



CITY OF CARSON

PLANNING COMMISSION AND ENVIRONMENTAL COMMISSION STAFF REPORT

Public Hearing: October 23, 2012

SUBJECT: Environmental Impact Report for Porsche Cars of North America Driving Skills Course (SCH No. 2012041075), Design Overlay Review No. 1441-11, Conditional Use Permit Nos. 889-11, 890-11, and 891-11, and Zone Change Case No. 168-12

APPLICANT: Porsche Cars of North America
980 Hammond Drive, Suite 1000
Atlanta, GA 30328

REQUEST: Review and comment on the EIR for a driver training facility on a 53-acre site; approve a driver training facility which includes a 65,000-square-foot building, driving skills course, and related structures and activities; and recommend approval to the City Council to change the zone of the subject property from CG-D-ORL and ML-D-ORL to CR-D-ORL

PROPERTY INVOLVED: 19220 S. Main Street

COMMISSION ACTION

☐ Concurred with staff

☐ Did not concur with staff

☐ Other

COMMISSIONERS' VOTE

| AYE | NO | | AYE | NO | |
|-----|----|--------------------|-----|----|----------|
| | | Chairman Faletogo | | | Gordon |
| | | Vice-Chair Verrett | | | Saenz |
| | | Brimmer | | | Schaefer |
| | | Diaz | | | Williams |
| | | Goolsby | | | |

I. Background

On September 17, 2012, a workshop was held with the Planning and Environmental Commissions to discuss the Draft Environmental Impact Report for the proposed Porsche Experience Driving Center project in the City of Carson. The State Department of Toxic Substance and Control (DTSC) also held a public meeting to discuss a proposed "Remedial Action Plan" on the project site.

Environmental Process

The environmental analysis of the proposed project was initiated by the City of Carson with the preparation of an Initial Study. Through the preparation of the Initial Study, the City of Carson determined that the project may have a significant impact on the environment, and that an EIR was necessary to analyze potentially significant impacts associated with the proposed project. A Notice of Preparation (NOP) was prepared and distributed with the Initial Study for a 30-day public review period, which commenced on April 26, 2012. Copies of the Initial Study, NOP and distribution list, and comments received in response to the NOP/Initial Study are included as Appendix A of the Draft EIR.

The Draft EIR was distributed to affected agencies, surrounding cities, counties, and interested parties for a 45-day review period in accordance with Section 15087 of the *CEQA Guidelines* from August 30, 2012 to October 14, 2012. Comments received were responded to and are included in the Final EIR for consideration by the City of Carson Planning Commission and the City Council.

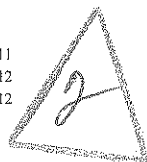
Introduction/Summary

Introduction

The Porsche Experience Driving Center project site is 53 acres, located in the City of Carson (City). The site is triangular in shape and is bounded by Interstate 405 (I-405) to the east, a transmission line property to the south, and Main Street to the west. Regional access to the site from the north is from I-405 via Main Street and from the south from I-405 via Avalon Boulevard. Local access to the site is from Main Street along the western boundary of the site.

Background and Purpose

The Draft EIR was prepared, in conformance with the provisions of CEQA, to evaluate the environmental effects of the proposed Porsche Experience Driving Center project (proposed project). The proposed project consists of the remediation of a former landfill, the demolition of a golf course and the development of a driving skills course and operations building. The operations building includes a visitor welcome center, a



historical vehicle display, a business center, driving simulators, a human performance center and a parts and service provider area.

The City of Carson, acting as the lead agency, prepared a Draft EIR to provide the public, responsible agencies, and trustee agencies with information about the potential environmental effects of the proposed project. As described in the *CEQA Guidelines* Section 15121(a), an EIR is a public informational document that assesses potential environmental effects of the proposed project and identifies mitigation measures and alternatives to the proposed project that could reduce or avoid its adverse environmental impacts. Public agencies are charged with the duty to consider and minimize environmental impacts of proposed development, where feasible, and obligated to balance a variety of public objectives including economic, environmental, and social factors.

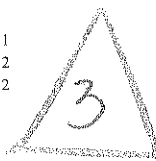
Because a Draft FFS/RAP has been prepared for the project site, DTSC will act as a Responsible Agency for the proposed project. As a Responsible Agency for the proposed project (DTSC has approval power over the FSS/RAP), DTSC has provided review and comment on the FSS/RAP and the Draft EIR prepared by the City of Carson. As a Responsible Agency, DTSC has considered this Draft EIR and has reached its own conclusions on whether and how to approve the FSS/RAP.

Type of Document

The State CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. The EIR has been prepared as a Project EIR pursuant to *CEQA Guidelines* Section 15161. The analysis associated with a Project EIR focuses primarily on the changes in the environment that would occur as a result of project implementation and examines all phases of the project (i.e., planning, construction, and operation). The project-level analysis addresses impacts resulting from the development and operation of the driver training facility and from the provision of infrastructure and services for the project.

Ultimately, the EIR is intended to be used by the City as a tool in evaluating the proposed project's environmental impact. The primary purpose of this Draft EIR is to:

- Identify and evaluate potential environmental consequences of the proposed project.
- Assess cumulative impacts of the project in conjunction with related past, present and reasonably foreseeable future projects within the area.
- Indicate the manner in which both the project and cumulative environmental consequences can be mitigated or avoided.
- Define and analyze alternatives that have the potential to reduce or eliminate potentially significant impacts associated with the proposed project.



- Identify impacts, if any that even with the implementation of mitigation measures would be unavoidable and adverse.
- Provide documentation supporting these determinations.

Intended Uses of the EIR

This Draft EIR, in accordance with State CEQA Guidelines Section 15126, should be used to evaluate all subsequent planning and permitting actions associated with the project. Actions include, but are not limited to, the following:

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 more than 200,000 cubic yards; CUP No. 891-11
- Design Overlay Review, DOR No. 1441-11 for site plan 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 to change the zoning district from CG-D-ORL (Commercial, General – Design Overlay – Organic Refuse Landfill) and ML-D-ORL (Manufacturing Light – Design Overlay – Organic Refuse Landfill) to CR-D-ORL (Commercial, Regional – Design Overlay – Organic Refuse Landfill).

Project Summary

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, a 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 parking spaces would be provided.

A high-performance auto parts retail facility would cater to a specialty market of clients that require parts not sold in dealer outlets. No vehicle sales would occur at the project site. Specialty restoration services and customization packages, including specialty parts, would be sold on the premises. Small custom parts manufacturing for non-applicant car repairs would occur on the site at a rate of no more than five per week and would be limited to parts that can be held by hand. The proposed project would include facilities for limited engine tuning and rebuilding for applicant specialty vehicles.



Incidental non-mechanical car washing of the operations owned by Porsche vehicles would occur. The proposed project would also service project vehicles with routine maintenance and detailing. These facilities would be operated as "clean" facilities, and use commercial quantities of lubricants and water-based solvents.

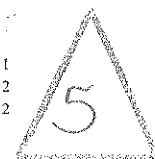
A Draft Focused Feasibility Study/Remedial Action Plan (FFS/RAP) for the project site was prepared on behalf of the current property owner, Watson Land Company, by ERM-West, Inc. The purpose of the FFS/RAP was to identify and evaluate remedial alternatives and present the property owner's preferred remedial action addressing the landfill cover and gas control systems for the soil and waste prism (including landfill gas) components at the project site. The FFS/RAP was reviewed by the California Department of Toxic Substance Control (DTSC) and has been preliminarily approved. The FFS/RAP describes various alternatives to remediate the project site and provides a number of methodologies to accomplish the remediation activities including, institutional and engineering controls, prescriptive and alternative landfill covers, and a landfill gas control system.

Project Site History

The project site has been developed with various uses and was generally undeveloped until 1948. The site may have previously been used for livestock grazing. From 1948 to 1959, the property owner (Dominguez Estates) leased the site and the adjacent Victoria Golf Course property to BAK Disposal Company (later known as BKK Company and BKK Corporation) to operate a "cut and cover dump". The approximate operational boundaries of the Ben K. Kazarian (BKK) Landfill were West 192nd Street (north), Avalon Boulevard (east), Del Amo Boulevard (southeast), the Los Angeles County Department of Public Works (LACDPW) public utility corridor (south), and Main Street (west/northwest). Dominguez Channel bisected the BKK Landfill. The BKK Landfill accepted wastes that modern day permitted Class II and Class III landfills would accept from approximately 1948 to 1960. The BKK Landfill closed in 1959 and by 1962 the site was vacant with vegetative cover and no evidence of active landfill operations. In 1963, a portion of the site was developed into the Dominguez Golf Course. In 1966, the Don Dominguez apartment complex was developed on the northeast corner of the site. The apartment complex was demolished in late 2011 pursuant to a demolition permit granted by the City.

Site Characteristics

The project site has a General Plan designation of Mixed Use - Business Park, and is zoned with a combination of General Commercial (CG) and Light Manufacturing (ML), along with "ORL" (Organic Refuse Landfill) and "D" (Design Review) overlays. The General Commercial zoning designation includes both general and neighborhood commercial land uses, which provide both highway-oriented and smaller neighborhood retail opportunities. The Light Manufacturing zoning designation is intended to provide for a wide variety of industrial uses and to limit those involving hazardous or nuisance



effects. The project site is also located in an area designated by the City as an Organic Refuse Landfill Overlay District (ORL Overlay District), which regulates land uses on sites used previously as landfills that accepted organic refuse. The overlay district ensures that proper mitigation measures eliminate or minimize potential landfill-related hazards to persons, property, or the environment. The D Overlay District provides for site plan and design review of future development within the areas in the D overlay designation in order to achieve special standards of design, architectural quality, style and compatibility, landscape treatment, and functional integration of neighboring developments (City of Carson, Municipal Code Section 9113.2).

II. Analysis of Zoning Entitlements

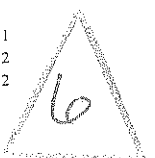
The following describes the requested zoning entitlements followed by identified potential environmental impact and mitigation measures (attachment) that will be included as conditions of approval.

1. *DOR No. 1441-11: Driver Skills Course Facility Operations Building*

Carson Municipal Code Section 9172.23 requires approval of the site plan and design review of the proposed 65,000-square-foot operations building and driving skills course. The proposed operations building would be developed with two levels and includes a museum, a vehicle display area, restaurant/lounge, 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 391 parking spaces are provided meeting CMC requirements.

The building also includes a performance vehicle service center, which would perform typical vehicle maintenance and repair activities, as well as modifications, of applicant-owned vehicles. The facility would also modify and sell certain small, specialized vehicle parts to the general public. The operations building will also contain various driver training courses and other training facilities. The Building structure has been designed to accommodate a future roof level lounge and outdoor terrace with a maximum building height of 48 feet.

The proposed Porsche Experience Center facility is designed to achieve the US Green Building Council's Leadership in Energy and Environmental Design (LEED) Gold standard and consists of steel composite framing with an integral-color concrete insulated tilt-wall construction system. The second level of the center is a silver-metallic panelized aluminum composite metal panel system. Glazing systems throughout the facility incorporate high performance thermally broken window-wall systems with coated, insulated glazing units. The roof is covered with a fully-adhered white thermoplastic roof membrane that incorporates large quantities of Solatube light-pipe day-lighting systems to introduce natural light into various program areas.



To enhance the building architectural features a ten foot landscape setback along the entire Main Street frontage is required. This landscaping will be planted in front of the proposed fencing. The interior landscaping will include plants native to the area that will require minimal irrigation. The project driveway approach entrances will have colored concrete accents to also enhance the project aesthetics. To assure continued aesthetic building and property appeal the conditions of approval will require on-going maintenance to assure the quality of the project. The project includes a storm water management and wetting system storage pond at the southerly boundary which will recycle water for irrigation. This system will compliment the project LEED building proposal.

Regarding building and grounds/track lighting, all lighting will be directed downward and away from future residential developments south of the project site, thereby shielding any potential glare. Any future track or ground lighting will be LED lighting.

2. CUP No. 889-11: Driver Skills Course Facility

Carson Municipal Code Section 9131.1 requires a conditional use permit to authorize the property to be used as a driver training facility. The drivers training facility includes the following:

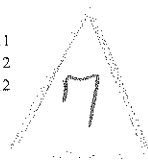
Handling Course A & B, designed to replicate a challenging country road, with varying chambers and blind covers. There are two handling courses that are planned. The primary course is 4,985 feet in length and the secondary course is 2,530 feet in length.

Ice Hill. Simulating sheet ice road conditions with computer controlled water jets allowing drivers to explore car control while understanding the specific handling characteristics of a car. This track is approximately 350 feet long and its low friction hill is an eight percent grade. The track is 44,900 square feet of concrete paving with epoxy coating on low friction portions.

Fast Lane/Acceleration Lane. This track is approximately 3,500 feet long high speed lane with an 18 feet wide track and has a total area of 69,000 square feet of asphalt surface.

Kick Plate. A moveable metal plate set flush with the road surface designed to be triggered remotely as a car travels over it generating the effect of a loss of rear wheel traction. The kick plate is approximately 280 feet long with its hydraulic kick plate device and the total kick plate area is 39,500 square feet.

Dynamic Area. This track is approximately 190 feet by 750 feet being 135,145 square feet of asphalt surface that challenge a driver's basic skills. South of this area in close proximity to the southern property line there will be a stormwater



management and wetting system storage pond with a pump station to recycle the water for irrigation

Low Friction Circle. This track has an approximately 118-foot radius circle with a low friction surface. The track has a 53,240-square-foot concrete paving with epoxy coating on low friction areas designed to replicate slippery road conditions.

The driver's training facility will generally be open from 8:00 a.m. to 8:00 p.m. Monday through Sunday. The applicant indicates that special events and specialty vehicles may sometimes be proposed for the subject facility. The building is intended to be used for a restaurant and other public gathering activities and these events will not be subject to an additional approval. The applicant does expect that larger venues may be proposed and agrees that city approval will be obtained if the event requires more parking that currently designated or specialty vehicles that may exceed the Carson Noise Control Ordinance are utilized. The size/attendance, frequency and the use or number of high performance specialty cars have not been determined at this time by the applicant. The City will require a special events permit to ensure effective traffic control and compatibility with the surrounding area. Staff will require the submission of a special events parking and traffic management/monitoring plan to assure safety of pedestrians and minimize any potential traffic impacts in the area. Staff will also require that such special events permit describe the proposed number of high performance cars and will recommend limiting the time of day of their operation to the mid-morning hours or early afternoon hours.

Regarding vehicular traffic related impacts, the City's Traffic Engineer reviewed the project's interior circulation and parking areas and deemed the project acceptable to CMC requirements. The project has been determined to require a total of 391 parking spaces. The proposed site plan provides a total of 411 parking spaces provided in three separate parking areas. A condition has been included to require the main driveway approach entrance to be redesigned to meet the maximum permitted 40-foot width. The City Traffic Engineer recommends a maximum width of 40 feet at property line and a maximum width of 60 feet at curb line subject to City Engineer approval. This revision will lessen potential conflict with pedestrians using the public sidewalk.

The project includes minimal outdoor LED lighting, with outdoor lighting near the track to be focused downward shielding any light glare away from future residential areas to the south. The applicant is not proposing outdoor lighting that would facilitate use of the track at night. Therefore, the potential for light and glare impacts are seen as insignificant.

During the review of the project, attention was focused on the noise emanating from the operations and cars using the proposed track that may impact future residential development south of the proposed project site. Staff facilitated discussions between Porsche and the developers of the Boulevards at South Bay to fully discuss operations

and potential future noise mitigation. As a result, a Porsche Noise Monitoring and Mitigation Program was developed and included as Exhibit C to the proposed resolution.

The subject project and operations will comply with the City Noise Control Ordinance. If it is detected that noise generated from the proposed project exceeds the Noise Control Ordinance, then appropriate measures will be taken to reduce the impact to an acceptable level. The Porsche Noise Monitoring and Mitigation Program also provides for the potential consideration of a variance for specialty vehicles that may exceed noise levels established in the Noise Control Ordinance. If such a variance is requested, the applicant will be required to obtain approval by the Planning Commission and a public hearing will be noticed to advise property owners within a 500 foot area.

The LA County Fire Department (LACoFD) has reviewed the project and has provided comments to the applicant concerning vehicular access, fire flow requirements, location of all existing fire hydrants and dimensions to property line; and occupant load of building not exceeding one (1) occupant for every 7 square feet of building space. LACoFD has determined that the subject property and surrounding area are located in an area that does not have the recommended service levels for fire protection and emergency medical response. As a result, the EIR identifies the need to participate in the fair share funding of fire service facilities and equipment. A condition of approval has also been included to require the applicant to pay a "fair share" fire impact fee to adequately provide fire suppression/prevention services to this project and cover "fair share" cost of fire service facilities and equipment. The City Council recently agreed to work with LACoFD on a possible new fire station at the south east corner of Torrance Blvd. and Main Street. Any fees collected from this project, the Boulevards at South Bay or other future projects would be utilized toward this new station or enhancements at other stations servicing the area.

The attached "Summary of Entitlements and Environmental Analysis" table from the EIR briefly describes the direct impacts and mitigation measures associated with the approval of CUP No. 889-11.

3. CUP No. 890-11: Construction on Landfill

Carson Municipal Code Section 9131.12 and 9141.12 (Uses Permitted on Organic Refuse Sites) requires an applicant who intends to develop on an inactive landfill to obtain approval of a conditional use permit. The conditional use permit provides for the applicant to submit an engineer report to the City upon completion of the DTSC approved Remedial Action Plan. For the proposed project, approval of CUP No. 890-11 is necessary to allow for the development of the proposed driving training facility. The Final EIR will provide the environmental review and clearance necessary for DTSC to approve the Remedial Action Plan. The project's Remedial Action Plan which addresses proposed landfill gas control system plans and specifications will act as the engineer report to be reviewed by the City's Building Official and forwarded to the City Council for approval.



4. CUP No. 891-11: Import of more than 200,000 cubic yards of soil

The City of Carson requires a conditional use permit for import or export of 100,000 cubic yards of soil or more. The proposed project anticipates a maximum of 200,000 cubic yards of material to be imported to implement the Remedial Action Plan and the proposed site conditions needed for the track design. The "Summary of Entitlements and Environmental Analysis" table (attached) describes direct impacts and mitigation measures associated with the approval of CUP No. 891-11.

5. Zone Change Case No. 168-12 changing the zone from CG-D-ORL and ML-D-ORL to CR-D-ORL

The proposed driving skill course is allowed in both the CG and CR zone districts with a conditional use permit. During the review of the project, staff identified that the proposed building height of 48 feet would exceed the maximum building height of 30 feet allowed in the CG zone district. Per CMC Section 9136.12 (Height of Buildings and Structures) the maximum proposed building height of 48 feet would be in compliance with the Commercial Regional zone. As such, the CR zone would more properly allow for the proposed building and provide the same entitlement process through the review of a conditional use permit combined with consideration of Design Overlay Review 1441-11.

The proposed rezoning from CG-D-ORL and ML-D-ORL to CR-D-ORL (Commercial, Regional – Design Overlay – Organic Refuse Landfill) would be consistent with the Carson General Plan Land Use Designation of Mixed Use-Business Park. Furthermore, the CR zone has no height limit for the proposed use.

Required Findings: Site Plan and Design Review

Pursuant to Section 9172.23, Site Plan and Design Review, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

1. Compatibility with the General Plan, any specific plans for the area, and surrounding uses.
2. Compatibility of architecture and design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures and open spaces and other features relative to a harmonious and attractive development of the area.
3. Convenience and safety of circulation for pedestrians and vehicles.
4. Attractiveness, effectiveness and restraint in signing, graphics and color.
5. Conformance to any applicable design standards and guidelines that have been adopted pursuant to Section 9172.15.



Required Findings: Conditional Use Permit

Pursuant to Section 9172.21.D, Conditional Use Permit, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

1. The proposed use and development will be consistent with the General Plan.
2. The site is adequate in size, shape, topography, location, utilities and other factors to accommodate the proposed use and development.
3. There will be adequate street access and traffic capacity.
4. There will be adequate water supply for fire protection.
5. The proposed use and development will be compatible with the intended character of the area.

The required findings pursuant to Section 9172.23 (D), "Site Plan and Design Review, and Section 9172.21 (D) "Conditional Use Permit" Approval Authority and Findings and Decision", can be made in the affirmative. Details will be found in the Resolution.

6. Environmental Impact Report

Based on information contained in the Final EIR, staff has developed a list of conditions which when combined with the mitigation measures mitigate the impacts of this project to the extent possible. It was determined that with the implementation of this project and the mitigation measures adopted as Conditions of Approval that the majority of adverse impacts would be reduced to insignificant levels. In the analysis of Air Quality (during construction), the Final EIR identified that even with the implementation of all feasible mitigation measures there would be net unavoidable adverse and significant impacts.

Construction and remediation activities associated with construction and the import of soil will contribute to the project exceeding SCAQMD air quality thresholds. A Statement of Overriding Considerations will be included in the proposed resolution to state the reasons for approving the proposed project although the project will result in the occurrence of significant impacts identified in the EIR.

ESA, the consultants for the Porsche EIR, are completing technical changes to the Draft EIR in response to comments from staff. Technical EIR changes that address compliance with the City Noise Control Ordinance are attached as "Exhibit No. 2". At the close of the public comment period for the Porsche Draft EIR the City received three comment letters (attached) from the State Department of Transportation; Native American Heritage Commission and from McKenna Long and Aldridge, attorneys of the Boulevards developer LNR. ESA is also preparing responses to comments received during the public comment period. The Final EIR will be delivered to all Planning Commission members on Monday, October 22nd.



III. Recommendation

That the Planning and Environmental Commission:

1. RECOMMEND to the City Council certification of the Porsche Experience Driving Center Project Environmental Impact Report;
2. RECOMMEND APPROVAL to the City Council of Zone Change Case No. 168-12 changing the zone district to CR-D-ORL and Conditional Use Permit No. 890-11 authorizing development on a former landfill;
3. APPROVE Design Overlay Review No. 1441-11 and Conditional Use Permit Nos. 889-11 for the proposed design and operation of a driving skill course and 891-11 for the importation of up to 200,000 cubic yards of soil; and
4. WAIVE further reading and Adopt Resolution No., _____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMMENDING TO THE CITY COUNCIL CERTIFICATION OF ENVIRONMENTAL IMPACT REPORT SCH NO. 2012041075 AND RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT NO. 890-11 AND ZONE CASE NO. 168-12, AND APPROVING DESIGN OVERLAY REVIEW NO. 1441-11 AND CONDITIONAL USE PERMIT NOS. 889-11 AND 891-11 TO FACILITATE THE PORSCHE EXPERIENCE DRIVING CENTER TO BE LOCATED AT 19220 S. MAIN STREET.

IV. Exhibits

1. Final Environmental Impact Report (to be delivered on 10/22/12)
2. Technical Changes to Noise Section of Draft EIR and comment letters
3. Development Plans
4. Summary of Entitlements and Environmental Analysis with Mitigation Measures
5. Draft Resolution (to be delivered on 10/22/12)
6. Exhibit "E" to Resolution: Draft Conditions
7. Exhibit "F" to Resolution: Porsche Noise Monitoring and Mitigation Program

Prepared by: 
Zak Gonzalez II, Associate Planner

Reviewed by: 
John F. Signo, AICP, Senior Planner

Approved by: 
Sheri Repp Loadsman, Planning Officer



EXHIBIT No. 2

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>Leq (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> |

^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:

INSERT NEW FIGURE 3.9-2a

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

| Site No. | Location | L ₁ (dBA) | L ₅ (dBA) | L ₁₀ (dBA) | L ₅₀ (dBA) | L ₉₀ (dBA) |
|----------|--|----------------------|----------------------|-----------------------|-----------------------|-----------------------|
| 1 | Vacant area adjoining the southeast boundary of the project site (future residential location) | 74.0 | 73.0 | 72.4 | 69.9 | 66.4 |
| 2 | Vacant area adjoining the southwestern boundary of the project site (future residential location) | 69.0 | 66.4 | 65.4 | 60.7 | 56.5 |
| 3 | Vacant area adjoining the south-central boundary of the project site (future residential location) | 68.6 | 68.6 | 68.5 | 67.7 | 65.9 |

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

SOURCE: RBF, 2012h. (Supplemental Appendices)

Page 3.9-23, 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 3.9-28, 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). 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, L_{max} in the project vicinity varies depending upon the time of day and the types of background noise being generated in the vicinity.~~ As the L_{max} 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 ~~t~~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.

SUMMARY OF ENTITLEMENTS AND THE ENVIRONMENTAL ANALYSIS

| Entitlement | Impact | Mitigation |
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| 3.1 Aesthetics | | |
| Driver Skills Course Facility CUP No. 889-11: The proposed project would introduce new sources of light or glare, including lighting of buildings, parking areas and driving courses. Implementation of MM AES-1 will reduce potential impacts from light and glare. | Impact 3.1.4: Implementation of the project would introduce new sources of nighttime light to the project vicinity, as well as new sources of daytime glare. | MM AES-1: Reflective glass surfaces shall be avoided or designed to avoid casting glare on the I-405 freeway from the 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. |
| 3.2 Air Quality | | |
| Driver Skills Course Facility CUP No. 889-11, Import of more than 100,000 c.y. of soil, CUP No. 891-11: Construction activities such as grading and vehicle trips would generate violate air quality standards related to NO _x and PM ₁₀ . Short term project construction impacts related to NO _x and PM ₁₀ would remain significant and unavoidable after MM AQ-1, MM AQ-2, and MM AQ-3 have been implemented. Operation of the proposed project would have a less than significant impact related to air quality standards or violations, no mitigation would be required for project operations. | Impact 3.2.2: Construction and remediation activities associated with the proposed project would exceed SCAQMD air quality thresholds and would contribute to an air quality violation. | MM AQ-1: 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: <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;• Pavement 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 enclosed, 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 trackout 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/tarped to prevent excessive amounts of dust prior to departing the job site; |

| Entitlement | Impact | Mitigation |
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| | | <ul style="list-style-type: none"> • 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. <p>MM AQ-2: 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 ARB 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 USEPA 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 USEPA-Certified Tier 3 emissions standards, or higher according to the following: <ul style="list-style-type: none"> - 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 ARB. 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 ARB 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 ARB. 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 ARB regulations. • A copy of each unit's certified tier specification, BACT documentation, and ARB 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, but would not be limited to, advance public notice of routing, use of public transportation and satellite parking areas with a shuttle service.) • Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off |



| Entitlement | Impact | Mitigation |
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| when not in use for more than five minutes. | | |
| MM AQ-3: The project shall utilize epoxy coatings with a low (or zero) ROG content to reduce ROG emissions resulting from application of epoxy coatings. This stipulation shall be specified in construction bids and contract specifications. | | |
| Driver Skills Course Facility CUP No. 889-11, Import of more than 100,000 c.y. of soil, CUP No. 891-11: Short-term remediation and construction activities including grading and demolition would violate air quality standards related to NO _x and PM ₁₀ , resulting in a significant direct and cumulative air quality impact even after MM AQ-1, AQ-2, and AQ-3 have been implemented. | Impact 3.2.3: Construction and remediation activities associated with the project would result in a cumulatively considerable increase of non-attainment criteria pollutants. | MM AQ-1 through MM AQ-3 |
| Driver Skills Course Facility CUP No. 889-11: Construction activities for the project would result in the removal of existing vegetation that may be used by foraging birds and birds protected by the MBTA and CDFG Code. Implementation of MM BIO-1 would ensure impacts to raptors and nesting birds are less than significant. | Impact 3.3.3: Implementation of the proposed project would result in the removal of existing landscaping on the project site which could provide nesting and foraging habitat to raptors and nesting birds. | MM BIO-1: Nesting Bird Clearance Survey <ul style="list-style-type: none"> • 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 extends 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. • 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 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. • 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. • 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 to be located onsite during the pre-construction clearance survey. |
| 3.5 Geology and Soils | | |
| Driver Skills Course Facility CUP No. 889-11: Construction | Impact 3.5.1: The project would introduce people and | 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 seismicity induced ground shaking at the site. All grading and construction on site shall |



| Entitlement | Impact | Mitigation |
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| activities on-site during demolition and grading would temporarily expose construction workers into an area of known seismic activity. Development of the project would introduce people and structures into an area of known seismic activity. Implementation of the MM GEO-1 would reduce impacts associated with geologic hazards. | structures into an area of known seismic activity. | 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. |
| Driver Skills Course Facility CUP No. 889-11, Import of more than 100,000 c.y. of soil, CUP No. 891-11: Construction activities such as grading and demolition would temporary result in exposing bare soils because more soil would be exposed during the construction phase. Implementation of MM WQ-1 and WQ-2 would reduce impacts associated with soil erosion. | Impact 3.5.2: Project-related grading and remediation activities would expose bare soils which would result in the potential for soil erosion or loss of topsoil. | MM WQ-1 and MM WQ-2 |
| Driver Skills Course Facility CUP No. 889-11: Development of the project would occur over a landfill located in an area with high groundwater. Because the project would be located over an existing landfill it would be subject to lateral spreading, subsidence, liquefaction, or collapse of soils. Implementation of MM GEO-1 would reduce impacts associated with soils subject to | Impact 3.5.3: The project is proposed to be developed over a former landfill in an area of high groundwater, and could, therefore, be subject to lateral spreading, subsidence, liquefaction, or collapse of soils. | MM GEO-1 |



| Entitlement | Impact | Mitigation |
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| subject to lateral spreading, subsidence, liquefaction, or collapse of soils. | | |
| <p>Driver Skills Course Facility CUP No. 889-11: Development would occur on soils that have a medium to high potential for expansion. Implementation of MM GEO-1 would reduce expansion impacts.</p> | <p>Impact 3.5.4: The project is proposed to be constructed on soils that generally have a medium to high potential for expansion.</p> | <p>MM GEO-1</p> |
| 3.7 Hazards and Hazardous Materials | | |
| <p>Driver Skills Course Facility CUP No. 889-11: Excavation activities could damage unmarked groundwater wells and vapor wells on the project site. A truncated or improperly destroyed groundwater well would act as a preferential pathway to the underlying aquifer allowing landfill waste contaminants to degrade water quality.</p> <p>Compliance with laws and regulations will reduce impacts associated with hazards. Implementing of MM HAZ-1 would reduce impacts to less than significant.</p> | <p>Impact 3.7-2b: Excavation that damages the existing groundwater wells on the project site would increase the potential for contaminants to enter and pollute groundwater through the wells.</p> | <p>MM 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.</p> |
| <p>Driver Skills Course Facility CUP No. 889-11: The project is located on a hazardous material site and excavated soil could result in a release to the environment, which could</p> | <p>Impact 3.7-3: The project is located on a known hazardous materials site which would create a significant hazard to the public or the environment</p> | <p>MM HAZ-2: 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. |



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| potentially expose construction workers and the public to hazardous materials and chemical vapors. Depending on the nature and extent of any contamination encountered, adverse health effects and nuisance vapors could result if proper precautions were not taken. Contaminated soil could also require disposal as a hazardous waste. Implementation of MM HAZ-2, HAZ-3 and HAZ4 would reduce impacts to less than significant. | through reasonably foreseeable upset and accident conditions involving the release of hazardous materials in soil and landfill waste into the environment. | <p>If prescribed contaminant exposure levels are exceeded, personal protective equipment shall be required for workers in accordance with state and federal regulations.</p> <ul style="list-style-type: none"> • Required worker health and safety provisions for all workers potentially exposed to contaminated materials, in accordance with state and federal worker safety regulations, and designated qualified individual personnel responsible for implementation of the HASP. • 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. <p>MM HAZ-3: 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 unknown subsurface conditions or contamination are encountered, such as previously unreported tanks, wells, or contaminated soils. • 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. <p>MM HAZ-4: The City shall require that the Watson Land Company receive DTSC approval of the Final RAP 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</p> |
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| Entitlement | Impact | Mitigation |
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| <p>3.8 Hydrology and Water Quality</p> <p>Driver Skills Course Facility CUP No. 889-11: During construction the movement and excavation of soils could alter drainage patterns. However, the project would comply with the Construction General Permit, and the project specific SUSMP. Additionally, implementation of BMPs and MM WQ-1 and MM WQ-2 would reduce impacts to altered drainage patterns.</p> <p>Driver Skills Course Facility CUP No. 889-11: During project construction activities there would be an increased potential for soil erosion and sedimentation. Also, construction vehicles and equipment are prone to tracking soil and/or spoil from work areas to paved roadways, which is another form of erosion. The proposed project BMPs would remove potential pollutants from runoff. Additionally, implementation of MM WQ-1 would reduce impacts to stormwater discharge.</p> <p>Impact 3.8.3: The project would alter drainage patterns with the creation of the driver skills training facility which will result in erosion.</p> <p>Impact 3.8.4: The project would not create excessive stormwater discharge that would exceed stormwater drainage systems capacity or provide new sources of polluted runoff.</p> <p>MM WQ-1: 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 would include submission of a Notice of Construction 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 to the RWQCB upon completion of construction and stabilization of the site.</p> <p>MM WQ-2: 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> <p>MM WQ-2</p> | | |

required by DTSC, shall be incorporated into the project prior to site occupation to reduce health risks to an acceptable level.

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| Entitlement | Impact | Mitigation |
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| 3.9 Noise | | |
| Driver Skills Course Facility CUP No. 889-11: Use of the driving skills course would generate a long-term increase in noise levels in the project site. Implementation of MM NOI-1 would long term noise impacts to less than significant. | Impact 3.9.1b: Use of the driving skills course would generate long-term noise levels in the project site. | MM 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. |
| Driver Skills Course Facility CUP No. 889-11: Noise impacts from amplified sounds associated with the project's public address system would be reduced to less than significant levels with the implementation of MM NOI-1. | Impact 3.9.1c: Stationary noise on the project site would increase long-term noise levels at the project site. | MM NOI-1 |
| Driver Skills Course Facility CUP No. 889-11: Project operations would result in long-term increase in noise levels generated at the project site. Implementation of a noise management program as required by MM NOI-1 would reduce this increase in noise generated at the project site. | Impact 3.9.3: Operational activities at the project site would increase noise generated at the project site. | MM NOI-1 |



CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "E"

CONDITIONS OF APPROVAL

DESIGN OVERLAY REVIEW NO. 1441-11

CONDITIONAL USE PERMIT NOS. 889-11, 890-11, AND 891-11

ZONE CHANGE CASE NO. 168-12

GENERAL CONDITIONS

1. If Design Overlay Review No. 1441-11 and Conditional Use Permit Nos. 889-11, 890-11, and 891-11 are not used within one year of their effective date, said permits shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. Approval of Design Overlay Review No. 1441-11 is contingent upon City Council approval of Zone Change Case No. 168-12. In the event that Zone Change Case No. 168-12 is not approved, the development plan shall be referred to the Planning Commission to review the proposed building design and applicable development standards.
3. Approval of Design Overlay Review No. 1441-11 and Conditional Use Permit Nos. 889-11 and 891-11 are contingent upon City Council certification of the environmental impact report (EIR) and approval of Conditional Use Permit No. 890-11 authorizing development on a former landfill. In the event that the EIR is not certified or Conditional Use Permit No. 890-11 is not approved, all permits described above shall be declared null and void.
4. The applicant shall abide to all mitigation measures included in the certified EIR in order to avoid potentially significant impacts. Failure to comply with the mitigation measures is a violation of these conditions of approval.
5. In the event that a required mitigation measure conflicts with the design and development standards of the Carson Municipal Code (CMC), the applicant shall obtain proper entitlements (e.g., variance request, conditional use permit, etc.) to secure approval. Entitlements shall be obtained prior to issuance of a building permit related to said mitigation measure.
6. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to issuance of a building permit. Said copies shall be included in all development plan revisions and the final working drawings.



7. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
8. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission.
9. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
10. It is further made a condition of this approval that if any condition is violated or if any law, statute or ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.
11. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to the issuance of a building permit.
12. All buildings, grounds, parking areas and landscaping shall be maintained in a neat and orderly manner at all times.
13. Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.
14. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.
15. The applicant shall submit to the Planning Division a Facility Consent Agreement with the Department of Toxic Substances Control (DTSC) to assure that above-ground improvements will not interfere with the remedial systems.
16. Remediation of the site shall be completed by the applicant and approved by the Department of Toxic Substances Control prior to the issuance of a certificate of occupancy. The applicant shall comply with all applicable DTSC and Regional Water Quality Control Board (RWQCB) requirements.
17. City Approvals. All approvals by City, unless otherwise specified, shall be by the department head of the department requiring the condition. All agreements, covenants, easements, deposits and other documents required herein where City is a party shall be in a form approved by the City Attorney. The Developer shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement.
- 18.

19. The applicant shall indemnify the City and its elected boards, commissions, officers, agents and employees and will hold and save them and each of them harmless from any and all actions, suites, claims, liabilities, losses, damages, penalties, obligations and expenses (including but not limited to attorneys' fees and costs) against the City and/or Agent for any such Claims or Litigation and shall be responsible for any judgment arising therefrom. The City shall provide the applicant with notice of the pendency of such action and shall request that the applicant defend such action. The applicant may utilize the City Attorney's office or use legal counsel of its choosing, but shall reimburse the City for any necessary legal cost incurred by City. The applicant shall provide a deposit in the amount of 100% of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorney's fees, and shall make additional deposits as requested by City to keep the deposit at such level. The City may ask for further security in the form of a deed of trust to land of equivalent value. If the applicant fails to provide or maintain the deposit, the City may abandon the action and the applicant shall pay all costs resulting therefrom and City shall have no liability to the applicant. The applicant's obligation to pay the cost of the action, including judgment, shall extend until judgment. After judgment in a trial court, the parties must mutually agree as to whether any appeal will be taken or defended. The applicant shall have the right, within the first 30 days of the service of the complaint, in its sole and absolute discretion, to determine that it does not want to defend any litigation attacking the City's approvals in which case the City shall allow the applicant to settle the litigation on whatever terms the applicant determines, in its sole and absolute discretion, but applicant shall confer with City before acting and cannot bind City. In that event, the applicant shall be liable for any costs incurred by the City up to the date of settlement but shall have no further obligation to the City beyond the payment of those costs. In the event of an appeal, or a settlement offer, the Parties shall confer in good faith as to how to proceed. Notwithstanding the applicant's indemnity for claims and litigation, the City retains the right to settle any litigation brought against it in its sole and absolute discretion and the applicant shall remain liable.

PARKING/TRAFFIC/CIRCULATION

20. The required parking shall meet all applicable standards as outlined in Part 6, Division 2 of the Carson Zoning Ordinance.
21. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted. No outdoor storage shall occupy designated parking spaces.
22. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
23. Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance except as may be excluded pursuant to the approved site plan.
24. The applicant shall obtain approval for any special event that requires parking in excess of available designated parking spaces located on paved surfaces on the property. The Planning Division will process such request for a special event in the



same manner as a minor modification to a conditional use permit, applicable fees and procedure to be determined upon submittal of the application. Any approval for special events that utilize any areas not currently designated for parking will require the submittal of a traffic and parking management/monitoring plan to assure safety of pedestrians and minimize any traffic impacts in the area. The plan shall be prepared by a qualified traffic engineer if deemed necessary by the City Traffic Engineer and shall be reviewed and approved by the City Traffic Engineer prior to authorization by the Planning Division.

25. The special event activities application shall include but is not limited to: street layout showing the location of any potential detour routes/special signage; name and phone number of persons maintaining traffic control devices; and written approval to implement traffic control from affected agencies such as LA County Fire Department.
26. Onsite wayfinding signage shall be implemented to provide a comprehensive system of directing vehicular and pedestrian circulation
27. The final track design shall provide sufficient set back from the south bound ramp to the San Diego freeway in order to provide for an additional right turn lane or an additional access lane to the freeway should future increases in development necessitate such improvement. The subject project is not required to provide any dedication or participate in the funding of such improvements should street or ramp widening be required at a future date due to mitigation of other development(s).
28. A transportation information area shall be located inside or near the building in a conspicuous area for employees. The information area shall consist of a bulletin board, display case or kiosk featuring transportation information. The types of information that must be included are transit route maps, bicycle route maps, information numbers for local transit operators and the regional ridesharing agency, as well as a list of alternative transportation amenities at the site.
29. Up to ten (10) percent of all employee parking shall be set aside for carpools and vanpools, unless an alternative is approved by the City. Carpool and vanpool spaces shall be conveniently located as close to the building as feasible, to the satisfaction of the Planning Division.
30. A designated pathway of travel shall be provided to all pedestrian and bicycle riders to provide direct and convenient access to the development from the public right of way and all parking areas.
31. Bicycle parking facilities shall include bicycle racks, bicycle lockers or locked storage rooms. The Planning Division shall approve the location, type and quantify of bicycle facilities.

LANDSCAPING/IRRIGATION

32. The applicant shall submit two sets of landscaping and irrigation plans drawn, stamped, and signed by a licensed landscape architect. Such plans are to be approved by the Planning Division prior to the issuance of any building permit.

33. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
34. Landscaping shall be provided with a permanently installed, automatic irrigation system and operated by an electrically-timed controller station set for early morning.
35. A 10-foot-wide landscape area shall be located along the front property line along Main Street. Said landscaping shall be properly maintained at all times.
36. All required yards adjacent to, or visible from, a public right-of-way shall be landscaped utilizing any combination of the drought resistant plants native to this region, including lawn grasses, flowers, ground covers, vines, shrubs in five (5) to fifteen (15) gallon sizes, and minimum twenty-four (24) inch box specimen trees, of sufficient bulk to provide screening.

AESTHETICS

37. There shall be no deviation of architectural design or details from the approved set of plans. Any alteration shall be first approved by the Planning Division.
38. Decorative colored concrete pattern or paving shall be constructed at the two northerly driveway approach entries along Main Street to the satisfaction of the Planning Division.
39. The subject property shall be maintained at all times to present an attractive appearance to the satisfaction of the Planning Division.
40. Graffiti shall be removed from all project areas within 3 days of written notification by the City of Carson. Should the graffiti problem persist more than twice in any calendar year, the matter may be brought before the Planning Commission for review and further consideration of site modifications (i.e., fencing, landscaping, chemical treatment, etc.).
41. All roof-mounted equipment shall be screened from public view or incorporated into the design of the structure or building.
42. Equipment used for the landfill remedial systems shall have a block wall and landscape as necessary to screen from the public right of way and view from residential uses. Prior to installation of any above ground equipment, the applicant or property owner shall provide a revised site plan showing the location of said equipment, walls and landscape area. The revised plans shall be subject to approval by the Planning Division.

FENCES/WALLS

43. Prior to issuance of a building permit, the proposed fencing type and samples shall be submitted for Planning Division review and approval.
44. Fencing along Main Street shall be setback at least 10 feet from the property line except as may be expressly permitted pursuant to an approved site plan.

45. Barbed or concertina wire fencing shall be prohibited.

SIGNS

46. All proposed business signs must be in compliance with the provisions of the CMC signage requirements. Signage shall be reviewed and approved by the Planning Division.

LIGHTING

47. A precise lighting plan shall be submitted showing all proposed building, parking lot and accent lighting, subject to the approval of the Planning Division.
48. Lighting for the project site shall be directed downward and inward in order to minimize and shield glare to other properties and the public roadways.

TRUCK LOADING, MANEUVERING, AND STORAGE

49. All truck loading areas shall be properly marked according to Section 9162.66 of the Zoning Ordinance.
50. Truck delivery shall be confined to non-peak hours to the extent feasible.
51. Any areas utilized for the loading or storage of trucks shall be screened from view of the public right of way.

AIR QUALITY – CONSTRUCTION PHASE

52. Temporary traffic controls (i.e., flag person) shall be provided during all construction phases to maintain traffic flow.
53. Construction activities shall be scheduled for off-peak hours to the degree practicable.
54. Construction trucks shall be re-routed away from congested streets.
55. Truck deliveries shall be consolidated when possible.
56. Construction equipment and vehicle engines shall be maintained in good condition and in proper tune as per manufacturers' specifications and pre SCAQMD rules, to minimize exhaust emissions.
57. Methanol- or natural gas-powered mobile equipment and pile drivers shall be used instead of diesel to the extent available and at competitive prices.
58. Propane- or butane-powered onsite mobile equipment shall be used instead of gasoline to the extent available and at competitive prices.
59. Exposed piles (i.e., gravel, sand, and dirt) shall be enclosed, covered, or watered twice daily, or an approved soil binder shall be used.



60. Active grading sites shall be watered at least twice daily.
61. Excavation and grading operations shall be suspended when wind speeds (as instantaneous gusts) exceed 25 miles per hour over a 30-minute period.
62. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer), in accordance with Section 23114 of the California Vehicle Code.
63. Streets shall be swept on an as needed basis at the end of the day if visible soil material is carried over to adjacent roads. Water sweepers using reclaimed water are recommended.
64. Wheel washers shall be installed where vehicles enter and exit unpaved roads onto paved roads.
65. Trucks and any equipment leaving the site shall be washed if dirt, sand, soil, or other loose material is visible.
66. Water shall be applied three times daily, or chemical soil stabilizers shall be used according to manufacturers' specifications, to all unpaved parking or staging areas or unpaved road surfaces.
67. Traffic speed limits of 15 miles per hour or less shall be posted and enforced on all unpaved roads.

AIR QUALITY – OPERATIONAL

68. Alternative fuel vehicle (AFV) parking spaces shall be made available to employees and customers of the office building to the satisfaction of the Planning Division.

GEOLOGY AND SOILS

69. The proposed project shall comply with the standards set forth in the UBC (most recent edition) for structures on-site to assure safety of the occupants to the satisfaction of the Department of Building and Safety prior to issuance of a building permit. These standards included compliance with California Division of Mines and Geology Special Publication 117 (Guidelines for Evaluating and Mitigating Seismic Hazards in California, adopted March 13, 1997) and "Recommended Procedures for Implementation of CDMG Special Publication 117- Guidelines for analyzing and Mitigating Liquefaction in California" (Dr. Geoffrey R. Martin et al, May 1999).
70. A qualified geotechnical engineer shall be present on-site during excavation, grading, and general site preparation activities to monitor the implementation of the recommendations as specified in the geotechnical report.
71. A site-specific geologic and soil investigation shall be conducted and a report prepared which satisfies the requirements of the City Engineer and the Building and Safety Department. The report shall be prepared and submitted prior to approval of final design plans. The report shall also include recommendations for minimizing



geologic and soil related hazards and these recommendations shall be incorporated into the final project design.

NOISE

72. All operations shall comply with the Carson Noise Control Ordinance.
73. The Porsche driving training center hours of operation will be from 8:00 a.m. to 8:00 p.m. unless the activities are located primarily within the building or an alternative schedule has been approved for a special event by the Planning Division. Any noise generated from the operation and cars using the proposed track that exceed the City's Noise Control Ordinance will comply with a Noise Monitoring/Mitigation Program Agreement attached as Exhibit F to this resolution. Specifically, the proposed agreement will include: an initial pre-operational assessment commencing at the issuance of a Certificate of Occupancy to the Applicant and terminating upon issuance of a building permits for the residential component of the Boulevards at South Bay project; a continuous operational monitoring, commencing at the issuance of a building permit for the residential component and shall continue for the entire duration of the Applicant's operation measuring "real-time" noise impacts; and compliance monitoring commencing upon the issuance of the first Certificate of Occupancy for the Residential Component. Compliance monitoring shall consist of noise monitoring, recording noise readings and enforcement to assure compliance with the City Noise Ordinance

TRASH

74. The trash enclosure(s) shall be located on a four inch concrete pad screened by a six foot high decorative concrete block wall. Trash enclosure design is to be approved by the Planning Division prior to issuance of any building permit(s).
75. Recycling areas shall be provided for employees and customer and shall be in accordance with Sections 9164.4 and 9164.5 of the Zoning Ordinance. The number and size of recycling facilities are subject to the approval of the Planning Division.

UTILITIES

76. Public utility easements shall be provided in the locations as required by all utility companies with easements free and clear of obstructions, and electrical utilities shall be installed underground.
77. The applicant shall remove at their own expense any obstructions within the utility easements that would interfere with the use for which the easements are intended.
78. All ground-mounted utilities such as electrical transformers shall be located outside of the required front yard setback. Utilities shall be adequately screened with a decorative solid block wall or landscaping if visible from the public right-of-way.

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

79. Provide water mains, fire hydrants, and fire flows as required by Los Angeles County Fire Department (LACoFD) and Fire Warden for the proposed site.

80. All required fire hydrants shall be installed, tested and accepted prior to issuance of a building permit or another time period as approved by LACoFD. Vehicular access must be provided and maintained serviceable throughout construction.
81. Provide unobstructed 26-foot wide vehicular access driveways with access to within 150 feet of all portions of the exterior building walls. Turning radius shall not be less than 32 feet. Any single gate opening used for ingress and egress shall be a minimum of 26 feet in width. Gate plans shall be submitted to the Fire Department prior to installation.
82. The applicant shall pay its "fair share" fire impact fees to adequately provide fire suppression/prevention services to this project and cover "fair share" cost of fire service facilities and equipment that is required to offset impacts of the proposed project as determined by the LACoFD and the City of Carson. Payment shall be made prior to issuance of a building permit or another time period as approved by LACoFD and the City of Carson.

BUILDING AND SAFETY – LOS ANGELES COUNTY

83. Per Section 9141.12 – Uses Permitted on Organic Refuse Landfill Sites, approval by the Building and Safety Division of a report submitted by the applicant, which shall provide and include plans for a protective system or systems designated to eliminate or mitigate the potential hazards and environmental risks associated with the proposed use, shall be required prior to issuance of any building permit(s). The DTSC "Remedial Action Plan" will serve as the report to assure the elimination and or mitigation of any potential hazards and environmental risks for the Porsche project.
84. Issuance of grading or building permits for Development is contingent upon a finding that the issuance of said permits are not in conflict with the requirements established by the State Department of Toxic Substances (DTSC) Control.
85. All existing structures shall be demolished prior to the issuance of any building permit.

ENGINEERING DIVISION

84. The Developer shall submit a copy of approved Grading plans on bond paper to the City of Carson – Engineering Division, prior to issuance of grading permits.
85. The Developer shall submit a copy of approved plans on mylars (*such as, Sewer, Street and/or Storm Drain Improvements, whichever applies*), to the City of Carson – Engineering Division, prior to issuance of construction permits.
86. Any existing off-site improvements damaged during construction shall be removed and reconstructed per City of Carson Standard plan and to the satisfaction of the City Engineer.
87. A construction permit is required for any work to be done in the public right-of-way.



88. Proof of Worker's Compensation and Liability Insurance shall be submitted to the city prior to issuance of construction permit.

Prior to issuance of Building Permit, the proposed development is subject to the following:

89. The Developer shall comply with the applicable SUSMP requirements and shall include Best Management Practices necessary to control storm water pollution from construction activities and facility operations prior to issuance of Building Permit.
90. Soils report, sewer area study, drainage concept, hydrology study and stormwater quality plan shall be reviewed and approved. Building Permit issuance will not be granted until the required soils, sewer, drainage concept, hydrology study and stormwater information have been received and found satisfactory.
- a) Comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept, hydrology study and stormwater quality plan.
91. The Developer shall submit a sewer area study to the Los Angeles County Department of Public Works (LACDPW) to determine if capacity is adequate in the sewerage system to be used as the outlet for the sewer of this development. If the system is found to have insufficient capacity, the problem must be addressed and resolved to the satisfaction of the L.A. County Sewer Department.
92. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
93. The Developer shall submit improvement plans to the Development Services Group – Engineering Division showing all the required improvements in the public right of way for review and approval of the City Engineer. A copy of approved conditions of approval shall be attached to the plans when submitted.
- a) Sewer Main Improvements (*if any*) along Main Street as determined by the aforementioned sewer area study.
- b) Storm Drain Improvements (*if any*) along Main Street as determined by the aforementioned requirement.
- c) Street Improvements (*if any*) along Main Street as determined by the aforementioned requirement.
94. If any modification to existing median along Main Street is proposed, the developer shall submit Median Improvement Plan to the Development Services Group – Engineering Division for review and approval of the City Engineer.
95. Offsite improvements (*eg. driveways, sidewalk, parkway drains, trees, curb/gutter*) shall be shown on the grading plan. Prior to issuance of grading permit, developer shall obtain clearance from Carson Engineering.
96. Construction bond for all work to be done within the public right of way shall be submitted and approved by Engineering Services prior to issuance of Building Permit.

Prior to issuance of Certificate of Occupancy, the proposed development is subject to the following:

97. The Developer shall install separate sewer laterals to individually serve each building in the development. Installation and dedication of main line sewers may be necessary to meet this requirement.
98. The Developer shall comply with all requirements from L.A. County Sewer Maintenance Division for maintenance of new and/or existing sewer main, relating to this development, prior to release of all improvement bonds.
99. The Developer shall execute and provide to the City Engineer, a written statement from the water purveyor indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for the development and that water service will be provided to each building.
 - a) Comply with mitigation measures recommended by the water purveyor.
100. The Developer shall construct and guarantee the construction of all required drainage infrastructures in accordance with the requirements and recommendations of the hydrology study, subject to the approval of the City Engineer.
101. Repair any broken or raised/sagged sidewalk, curb and gutter within the public right of way along Main Street abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
102. Fill in any missing sidewalk if any, within the public right of way along Main Street abutting this proposed development
103. Remove unused driveway approach if any, within the public right of way along Main Street abutting this proposed development and replace it with full height curb and gutter and sidewalk per City of Carson Standard and to the satisfaction of the City Engineer.
104. The Developer shall modify existing driveways within the public right of way along Main Street abutting this proposed development per City of Carson Standard to comply with the ADA requirements and to the satisfaction of the City Engineer. The proposed main driveway approach exceeds the maximum 40-foot width requirement. The driveway width at property line shall not exceed 40 feet and the driveway approach shall not exceed 60 feet at curb line. Any deviation shall be subject to the City Engineer review and approval.
105. The developer shall construct new driveway approaches per City of Carson Standard and in compliance with the ADA requirements. The Developer shall protect or relocate any facilities to accommodate the proposed driveway approach. The maximum driveway approach width allowed for the site is 30 feet.
106. Plant approved parkway trees on locations where trees in the public right of way along Main Street abutting this proposed development are missing per City of Carson Standard Nos. 117, 132, 133 and 134 to the satisfaction of the City Engineer.
107. Install irrigation system for the purpose of maintaining the parkway trees to be planted within the public right of way along Main Street abutting this proposed development, to the satisfaction of the City Engineer.
108. The Owner shall annex the area to the L.A. County Lighting Maintenance District, for the purpose of operating and maintaining the streetlights to be installed. The

annexation shall be to the satisfaction of L.A. County and shall be completed prior to the issuance of Certificate of Occupancy. Additional streetlight installation or upgrade to existing streetlights may be required as part of the annexation. (*annexation procedure is approximately 12-month*) Contact LACDPW Traffic Lighting Joaquin Herrera (626)300-4770.

109. The developer shall submit street lighting layout plan for any existing street lights proposed to be relocated along Main Street. Street lighting layout plan shall be reviewed and approved by the L.A. County Street Lighting Division, Department of Public Works. Contact LACDPW Traffic Lighting Jeff Chow (626)300-4753.
110. All existing overhead utility lines less than 12 kilovolts shall be underground to the satisfaction of the City Engineer. Alternatively, in the City Engineer's discretion, the City may accept an in-lieu fee in an amount determined by the City Engineer to be sufficient to cover the costs of such undergrounding. Undergrounding estimate shall be prepared by Southern California Edison and shall be submitted to the City Engineer for his determination. [Per SCE: Distribution Lines are 12kV and less; Transmission Lines: 16kV and above]
111. All new utility lines, servicing the proposed development shall be underground to the satisfaction of the City Engineer.
112. Comply with any additional requirements, if any, as means of mitigating any traffic impacts as identified in the traffic study approved by the City Traffic Engineer.
113. Install striping and pavement legend per City of Carson standard.
114. Paint Curbs Red along Main Street as required and to the satisfaction of the City Engineer. Plans showing the proposed red curbs shall be submitted to the Traffic Engineer for review and approval.
115. If needed, easements shall be granted to the City, appropriate agency, or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed and handicap access for this development to the satisfaction of the City Engineer and or appropriate agency or entity.
116. Streets abutting the development, with new utility trench cuts to serve the development, shall be slurry sealed from curb-to-curb or from median-to-curb when medians are existing or as approved by the City Engineer. Slurry Seal materials shall be rubberized emulsion aggregate slurry (REAS)
117. At the time of issuance of Certificate of Occupancy, and improvement plan approval, the developer's engineer shall submit the approved off-site improvement plans electronically stored a CD in AutoCAD format to the Engineering Services Division.
118. The Developer shall comply with all requirements from L.A. County Sewer Maintenance Division for maintenance of new and/or existing sewer main, relating to this development, prior to release of all improvement bonds.
119. All infrastructures necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of Certificate of Occupancy.

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

120. Any hazardous wastes/materials encountered during construction shall be remediated in accordance with local, state, and federal regulations.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

121. Per section 6310 of the Carson Municipal Code, all parties involved in the project, including but not limited to contractors and subcontractors, will need to obtain a City Business License.



Exhibit F

Porsche 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 Lmax noise events so that it is possible to determine if the Lmax 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 Lmax, 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., Lmax).
- (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.



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*Flex your power!
Be energy efficient!*

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.

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

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



2012 SEP 20 PM 12:00

ENGINEERING SERVICES
CITY OF CARSON

September 18, 2012

Mr. Zak Gonzalez, Associate Planner

City of Carson Community Development Department

701 E. Carson Street
Carson, CA 90749

Sent by U.S. Mail

No. of Pages: 5

Re: Sacred Lands File Search and Native American Contacts list for the proposed
Sacred Lands File Search and Native American Contacts list for the proposed
"Draft EIR for the Prsche Experience Driving Center Project; located in the
City of Carson; Los Angeles County, California

Dear Mr. Gonzalez::

The Native American Heritage Commission (NAHC) conducted a Sacred Lands search based on the data provided and Native American cultural resource sites were not identified within one-half mile of the project site, the 'area of potential effect' (e.g. APE): you specified in any of the sections specified. However, this area of Los Angeles County is know to the NAHC to be culturally sensitive. Also the absence of archaeological fixtures and other cultural resource items does not preclude their existence at the subsurface level. In addition, please note; the NAHC Sacred Lands Inventory is not exhaustive and does not preclude the discovery of cultural resources during any project groundbreaking activity..

California Public Resources Code §§5097.94 (a) and 5097.96 authorize the NAHC to establish a Sacred Land Inventory to record Native American sacred sites and burial sites. These records are exempt from the provisions of the California Public Records Act pursuant to. California Government Code §6254 (r). The purpose of this code is to protect such sites from vandalism, theft and destruction.

In the 1985 Appellate Court decision (170 Cal App 3rd 604), the court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources, impacted by proposed projects including archaeological, places of religious significance to Native Americans and burial sites

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. CA Government Code §65040.12(e) defines “environmental justice” provisions and is applicable to the environmental review processes. 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 California Public Resources Code Section 21083.2 (Archaeological Resources) that requires documentation, data recovery of cultural resources, construction to avoid sites and the possible use of covenant easements to protect sites.

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Local Native Americans may have knowledge of the religious and cultural significance of the historic properties of the proposed project for the area (e.g. APE). Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). We urge consultation with those tribes and interested Native Americans on the list that the NAHC has provided in order to see if your proposed project might impact Native American cultural resources. Lead agencies should consider avoidance as defined in §15370 of the CEQA Guidelines when significant cultural resources as defined by the CEQA Guidelines §15064.5 (b)(c)(f) may be affected by a proposed project. If so, Section 15382 of the CEQA Guidelines defines a significant impact on the environment as “substantial,” and Section 2183.2 which requires documentation, data recovery of cultural resources.

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.’

Partnering with local tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA (42 U.S.C 4321-43351) and Section 106 4(f), Section 110 and (k) of the federal NHPA (16 U.S.C. 470 *et seq*), Section 4(f) of the Department of Transportation Act of 1966 (23 CFR 774); 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 NAHC remains concerned about the limitations and methods employed for NHPA Section 106 Consultation.

Also, California Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a ‘dedicated cemetery’, another important reason to have Native American Monitors on board with the project.

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. An excellent way to reinforce the relationship between a project and local tribes is to employ Native American Monitors in all phases of proposed projects including the planning phases.

Confidentiality of "historic properties of religious and cultural significance" may also be protected under Section 304 of the 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 APE and possibility threatened by proposed project activity.

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

Sincerely,


Dave Singleton

Attachment: Native American Contact List

**Native American Contacts
Los Angeles County
September 18, 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

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

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

Gabrieleno/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 Nation
Sam Dunlap, Cultural Resources Director
P.O. Box 86908 Gabrielino Tongva
Los Angeles , CA 90086
samdunlap@earthlink.net

(909) 262-9351 - cell

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

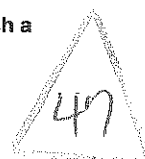
Gabrielino-Tongva Tribe
Bernie Acuna
1875 Century Pk East #1500 Gabrielino
Los Angeles , CA 90067
(619) 294-6660-work
(310) 428-5690 - cell
(310) 587-0170 - FAX
bacuna1@gabrieinotribe.org

Gabrielino-Tongva 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 Draft EIR for the Porsche Experience Driving Center Project; located in the City of Carson; Los Angeles County, California for which a Sacred Lands File search and native American Contacts list were requested.



**Native American Contacts
Los Angeles County
September 18, 2012**

Gabrieleno Band of Mission Indians
Andrew Salas, Chairperson
P.O. Box 393 Gabrielino
Covina , CA 91723
(626) 926-4131
gabrielenoindians@yahoo.
com

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 Draft EIR for the Porsche Experience Driving Center Project; located in the City of Carson; Los Angeles County, California for which a Sacred Lands File search and native American Contacts list were requested.



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

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.

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.

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.)

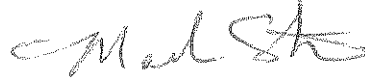
As a result, the DEIR states that the impact of the Porsche Project's street-legal cars, which make up the vast majority of the cars used, is less than significant. With the correct application of the standard under the noise ordinance, noise from the proposed Porsche Project is significant requiring 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.

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.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Mark Steres", written in a cursive style.

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 Lmax noise events so that it is possible to determine if the Lmax 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 Lmax, 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., Lmax).
- (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.