigation Measure I.1-11:</b> The entrance to any street or driveway with parking restrictions shall be posted with LACoFD-approved signs stating "NO PARKING – FIRE LANE" in 3-inch-high letters, at intermittent distances of 150 feet. Any access-way that is less than 34 feet in width shall be labeled "Fire Lane" on the final tract map and final building plans.	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Horizontal	LACoFD	LACoFD			

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date
<p><b>Mitigation Measure I.1-12:</b> The following standards apply to the Project's residential component only:</p> <ul style="list-style-type: none"> <li>- A cul-de-sac shall be a minimum of 34 feet in width and shall not be more than 700 feet in length;</li> <li>- The length of the cul-de-sac may be increased to 1,000 feet if a minimum 36-foot-wide roadway is provided; and</li> <li>- An LACoFD-approved turning radius shall be provided at the terminus of all residential cul-de-sacs.</li> </ul>	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Vertical (Residential only).	LACoFD	LACoFD		
<p><b>Mitigation Measure I.1-14:</b> All access devices and gates shall meet the following requirements:</p> <ul style="list-style-type: none"> <li>- Any single-gated opening used for ingress and egress shall be a minimum of 26 feet clear-to-sky;</li> <li>- Any divided gate opening (when each gate is used for a single direction of travel, i.e., ingress or egress) shall be a minimum width of 20 feet clear to sky;</li> <li>- Gates and/or control devices shall be positioned a minimum of 50 feet from a public right-of-way and shall be provided with a turnaround having a minimum of 32 feet of turning radius. If an intercom system is used, the 50 feet shall be measured from the right-of-way to the intercom control device;</li> <li>- All limited access devices shall be of a type approved by LACoFD; and</li> <li>- Gate plans shall be submitted to LACoFD prior to installation. These plans shall show all locations, widths, and details of the proposed gates.</li> </ul>	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Vertical	LACoFD	LACoFD		

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date
<b>Mitigation Measure I.1-15:</b> All proposals for traffic calming measures (speed humps/bumps/cushions, traffic circles, roundabouts, etc.) shall be submitted to LACoFD for review prior to implementation.	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Horizontal and Applicant(s) Vertical, as applicable	LACoFD	LACoFD		
<b>Mitigation Measure I.1-16:</b> Provide three sets of alternate route (detour) plans with a tentative schedule of planned closures prior to the beginning of construction. Complete architectural/structural plans are not necessary.	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Horizontal and Applicant(s) Vertical, as applicable	LACoFD	LACoFD		
<b>Mitigation Measure I.1-17:</b> Any temporary bridges shall be designed, constructed, and maintained to support a live load of at least 70,000 pounds. A minimum vertical clearance of 13'6" shall be required throughout construction.	Prior to issuance of a building permit/Pre-Construction;	Applicant(s) Horizontal and Applicant(s) Vertical, as applicable	LACoFD	LACoFD		
<b>Mitigation Measure I.1-18:</b> Disruptions to water services shall be coordinated with LACoFD, and alternate water sources shall be provided for fire protection during such disruptions.	Construction; Post-Construction	Applicant(s) Horizontal and Applicant(s) Vertical, as applicable	LACoFD	LACoFD		
<b>POLICE</b>						
<b>Mitigation Measure I.2-1:</b> The Applicant shall provide private security services within Planning Areas 2 and 3 that are occupied by commercial development. On-site security services shall maintain an ongoing dialogue with the Sheriff's Department so as to maximize the value of the security service provided.	Post-Construction	Applicant(s) Vertical	City of Carson Public Safety Services Division	City of Carson Public Safety Services Division		

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date
<b>Mitigation Measure I.2-2:</b> The Applicant shall incorporate into the Project design a space for a Sheriff's substation for use by the Los Angeles County Sheriff's Department.	Pre-Construction	Applicant(s) Vertical	City of Carson Public Safety Services Division; City of Carson Department of Community Development, Planning Division	City of Carson Public Safety Services Division; City of Carson Department of Community Development, Planning Division		
<b>Mitigation Measure I.2-3:</b> The Applicant shall install video cameras throughout the commercial development within Planning Areas 2 and 3 with a digitally recorded feed to the substation that is also accessible via the internet at the Carson Sheriff's Station.	Post-Construction	Applicant(s) Vertical	City of Carson Public Safety Services Division	City of Carson Public Safety Services Division		
<b>Mitigation Measure I.2-4:</b> The Applicant shall develop jointly with the Sheriff's Department a community policing plan, subject to final review and approval by the Sheriff's Department.	Post-Construction	Applicant(s) Vertical	City of Carson Public Safety Services Division	City of Carson Public Safety Services Division		
<b>Mitigation Measure I.2-5:</b> The Applicant shall confer with the Sheriff's Department and, if private security is not sufficient, shall fund Deputy Sheriffs on an overtime basis to augment security during peak periods, as jointly determined by the Applicant or its successor, and the Sheriff's Department.	Post-Construction	Applicant(s) Vertical	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division		
<b>Mitigation Measure I.2-6:</b> The management of the entertainment venues located within the Project site shall notify the Sheriff's Station in advance of planned activities (i.e., movie schedules).	Post-Construction	Management of Entertainment Venues	City of Carson Public Safety Services Division	City of Carson Public Safety Services Division		

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date
<b>Mitigation Measure I.2-7:</b> The Sheriff's Department Crime Prevention Unit shall be contacted for advice on crime prevention programs that could be incorporated into the proposed modified Project, including Neighborhood Watch.	Post-Construction	Applicant(s) Vertical	City of Carson Public Safety Services Division	City of Carson Public Safety Services Division		
<b>Mitigation Measure I.2-8:</b> Applicant(s) for Planning Areas 1, 2, and 3 shall pay a fair-share contribution for Sheriff department services, facilities, and equipment that is required to offset the impacts of the proposed modified Project, as determined by the City of Carson after consultation with the Sheriff's Department.	Fair share agreement prior to issuance of a building permit/ Pre-Construction; fair share contribution on ongoing basis per agreement	Applicant(s) Vertical	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division		
<b>PARKS AND RECREATION</b>						
<b>Mitigation Measure I.4-1:</b> Residential uses of the Project shall provide park and recreation facilities pursuant to Municipal Code Section 9207.19, equivalent to 3 acres per 1,000 population, that would be met through the provision of park space, on-site improvements, and/or, the payment of in-lieu fees.	Prior to the issuance of a building permit/ Pre-Construction	Applicant(s) Vertical (Residential only)	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division		
<b>Mitigation Measure I.4-2:</b> Residential uses of the Project shall meet the intent of Municipal Code Sections 9128.54 and 9128.15 through the provision of private open space as defined therein and/or the provision of additional amenities that meet the recreational needs of Project residents, e.g., health clubs.	Prior to the issuance of a building permit/ Pre-Construction	Applicant(s) Vertical (Residential only)	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division		



Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date
<p><b>Mitigation Measure I.4.3:</b> Public open space for residential uses of the Project shall be calculated on a per-unit basis:</p> <ul style="list-style-type: none"> <li>- For PA 1: <ul style="list-style-type: none"> <li>■ Studio and 1-Bedroom Units: a minimum of 150 sq.ft. per unit</li> <li>■ 2-Bedroom Units: a minimum of 220 sq.ft. per unit</li> <li>■ 3+-Bedroom Units: a minimum of 250 sq.ft. per unit</li> <li>■ All with a minimum dimension of 15 feet in any direction</li> </ul> </li> <li>- For DD3: <ul style="list-style-type: none"> <li>■ All Units: a minimum of 300 sq.ft. per unit with a minimum dimension of 15 feet in any direction</li> </ul> </li> </ul>	Prior to the issuance of a building permit/ Pre-Construction	Applicant(s) Vertical (Residential only)	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division		
<b>LIBRARIES</b>						
<p><b>Mitigation Measure I.5-1:</b> Applicants for residential uses shall pay a fair-share contribution for the improvement of library facilities that are required to offset impacts of the Project, subject to approval of the County of Los Angeles Public Library.</p>	Prior to the issuance of a building permit/ Pre-Construction	Applicant(s) Vertical (Residential only)	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division		
<b>WATER SUPPLY</b>						
<p><b>Mitigation Measure J.1-1:</b> The Building Department and the Planning Division shall review building plans to ensure that water-reducing measures are utilized, as required by Title 20 and Title 24 of the California Administrative Code. These measures include, but are not limited to, water conserving dishwashers, low-volume toilet tanks, and flow control devices for faucets.</p>	Prior to the issuance of a building permit/ Pre-Construction	City of Carson Department of Community Development, Planning and Building Safety Divisions	City of Carson Department of Community Development, Planning and Building Safety Divisions	City of Carson Department of Community Development, Planning and Building Safety Divisions		

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
<b>Mitigation Measure J.1-2:</b> The Project shall comply with the City's landscape ordinance, "A Water Efficient Landscape Ordinance," as required by the State Water Conservation Landscape Act.	Post-Construction	Applicant(s) Horizontal and Applicant(s) Vertical, as applicable	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division			
<b>Mitigation Measure J.1-3:</b> The Applicant shall provide reclaimed water for the Project's non-potable water needs, if feasible.	Post-Construction	Applicant(s) Horizontal and Applicant(s) Vertical, as applicable	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division			
<b>Mitigation Measure J.1-4:</b> Landscaping of the Property shall utilize xeriscape (low-maintenance, drought-resistant) plantings.	Post-Construction	Applicant(s) Horizontal and Applicant(s) Vertical, as applicable	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division			
<b>Mitigation Measure J.1-5:</b> Automatic irrigation systems shall be set to ensure irrigation during early morning or evening hours to minimize water loss due to evaporation. Sprinklers must be reset to water less in cooler months and during rainfall season so that water is not wasted on excessive landscape irrigation.	Post-Construction	Applicant(s) Horizontal and Applicant(s) Vertical, as applicable	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division			
<b>Mitigation Measure J.1-6:</b> The Project shall be designed to recycle all water used in cooling systems to the maximum extent possible.	Pre-Construction/ Post-Construction	Applicant(s) Vertical	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division			

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date
<b>Mitigation Measure J.1-7:</b> To the maximum extent feasible, reclaimed water shall be used during the grading and construction phase of the Project for the following activities: (1) dust control, (2) soil compaction, and (3) concrete mixing.	Pre-Construction	Applicant(s) Horizontal and Applicant(s) Vertical, as applicable	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division		
<b>Mitigation Measure J.1-8:</b> Water lines and hydrants shall be sized and located so as to meet the fire flow requirements established by the Los Angeles County Fire Department.	Prior to issuance of a grading permit/Pre-Construction	Applicant(s) Horizontal and Applicant(s) Vertical, as applicable	LACoFD	LACoFD		
<b>WASTEWATER</b>						
<b>Mitigation Measure J.2-1:</b> All required sewer improvements shall be designed and constructed according to the standards of the City of Carson and County of Los Angeles.	Pre-Construction/Construction	Applicant(s) Horizontal	City of Carson Department of Community Development, Building and Safety Division	City of Carson Department of Community Development, Building and Safety Division		
<b>Mitigation Measure J.2-2:</b> Fee payment is required prior to the issuance of a permit to connect to district sewer facilities.	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Vertical	City of Carson Department of Community Development, Building and Safety Division	City of Carson Department of Community Development, Building and Safety Division		

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date
<b>Mitigation Measure J.2-3:</b> The Building and Safety and Planning Divisions of the Community Development Department shall review building plans to ensure that water-reducing measures are utilized, as required by Title 24 of the California Administrative Code. These measures include, but are not limited to, water-conserving dishwashers, low-volume toilet tanks, and flow-control devices for faucets.	Prior to issuance of a building permit/Pre-Construction	City of Carson Department of Community Development, Building and Safety and Planning Divisions	City of Carson Department of Community Development, Building and Safety and Planning Divisions	City of Carson Department of Community Development, Building and Safety and Planning Divisions		
<b>Mitigation Measure J.2-4:</b> When available, the proposed modified Project shall use reclaimed water for the irrigation system and for other appropriate purposes such as during construction.	Prior to issuance of a building permit/Pre-Construction	Applicant(s) Horizontal and Applicant(s) Vertical, as applicable	City of Carson Department of Community Development, Building and Safety and Planning Divisions	City of Carson Department of Community Development, Building and Safety and Planning Divisions		
<b>SOLID WASTE</b>						
<b>Mitigation Measure J.3-1:</b> All structures constructed or uses established within any part of the Project site shall be designed to be permanently equipped with clearly marked, durable, source-sorted recycling bins at all times to facilitate the separation and deposit of recyclable materials.	Prior to the issuance of the first occupancy permit/Post-Construction	Applicant(s) Horizontal and Applicant(s) Vertical, as applicable	City of Carson Department of Community Development, Building and Safety and Planning Divisions	City of Carson Department of Community Development, Building and Safety and Planning Divisions		
<b>Mitigation Measure J.3-2:</b> Primary collection bins shall be designed to facilitate mechanized collection of such recyclable wastes for transport to on- or off-site recycling facilities.	Prior to the issuance of the first occupancy permit/Post-Construction	Applicant(s) Vertical	City of Carson Department of Community Development, Building and Safety and Planning Divisions	City of Carson Department of Community Development, Building and Safety and Planning Divisions		

Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Responsible Monitoring Agency	Verification of Compliance	
					Initials	Date
<b>Mitigation Measure J.3-3:</b> The Applicant shall coordinate with the City of Carson to continuously maintain in good order for the convenience of patrons, employees, and residents clearly marked, durable, and separate recycling bins on the same lot, or parcel to facilitate the deposit of recyclable or commingled waste metal, cardboard, paper, glass, and plastic therein; maintain accessibility to such bins at all times, for collection of such wastes for transport to on- or off-site recycling plants; and require waste haulers to utilize local or regional material recovery facilities as feasible and appropriate.	Prior to the issuance of the first occupancy permit/Post-Construction	Applicant(s) Vertical	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division		
<b>Mitigation Measure J.3-4:</b> Any existing on-site roads that are torn up shall be ground on site and recycled into the new road base.	Prior to the issuance of the first occupancy permit/Post-Construction	Applicant(s)/ Construction Contractor Horizontal	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division		
<b>Mitigation Measure J.3-5:</b> Compaction facilities for non-recyclable materials shall be provided in every occupied building greater than 20,000 square feet in size to reduce both the total volume of solid waste produced and the number of trips required for collection, to the extent feasible.	Construction, Post- Construction	Applicant(s) Vertical	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division		
<b>Mitigation Measure J.3-6:</b> All construction debris shall be recycled in a practical, available, accessible manner, to the extent feasible, during the construction phase.	Construction	Construction Contractor Horizontal and Construction Contractor Vertical, as applicable	City of Carson Department of Community Development, Planning Division	City of Carson Department of Community Development, Planning Division		

