

PORSCHE EXPERIENCE DRIVING CENTER

Final Environmental Impact Report

Prepared for
City of Carson

October 2012



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Final Environmental Impact Report

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City of Carson

October 2012



626 Wilshire Boulevard
Suite 1100
Los Angeles, CA 90017
213.599.4300
www.esassoc.com

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CHAPTER 1

Introduction

This Final Environmental Impact Report (FEIR) has been prepared in conformance with the environmental policy guidelines for the implementation of the California Environmental Quality Act (CEQA) to evaluate the environmental effects that may result from the remediation, construction and operation of the proposed Porsche Experience Driving Center on approximately 53-acres in the City of Carson.

According to *CEQA Guidelines*, Section 15132, the Final EIR shall consist of:

- (a) The Draft EIR or a revision of the Draft;
- (b) Comments and recommendations received on the Draft EIR, either verbatim or in summary;
- (c) A list of persons, organizations, and public agencies commenting on the Draft EIR;
- (d) The responses of the lead agency to significant environmental points raised in the review and consultation process;
- (e) Any other information added by the lead agency.

This document contains responses to comments received on the Draft EIR for the proposed project during the public review period which began August 30, 2012, and closed October 14, 2012. This document has been prepared in accordance with CEQA and the *CEQA Guidelines*, and represents the independent judgment of the lead agency, the City of Carson. This document and the circulated Draft EIR comprise the Final EIR in accordance with *CEQA Guidelines*, Section 15132.

1.1 Format of the Final EIR

The following chapters are contained within this document:

Chapter 1, Introduction. This chapter describes CEQA requirements and the content of the Final EIR.

Chapter 2, Response to Comments. This chapter provides a list of agencies, organizations and interested individuals who commented on the Draft EIR, as well as copies of their comment letters received during the public review period, and individual responses to their comments. To facilitate review of the responses, each comment has been assigned a number. Each comment has

been numbered for each letter, and the letter is followed by responses with references to the corresponding comment number.

Chapter 3, Revisions to the Draft EIR. This chapter contains revisions made to the Draft EIR as a result of the comments received by agencies, organizations and individuals as described in Chapter 3, and/or errors and omissions discovered subsequent to release of the Draft EIR for public review.

The City of Carson has determined that none of this material constitutes significant new information that requires recirculation of the Draft EIR for further public comment under *CEQA Guidelines* Section 15088.5. The additional material clarifies existing information prepared in the Draft EIR, and does not present any new substantive information. None of this new material indicates that the project will result in a significant new environmental impact not previously disclosed in the Draft EIR. Additionally, none of this material indicates that there would be a substantial increase in the severity of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation described in Section 15088.5.

Chapter 4, Mitigation, Monitoring, and Reporting Program. This chapter includes the Mitigation Monitoring and Reporting Program (MMRP). CEQA requires lead agencies to “adopt a reporting and mitigation monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment” (CEQA §21081.6, *CEQA Guidelines* §15097). The MMRP was prepared based on the mitigation measures included in this Final EIR and has been included as Chapter 5.0.

1.2 CEQA Requirements Regarding Comments and Responses

CEQA Guidelines Section 15204(a) outlines parameters for submitting comments, and reminds persons and public agencies that the focus of review and comment of Draft EIRs should be “*on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible ... CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.*”

CEQA Guidelines Section 15204(c) further advises, “*Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section*

15064, an effect shall not be considered significant in the absence of substantial evidence.”
Section 15204 (d) also states, *“Each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency’s statutory responsibility.”*
Section 15204 (e) states, *“This section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section.”*

In accordance with CEQA, Public Resources Code (PRC) Section 21092.5, copies of the written responses to public agencies will be forwarded to those agencies at least 10 days prior to certification of the environmental impact report. The responses will be forwarded with copies of this Final EIR document, as permitted by CEQA, and will conform to the legal standards established for response to comments on the Draft EIR.

CHAPTER 2

Response to Comments

Section 15088 of the *CEQA Guidelines* requires the lead agency, the City of Carson, to evaluate comments on environmental issues received from public agencies and interested parties who reviewed the Draft EIR and prepare written responses. This section provides all written responses received on the Draft EIR and the City of Carson’s responses to each comment. Comment letters and specific comments are given letters and numbers for reference purposes.

The following is a list of agencies, organizations and individuals that submitted comments on the Draft EIR during the public review period. Comments received on the Draft EIR and responses to those comments are shown on the following pages.

Reference	Agency/Organization/Resident Name	Date of Comment
Agencies		
NAHC	Native American Heritage Commission	September 13, 2012
Caltrans	California Department of Transportation	October 1, 2012
LADPW	Los Angeles County Public Works	October 17, 2012*
DTSC	California Department of Toxic Substance Control	October 17, 2012*
Organizations		
MKLA	McKenna, Long and Aldridge	October 15, 2012

* Denotes comment letters received after the close of the public comment period

**Letter NAHC
Native American Heritage Commission**

September 13, 2012 (6 pages)

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
 SACRAMENTO, CA 95814
 (916) 653-6251
 Fax (916) 657-5390
 Web Site www.nahc.ca.gov
 ds_nahc@pacbell.net

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2012 SEP 18 AM 9:16

September 13, 2012

ENGINEERING SERVICES
 CITY OF CARSON

Mr. Zak Gonzales, II, Planner, Planner

City of Carson

701 E. Carson Street
 Carson, CA 90749

Re: SCH#2012041075 CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the "Porsche Experience Driving Center Project;" located in the City of Carson; Los Angeles County, California.

Dear Mr. Gonzales:

The Native American Heritage Commission (NAHC) is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties or resources of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC recommends that the lead agency request that the NAHC do a Sacred Lands File search as part of the careful planning for the proposed project.

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural

NAHC-1



significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties, including archaeological studies. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq.*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

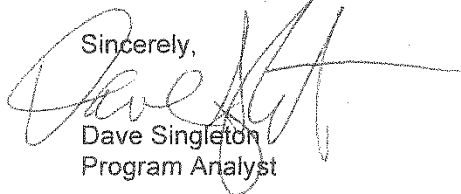
To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

NAHC-1

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Singleton", written over the typed name.

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Native American Contacts
 Los Angeles County
 September 13, 2012

LA City/County Native American Indian Comm
 Ron Andrade, Director
 3175 West 6th St, Rm. 403
 Los Angeles , CA 90020
 randrade@css.lacounty.gov
 (213) 351-5324
 (213) 386-3995 FAX

Gabrielino Tongva Nation
 Sam Dunlap, Cultural Resources Director
 P.O. Box 86908
 Los Angeles , CA 90086
 samdunlap@earthlink.net
 (909) 262-9351 - cell

Ti'At Society/Inter-Tribal Council of Pimu
 Cindi M. Alvitre, Chairwoman-Manisar
 3094 Mace Avenue, Apt. B Gabrielino
 Costa Mesa, , CA 92626
 calvitre@yahoo.com
 (714) 504-2468 Cell

Gabrielino Tongva Indians of California Tribal Council
 Robert F. Dorame, Tribal Chair/Cultural Resources
 P.O. Box 490
 Bellflower , CA 90707
 gtongva@verizon.net
 562-761-6417 - voice
 562-761-6417- fax

Tongva Ancestral Territorial Tribal Nation
 John Tommy Rosas, Tribal Admin.
 Private Address Gabrielino Tongva
 tattnlaw@gmail.com
 310-570-6567

Gabrielino-Tongva Tribe
 Bernie Acuna
 1875 Century Pk East #1500 Gabrielino
 Los Angeles , CA 90067
 (619) 294-6660-work
 (310) 428-5690 - cell
 (310) 587-0170 - FAX
 bacuna1@gabrieinotribe.org

Gabrielino/Tongva San Gabriel Band of Mission
 Anthony Morales, Chairperson
 PO Box 693 Gabrielino Tongva
 San Gabriel , CA 91778
 GTTribalcouncil@aol.com
 (626) 286-1632
 (626) 286-1758 - Home
 (626) 286-1262 -FAX

Gabrielino-Tongva Tribe
 Linda Candelaria, Chairwoman
 1875 Century Pk East #1500 Gabrielino
 Los Angeles , CA 90067
 lcandelaria1@gabrielinoTribe.org
 626-676-1184- cell
 (310) 587-0170 - FAX

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012041075; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Porsche Experience Driving Center Project; located in the City of Carson; Los Angeles County, California.

From: Dave Singleton [mailto:ds_nahc@pacbell.net]

Sent: Monday, September 24, 2012 10:32 AM

To: Zak Gonzalez II

Subject: Re: Lead Agency Request of a NAHC "Sacred Lands File Search" for the Porsche Project, Carson, CA

September 24, 2012

Dear Mr. Gonzalez:

We did the Sacred Lands File search the day we received your request. And, we faxed the results back to the City of Carson.

There were no sacred sites, burial sites or other Native American cultural resources found in the project area.

Let me know if you have any questions.

Dave Singleton

Native American Heritage Commissio-6251

On Sep 24, 2012, at 10:21 AM, Zak Gonzalez II wrote:

September 24, 2012

Dear Mr. Dave Singleton:

Good Morning, checking to see when your staff would complete the "Sacred lands File search" for the Porsche Cars of North America project in Carson, CA.

We are planning to go to the Planning Commission for a public hearing on the Draft EIR on October 23, 2012 and the public review period for the DEIR ends on October 14th.

Thanks for your timely attention to this email request.

Sincerely,

Zak Gonzalez II, Associate Planner

City of Carson

Economic Development/Planning Division

701 E. Carson Street

Carson, CA 90749

(310)952-1700 Ext:1301

From: Dave Singleton [mailto:ds_nahc@pacbell.net]
Sent: Tuesday, September 18, 2012 9:50 AM
To: Zak Gonzalez II
Subject: Re: Lead Agency Request of a NAHC "Sacred Lands File Search" for the Porsche Project, Carson, CA

September 18 2012

Dear Mr. G'onzalez:

We will conduct a Sacred lands File search of the project area per your request.

Dave Singleton
California Native American Heritage Commission
(916) 653-6251

On Sep 18, 2012, at 9:43 AM, Zak Gonzalez II wrote:

September 18, 2012

Mr. Dave Singleton, Program Analyst
Native American Heritage Commission (NAHC)
915 Capitol Mall, Room 364
Sacramento, CA 95814

Re: SCH# 2012041075, Draft EIR for the "Porsche Experience Driving Center Project", Lead Agency Request for a NAHC "Sacred Lands File Search"

Dear Mr. Dave Singleton:

As per your letter to the City of Carson dated September 13, 2012, please accept this letter as the "Lead Agency's" official request that the NAHC prepare a "Sacred Lands File Search" for said project and forward your findings to the City of Carson attention Zak Gonzalez II, Associate Planner.

Upon your commission's response the City of Carson as "Lead Agency" for said project will place your findings in the Final Environmental Impact Report for the public record.

Thanks for your timely attention to this matter.

Sincerely,

***Zak Gonzalez II, Associate Planner
City of Carson
Community Development Department/Planning Division
701 E. Carson Street
Carson, CA 90749
(310)952-1700 Ext:1301***

Native American Heritage Commission

NAHC-1 The commenter provides state and federal statutes relating to Native American historic properties or resources of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the Freedom of Native American Religious Expression in Public Resources Code §5097.9. The commenter recommends that the lead agency request that the commenting agency perform a Sacred Lands File search as part of the careful planning for the proposed project.

The City submitted a Sacred Lands File search request to the NAHC and the NAHC performed the search. The search results were negative, indicated there were no sacred sites in the project vicinity. The results of the search are appended to the NAHC comment letter above.

**Letter Caltrans
California Department of Transportation**

October 1, 2012 (2 pages)

DEPARTMENT OF TRANSPORTATION
 DISTRICT 7, REGIONAL PLANNING
 IGR/CEQA BRANCH
 100 MAIN STREET, MS # 16
 LOS ANGELES, CA 90012-3606
 PHONE: (213) 897-9140
 FAX: (213) 897-1337



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ENGINEERING SERVICES
 CITY OF CARSON

October 1, 2012

Mr. Zak Gonzales, II
 City of Carson
 Economic Development Department
 701 E. Carson Street
 Carson, CA 90745

Re: Porsche Experience Driving Center
 Draft Environmental Impact Report (DEIR)
 SCH #2012041075 IGR No. 120843dw
 Vicinity: LA-405; LA-110

Dear Mr. Gonzales:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The project proposes to develop a driver training facility on a 53 acre site, located in the City of Carson.

The proposed project will include two tracks, an acceleration/deceleration area, a “kick plate” area, an off-road course, two ice/low-friction courses, and a young driver’s event area. The project will also include a museum, restaurant, retail and office spaces, and a “human performance center”, classroom space, “client appreciation area”, a client lounge, and parking.

Based on the information provided in the Traffic Impact Analysis section of the DEIR, Caltrans concurs that the proposed project will not significantly impact the State Highways located in the vicinity of the project.

Please be reminded that any work performed within the State Right-of-way will require an Encroachment Permit from Caltrans. Any modifications to State facilities must meet all mandatory design standard and specifications. For more information on the requirements and application process for an Encroachment Permit, please contact Caltrans Office of Permits at (213) 897-3631 or (213) 897-1768.

Transportation of heavy construction equipment and/or materials, which requires the use of oversized-transport vehicles on State highways, will require a transportation permit from the Caltrans. Additionally, a truck/traffic construction management plan is needed for this project. It is recommended that large size truck trips be limited to off-peak commute periods.

Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Projects should be designed to discharge clean run-off water. Storm water run-off is not permitted to discharge onto State highway facilities.

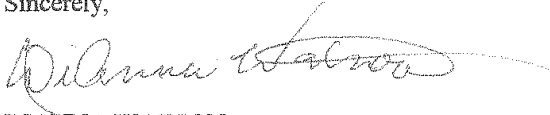


CALTRANS-1

Mr. Zak Gonzales
October 1, 2012
Page 2 of 2

If you have any questions, please feel free to contact me at (213) 897-9140 and refer to IGR/CEQA No. 120843dw.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dianna Watson", with a long horizontal flourish extending to the right.

DIANNA WATSON
IGR/CEQA Program Manager

cc: Scott Morgan, State Clearinghouse

Caltrans

Caltrans-1 The commenter states that Caltrans concurs that the proposed project will not significantly impact the State Highways located in the vicinity of the project. The commenter further states that any work performed within the State Right-of-way will require an Encroachment Permit from Caltrans. The commenter states the transportation of heavy construction equipment or materials that requires the use of oversized vehicles on State highways will require a transportation permit. The commenter further states a truck/traffic construction management plan is needed for this project and recommends large size truck trips be limited to off-peak commute periods. Lastly, the commenter states storm water run-off is a sensitive issue for Los Angeles County and projects should be designed to discharge clean stormwater.

This comment letter provides information regarding standard Caltrans requirements, and does not state a specific concern about the adequacy of the Draft EIR or otherwise comment on the contents of the Draft EIR. The proposed project will comply will all applicable Caltrans requirements, as well as Los Angeles County requirements regarding stormwater discharge.

**Letter MKLA
McKenna, Long and Alridge**

October 15, 2012 (7 pages)

Albany
Atlanta
Brussels
Denver
Los Angeles
New York

McKenna Long & Aldridge LLP

300 South Grand Avenue • 14th Floor
Los Angeles, CA 90071-3124
Tel: 213.688.1000
mckennalong.com

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ENGINEERING SERVICES
CITY OF CARSON

Orange County
Rancho Santa Fe
San Diego
San Francisco
Washington, DC

MARK W. STERES
(213) 687-2133

EMAIL ADDRESS
msteres@mckennalong.com

October 15, 2012

VIA HAND-DELIVERY AND E-MAIL

Ms. Sheri Repp-Loadsman
Planning Officer
City of Carson
Economic Development Department/Planning Division
701 E. Carson Street
Carson, CA 90745

Re: Draft Environmental Impact Report for Porsche Driving Center Experience

Dear Ms. Repp-Loadsman:

This firm represents Carson Marketplace LLC (“Carson Marketplace”), the owner of the neighboring Boulevards at South Bay project (“**Boulevards**”). We are writing to comment on the proposed Porsche Driving Center Experience (“**Porsche Project**”) and its Draft Environmental Impact Report (“**DEIR**”).

First, we want to emphasize that Carson Marketplace supports and understands the prestige and value the Porsche Project can bring to Carson if its environmental impacts are properly mitigated. As you know, to that end we and our team of experts have worked diligently and have had extensive discussions with the project proponent and the City to develop a plan for dealing with noise mitigation. We are pleased that those discussions have resulted in an agreement on the Noise Monitoring and Mitigation Program attached as exhibit A (“Noise Program”). If the final approvals for the Porsche Project incorporate and are consistent with the Noise Program, our noise concerns will be addressed.

As a matter of background and context for the record, the Boulevards is a major development consisting of 168 total acres, 157 of which are south of Del Amo Boulevard, and 11 of which are north of Del Amo Boulevard and proximate to the Porsche Project. The Boulevards’ 157 acre site provides for commercial uses, a hotel, and residential units, with an Equivalency Program that allows for the mixture to be modified in a manner that does not increase the Boulevards’ environmental impacts. The 11 acres proximate to the Porsche Project are entitled to be developed as residential uses, and Carson Marketplace has a vital interest in ensuring that impacts resulting from the Porsche Project are less than significant.

MKLA-1

Ms. Sheri Repp-Loadsman
 City of Carson
 October 15, 2012
 Page 2

California Environmental Quality Act (“CEQA”), Public Resources Code §21000 et seq., and the CEQA Guidelines, Title 14, California Code of Regulations, §15000 et seq, require analysis of possible noise impacts resulting from the Porsche Project. We became concerned because although the DEIR performs this analysis, it applied an incorrect standard in determining whether Porsche Project impacts are significant.

MKLA-2

In analyzing noise impacts, the DEIR outlines the City of Carson’s Noise Ordinance, which provides certain applicable noise thresholds for specific uses during certain times of day. At the same time, the ordinance provides that if ambient sound levels are greater than the applicable standard, compliance will be determined using the greater of (i) the ambient sound level and (ii) the applicable standard. (See DEIR pp. 3.9-16 and 17.) The DEIR, however, then misinterprets this requirement of the ordinance when comparing the anticipated noise levels for the Porsche Project to the ambient noise levels and/or the applicant standard.

For example, the DEIR states that the City of Carson’s Noise Ordinance provides that for the L_{max} standard, the ambient noise levels *plus* 20 decibels (dBA) may not be exceeded for any period of time. But we understand the standard to be 70 dBA or the measured ambient L_{max}, whichever is greater. Because the existing ambient L_{max} noise levels measured in the DEIR are 71.1-74.4 dBA (See DEIR, Table 3.9-2), the L_{max} under the Noise Ordinance at the time of those measurements would be 71.1-74.4 dBA. Under that standard, the estimated L_{max} noise levels of 85.8 dBA from street-legal production vehicles result in a significant impact requiring mitigation (as 85.8 dBA is greater than 71.1-74.4 dBA). The DEIR’s statement, which adds 20 dBA to the ambient noise levels of 67.6-68.3, results in an incorrect threshold of 87.7-88.3 dBA. (See DEIR p. 3.9-28.)

MKLA-3

As a result, the DEIR states that the impact of the Porsche Project’s street-legal cars, which make up the vast majority of the cars used, is less than significant. With the correct application of the standard under the noise ordinance, noise from the proposed Porsche Project is significant requiring mitigation. In our discussions, the City and project proponent recognized this potential impact and the parties reached agreement on the Noise Program to mitigate noise impacts. If the final approvals incorporate and are consistent with the Noise Program, the potential noise impacts will be addressed and Carson Marketplace supports the project.

In addition to our concerns about noise, we note that the environmental remediation analysis must presume on-going compliance and further analysis related to the DTSC process. We would also like to confirm that additional gas monitoring wells along the southern property line of the Porsche Project site will be installed prior to occupancy. According to Tony Ward, environmental consultant for the Porsche Project site, there are currently monitoring wells spaced at 600 to 650 foot intervals along the southern property line. In order to accurately assess the risk of landfill gas migration to Carson Marketplace’s residential development that will be built 100 feet to the south, we ask that additional monitoring wells be installed at much closer intervals.

MKLA-4

Ms. Sheri Repp-Loadsman
City of Carson
October 15, 2012
Page 3

In conclusion, with the proper mitigation of environmental impacts as discussed above, Carson Marketplace supports the exciting Porsche Driving Center Experience and looks forward to working cooperatively with the City and the Applicant to its successful conclusion.

MKLA-5

Very truly yours,



Mark Steres

cc: Carson Marketplace LLC

Porsche: Proposed Noise Monitoring and Mitigation Program

The Applicant shall implement the following noise monitoring and mitigation program:

1. Initial Pre-Receptor Operational Assessment shall commence at the issuance of a Certificate of Occupancy to the Applicant and terminate upon issuance of building permits for the residential component of the Boulevards at South Bay project (the "Residential Component"), north of Del Amo Boulevard and south of the Project Site. Noise measurements will consist, at a minimum, of weekly noise measurements of a single, four-hour period, from a minimum of four points along or within the northern property line of the Residential Component site. In the event that the Applicant uses specialty vehicles, as defined in the Environmental Impact Report for the Project, the Applicant shall conduct noise measurements during those events.

The noise monitors used shall be calibrated according to the manufacturer's recommendations and shall record the following values in accordance with ASTM-E1014-12 and in accordance with the City of Carson Noise Ordinance:

- Leq
- Lmin
- Lmax (ambient sources)
- Lmax (Porsche sources)
- Statistics (Ln)

The Applicant shall provide a monthly report, which shall include a summary table of the recorded measurements, to the City's Development Services Department. The report will also include information on various Lmax noise levels measured along or within the northern property line of the Residential Component, both ambient and resulting from the Applicant's operations.

In addition, the applicant shall conduct measurements at a five-meter (5m) reference distance from the track to develop source level information for different activities and/or vehicles. This can be used to determine what, if any, future mitigation might be necessary, and need not be provided to the City nor otherwise disclosed to any person unless compulsory under applicable law or procedure.

2. Continuous Operational Monitoring shall commence at the issuance of a building permit for the Residential Component and shall continue for the entire duration of the Applicant's operations. Continuous Monitoring shall consist of the following:
 - (a) Installation, within one month of the issuance of said building permit, of a noise monitoring system consisting of four fixed, omni-directional noise monitoring devices to measure ambient and Porsche noise along the northern property line of the Residential Component, and supporting computer system. The noise monitoring system devices and arrays shall be a minimum height of twelve (12) to eighteen (18) feet above the finished grade of the Residential Component. The

height of such devices may be adjusted pursuant to the direction of the City to assist in compliance monitoring and determinations;

- (b) The noise monitoring system should also have the capability to locate the source of L_{max} noise events so that it is possible to determine if the L_{max} events are Porsche related or other ambient noise sources. Co-located with the primary noise monitors shall be a directional monitor array to determine the directional location of sources of noise that occur on the Porsche property and correlate those results to the omni-directional results. The directional array shall be capable of locating noise sources on the Applicant's property to measure the Applicant's operational noise. Each ambient monitor shall be co-located with a directional monitor array;
- (c) The noise monitors used shall be calibrated according to the manufacturer's recommendations and shall record the listed noise values in accordance with ASTM-E1014-12. In addition, the noise monitoring system shall include the following capabilities:
 - (i) Real-time, continuous monitoring of the 1-second noise values listed above in Section 1;
 - (ii) Event triggering that allows the identification of discrete noise sources, including automobiles and aircraft;
 - (iii) Time stamped audio recording of noise events above specified threshold, such as 70 dBA or ambient L_{max}, whichever is greater. This data can be used to help confirm source of noise.
 - (iii) Hard disk drive backup;
 - (iv) Remote data transfer; and
 - (v) Remote reporting/alerts for exceedances of specified values (e.g., L_{max}).
- (d) Provision, on a weekly basis, of a summary table of the daily recorded measurements to the City's Development Services Department;
- (e) Installation of a minimum of two noise monitoring devices on the Applicant's property, located five meters from the centerline of the track, at locations of the Applicant's determination. These monitors shall record the same values listed above in Section 1, but are intended to assist the Applicant in confirming or locating an Applicant-caused source of any exceedance of the City's Noise Ordinance (as may be amended for city-wide application from time to time) detected by the noise monitors located along the Residential Component property line, and need not be provided to the City, except upon request.

3. Compliance Monitoring shall commence upon the issuance of the first Certificate of Occupancy for the Residential Component. Compliance Monitoring shall consist of the noise monitoring and recording specified in Section 2 above, along with the enforcement provisions set forth below.
- (a) In the event that a measured noise value from the Continuous Monitoring exceeds the corresponding maximum noise value specified in the City's Noise Ordinance (as may be amended for city-wide application from time to time) or established by ambient conditions according to the City's Noise Ordinance, the noise monitoring system shall provide an email alert of the same to the City Development Services Department designee and to the Applicant's designee, and both parties shall be deemed to have been notified of the exceedance on the calendar day of its occurrence.
 - (b) The Applicant shall, within 48 hours of the day of an exceedance, complete one of the following:
 - (i) Demonstrate that the exceedance did not result from Applicant's operations by providing confirmatory noise data from noise monitors at the Residential Component and/or on the Applicant's property; or
 - (ii) Determine the source of, and cure, an exceedance resulting from Applicant's operations;

Applicant shall report to the City Development Services Department designee such information and, if applicable, the cure implemented.
 - (c) If the source of the exceedance is resulting from Applicant's operations, the cure required in Section 3(b) shall be as follows:
 - (i) Initial methods of curing any exceedance caused by the Applicant's operations may include, but would not be limited to, operational controls such as:
 - (A) Limitations on vehicle speeds;
 - (B) Altered driver training exercises;
 - (C) Limitations on use of certain portions of the track for certain vehicles;
 - (D) Installation of mufflers or exhaust baffling systems on certain vehicles; or
 - (E) Prohibitions of certain vehicles.

(ii) For recurring, continuous, or chronic exceedances caused by the Applicant's operations, and which operational controls have not cured, the Applicant shall implement site controls, which could include, but would not be limited to:

(A) Modifications to the track surface;

(B) Construction of noise barriers.

In the event of such a recurring, continuous, or chronic exceedance, the Applicant's operations shall be limited to activities that do not cause exceedances. An activity associated with a recurring, continuous, or chronic exceedance shall not resume until one full operational day of noise monitoring demonstrates the effectiveness of the chosen noise control method for that activity.

If there is a dispute over whether any exceedance is recurring, continuous or chronic, the City shall make the final determination.

(d) Applicant shall submit to the City Development Services Department a monthly report of all exceedances, the determination and, if applicable, the cure implemented.

MKLA

MKLA-1 The commenter, who represents the Carson Marketplace, notes that their client supports the proposed project to the extent that its environmental impacts are properly mitigated. The commenter further states their team of experts have worked diligently and have had extensive discussions with the project proponent and the City to develop a plan for dealing with noise mitigation. The commenter provides information on their client's project, including the property to the south of the proposed Porsche Driving Experience project. The commenter notes that the 11 acres adjacent to the Porsche Project are entitled to be developed with residential uses.

This comment provides context to the remaining comments in the comment letter, it does not state a specific concern about the adequacy of the Draft EIR or otherwise comment on the contents of the Draft EIR. Therefore, further response is not required.

MKLA-2 The commenter states they believe an incorrect standard is applied to noise impacts in the Draft EIR in determining whether the project impacts are significant.

As shown in section 3 of this document, the Draft EIR discussing the City's Noise Ordinance has been clarified to state that the ambient L₀ (L_{max}) is not allowed to be exceeded for any period of time. The revised text set forth in Section 3, regarding noise standards includes the following.

Page 3.9-28, the following text changes are made to the last paragraph:

“Additionally, the L_{max} noise levels associated with typical on-site operations of the driving course with street-legal production vehicles are anticipated to range from 70 dBA to 105 dBA for the road vehicles measured at 16.4 feet (five meters) from the edge of the course. This reference noise level is based on drive-by tests where noise meters are placed around the circuit at other facilities with similar operations (Goodwood Motor Circuit, located in Westhampnett, United Kingdom). Given the distance of the future residential uses to the south, the resulting exterior L_{max} noise levels at these sensitive receptors would range from 50.8 to 85.8 dBA. According to the City's Noise Ordinance, the ambient L₀ (L_{max}) noise levels plus 20 dBA is not allowed to be exceeded for any period of time. While the ambient noise measurement at the future residential land uses did not collect data regarding the L₀ noise metric, for the purposes of this analysis the L₁ noise metric is used, which would be considered a more conservative metric than using a L₀ noise metric. As shown in Table 3.9-3 and Table 3.93a, the existing ambient L₁ noise levels at the future residential uses currently range from 67.6 to ~~68.3~~ 84.8 dBA. ~~For the purpose of conducting a conservative analysis, the lower range L₁ noise level of 67.6 dBA is used in this noise~~

~~evaluation. Consequently, a maximum noise level of 87.6 dBA (67.6 dBA + 20 dBA) would not be allowed to be exceeded for any period of time at the future residential uses. As shown in the various noise measurements that were taken at the future residential uses south of the project site, Lmax in the project vicinity varies depending upon the time of day and the types of background noise being generated in the vicinity. As the Lmax noise levels generated from operations of the project's driving course with street-legal production vehicles would could reach 85.8 dBA at the future residential uses to the south, the maximum noise level permitted under the City's Noise Ordinance at the future residential uses would not may- be exceeded; however, with the implementation of Mitigation Measure MMNOI-1. As a result, this impact would be less than significant."~~

MKLA-3

The commenter states the DEIR misinterprets this requirement of the ordinance when comparing the anticipated noise levels for the Porsche Project to the ambient noise levels and/or the applicant standard. The commenter states with the correct application of the standard under the noise ordinance, noise from the proposed project would be significant and require mitigation. The commenter states that in discussions with the City and project proponent, the parties reached agreement on the Noise Program to mitigate noise impacts. The commenter finds that if the final approvals incorporate and are consistent with the Noise Program, the potential noise impacts will be addressed and Carson Marketplace would support the project.

As noted in Response MKLA-2 above, the description of the Carson Noise Ordinance has been clarified, and the Final EIR accurately describes the ordinance and the way it would be applied to the proposed project.

Because Mitigation Measure MM-NOI 1 was set forth in the Draft EIR to require implementation of a noise management program to ensure compliance with the City's Noise Ordinance, clarification noise ordinance requirements in the Final EIR fully addresses the concerns expressed in the comment letter. Further, the Noise Monitoring and Mitigation Program jointly agreed to by the project applicant and the commenter is included in the Mitigation Monitoring and Reporting Program for the proposed project.

MKLA-4

The commenter states that the environmental remediation analysis must presume on-going compliance and further analysis related to the DTSC process. The commenter would like confirmation that additional gas monitoring wells along the southern property line of the Porsche Project site will be installed prior to occupancy and that in order to accurately assess the risk of landfill gas migration to Carson Marketplace's residential development that will be built 100 feet to the south, the commenter requests that additional monitoring wells be installed at much closer intervals.

The spacing of gas monitoring wells is subject to regulations not under the control of the City of Carson, and will be required to comply with South Coast Air Quality Management District (AQMD) Rule 1150.1, Control of Gaseous Emissions from Municipal Solid Waste Landfills. Specifically, the project will be required to comply with the active landfill sampling and monitoring requirements and monitor and collect samples for analysis as specified in Section 1.0, Attachment A of Rule 1150.1, subsection 1.1.3. Attachment A provides that the design for subsurface probes and installation at residential and commercial land uses includes spacing between probes at 100 feet.

**Letter LADPW
Los Angeles County Department of Public Works**

October 17, 2012 (1 page)

<mailto:RCRUZ@dpw.lacounty.gov>

Sent: Wednesday, October 17, 2012 8:31 AM
To: Zak Gonzalez II
Cc: Yanez, Jarrett
Subject: FW: Porsche Experience Driving Center- City of Carson-DEIR-

Mr. Gonzalez,

Please disregard the previous email. The comments are for DEIR.

Thank you for the opportunity to review the DEIR for the subject project. We concur that an Environmental Impact Report (EIR) is required.

The following are County of Los Angeles, Department of Public Works comments and are for your consideration and relate to the environmental document only:

Geology, Soils and Seismic

The project site is within 1000 feet of existing landfill and The Los Angeles County building code Section 110.3 requires that buildings or structures located adjacent to or within 1000 feet from a landfill shall not be issued a permit unless designed according to recommendation prepared by licensed civil Engineer and approved by building official. This Department's Environmental Programs Division must be contacted for issuance of necessary clearance/approval.

LADPW-1

If you have any questions regarding geology, soils and seismic comment, please contact Corey Mayne at (626) 458-3524 or cmayne@dpw.lacounty.gov.

Services - Sewer

The EIR should discuss the collection and disposal of additional wastewater that would be generated within the proposed project area, especially its potential impact on the available capacity in the existing local sewer lines for both peak-dry and wet-weather flows pursuant with Statewide General Waste Discharge requirements (Order No. 2006-0003).

LADPW-2

The County of Los Angeles Department of Public Works Consolidated Sewer Maintenance District is responsible for the operation and maintenance of the local sewers within the City of Carson. We will require that any sewer construction project within the project area complies with Public Works' sewer design and construction standards prior to its acceptance into the District. Please see Sewer Map No. 1704 (below) for the location of the sewer lines within the project area.

If you have any questions regarding sewer comments, please contact Marissa Morelos at (626) 300-3370 or mmorelos@dpwl.lacounty.gov.

If you have any additional questions, please contact me at (626)458-4910 or rcruz@dpw.lacounty.gov.

Ruben Cruz, P.E.
County of Los Angeles,
Department of Public Works
Land Development Division
(626) 458-4910
rcruz@dpw.lacounty.gov

<< OLE Object: Picture (Device Independent Bitmap) >>

LADPW

LADPW-1 The commenter states that Los Angeles County Building Code Section 110.3 requires that buildings or structures located adjacent to or within 1,000 feet of a landfill shall not be issued a permit unless designed according to recommendation prepared by licensed Civil Engineer and approved by the building official. The comment letters states that the Department's Environmental Programs Division must be contacted for issuance of necessary clearance/approval.

The comment is noted. This comment does not state a specific concern about the adequacy of the Draft EIR or otherwise comment on the contents of the Draft EIR. The commenter is referred to the Draft EIR, page 3.5-8, which describes the requirements of Section 110.3 of the City's Building Code concerning construction of buildings or structures within 1,000 feet of fills containing rubbish or other decomposable materials. The proposed project will be required to comply with all applicable building code requirements.

LADPW-2 The commenter states that the EIR should discuss the collection and disposal of additional wastewater that would be generated within the proposed project area, especially its potential impact on the available capacity in the existing local sewer lines for both peak-dry and wet-weather flows pursuant with Statewide General Waste Discharge requirements (Order No. 2006-0003).

The requested information in presented on page 3.13-9 of the Draft EIR, which provides in part "[T]he amount of wastewater generated by the proposed project would not significantly affect existing or future capacity at JWPCP which is estimated to be capable of adequately handling wastewater flow demands. Wastewater flows would be less than under baseline conditions." Thus, because the proposed project is projected to generate a reduced amount of wastewater from the project site, than the baseline conditions (operating golf course), the project would not impact available capacity in the existing local sewer lines.

**Letter DTSC
California Department of Toxic Substance Control**

October 17, 2012 (3 pages)



Matthew Rodriguez
Secretary for
Environmental Protection



Department of Toxic Substances Control

Deborah O. Raphael, Director
5796 Corporate Avenue
Cypress, California 90630



Edmund G. Brown Jr.
Governor

October 17, 2012

Ms. Sheri Repp-Loadsman
Planning Officer
City of Carson
Economic Development Department/Planning Division
701 E Carson Street
Carson, California 90745

PORSCHE EXPERIENCE DRIVING CENTER DRAFT ENVIRONMENTAL IMPACT REPORT – DOMINGUEZ GOLF COURSE SITE, CARSON, CALIFORNIA

Dear Ms. Repp-Loadsman:

Thank you for the opportunity to review and comment on the draft Environmental Impact Report (EIR) for the Porsche Experience Driving Center Project (Project). The Project consists of a driving skills training course and a two-story, 65,000-square-foot building that will house a vehicle display area, restaurant, retail space, office space, training space, "client appreciation area," a performance vehicle service center, and a client lounge.

As you may be aware, the California Department of Toxic Substances Control (DTSC) oversees the cleanup of sites where hazardous substances have been released pursuant to the California Health and Safety Code, Division 20, Chapter 6.8. As a Responsible Agency, DTSC is submitting comments to ensure that the environmental documentation prepared for this project under the California Environmental Quality Act (CEQA) adequately addresses activities pertaining to releases of hazardous substances.

The Project site, known as the Dominguez Golf Course Site, is in the DTSC EnviroStor and State Water Resources Control Board Geotracker databases. The Project site is a 53 acre portion of the former BKK Main Street Landfill, which was permitted to accept Class II municipal and industrial solid wastes along with liquid industrial wastes from 1948 to 1960. DTSC is the lead environmental agency overseeing the remediation of the Project site.

DTSC-1

Ms. Sheri Repp-Loadsman
 October 17, 2012
 Page 2 of 3

location of the text in need of revision by section name and number. The italicized bold text is what should be changed.

- **Section 3.7 Hazards and Hazardous Materials, MM Haz-3:** First bullet after first paragraph, last sentence should read as follows:

If some of the spoils do not meet the reuse criteria and/or debris is identified, these materials shall be disposed of ***and/or managed*** at a permitted disposal facility as approved by the DTSC.

| DTSC-2
 - **Impact 3.8.3:** During construction activities involving ***soil excavation, drainage patterns on the project site would be altered.***

| DTSC-3
 - **Section 2.5 Project Characteristics, 2.5.1 Site Remediation, 4th paragraph:** For this remedy, the remedial components ***include*** a landfill soil cover system constructed over the landfill waste footprints using available on-site existing suitable cover soil. Other components ***include*** institutional controls...

| DTSC-4
 - **Section 3.2.7 Mitigation Measures, MM AQ-2:** The following measures shall be implemented during construction ***and remediation activities, as applicable,*** to substantially reduce NOx related emissions.

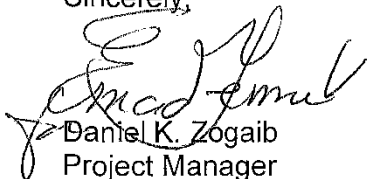
| DTSC-5
 - **Section 3.7.7 Mitigation Measures, MHAZ-2:** The City shall require the construction ***and remediation contractors*** to retain a qualified environmental professional to prepare a site-specific Health and Safety Plan (HASP) in accordance with federal OSHA regulations ...

| DTSC-6
 - **Section 3.7.7 Mitigation Measures, MMHAZ-3:** Prior to construction, the City shall require the construction and ***remediation*** contractors to prepare and implement (as needed during construction) a Soil and Water Management Plan.

| DTSC-7
- In addition, DTSC would like to know if the mitigation measures listed in Section 3.5.7, MMGeo-1 apply to the remediation activities. | DTSC-8

Should you have any questions or comments, feel free to contact me at (714) 484-5483.

Sincerely,



Daniel K. Zogaib
 Project Manager
 Brownfields and Environmental Restoration Program

Ms. Sheri Repp-Loadsman
October 17, 2012
Page 3 of 3

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

Kathie Schievelbein
CEQA Tracking Center
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

DTSC

DTSC-1 The commenter states the California Department of Toxic Substances Control (DTSC) oversees the cleanup of sites where hazardous substances have been released pursuant to the California Health and Safety Code, Division 20, Chapter 6.8. As a Responsible Agency, DTSC is submitting comments to ensure that the environmental documentation prepared for this project under the California Environmental Quality Act (CEQA) adequately addresses activities pertaining to releases of hazardous.

This comment provides context to the remaining comments in the comment letter, it does not state a specific concern about the adequacy of the Draft EIR or otherwise comment on the contents of the Draft EIR. Therefore, further response is not required.

DTSC-2 The commenter requests changes to Section 3.7, Hazards and Hazardous Materials, Mitigation Measure MM HAZ-3, first bullet after first paragraph.

Page 3.7-31, the following text changes are made to Mitigation Measure MM HAZ-3, first bullet after first paragraph:

“If some of the spoils do not meet the reuse criteria and/or debris is identified, these materials shall be disposed of and/or managed at a permitted disposal facility as approved by the DTSC.”

DTSC-3 The commenter requests changes to Section 3.8, Hydrology and Water Quality, Impact 3.8.3:.

Page 3.8-20, the following text changes are made to Impact 3.8.3:

“Impact 3.8.3: During project construction activities involving soil excavation, ~~the proposed project~~ would alter drainage patterns with the creation of the driver skills training facility which would potentially result in erosion.”

DTSC-4 The commenter requests changes to Section 2.5 Project Characteristics, 2.5.1 Site Remediation, 4th paragraph:

Page 2-8, the following text changes are made to the fourth paragraph:

“For this remedy, the remedial components includes a landfill soil cover system constructed over the landfill waste footprints using available on-site existing suitable cover soil. Other components includes institutional controls, engineering controls, and monitoring and inspection to ensure that the remedy remains protective. Each of these elements is described below.”

DTSC-5 The commenter requests changes to Section 3.2.7 Mitigation Measures, MM AQ-2.

Page 3.2-44, the following text changes are made to MM AQ-2:

MM AQ-2: The following measures shall be implemented during construction and remediation activities, as applicable; to substantially reduce NO_x related emissions. They shall be included in the Grading Plan, Building Plans, and contract specifications. Contract specification language shall be reviewed by the City prior to issuance of a grading permit.

DTSC-6 The commenter requests changes to Section 3.7.7 Mitigation Measures, MHAZ-2:

Page 3.7-30, the following text changes are made to MM HAZ-2:

“The City shall require the construction and remediation contractors to retain a qualified environmental professional to prepare a site-specific Health and Safety Plan (HASP) in accordance with federal OSHA regulations ...”

DTSC-7 The commenter requests changes Section 3.7.7 Mitigation Measures, MMHAZ-3.

Page 3.7-31, the following text changes are made to MM HAZ-3:

“Prior to construction, the City shall require the construction and remediation contractors to prepare and implement (as needed during construction) a Soil and Water Management Plan.”

DTSC-8 The commenter asks if mitigation measures listed in Section 3.5.7, MM GEO-1 apply to the remediation activities.

MM GEO-1 applies to all structures that are required to be designed and developed in accordance with the California Building Code, County of Los Angeles Building Code, the City of Carson Municipal Code and Building Code and any other applicable seismic, soils and geologic regulatory requirements.

CHAPTER 3

Revisions to the Draft EIR

This section contains revisions to the Draft EIR based upon: (1) clarifications required to prepare a response to a specific comment; and/or (2) typographical errors. The provision of these additional mitigation measures does not alter any impact significance conclusions as disclosed in the Draft EIR. Changes made to the Draft EIR are identified here in ~~strikeout text~~ to indicate deletions and in underlined text to signify additions.

3.1 Draft Revisions in Response to Written Comments

The following text has been revised in response to comments received on the Draft EIR.

Page 1-2, last bullet the following changes are made:

“... ”

- Conditional Use Permit for earthmoving activities involving no more than 200,000 cubic yards of soil import; CUP No. 891-11;

Page 1-3, new bullet added to City of Carson Entitlements is added follows:

“... ”

- Zone Change Case No. 168-12, changing zone from Commercial General Design-Overlay Review/Organic Refuse Landfill (CG-D-ORL) and Manufacturing Light, Design Overlay Review/Organic Refuse Landfill (ML-D-ORL) to Commercial Regional Design Overlay Review/Organic Refuse Landfill.”

Page 1-3, first full paragraph is revised as follows:

The Porsche Experience Driving Center project would develop a driver training facility which includes two handling courses, an acceleration/deceleration area, a "kick plate" area, an off-road course, an ice/low-friction course, and second low-friction course, ~~and a young drivers' event area~~ on a 53-acre site, which was formerly used as a landfill. One 65,000-square-foot building would be developed with two levels over parking and includes a museum, ~~- restaurant, - retail and office spaces, - and~~ a "human performance center" that would emphasize proper driving posture and test the drivers' vision and coordination, ~~- classroom space, - "client appreciation area, -"~~ a client lounge, ~~- and~~ approximately ~~200~~ 411 parking spaces would be provided.

Page 1-7, Table 1.1, NOP Topics Raised is revised as follows:

**TABLE 1.1
NOP TOPICS RAISED**

Commenter/Date	Organization	Summary of Comment	EIR Section
Dave Singleton, April 27, 2012	Native American Heritage Commission	Provided a list of Native American contacts on the , to see if the proposed project might impact Native American cultural resources.	Section 3.4, Cultural Resources

PAGE 1-12, TABLE 1.3, Summary of Impacts And Mitigation Measures for the Proposed Project, Mitigation Measure MM AQ-1 is revised as follows:

“ ...

- Any on-site stockpiles of debris, dirt, or other dusty material shall be ~~been~~ closed, covered, or watered twice daily, or non-toxic soil binders shall be applied;
- All grading and excavation operations shall be suspended when wind speeds exceed 25 miles per hour;
- Disturbed areas shall be replaced with ground cover or paved immediately after construction is completed in the affected area;
- Gravel bed trackout aprons (3 inches deep, 25 feet long, 12 feet wide per lane and edged by rock berm or row of stakes) shall be installed to reduce mud/dirt track out from unpaved truck exit routes;
- On-site vehicle speed shall be limited to 15 miles per hour;
- All on-site roads shall be paved as soon as feasible, watered twice daily, or chemically stabilized;
- Visible dust beyond the property line which emanates from the project shall be prevented to the maximum extent feasible;
- All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust prior to departing the job site;
- Reroute construction trucks away from congested streets or sensitive receptor areas;
- Track-out devices shall be used at all construction site access points; and
- All delivery truck tires shall be watered down and/or scraped down prior to departing the job site. “

Page 1-13, Table 1.3, Summary of Impacts And Mitigation Measures for the Proposed Project, Mitigation Measure MM AQ-2 is revised as follows:

“ ...

- Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for similarly sized engine as defined by CARB regulations.”

Page 1-15, Table 1.3, Summary of Impacts And Mitigation Measures for the Proposed Project, Mitigation Measure MM BIO-1, fourth paragraph is revised as follows:

“ ...

A consultation with CDFG shall be required prior to the removal of any raptor nest on the project site, if a raptor nest is determined to be located onsite during the pre-construction clearance survey....”

Page 1-16, Table 1.3, Summary of Impacts And Mitigation Measures for the Proposed Project, Mitigation Measure MM GEO-1, fourth paragraph is revised as follows:

"**MM GEO-1:** Prior to the issuance of grading permits, the applicant shall retain a qualified geotechnical engineer to design the project facilities to withstand probable seismically induced ground shaking at the site. All grading and construction on site shall adhere to the specifications, procedures, and site conditions contained in the final design plans, which shall be fully compliant with the seismic recommendations of the California-registered professional engineer. The procedures and site conditions shall encompass site preparation, foundation specifications, and protection measures for buried metal. The final structural design shall be subject to approval and follow-up inspection by the City of Carson Building and Safety Department. Final design requirements shall be provided to the onsite construction supervisor and the City of Carson Building and Safety Department to ensure compliance. A copy of the approved design shall be submitted to the City of Carson Building and Safety Department."

Page 1-19, Table 1.3, Summary of Impacts and Mitigation Measures for the Proposed Project, Mitigation Measure HAZ-3, first bullet is revised as follows:

" ...

- Step-by-step procedures for evaluation, handling, stockpiling, storage, testing, managing and disposal of excavated material, including criteria for reuse and offsite disposal. All excavated materials shall be inspected prior to initial stockpiling, and spoils that are visibly stained and/or have a noticeable odor shall be stockpiled separately to minimize the amount of material that may require special handling. In addition, excavated materials shall be inspected for buried building materials, debris, and evidence of underground storage tanks; if identified, these materials shall be stockpiled separately and characterized in accordance with landfill disposal requirements. If some of the spoils do not meet the reuse criteria and/or debris is identified, these materials shall be disposed of managed and/or at a permitted disposal facility as approved by the DTSC. Procedures to be implemented if unknown subsurface conditions or contamination are encountered, such as previously unreported tanks, wells, or contaminated soils."

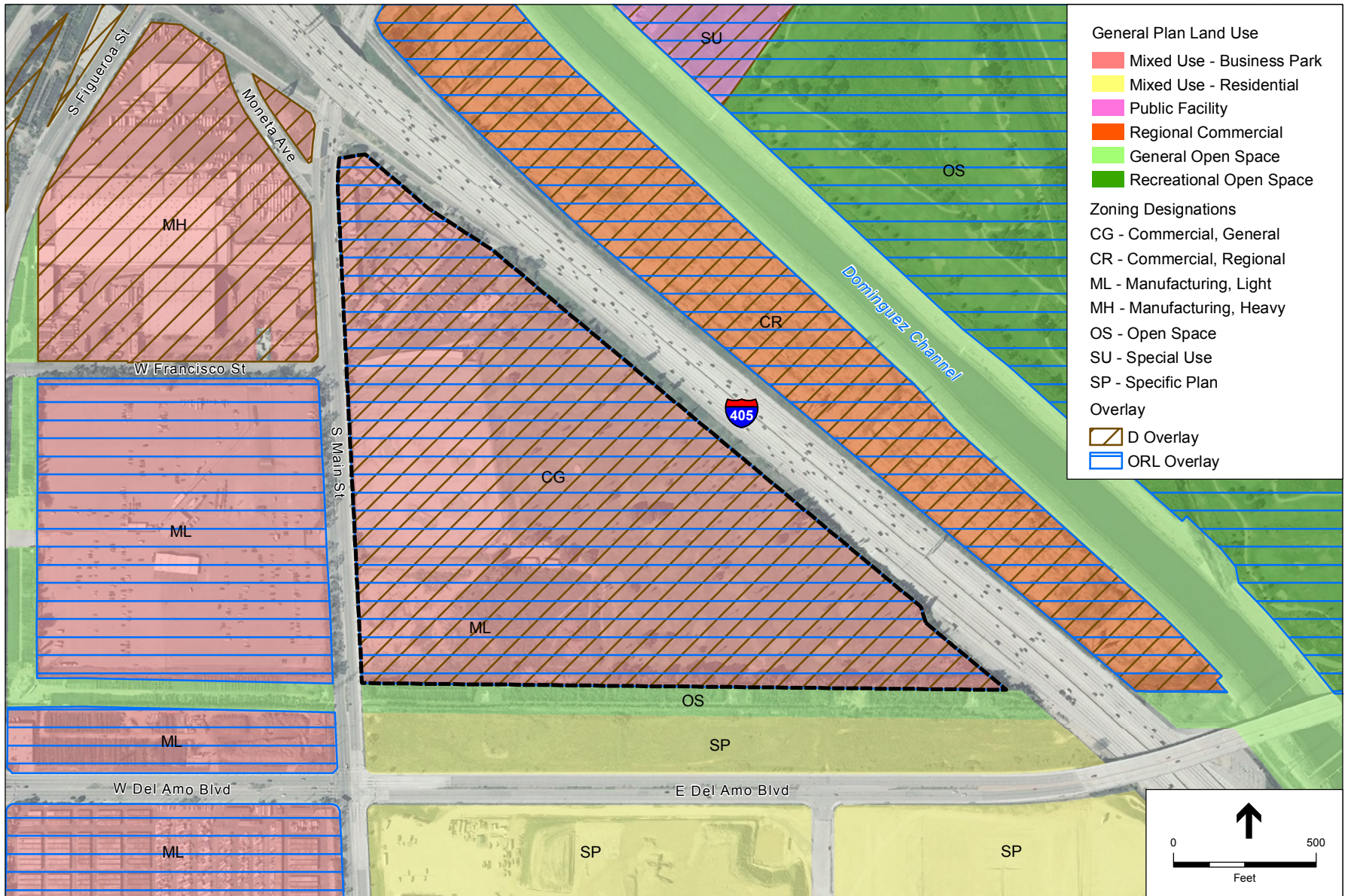
Figure 2.2, Surrounding Land Use; Figure 2.3, General Plan Land Use and Zoning; and Figure 2.4, Site Plan are revised as included on the following pages.



SOURCE: Aerials Express, 2010. ESA, 2012.

Porsche Experience Driving Center EIR . 120026

Figure 2-2
Surrounding Land Use

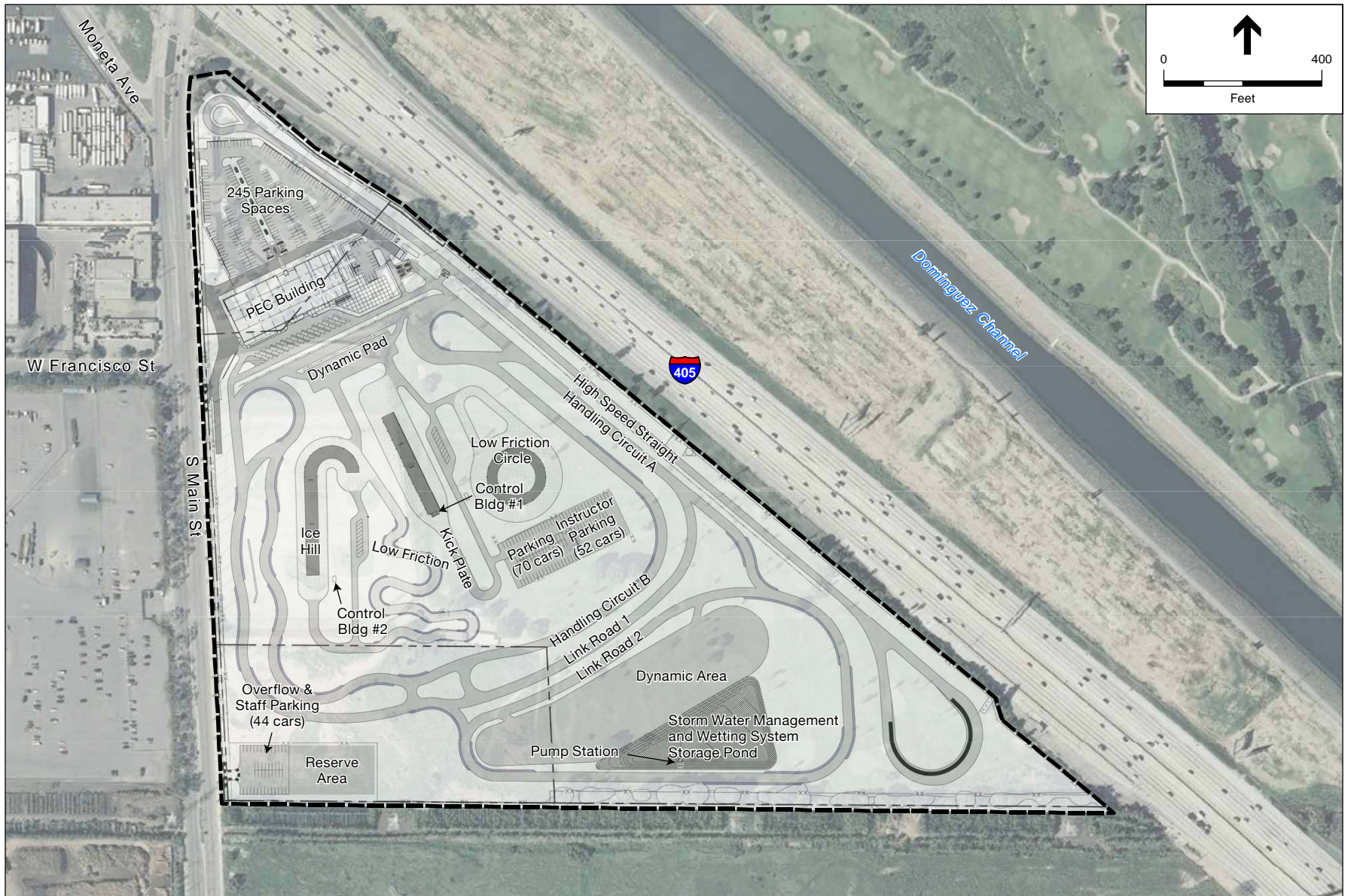


SOURCE: Aerials Express, 2010, City of Carson GIS; ESA, 2012.

Porsche Experience Driving Center EIR . 120026

Figure 2.3

General Plan Land Use and Zoning



SOURCE: Aerials Express, 2010. ESA, 2011. Cooper Carry, 2012.

Porsche Experience Driving Center EIR . 120026

Figure 2.4
Conceptual Site Plan

Page 2-4, second paragraph bullets are revised as follows:

“ ...

- North/East: The site is bounded at the north and east by the I-405 freeway; beyond the freeway to the north/east is vacant land, the Dominguez Channel and the Links at Victoria Golf Course.
- South: A parcel owned by Los Angeles County Department of Water and Power containing an overhead transmission line ~~easement containing an overhead transmission line~~ transverses the southern boundary of the site in an east/west manner; a portion of the ~~easement parcel~~ is part of a commercial nursery; beyond the parcel is an area approved for residential uses; Del Amo Boulevard is located further south; and beyond Del Amo Boulevard is vacant land, that is approved for commercial residential uses. Southwest from the site opposite the intersection of Main Street and Del Amo Boulevard is a mini storage facility.
- West: The site is bounded on the west by Main Street; further west across Main Street is a bottling facility, ~~vacant~~ vacant buildings, a car auction lot, and another commercial nursery.

Page 2-8, second paragraph, second sentence is revised as follows:

“... ~~Additionally~~ Additionally, the remedy would use an alternative cover approach.

Page 2-8, third paragraph, first sentence is revised as follows:

“The ~~remedy-remedy~~ would be used in the event that the confirmatory sampling indicates that the existing soil cover does not meet the requirements in some areas of the proposed project site, where additional options for the existing cover system may be implemented in those areas. ...”

Page 2-8, fifth paragraph, first sentence is revised as follows:

Removal of derelict structures, surface debris and waste materials present on the surface of the project site for disposal at an ~~off-Site~~ off-site facility (recycling or disposal facility).

Page 2-13, second full paragraph, second to the last sentence is revised as follows:

“...The leaded fuel additives, readily available at auto part retailers, would be stored in a secure area in a suitable container in small quantities. In addition, the applicant intends to demonstrate ~~specialist~~ specialty cars from Porsche Road and Racing.

Page 2-17, third full paragraph, is revised as follows:

“~~Consequently~~ Consequently, the analysis provided throughout this Draft EIR analyzes the typical operations of the Porsche Experience Driving Center as described above, but also includes potential use of amplified sound systems, as these systems ~~could~~ could be

utilized during group events associated with normal operations. Similarly, the Traffic Impact Analysis did not include special event analysis. However consistent ~~with~~ with City practice, it included recommendations provided for the applicant when special events are proposed.

Page 2-17, third full paragraph, first bullet is revised as follows:

“... ”

- Prior to the issuance of a permit for any special event, the project applicant shall consult with the City of Carson ~~Public Works Planning Division Director~~ and Traffic Engineer, and prepare and submit for approval of a traffic control plan and implementation program for special event activities which addresses the following issues:”

Page 2-18, first full paragraph, last sentence is revised as follows:

“It is planned to be replaced by a newer, larger tank near the proposed ~~Operations~~ Operations Building.”

Page 2-19, third paragraph is revised as follows:

The project will require the following discretionary approvals by the City of Carson:

- Conditional Use Permit for a driving skills course, CUP No. 889-11;
- Conditional Use Permit for construction on a former sanitary landfill, CUP No. 890-11;
- Conditional Use Permit for earthmoving activities involving no more than 200,000 cubic yards of soil import, CUP No. 891-11;
- Public Works: Approval of Landfill Gas Control System Plans and Specifications; and
- Design Overlay Review, DOR No. 1441-11 for ~~site plan design review~~ Site Plan and Design Review of all proposed buildings, structures, site ingress/egress, parking and landscaping areas (i.e. driver’s skill course track).
- Zone Change Case No. 168-12, changing zone from Commercial General Design-Overlay Review/Organic Refuse Landfill (CG-D-ORL) and Manufacturing Light, Design Overlay Review/Organic Refuse Landfill (ML-D-ORL) to Commercial Regional Design Overlay Review/Organic Refuse Landfill.

Page 2-22, Table 2.2, Cumulative Project List is revised as follows:

TABLE 2.2
CUMULATIVE PROJECT LIST

Number	Address	Description	Status
4	2535-2569 E Carson St.	Investing -Tract Map No. 71493 to construct 12 affordable housing units.	Approved by Redevelopment Agency 11/15/11; currently in plan check; bldg. permit expected by end of 2012. <u>Under construction, expected to be complete fourth quarter 2012.</u>
5	616 E Carson St.	152 residential units: 48 single-level condos; 12 three -story townhouses (78 units); two-story townhouses (11 units) and 15 single-family detached units.	Approved by Regional Redevelopment Agency (RDA) on 7/19/11; currently in plan check

Page 3.1-1, second full paragraph first sentence is revised as follows:

The proposed project site is located in the City of Carson, in southwestern Los Angeles ~~Count~~ County (see Figure 2.1).

Page 3.1-1, first full paragraph last sentence is revised as follows:

Figure 3.1-1 shows the existing ~~the~~ viewpoints of the project site.

Page 3.1-8, first full paragraph is revised as follows:

“ ...

- North/East: The site is bounded at the north and east by the I-405 freeway; beyond the freeway to the north/east is vacant land, the Dominguez Channel and the Links at Victoria Golf Course.
- South: A parcel owned by Los Angeles County Department of Water and Power containing an overhead transmission line easement ~~containing an overhead transmission line~~ transverses the southern boundary of the site in an east/west manner; a portion of the ~~easement parcel~~ is part of a commercial nursery; beyond the parcel is an area approved for residential uses; Del Amo Boulevard is located further south; and beyond Del Amo Boulevard is vacant land, that is approved for commercial residential uses. Southwest from the site opposite the intersection of Main Street and Del Amo Boulevard is a mini storage facility.
- West: The site is bounded on the west by Main Street; further west across Main Street is a bottling facility, a car auction lot, and another commercial nursery.”

Page 3.1-8, fourth paragraph, second sentence is revised as follows:

“They include architectural review of buildings and signs ~~in redevelopment and~~

~~environmentally sensitive areas~~, undergrounding utilities, providing parkway trees along local streets and highways, and landscaping medians.”

Page 3.1-10, first sentence is revised as follows:

“TI-IM-7.1: Through design standards and zoning requirements ~~and zoning requirements~~, require landscaped medians and parkways for all new development on major arterials.”

Page 3.3-17, Mitigation Measure BIO-1, third bullet is revised as follows:

“ ...

- A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, normal construction activities can occur. ~~Pursuant to CDFG Code 3503, it makes it unlawful to destroy any birds’ nest or any birds’ eggs that are protected under the MBTA. Further, any birds in the orders Falconiformes or Strigiformes (birds of prey, such as hawks and owls) are protected under CDFG Code 3503.5 which makes it unlawful to take, possess, or destroy their nest or eggs.~~ “

Page 3.3-17, Mitigation Measure BIO-1, last bullet is revised as follows:

“ ...

- A consultation with CDFG shall be required prior to the removal of any raptor nest on the project site, if a raptor nest is ~~determine~~ determined to be located onsite during the pre-construction clearance survey.”

Page 3.4-1, fourth full paragraph, last sentence is revised as follows:

“...The course is bounded by the clubhouse and parking lot to the north, I- 405 freeway to the northeast, the golf course driving range to the east, and an electrical transmission tower ~~right-of-way~~ to the south. Del Amo Boulevard is located south of the utility ~~right-of-way~~ property.

Page 3.4-6, third paragraph, last sentence is revised as follows:

“No impacts to humans remains would occur as a result of project implementation.”

Page 3.5-8, first paragraph, second sentence is revised as follows:

“Building Code (Title 26) Section 110.2, addresses geotechnical hazards and states ~~that~~ a building or grading permit shall be issued when the City’s Building Official finds that a hazardous geological condition, such as potential settlement, is not present or would not by development.”

Page 3.6-13, a new fourth paragraph is added as follows:

“The South Bay Environmental Services Center (SBESC) – a program of the South Bay Cities Council of Governments (SBCCOG) and the City are developing a Climate Action Plan (CAP). The City’s municipal operations inventory and community inventory have been completed and the methodology is being identified to reduce greenhouse gas emissions in the City of Carson. In September 2012, the City’s Environmental Commission recommended a 20% reduction in GHG emissions from 2005 levels by 2020. The CAP will provide measures and policies to reduce emissions in both municipal operations and the community arena. The CAP is expected to be adopted by the City of Carson in the near future.”

Page 3.6-12, last paragraph, last sentence is revised as follows:

“...In addition, the project would incorporate design measures to further reduce GHG emissions. Therefore, the project’s contribution to this cumulative impact would not be considerable.”

Page 3.7-3, third full paragraph, first sentence is revised as follows:

“As early as 1928, the project site (“golf course site”) was historically owned by Dominguez Estates Company, and may have been used for livestock grazing. From 1948 to 1959, Dominguez Estates Company leased the project site and other property to BAK Disposal Company (later known as BKK Company and BKK Corporation) to operate a “cut and cover dump.”

Page 3.7-19, second paragraph, the following addition is made to the end of the paragraph:

“...The ORL overlay designation requires that a conditional use permit (CUP) be approved by the City’s Planning Commission and City Council.”

Page 3.7-20, last paragraph third sentence is revised as follows:

“The nearest private airstrip is the Goodyear Blimp Base Airport, located east of the intersection of Main Street and Broadway, across I-405, about 0.25 miles northeast of the project site.

Page 3.7-24, Impact 3.7.2b is revised as follows:

“Impact 3.7.2b: Excavation ~~that damages~~ could damage the existing groundwater wells on the project site could increase the potential for contaminants to enter and pollute groundwater through the wells.

Page 3.7-28, beneath third paragraph, first bullet is revised as follows:

“... ”

- Develop a hazardous materials contingency plan for the emergency management of ~~the~~ any spills or leaks of these materials during construction activities.”

Page 3.7-31, Mitigation Measure HAZ-3, first bullet, last sentence is revised as follows:

“...If some of the spoils do not meet the reuse criteria and/or debris is identified, these materials shall be disposed of ~~managed and/or~~ at a permitted disposal facility as approved by the DTSC.”

Page 3.7-31, Mitigation Measure HAZ-4, is hereby modified as follows:

MM HAZ-4: The City shall require that the Watson Land Company receive DTSC approval of the ~~Final Draft~~ RAP and acceptance of the Remedial Investigation Report prior to project approval. In addition, the City shall require Watson Land Company to perform post-construction sampling and prepare a post-remedy HHRA that demonstrates adequate protection of human health, as determined by DTSC, based on proposed land use. Following DTSC’s review of this HHRA any additional compaction, soil cover, landfill gas collection, and/or other measures required by DTSC, shall be incorporated into the project prior to site occupation to reduce health risks to an acceptable level.

Page 3.8-1, second paragraph, first sentence is revised as follows:

“The proposed project is located in the Dominguez Watershed, which is located within the southern portion of Los Angeles County, California, and encompasses approximately 133 square miles of land and water.”

Page 3.9-7, the following text and Table is added below Table 3.9-2:

In order to confirm ambient noise levels in the project area, three additional short-term noise measurements were conducted on October 4, 2012 between 11:10 A.M. and 12:25 P.M., with 15-minute measurements taken at each site. The average noise levels measured at the three locations are shown in **Table 3.9-2a**, with the locations identified in **Figure 3.9-2a**.

**TABLE 3.9-2a
EXISTING SHORT-TERM DAYTIME NOISE MEASUREMENTS ^a**

<u>Site No.</u>	<u>Location</u>	<u>Time</u>	<u>Leg (dBA)</u>	<u>Lmin (dBA)</u>	<u>Lmax (dBA)</u>	<u>Peak (dBA)</u>
1	<u>Vacant area adjoining the southeast boundary of the project site (future residential location)</u>	<u>11:10 A.M.</u>	<u>70.1</u>	<u>61.5</u>	<u>77.5</u>	<u>93.1</u>
2	<u>Vacant area adjoining the southwestern boundary of the project site (future residential location)</u>	<u>11:45 A.M.</u>	<u>62.3</u>	<u>53.6</u>	<u>74.3</u>	<u>95.0</u>
3	<u>Vacant area adjoining the south-central boundary of the project site (future residential location)</u>	<u>12:25 P.M.</u>	<u>67.9</u>	<u>52.1</u>	<u>84.8</u>	<u>101.7</u>

<u>Site No.</u>	<u>Location</u>	<u>Time</u>	<u>Leg (dBA)</u>	<u>Lmin (dBA)</u>	<u>Lmax (dBA)</u>	<u>Peak (dBA)</u>
	location)					

^a Refer to Figure 3.9-2a for the site locations of where the noise measurements were taken.

SOURCE: RBF, 2012h (Supplemental Appendices).

Page 3.9-7, the following text revisions are made to the third full paragraph:

As shown in Tables 3.9-2 and Table 3.9-2a, the measured noise levels during the daytime measurements ranged from 61.9 to ~~65.6~~ 70.1 dBA Leq. Additionally, the noise metrics data pertaining to the daytime measurements, which are presented as L1, L5, L10, L50, L90, L95, and L99 noise levels, are shown in **Table 3.9-3** and **Table 3.9-3a** below. These noise metrics represent the percentage of a time period when a noise level is exceeded. For instance, the L50 noise level in Table 3.9-3 represents the ambient noise level that is exceeded 50 percent of the time during the noise measurement. The noise monitoring equipment used for the ambient noise survey consisted of a Brüel & Kjær Hand-held Analyzer Type 2250 equipped with a Type 4189 pre-polarized microphone. The monitoring equipment complies with applicable requirements of the American National Standards Institute (ANSI) for Type I (precision) sound level meters. The meteorological conditions during the day of the noise measurements were clear skies, cool temperatures, with light wind speeds (0 to 5 miles per hour), and low humidity.

The following new Figure 3.9-2a is added to the Draft EIR:



SOURCE: RBF, 2012.

Porsche Experience Driving Center EIR . 120026

Figure 3.9-2a
Noise Monitoring Locations

Page 3.9-8, the following Table 3.9-3a will be included in the text following Table 3.9-3:

TABLE 3.9-3a
NOISE METRICS DATA FROM EXISTING DAYTIME NOISE MEASUREMENTS ^a

<u>Site No.</u>	<u>Location</u>	<u>L₁ (dBA)</u>	<u>L₅ (dBA)</u>	<u>L₁₀ (dBA)</u>	<u>L₅₀ (dBA)</u>	<u>L₉₀ (dBA)</u>
1	<u>Vacant area adjoining the southeast boundary of the project site (future residential location)</u>	<u>74.0</u>	<u>73.0</u>	<u>72.4</u>	<u>69.9</u>	<u>66.4</u>
2	<u>Vacant area adjoining the southwestern boundary of the project site (future residential location)</u>	<u>69.0</u>	<u>66.4</u>	<u>65.4</u>	<u>60.7</u>	<u>56.5</u>
3	<u>Vacant area adjoining the south-central boundary of the project site (future residential location)</u>	<u>68.6</u>	<u>68.6</u>	<u>68.5</u>	<u>67.7</u>	<u>65.9</u>

^a Refer to Figure 3.9-2a for the site locations of where the noise measurements were taken.

SOURCE: RBF, 2012h. (Supplemental Appendices)

Page 3.9-9, the text under the heading Existing Stationary Noise Sources is revised as follows:

The primary sources of stationary noise in the project vicinity are those associated with the operations of adjacent industrial and commercial uses such as the PepsiCo bottling facility, a mini storage facility, ~~and a car auction lot,~~ and a waste management transfer facility.

Page 3.9-23, Impact 3.9.1a is revised as follows:

“**Impact 3.9.1a:** Remediation and construction activities associated with the proposed project would increase short-term noise levels ~~in~~ at the project vicinity site.”

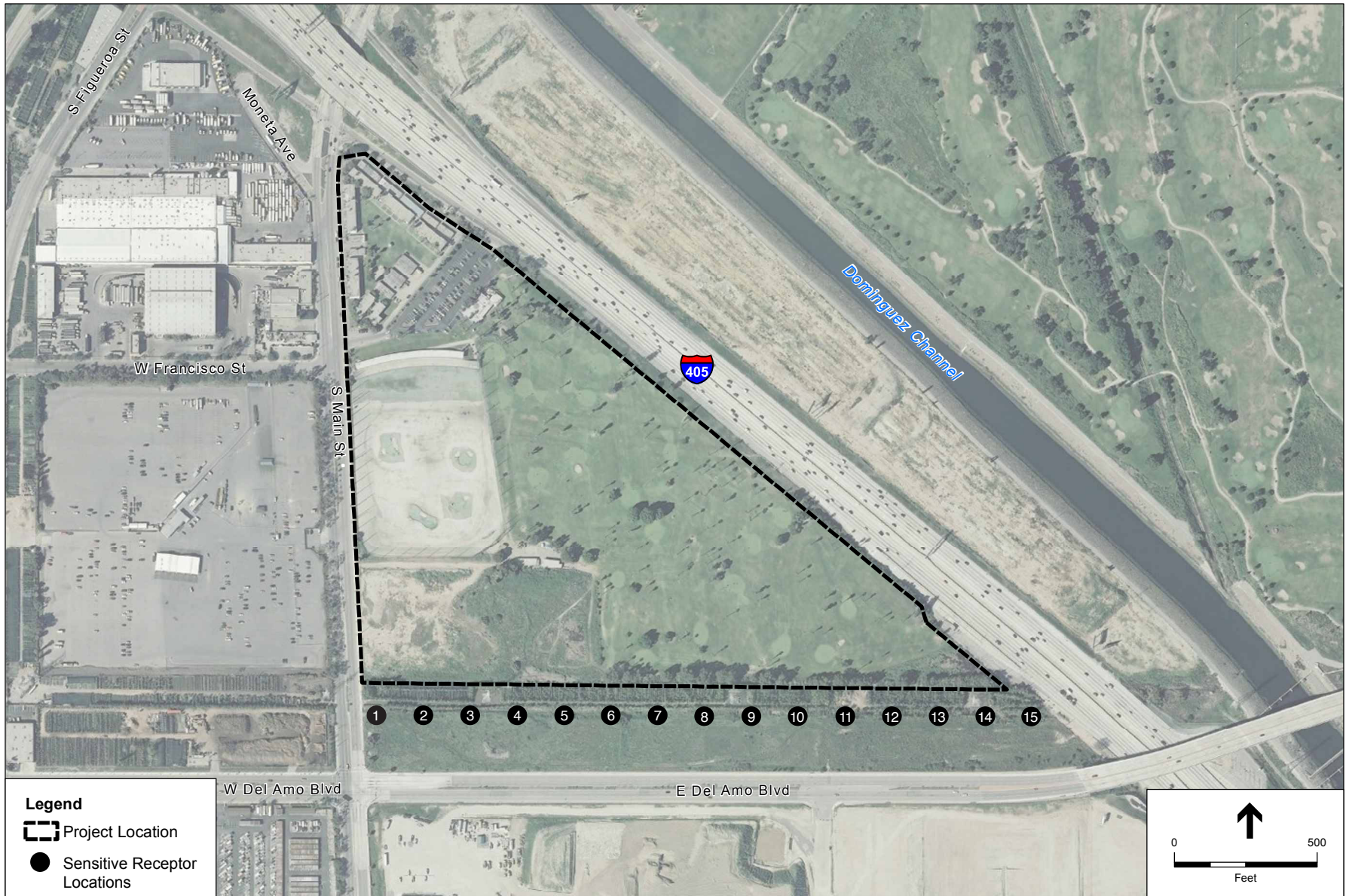
Page 3.9-25, the following text changes are made Impact 3.9.1b:

Impact 3.9.1b: Use of the driving skills course would generate a long-term increase in noise levels ~~in~~ at the project site vicinity.

Page 3.9-25, the following text changes are made to the last paragraph, third sentence:

“According to the noise measurements taken at the adjoining property to the south of the project site, the existing ambient noise levels were measured between ~~64.3 and~~ 61.9 dBA Leq to 70.1 dBA Leq (see Table 3.9-2 and Table 3.9-2a). Because ambient noise levels at the residential property line are higher than the nominal 50 dBA noise standard contained in the City’s Noise Ordinance, the ordinance requires that ambient noise level, rather than 50 dBA, be used as the basis for determining compliance with the ordinance. Thus, noise impacts of the proposed project are based on project-related increases in comparison to ambient levels.

Page 3.9-27, the following Figure 3.9-3 Nearest Off-Site Receptors is revised as follows:



SOURCE: RBF, 2012.

Porsche Experience Driving Center EIR . 120026

Figure 3.9-3
 Nearest Future Off-Site
 Sensitive Receptor Locations

Page 3.9-28, the following text changes are made to the last paragraph:

“Additionally, the Lmax noise levels associated with typical on-site operations of the driving course with street-legal production vehicles are anticipated to range from 70 dBA to 105 dBA for the road vehicles measured at 16.4 feet (five meters) from the edge of the course. This reference noise level is based on drive-by tests where noise meters are placed around the circuit at other facilities with similar operations (Goodwood Motor Circuit, located in Westhampnett, United Kingdom). Given the distance of the future residential uses to the south, the resulting exterior Lmax noise levels at these sensitive receptors would range from 50.8 to 85.8 dBA. According to the City’s Noise Ordinance, the ambient L₀ (Lmax) noise ~~levels plus 20 dBA~~ is not allowed to be exceeded for any period of time. While the ambient noise measurement at the future residential land uses did not collect data regarding the L₀ noise metric, for the purposes of this analysis the L₁ noise metric is used, which would be considered a more conservative metric than using a L₀ noise metric. As shown in Table 3.9-3 and Table 3.93a, the existing ambient L₁ noise levels at the future residential uses currently range from 67.6 to ~~68.3~~ 84.8 dBA. ~~For the purpose of conducting a conservative analysis, the lower range L1 noise level of 67.6 dBA is used in this noise evaluation. Consequently, a maximum noise level of 87.6 dBA (67.6 dBA + 20 dBA) would not be allowed to be exceeded for any period of time at the future residential uses. As shown in the various noise measurements that were taken at the future residential uses south of the project site, Lmax in the project vicinity varies depending upon the time of day and the types of background noise being generated in the vicinity.~~ As the Lmax noise levels generated from operations of the project’s driving course with street-legal production vehicles ~~would~~ could reach 85.8 dBA at the future residential uses to the south, the maximum noise level permitted under the City’s Noise Ordinance at the future residential uses ~~would not~~ may be exceeded; however, with the implementation of Mitigation Measure MMNOI-1. ~~As a result, this impact would be less than significant.~~

Page 3.9-29, Impact Statement 3.9.1c is revised as follows:

“**Impact 3.9.1c:** Stationary noise on the project site would increase long-term noise levels ~~in~~ at the project site ~~vicinity~~.”

Page 3.9-34, Impact Statement 3.9.3 is revised as follows:

“**Impact 3.9.3:** Operational activities at the project site would ~~permanently~~ result in a long-term increase in noise levels in the vicinity of the generated at the project site.”

Page 3.9-35, Impact Determination is revised as follows:

“**Impact Determination:** The noise levels introduced by specialty vehicles at the project site would result in a ~~substantial permanent increase in the existing ambient~~ increased noise levels in the project vicinity. Implementation of a noise management program under Mitigation Measure MM NOI-1 would reduce ~~this increase in ambient~~ noise levels at the in the project site vicinity to a less than significant level.

Page 3.9-36, third paragraph is revised as follows:

“Future construction associated with the related projects could result in a cumulatively significant impact with respect to temporary or periodic increases in ambient noise levels. Construction noise is localized in nature and decreases substantially with distance. Consequently, in order to achieve a cumulatively considerable increase in construction noise levels, more than one source emitting high levels of construction noise would need to be in close proximity to the proposed project. The nearest related projects to the project site are is the Boulevards at South Bay Project, which is located directly south of the project site, and the auto station project located at 20840 S. Main Street, which is located approximately 2,270 feet from the project site. ~~Between these two related projects, only the~~ The Boulevards at South Bay Project together with the project could potentially result in a cumulative noise impact during construction on the surrounding uses because these two projects are located adjacent to one another. The auto station project is located approximately 2,270 feet south of the project site and 1,175 feet west of the Boulevards at South Bay Project. Due to these distances, and along with the numerous intervening structures located between these sites, a substantial increase in construction noise levels would not occur should construction for auto station project occur at the same time as the proposed project and the Boulevards at South Bay Project. With regards to the Remediation activities for the Boulevards at South Bay are currently being performed and there is a potential for overlap of construction activities at both sites. Although the Boulevards at South Bay Project, although this related project is located adjacent to the project site to the south, the construction activities for this related project is expected to commence after completion of the proposed project. However, As the sensitive land uses construction activities would not overlap between for this related project would not be developed during the proposed project construction, and the incremental increase in construction noise impacts from the proposed project and related projects would not be cumulatively considerable.

Page 3.10-1, third full paragraph, the last sentence is added to the paragraph as follows:

“Additionally, Fire Station 10 (Battalion 7 Headquarters) is located approximately three miles east of the project site. The LACoFD is evaluating the feasibility of development of a new fire station in the vicinity of the proposed project, likely at Main Street and Torrance Boulevard, approximately 0.5 miles south of the proposed project. If a new fire station is not deemed feasible, LACoFD will identify and implement improvements at Fire Station 116 or other station serving the project area to increase and enhance fire and life safety service levels.”

Page 3.10-5, third paragraph is revised as follows:

“In addition, the project would be required to comply with all applicable fire code regulations and would be required to contribute to their fair share for the improvement of fire service facilities and equipment that is required to offset impacts of the proposed project as determined by LACoFD and the City of Carson. ~~all mandatory development impact fees, including fees for fire protection services.~~ This hese impact fees fair share contribution would ensure that adequate fire facilities and infrastructure (including new fire stations, funding for any capital improvements necessary to maintain adequate fire protection facilities, equipment, and/or personnel) would be in place and that all performance standards for fire protection are met. The project would also be required to satisfy Conditions of Approval through the approval process. These conditions include

requests made for coordination by the applicant with the LACoFD. Therefore, the fair share contribution and payment of development impact fees and the incorporation of conditions of approval would ensure impacts to fire protection services from the proposed project would be reduced to less than significant.”

Page 3.12-11, third bullet is revised as follows:

“ ...

- Approximately 50 percent of visitors scheduled for afternoon sessions are expected to arrive early and eat lunch at the site before the driving session. departure during the p.m. peak hour is conservatively assumed at 100 percent of afternoon session visitors.

Page 3.13-2, first full paragraph, last sentence is revised as follows:

“The JWPCP is one of the largest wastewater treatment plants in the world. It serves a population of about 3.5 million people and many industries in southern and eastern Los Angeles County, providing advanced primary and partial secondary treatment for 350 million gallons per day (mgd) of wastewater and processes ~~and~~ average flow of 272.2 mgd (Raza, 2012).”

Page 3.13-2, last paragraph, second sentence is revised as follows:

“At the transfer station, ~~materials~~ the collected materials are sorted.”

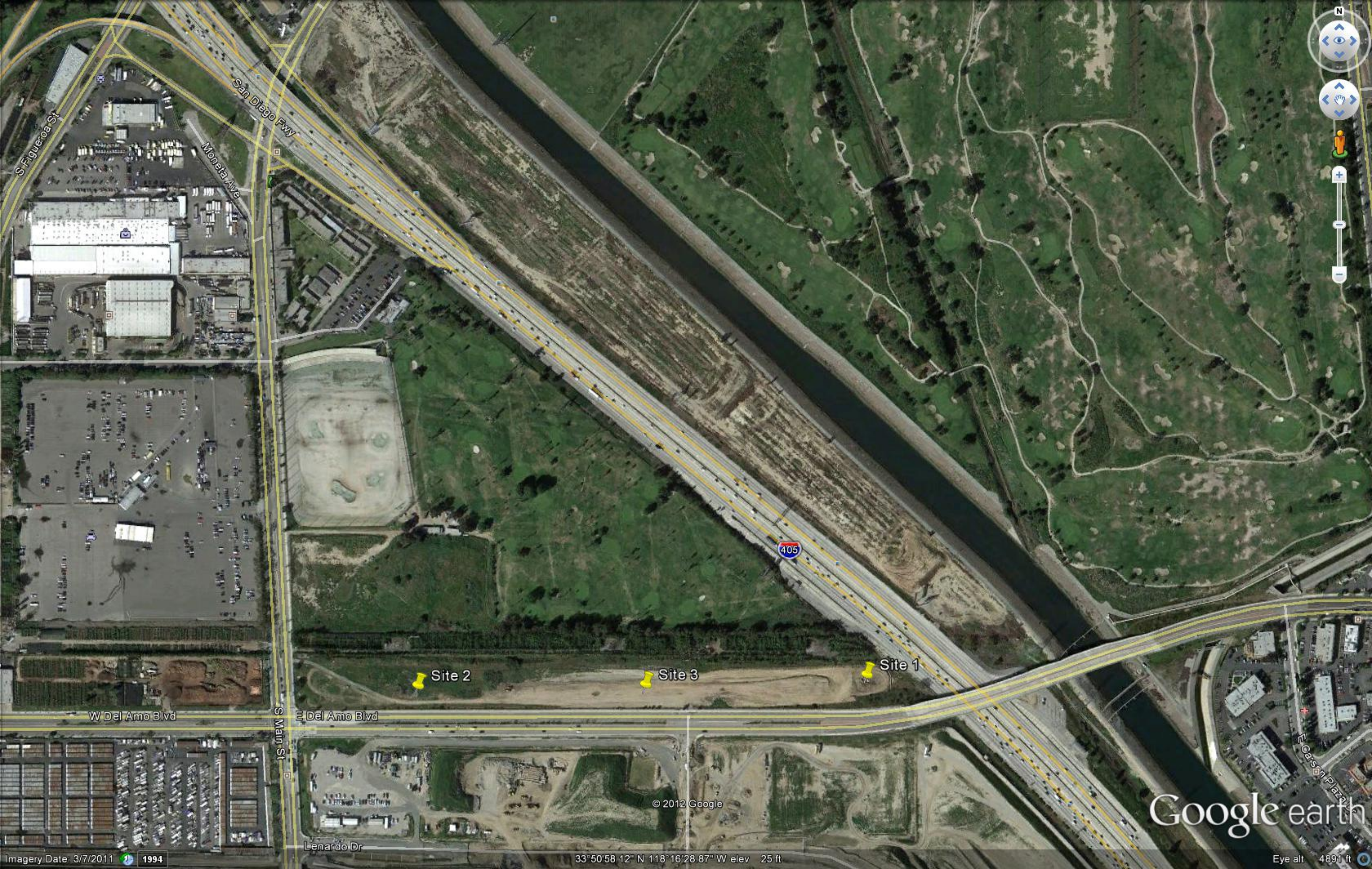
Page 3.13-10, sixth paragraph, last sentence is revised as follows:

“Impervious areas would include the operation building, driver track, maintenance facilities, and parking areas.”

APPENDIX H-2: Additional Noise Measurements

Noise Measurements

Site No.	Noise Metric (dBA)									
	L _{eq}	L _{min}	L _{max}	Peak	L ₁	L ₅	L ₁₀	L ₅₀	L ₉₀	Time
1	70.1	61.5	77.1	93.1	74.0	73.0	72.4	69.9	66.4	11:10 a.m.
2	62.3	53.6	74.3	95.0	69.0	66.4	65.4	60.7	56.5	11:45 a.m.
3	67.9	52.1	84.8	101.7	68.6	68.6	68.5	67.7	65.9	12:25 p.m.



Google earth

Imagery Date: 3/7/2011 1994

© 2012 Google
33°50'58.12" N 118°16'28.87" W elev 25 ft

Eye alt 4891 ft



2250

Instrument:		2250
Application:		BZ7225 Version 2.0.2
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Elapsed Time:		00:30:00
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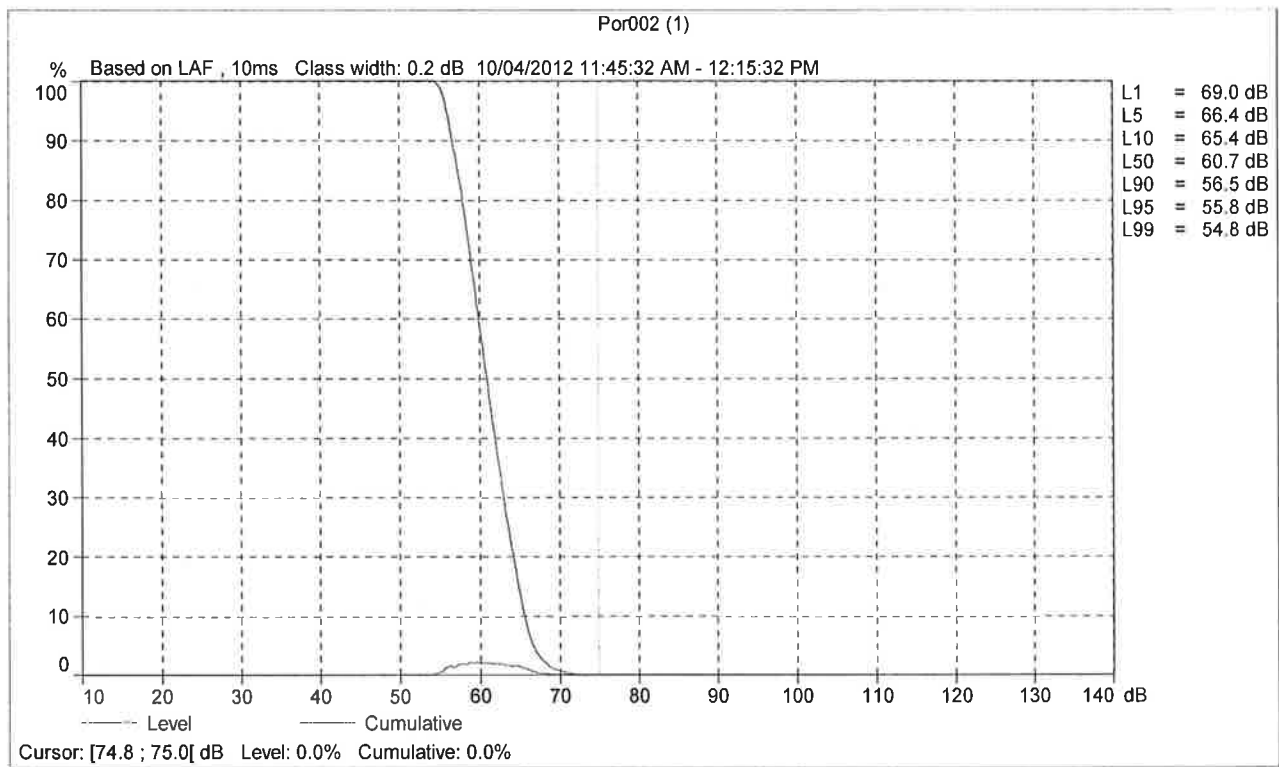
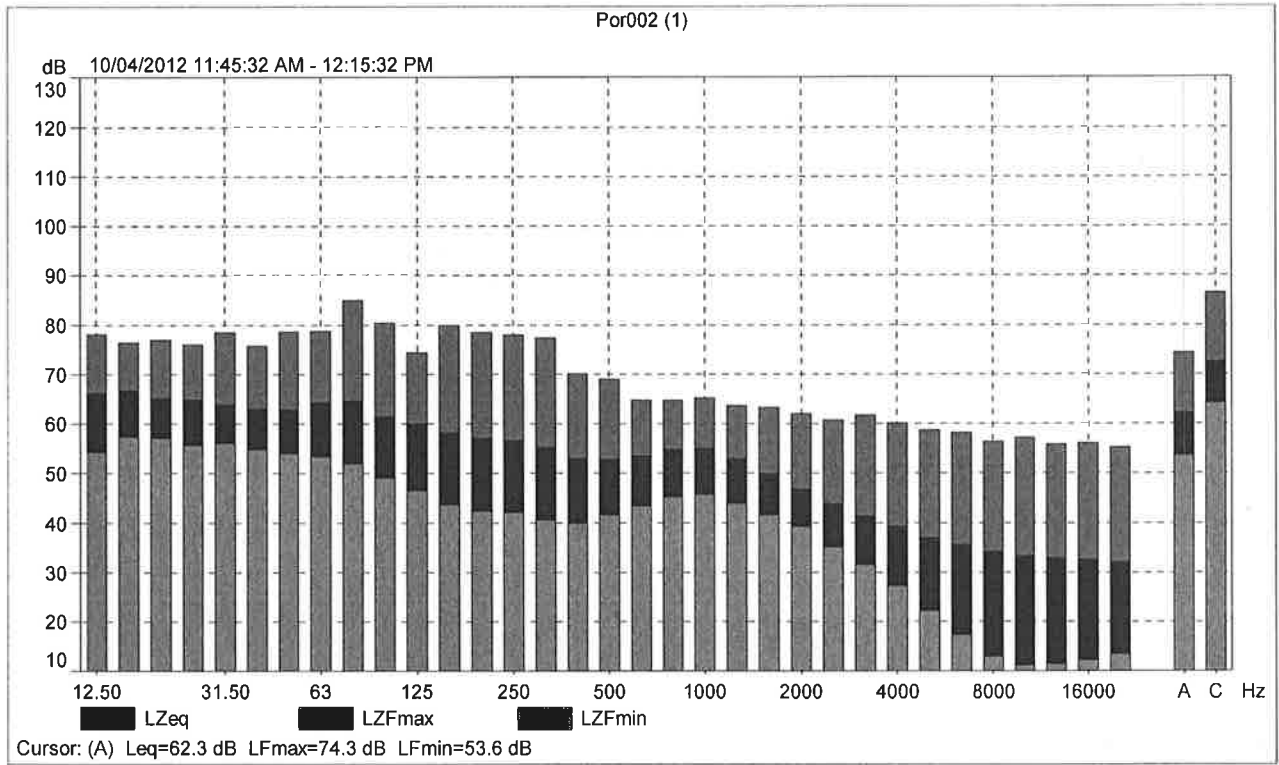
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Broadband Peak:		C
Spectrum:	FS	Z

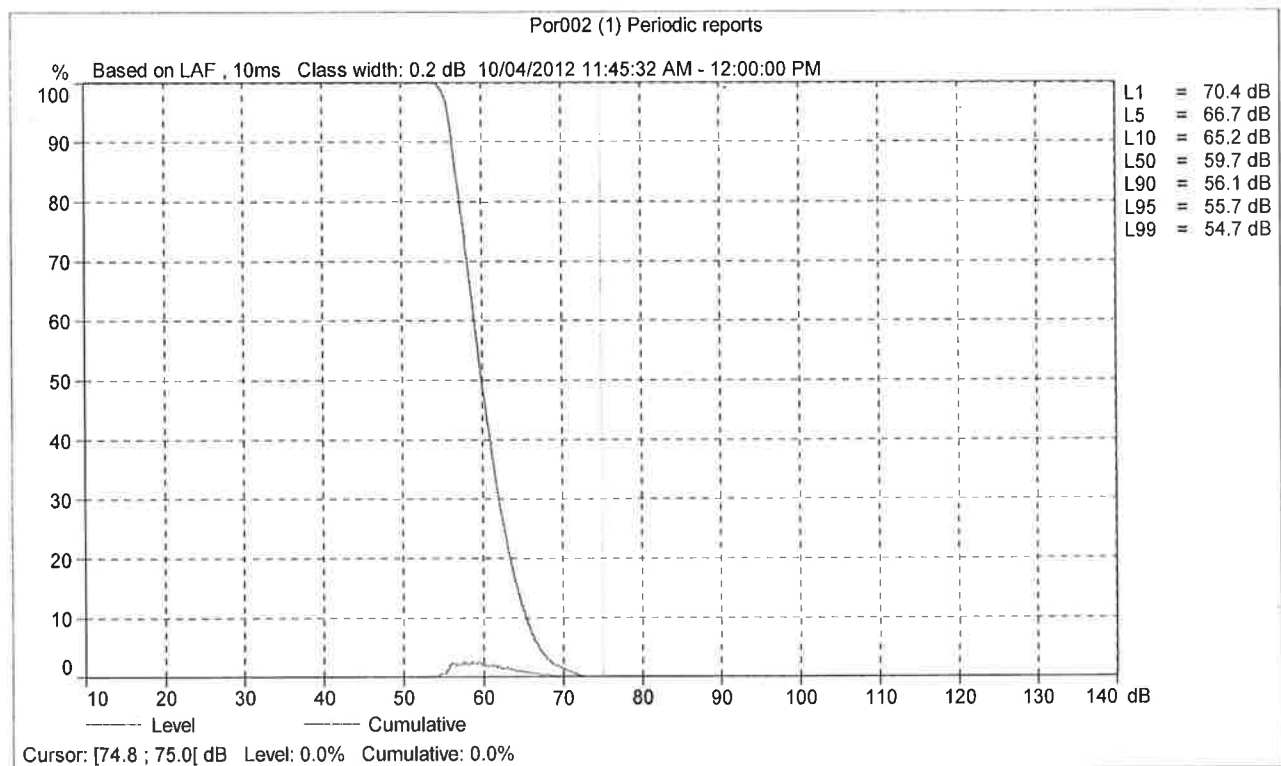
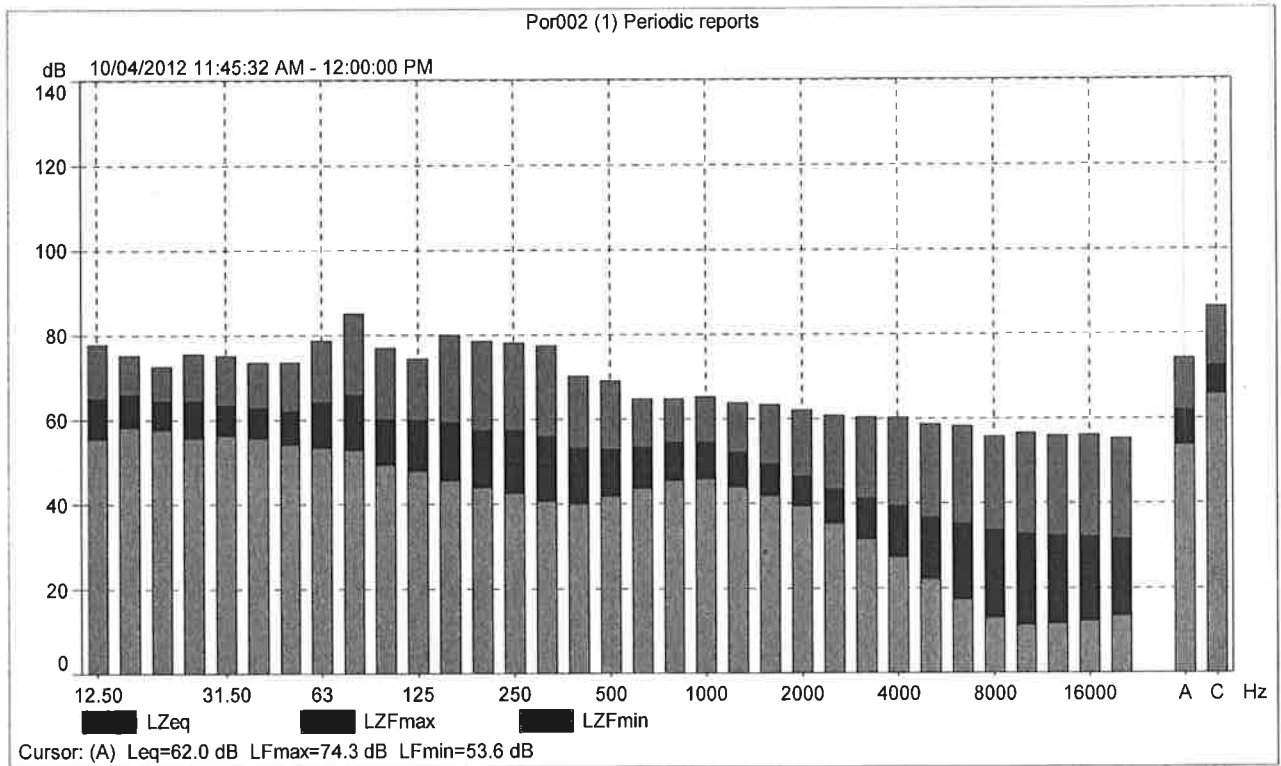
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Microphone Serial Number:		2543364
Input:		Top Socket
Windscreen Correction:		UA-1650
Sound Field Correction:		Diffuse-field

Calibration Time:		10/04/2012 09:07:36
Calibration Type:		External reference
Sensitivity:		63.96 mV/Pa

Por002 (1)

	Start time	End time	Elapsed time	Overload [%]	LAeq [dB]	LAFmax [dB]	LAFmin [dB]
Value				0.00	62.3	74.3	53.6
Time	11:45:32 AM	12:15:32 PM	0:30:00				
Date	10/04/2012	10/04/2012					





CHAPTER 4

Mitigation Monitoring and Reporting Program

Pursuant to Section 21081.6 of the Public Resources Code and the *CEQA Guidelines* Section 15097, a lead agency is required to adopt a monitoring and reporting program for assessing and ensuring compliance with the required mitigation measures applied to a proposed project for which an EIR has been prepared. As stated in the Public Resources Code (Section 21081.6(a)):

“...the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.”

Section 21081.6 provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined prior to final certification of the EIR. The lead agency may delegate reporting or monitoring responsibilities to another public agency or a private entity, which accept such delegation. The lead agency, however, remains responsible for ensuring that implementation of the mitigation measures occur in accordance with the program.

The mitigation monitoring table below lists mitigation measures and project design features that are required to reduce the significant effects of the proposed project. These measures correspond to those outlined in Chapter 1, and discussed in Sections 3.1 through 3.13 of the Draft EIR, and those revised in this Final EIR (see Chapter 4). To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsible entity for monitoring each measure. The project applicant will have the responsibility for implementing the measures, and various public agencies will have the primary responsibility for enforcing, monitoring, and reporting the implementation of the mitigation measures.

TABLE 4.1
MITIGATION MONITORING AND REPORTING PROGRAM

MM	Mitigation Measure	Method of Verification	Timing of Implementation	Responsibility
Aesthetics				
MM AES-1	Reflective glass surfaces shall be avoided or designed to avoid casting glare on the I-405 freeway of driving training course. All bare metallic surfaces shall be painted or otherwise treated with flat finishes to reduce reflected glare. As part of building permit applications, the applicant shall submit architectural renderings and a building materials palette to demonstrate compliance with this measure.	Building Department	Prior to the issuance of building permits	Project Proponent, City of Carson Building and Safety Division
Air Quality				
MM AQ-1:	<p>Prior to issuance of any Grading Permit, the City Engineer and the Chief Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that, in compliance with SCAQMD Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust prevention measures, as specified in the SCAQMD's Rules and Regulations. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:</p> <ul style="list-style-type: none"> • All active portions of the construction site shall be watered every three hours during daily construction activities and when dust is observed migrating from the project site to prevent excessive amounts of dust; • Pave or apply water every three hours during daily construction activities or apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and staging areas. More frequent watering shall occur if dust is observed migrating from the site during site disturbance; • Any on-site stockpiles of debris, dirt, or other dusty material shall be closed, covered, or watered twice daily, or non-toxic soil binders shall be applied; • All grading and excavation operations shall be suspended when wind speeds exceed 25 miles per hour; • Disturbed areas shall be replaced with ground cover or paved immediately after construction is completed in the affected area; • Gravel bed trackout aprons (3 inches deep, 25 feet long, 12 feet wide per lane and edged by rock berm or row of stakes) shall be installed to reduce mud/dirt track out from unpaved truck exit routes; • On-site vehicle speed shall be limited to 15 miles per hour; • All on-site roads shall be paved as soon as feasible, watered twice daily, or chemically stabilized; • Visible dust beyond the property line which emanates from the project shall be prevented to the maximum extent feasible; 	Building Department	Prior to the issuance of any grading permits.	Project Proponent, City of Carson Engineering Services Division, Building and Safety Division

**TABLE 4.1
MITIGATION MONITORING AND REPORTING PROGRAM**

MM	Mitigation Measure	Method of Verification	Timing of Implementation	Responsibility
	<ul style="list-style-type: none"> • All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust prior to departing the job site; • Reroute construction trucks away from congested streets or sensitive receptor areas; • Track-out devices shall be used at all construction site access points; and • All delivery truck tires shall be watered down and/or scraped down prior to departing the job site. 			
MM AQ-2	<p>The following measures shall be implemented during construction to substantially reduce NO_x related emissions. They shall be included in the Grading Plan, Building Plans, and contract specifications. Contract specification language shall be reviewed by the City prior to issuance of a grading permit:</p> <ul style="list-style-type: none"> • Off-road diesel equipment operators shall be required to shut down their engines rather than idle for more than five minutes, and shall ensure that all off-road equipment is compliant with the CARB in-use off-road diesel vehicle regulation and SCAQMD Rule 2449. • Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NO_x emissions requirements • The following note shall be included on all grading plans: During project construction, all internal combustion engines/construction, equipment operating on the project site shall meet EPA-Certified Tier 3 emissions standards, or higher according to the following: • January 1, 2012, to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 hp shall meet Tier 3 off-road emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. • Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for similarly sized engine as defined by CARB 	Building Department, Site Inspection	Prior to the issuance of any grading permits.	Project Proponent, City of Carson Engineering Services Division, Building and Safety Division

**TABLE 4.1
MITIGATION MONITORING AND REPORTING PROGRAM**

MM	Mitigation Measure	Method of Verification	Timing of Implementation	Responsibility
	<p>regulations.</p> <ul style="list-style-type: none"> • A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment. • The contractor and applicant, if the applicant's equipment is used, shall maintain construction equipment engines by keeping them tuned and regularly serviced to minimize exhaust emissions. • Use low sulfur fuel for stationary construction equipment. This is required by SCAQMD Rules 431.1 and 431.2. • Utilize existing power sources (i.e., power poles) when available. This measure would minimize the use of higher polluting gas or diesel generators. • Configure construction parking to minimize traffic interference. • Minimize obstruction of through-traffic lanes and provide temporary traffic controls such as a flag person during all phases of construction when needed to maintain smooth traffic flow. Construction shall be planned so that lane closures on existing streets are kept to a minimum. • Schedule construction operations affecting traffic for off-peak hours to the best extent when possible. • Develop a traffic plan to minimize traffic flow interference from construction activities (the plan may include advance public notice of routing, use of public transportation and satellite parking areas with shuttle service.) • Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than five minutes. 			
AQ -3	The project shall utilize epoxy coatings with a low (or not) ROG content to reduce ROG emissions resulting from application of epoxy coatings. This stipulation shall be specified in construction bids and contract specifications	Building Department	Prior to the issuance of any building permits.	City of Carson
Biological Resources				
BIO-1	<p>If ground-disturbing activities or removal of any trees, shrubs, or any other potential nesting habitat are scheduled within the avian nesting season (nesting season generally extend from February 1 - August 31 but can vary from year to year based upon seasonal weather conditions), pre-construction clearance survey for nesting birds shall be conducted within ten days prior to any ground disturbing activities to ensure that no nesting birds will be disturbed during construction.</p> <p>The biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active bird nests will occur. If an active</p>	Mitigation Plan	Prior to any ground disturbance.	Project Proponent, City of Carson Community Development Department

**TABLE 4.1
MITIGATION MONITORING AND REPORTING PROGRAM**

MM	Mitigation Measure	Method of Verification	Timing of Implementation	Responsibility
	<p>avian nest is discovered during the 10-day preconstruction clearance survey, construction activities shall stay outside of a 300-foot buffer around the active nest. For raptor species, this buffer is expanded to 500-feet.</p> <p>A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, normal construction activities can occur. Pursuant to CDFG Code 3503, it makes it unlawful to destroy any birds' nest or any birds' eggs that are protected under the MBTA. Further, any birds in the orders Falconiformes or Strigiformes (Birds of Prey, such as hawks and owls) are protected under CDFG Code 3503.5 which makes it unlawful to take, possess, or destroy their nest or eggs.</p> <p>A consultation with CDFG shall be required prior to the removal of any raptor nest on the project site, if a raptor nest is determined to be located onsite during the preconstruction clearance survey.</p>			
Geology and Soils				
GEO-1	Prior to the issuance of grading permits, the applicant shall retain a qualified geotechnical engineer to design the project facilities to withstand probable seismicity induced ground shaking at the site. All grading and construction on site shall adhere to the specifications, procedures, and site conditions contained in the final design plans, which shall be fully compliant with the seismic recommendations of the California	Plan Check	Prior to the issuance of any grading permit.	Project Proponent, City of Carson Public Works
Hazards and Hazardous Materials				
HAZ-1	The City shall require that the site owner and the project applicant shall conduct a comprehensive well survey to locate, identify, and confirm all existing groundwater and vapor wells on the project site. Existing wells shall be clearly marked and protected prior to and during all ground-disturbing activities. Any unnecessary wells shall be properly destroyed in accordance with regulatory requirements.	Site Inspection	Prior to the issuance of any grading permit.	Project Proponent, Building and Safety Division
HAZ-2	<p>The City shall require the construction contractor to retain a qualified environmental professional to prepare a site-specific Health and Safety Plan (HASP) in accordance with federal OSHA regulations (29 CFR 1910.120) and Cal/OSHA regulations (8 CCR Title 8, Section 5192). The HASP shall address worker health and safety issues during construction of the RAP/remedy work. The HASP shall include the following information.</p> <ul style="list-style-type: none"> All required measures to protect construction workers and the general public by including engineering controls, monitoring, and security measures to prevent unauthorized entry to the construction area and to reduce hazards outside of the construction area. If prescribed contaminant exposure levels are exceeded, personal protective equipment shall be required for workers in accordance with state and federal regulations. Required worker health and safety provisions for all workers potentially exposed to 	Plan Check	Prior to the issuance of grading permit.	Project Proponent, Building and Safety Division

**TABLE 4.1
MITIGATION MONITORING AND REPORTING PROGRAM**

MM	Mitigation Measure	Method of Verification	Timing of Implementation	Responsibility
	<p>contaminated materials, in accordance with state and federal worker safety regulations, and designated qualified individual personnel responsible for implementation of the HASP.</p> <ul style="list-style-type: none"> The contractor shall have a site health and safety supervisor fully trained pursuant to hazardous materials regulations be present during excavation, trenching, or cut and fill operations to monitor for evidence of potential soil contamination, including soil staining, noxious odors, debris or buried storage containers. The site health and safety supervisor must be capable of evaluating whether hazardous materials encountered constitute an incidental release of a hazardous substance or an emergency spill. The site health and safety supervisor shall direct procedures to be followed in the event that an unanticipated hazardous materials release with the potential to impact health and safety is encountered. These procedures shall be in accordance with hazardous waste operations and regulations and specifically include, but are not limited to, the following: immediately stopping work in the vicinity of the unknown hazardous materials release; notifying SCCDEH, and retaining a qualified environmental firm to perform sampling, remediation, and/or disposal. Documentation that HASP measures have been implemented during construction. Provision that submittal of the HASP to the City, or any review of the contractor's HASP by the City, shall not be construed as approval of the adequacy of the contractor's health and safety professional, the contractor's HASP, or any safety measure taken in or near the construction site. The contractor shall be solely and fully responsible for compliance with all laws, rules, and regulations applicable to health and safety during the performance of the construction work. 			
HAZ-3	<p>The City shall require the construction contractor to prepare and implement a Soil and Water Management Plan, subject to review by the DTSC, which specifies the method for handling and disposal of contaminated soil and groundwater prior to construction. The plan shall include all necessary procedures to ensure that excavated materials and fluids generated during construction are stored, managed, and disposed of in a manner that is protective of human health and in accordance with applicable laws and regulations. The plan shall include the following information:</p> <ul style="list-style-type: none"> Step-by-step procedures for evaluation, handling, stockpiling, storage, testing, managing and disposal of excavated material, including criteria for reuse and offsite disposal. All excavated materials shall be inspected prior to initial stockpiling, and spoils that are visibly stained and/or have a noticeable odor shall be stockpiled separately to minimize the amount of material that may require special handling. In addition, excavated materials shall be inspected for buried building materials, debris, and evidence of underground storage tanks; if identified, these materials shall be stockpiled separately and characterized in accordance with landfill disposal requirements. If some of the spoils do not meet the reuse criteria and/or debris is identified, these materials shall be disposed of managed and/or at a permitted disposal facility as approved by the DTSC. Procedures to be implemented if 	Plan Check	Prior to the issuance of grading permit.	Project Proponent, Building and Safety Division

**TABLE 4.1
MITIGATION MONITORING AND REPORTING PROGRAM**

MM	Mitigation Measure	Method of Verification	Timing of Implementation	Responsibility
	<p>unknown subsurface conditions or contamination are encountered, such as previously unreported tanks, wells, or contaminated soils.</p> <ul style="list-style-type: none"> Procedures for containment, handling and disposal of water generated during construction such as dewatering (if needed), runoff from dust control, accumulation of rainwater. The plan shall outline the laboratory methods for analysis of hazardous materials likely to be encountered and the appropriate treatment and/or disposal methods. Procedures to ensure that imported soils brought on-site do not contain hazardous materials above regulatory thresholds. 			
HAZ-4	<p>The City shall require that the Watson Land Company receive DTSC approval of the Draft RAP and acceptance of the Remedial Investigation Report prior to project approval. In addition, the City shall require Watson Land Company to perform post-construction sampling and prepare a post-remedy HHRA that demonstrates adequate protection of human health, as determined by DTSC, based on proposed land use. Following DTSC's review of this HHRA any additional compaction, soil cover, landfill gas collection, and/or other measures required by DTSC, shall be incorporated into the project prior to site occupation to reduce health risks to an acceptable level.</p>	Site Inspection	Post- construction, prior to Certificate of Occupancy	Land Owner, Project Contractor, City of Carson Community Development Department
Hydrology and Water Quality				
WQ-1	<p>The applicant will comply with the provisions of the NPDES Permit, General Permit, For Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-09-DWQ, NPDES No. CAS000002), and any other subsequent permits as they relate to construction activities for the project. This will include submission of a Notice of Construction (NOC) to the RWQCB at least 30 days prior to the start of construction, preparation and implementation of a SWPPP, and submission of a Notice of Construction Completion (NCC) to the RWQCB upon completion of construction and stabilization of the site.</p>	Plan Check	Prior to the issuance of any grading permits	Project Proponent, Project Contractor, City of Carson Community Development Department , RWQCB
WQ-2	<p>The project applicant shall prepare and implement a SUSMP per the requirements of adopted Order 01-182, the NPDES Permit for Municipal Stormwater and Urban Runoff Discharges within the County of Los Angeles, to ensure that stormwater runoff is managed for water quality concerns through implementation of appropriate and applicable BMPs. The SUSMP shall consider Source Control and Treatment Control BMPs to reduce the discharge of pollutants to the maximum extent practical. Source Control and Treatment Control BMPs will be developed in accordance with County of Los Angeles Low Impact Development Standards Manual. At a minimum, downstream drainage discharge points will be provided with erosion protection and designed such that flow hydraulics exiting the site mimics the natural condition to the maximum amount practicable. The SUSMP shall include a drainage hydrologic/hydraulic analysis that details the site's anticipated runoff calculations.</p>	Plan Check	Prior to the issuance of any grading permits	Project Proponent, Project Contractor, City of Carson Community Development Department , RWQCB

**TABLE 4.1
MITIGATION MONITORING AND REPORTING PROGRAM**

MM	Mitigation Measure	Method of Verification	Timing of Implementation	Responsibility
Noise				
NOI-1	Prior to the issuance of a Certificate of Occupancy, the Applicant shall prepare a Focused Acoustical Analysis to demonstrate compliance with City of Carson noise ordinance requirements, including acoustical impacts from project operation at the adjacent residential property line, south of the project site. The Focused Acoustical Analysis shall be prepared to ensure normal project operations will not result in noise violations at the adjacent residential property line. Should the Focused Acoustical Analysis determine that normal project operations would exceed ordinance requirements; a noise management program shall be prepared to provide sufficient noise attenuation measures to meet City of Carson noise ordinance requirements. The noise management program shall include, but is not limited to, specifications for a monitoring system and sound wall barrier or berm, requirements for vehicle operational hours and procedures, and noise-level limits on the use of a public address system. The noise management program shall be submitted to the Building and Safety and Planning Divisions of the Development Services Department for review and approval	Implementation method for Mitigation Measure NOI-1, is attached as Attachment A	Prior to the issuance of a Certificate of Occupancy	Project Proponent, City of Carson Community Development Department

ATTACHMENT A

Noise Monitoring and Mitigation Program

The Applicant shall implement the following noise monitoring and mitigation program:

1. Initial Pre-Receptor Operational Assessment shall commence at the issuance of a Certificate of Occupancy to the Applicant and terminate upon issuance of building permits for the residential component of the Boulevards at South Bay project (the "Residential Component"), north of Del Amo Boulevard and south of the Project Site. Noise measurements will consist, at a minimum, of weekly noise measurements of a single, four-hour period during normal business operations, from a minimum of four points along or within the northern property line of the Residential Component site.
2. The noise monitors used shall be calibrated according to the manufacturer's recommendations and shall record the following values in accordance with ASTM-E1014-12 and in accordance with the City of Carson Noise Control Ordinance:
 - Leq
 - Lmin
 - Lmax (ambient sources)
 - Lmax (Porsche sources)
 - Statistics (Ln)

The Applicant shall provide a monthly report, which shall include a summary table of the recorded measurements, to the Planning Division. The report will also include information on various Lmax noise levels measured along or within the northern property line of the Residential Component, both ambient and resulting from the Applicant's operations.

In addition, the Applicant shall conduct measurements at a five-meter (5m) reference distance from the track to develop source level information for different activities and/or vehicles. This can be used to determine what, if any, future mitigation might be necessary, and need not be provided to the City nor otherwise disclosed to any person unless compulsory under applicable law or procedure.

3. Continuous Operational Monitoring shall commence at the issuance of a building permit for the Residential Component and shall continue for the entire duration of the Applicant's operations. Continuous Monitoring shall consist of the following:
 - a) Installation, within one month of the issuance of said building permit, of a noise monitoring system consisting of four fixed, omni-directional noise

monitoring devices to measure ambient and Project noise along the northern property line of the Residential Component, and supporting computer system. The noise monitoring system devices and arrays shall be a minimum height of twelve (12) to eighteen (18) feet above the finished grade of the Residential Component. The height of such devices may be adjusted pursuant to the direction or approval of the City to assist in compliance monitoring and determinations;

- b) The noise monitoring system should also have the capability to locate the source of L_{max} noise events so that it is possible to determine if the L_{max} events are Project related or other ambient noise sources. Co-located with the primary noise monitors shall be a directional monitor array to determine the directional location of sources of noise that occur on the Applicant's property and correlate those results to the omni-directional results. The directional array shall be capable of locating noise sources on the Applicant's property to measure the Applicant's operational noise. Each ambient monitor shall be co-located with a directional monitor array;
- c) The noise monitors used shall be calibrated according to the manufacturer's recommendations and shall record the listed noise values in accordance with ASTM-E1014-12. In addition, the noise monitoring system shall include the following capabilities:
 - i. Real-time, continuous monitoring of the 1-second noise values listed above in Section 1;
 - ii. Event triggering that allows the identification of discrete noise sources, including automobiles and aircraft;
 - iii. Time stamped audio recording of noise events above specified threshold, such as 70 dBA or ambient L_{max}, whichever is greater. This data can be used to help confirm source of noise.
 - iv. Hard disk drive backup;
 - v. Remote data transfer; and
 - vi. Remote reporting/alerts for exceedances of specified values (e.g., L_{max}).
- d) Provision, on a weekly basis, of a summary table of the daily recorded measurements to the City's Planning Division;
- e) Installation of a minimum of two noise monitoring devices on the Applicant's property, located five meters from the centerline of the track, at locations of the Applicant's determination. These monitors shall record the same values listed above in Section 1, but are intended to assist the

Applicant in confirming or locating an Applicant-caused source of any exceedance of the City's Noise Control Ordinance (as may be amended for city-wide application from time to time) detected by the noise monitors located along the Residential Component property line, and need not be provided to the City, except upon request.

4. Compliance Monitoring shall commence upon the issuance of the first Certificate of Occupancy for the Residential Component. Compliance Monitoring shall consist of the noise monitoring and recording specified in Section 2 above, along with the enforcement provisions set forth below.
 - a) In the event that a measured noise value from the Continuous Monitoring exceeds the corresponding maximum noise value specified in the City's Noise Control Ordinance (as may be amended for city-wide application from time to time) or established by ambient conditions according to the City's Noise Control Ordinance, the noise monitoring system shall provide an email alert of the same to the City Planning Division designee and to the Applicant's designee, and both parties shall be deemed to have been notified of the exceedance on the calendar day of its occurrence.
 - b) The Applicant shall, within 48 hours of the day of an exceedance, complete one of the following:
 - i. Demonstrate that the exceedance did not result from Applicant's operations by providing confirmatory noise data from noise monitors at the Residential Component and/or on the Applicant's property; or
 - ii. If City is not satisfied that the exceedance did not result from the Applicant's operations, the Applicant shall, determine the source of, and cure, an exceedance resulting from Applicant's operations to the City's satisfaction;

Applicant shall report to the City Planning Division designee such information and, if applicable, the cure implemented.

- c) If the source of the exceedance is resulting from Applicant's operations, the cure required in Section 3(b) shall be as follows:
 - i. Initial methods of curing any exceedance caused by the Applicant's operations may include, but would not be limited to, operational controls such as:
 - (A) Limitations on vehicle speeds;
 - (B) Altered driver training exercises;

- (C) Limitations on use of certain portions of the track for certain vehicles;
 - (D) Installation of mufflers or exhaust baffling systems on certain vehicles; or
 - (E) Prohibitions of certain vehicles.
- ii. For recurring, continuous, or chronic exceedances caused by the Applicant's operations, and which operational controls have not cured, the Applicant shall implement site controls, which could include, but would not be limited to:
- (A) Modifications to the track surface;
 - (B) Construction of noise barriers.

In the event of such a recurring, continuous, or chronic exceedance, the Applicant's operations shall be limited to activities that do not cause exceedances. An activity associated with a recurring, continuous, or chronic exceedance shall not resume until one full operational day of noise monitoring demonstrates the effectiveness of the chosen noise control method for that activity.

If there is a dispute over whether any exceedance is recurring, continuous or chronic, the City shall make the final determination.

- d) Applicant shall submit to the City Planning Division a monthly report of all exceedances, the determination and, if applicable, the cure implemented.
5. Special Standards shall apply to the operation of the driving skill course for events or activities proposing to use specialty vehicles, as discussed in the Environmental Impact Report for the Project and generally understood to be vehicles that are modified or not street-legal.
- a) The Applicant shall request approval from the Planning Division for use of specialty vehicles by submitting a description of the event or activity and types of specialty vehicles to be utilized.
 - b) The Planning Division will determine if a variance from the Noise Control Ordinance will be required prior to conducting any event or activity utilizing specialty vehicles. The Commission shall hold a public hearing within forty-five (45) days, if possible, following acceptance of the variance application. Notice of the hearing shall be given in the manner prescribed by CMC 9172.22C. The decision of the Commission shall become effective and final fifteen (15) days after the date of its action unless an appeal is filed in accordance with CMC 9173.4.

- c) The Applicant shall conduct noise measurements during any event authorized to use specialty vehicles and shall comply with any conditions or requirements as may be deemed reasonably necessary to minimize adverse effects upon the community or the surrounding neighborhood.
6. Applicant shall deposit with the City \$2,500.00 for the City to administer the Porsche Noise Monitoring and Mitigation Program. The trust deposit shall be maintained with no deficits. The trust deposit shall be governed by a separate deposit agreement subject to the City Attorney's office's approval. The trust deposit account shall be maintained separate from other City funds and shall be non-interest bearing.