

# **ENVIRONMENTAL IMPACT REPORT FOR THE 9160-9176 SUNSET BOULEVARD PROJECT**

*Prepared for:*

**CITY OF WEST HOLLYWOOD**



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**October 2022**

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## **SECTION 1.0 – EXECUTIVE SUMMARY**

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## 1.0 EXECUTIVE SUMMARY

This section has been prepared pursuant to the California Environmental Quality Act (CEQA) for the proposed 9160-9176 Sunset Boulevard Project (project). In accordance with State CEQA Guidelines § 15123, this chapter provides a brief project description; identifies significant effects and proposed mitigation measures or alternatives that would reduce or avoid those effects; describes areas of controversy known to the Lead Agency and issues to be resolved; summarizes alternatives; and summarizes environmental impacts.

### 1.1 Purpose of this Draft EIR

As described in Section 15123(a) and 15362 of the CEQA Guidelines, an EIR is an informational document that will inform public agency decision-makers and the public of the significant environmental effects of a project, identify possible ways to minimize any significant effects, and describe reasonable project alternatives. Therefore, the purpose of this Draft EIR (DEIR) is to focus the discussion on the project's potential environmental effects that the City of West Hollywood, as the Lead Agency, has determined to be, or potentially may be significant. In addition, feasible mitigation measures are recommended, when applicable, that could reduce or avoid the project's significant environmental impacts.

This Draft EIR serves as the environmental document for all actions associated with the project. This EIR is a "Project EIR" as defined by Section 15161 of the CEQA Guidelines. Furthermore, this Draft EIR complies with Section 15064 of the CEQA Guidelines which discusses determining the significance of the environmental effects caused by a project.

### 1.2 Draft EIR Focus and Effects Found Not to Be Significant

In accordance with State CEQA Guidelines § 15128, the EIR shall contain a brief statement indicating reasons the various possible significant effects of a project were determined not to be significant and not discussed in detail in the Draft EIR. The Initial Study and comment letters are included as **Appendix A** (incorporating **Appendices A1** and **A2**) to this document. The CEQA notices for the project are included in **Appendix A3** of this document. The Initial Study provides a detailed discussion of the potential environmental impacts of the project and the reasons that each environmental topic is or is not analyzed in this Draft EIR. The Initial Study found the potential for significant impacts in the following environmental issues areas:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire
- Mandatory Findings of Significance

The threshold questions that were not screened out in the Initial Study prepared for the project are analyzed in this Draft EIR and are from the current iteration of the CEQA Guidelines, as of January 1, 2021. The results of the Initial Study found that the project would not have the potential to result in significant impacts related to: Agriculture and Forestry Resources, Mineral Resources, Population

and Housing, Public Services, and Recreation. Therefore, these environmental areas were not analyzed in this Draft EIR. The Initial Study which details that no significant impacts would occur for these issue areas is included as **Appendix A** of this Draft EIR.

### 1.3 Draft EIR Organization

This Draft EIR is comprised of the following sections:

**1.0 Executive Summary.** This section describes the purpose of this Draft EIR, Draft EIR focus and effects found not to be significant, Draft EIR organization, project summary, areas of controversy and issues to be resolved, public review process, summary of alternatives, and summary of environmental impacts and mitigation measures.

**2.0 Project Description.** This section describes the project location, existing conditions, project objectives, and characteristics of the project.

**3.0 Environmental Setting.** This section contains a description of the existing physical and built environment and a list of related projects anticipated to be built in the vicinity of the project site.

**4.0 Environmental Impact Analysis.** This section contains the project and cumulative impact analyses, mitigation measures (as necessary), and conclusions regarding the level of significance after mitigation for the following environmental issue areas: aesthetics, air quality, biological resources, cultural resources, energy, geology and soils/paleontological resources, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation, tribal cultural resources, utilities and service systems, and wildfire.

**5.0 Alternatives.** This section analyzes a reasonable range of project alternatives, including the No Project/No Action Alternative, No Digital Billboard Alternative, Modified Land Use Alternative, and Aboveground Parking Alternative.

**6.0 Other CEQA Considerations.** This section describes significant unavoidable project impacts and the reasons why the project is being proposed notwithstanding the significant unavoidable impacts. An analysis of the significant irreversible changes in the environmental and potential secondary effects of the project are also included. Additionally, this section analyses potential growth-inducing impacts of the project and potential secondary effects caused by the implementation of mitigation measures for the project. This section also contains a discussion of the possible effects of the project that were determined not to be significant within the Initial Study prepared for the project.

**7.0 References.** Identifies the references cited in the Draft EIR including the documents (printed references) and individuals (personal communications) consulted in preparing this document.

**8.0 Acronyms and Abbreviations.** Includes a list of acronyms and abbreviations used in different sections of this Draft EIR document.

**9.0 List of Preparers.** Identifies the agencies, consultants, and individuals involved in preparing this Draft EIR.

**10.0 Consultation and Coordination.** Provides a list of federal, state, and local agencies and organizations contacted during preparation of the Draft EIR.

**11.0 Mitigation Monitoring and Reporting Program.** Identifies the potentially significant environmental impacts, the mitigation measures, the level of significance after mitigation, the responsible parties and monitoring parties, and the phase in which mitigation is to be implemented.

**12.0 Recipients of Draft EIR.** Includes a list of agencies, organizations, and individuals to whom notification of preparation (NOP) of the Draft EIR was sent.

**Appendices.** Presents data supporting the analysis and contents of this Draft EIR.

This Draft EIR includes the following appendices:

- **Appendix A – Project Initial Study and Public Comments**
  - Appendix A1 – Project Initial Study
  - Appendix A2 – Public Comments on the Initial Study and Comment Matrix
  - Appendix A3 – Notice of Preparation, Agency Distribution List, and Public Mailing List
- **Appendix B – Project Plans and Drawings**
- **Appendix C – Aesthetics and Lighting Studies**
  - Appendix C1 – Digital Lighting Study
  - Appendix C2 – Shade and Shadow Diagrams
- **Appendix D – Air Quality and Greenhouse Gas Study**
- **Appendix E – Tree Inventory Report**
- **Appendix F – Cultural Resources Study**
- **Appendix G – Historic Resources Memorandum**
- **Appendix H – Paleontological Resources Inventory**
- **Appendix I – Phase I Environmental Site Assessment**
- **Appendix J – Phase II Environmental Site Assessment and Soils Report**
- **Appendix K – Water Resources Technical Report**
- **Appendix L – Noise Study**



- **Appendix M – Public Utilities Technical Memorandum and Will Serve letters**
- **Appendix N – Geotechnical Engineering Investigation**
- **Appendix O – Traffic Study**
- **Appendix P – AB 52 Consultation Documentation**
  - Appendix P1 – AB 52 Consultation Letters Sent to Tribes
  - Appendix P2 – Responses Received from Tribes
- **Appendix Q – Construction Health Risk Assessment**
- **Appendix R – Sunset Arts and Advertising Program, Round 2 Top Scoring Projects**

## **1.4 Existing Project Site Conditions**

The project site is located at 9160, 9166, and 9174 Sunset Boulevard in the City of West Hollywood, California. The project site is located on the south side of Sunset Boulevard, between Carol Drive and Cory Avenue. The City of West Hollywood is in west-central Los Angeles County, at the north margin of the Los Angeles Basin and at the south foot of the Hollywood Hills. The City of West Hollywood is surrounded by the City of Los Angeles to the north, east, and south, and by the City of Beverly Hills to the west. Refer to **Figure 1.0-1**, which depicts the project site’s regional location.

The project site currently consists of a two-story car dealership and a surface parking lot on a 0.43-acre lot. The project site is relatively flat and is surrounded by urban development on all sides. The project site is surrounded by multi-family residential, commercial and dining developments to the north and west, a multi-family residential building, a surface parking lot and single family residences to the south, and a surface parking lot to the east (Google Earth Pro, 2021). Refer to **Figure 1.0-2**, which depicts an aerial photograph of the project site and surroundings.

The General Plan land use and zoning designation for the project site is Sunset Specific Plan (SSP). The project site is within Area 8 - West End of the SSP area. The goals of the SSP in the West End area include accommodating additional office buildings and providing space for "creative" industries and anchor businesses. The SSP also encourages development of a building of landmark quality at the southeast corner of Sunset and Cory that dramatically marks the entrance to West Hollywood and acts as a "hinge" at the bend in the street. Ground-floor uses catering to the needs of area office workers are encouraged (City of West Hollywood, 2019, p. 241).

## **1.5 Brief Description of the Proposed Project**

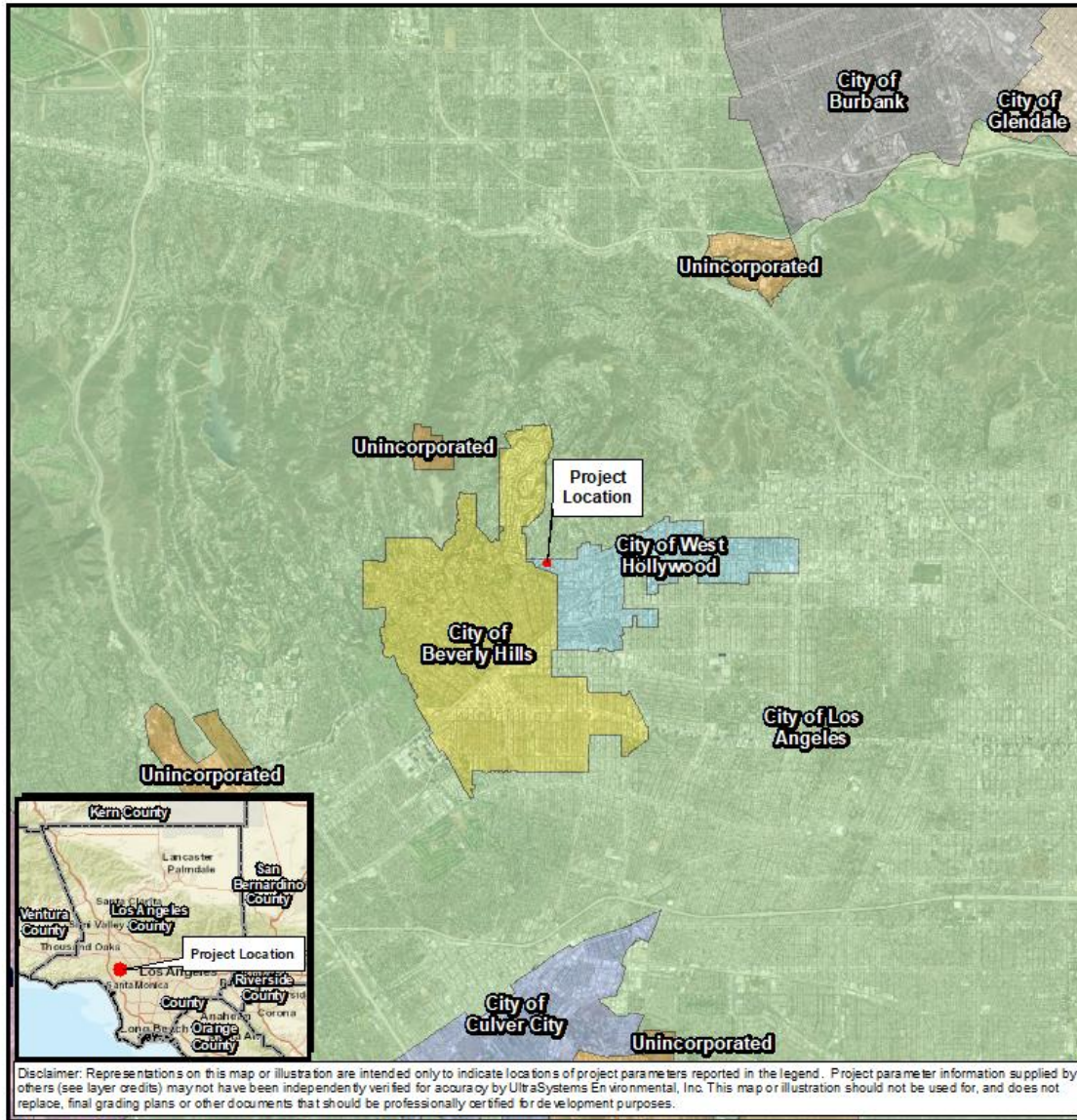
### **1.5.1 Project Overview**

The proposed project consists of the development of a five-story, approximately 52,999-square-foot building with high turnover restaurant and office uses on the first floor and office uses on the second, third, fourth and fifth floors. The project would provide approximately 86 vehicle parking spaces including 20 Electric Vehicle (EV) charging spaces, and additional two loading spaces in a three-level



subterranean parking garage. The project would also provide 16 bicycle parking spaces (including 10 bicycle parking spaces in the subterranean parking garage and six at ground level).

**Figure 1.0-1  
REGIONAL LOCATION**



Scale: 1:95,040

N


Legend

9160-9176 Sunset Boulevard Commercial Project

Project Vicinity

0 0.75 1.5 Miles

0 0.8 1.6 Kilometers





**Figure 1.0-2  
PROJECT LOCATION**



October 01, 2020


Scale: 1:1,920



0 80 160 Feet

0 20 40 Meters

**Legend**

 Project Boundary

**9160-9176 Sunset Boulevard  
Commercial Project**

Project Location



## Discretionary Permits

The project includes applications for the following discretionary permits from the City of West Hollywood, the lead agency:

- A development permit for the construction of a new structure.
- A demolition permit for demolition of the portion of the automotive dealership building on the project site.
- A minor conditional use permit for alcohol sales for onsite consumption accessory to a restaurant, with the permitted hours of operation from 6 a.m. to 2 a.m.
- A modification to setback limits set forth in the Sunset Specific Plan to allow a minor deviation from setback requirements on the south side of the building facing residential uses.
- A development agreement for construction of a 14,000-square-foot digital billboard.
- A vesting parcel map.
- Approval for Parking Reduction for a secondary use (for restaurant in office building), which requires a parking study and review and approval by the Director per the City of West Hollywood Municipal Code (WHMC) Section 19.28.060.
- Other discretionary and ministerial permits and approvals that may be deemed necessary, including but not limited to temporary street closure permits, grading permits, excavation permits, foundation permits, and building permits.

## Project Construction

The proposed project would be constructed in six phases (including demolition, site preparation, grading, building construction, paving, and architectural coating), beginning in December 2022, and expected to be approximately 21 months long. Construction activities would include earthwork, rebar, structural steel, concrete slab, concrete panels, mechanical, electrical, plumbing, glazing, roofing, landscaping, hardscape consisting of asphalt concrete, fencing, associated site utilities, site drainage, and any associated offsite work that may be required. Construction would include excavation for construction of the proposed three-level underground parking structure and would involve approximately 25,000 cubic yards (cy) of soil export.

### 1.6 Areas of Controversy

**Based on the NOP comment letters provided in Appendix A2 of this Draft EIR, issues raised by the public included project impacts on: aesthetics, air quality, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, land use and planning, noise, public services, tenants relocation and rights, transportation, and utilities.**

Refer to **Appendix A2** for all comments received during the public review period, including a comment tracking matrix that provides a summary of the comments received during the public review period and where those comments are addressed in the EIR. It should be noted that CEQA

does not require the lead agency to respond individually to all comments received during the public scoping period.

## 1.7 Public Review Process

The Initial Study for the project was distributed for public review from June 17, 2021 to August 4, 2021, for 50 days, in excess of the 30-day required distribution under CEQA. Below is a summary of the public notification and scoping process for the project. The Notice of Preparation (NOP) included information regarding the project, notice of availability of the Initial Study, the public comment period, and notice regarding the public scoping meeting. Refer to **Appendix A3**, which includes a copy of the NOP, the agency distribution list and the public mailing list. A copy of the NOP, which included notice for the scoping meeting, was sent to residents and owners within 500 feet of the project site.

On June 17, 2021 the following documents were submitted to the State Clearinghouse CEQA Submit database: One original signed copy of the NOC, a copy of the NOP, and an electronic version of the Initial Study and Initial Study Appendices. The NOP for the project was published on June 17, 2021 in the Beverly Press, a newspaper of general circulation in the project region; the newspaper publication affidavits are provided in **Appendix A3**. A public scoping meeting for the Project was held from 6:30 p.m. to 8 p.m. on July 21, 2021. As part of the public distribution process for the Initial Study for the proposed project, Native American tribal contacts were sent a copy of the NOP and a CD with the Initial Study and Initial Study Appendices. Refer to **Appendix A3** (Agency Distribution List) for a list of tribes to whom these documents were sent.

## 1.8 Summary of Environmental Impacts

**Table 1.0-2** below provides a summary of the environmental impacts of the project evaluated in this Draft EIR (DEIR). These impacts are summarized as follows:

**Table 1.0-2**  
**SUMMARY OF IMPACTS UNDER THE PROJECT**

Environmental Issue	Project Impact
<b>1. AESTHETICS</b>	
Scenic Quality Regulations	Less Than Significant
Light/Glare	Less Than Significant
<b>2. AIR QUALITY</b>	
Construction	
<i>Regional Emissions</i>	Less Than Significant
<i>Localized Emissions</i>	Less Than Significant
<i>Toxic Air Contaminates</i>	Less Than Significant
Operation	
<i>Regional Emissions</i>	Less Than Significant
<i>Localized Emissions</i>	Less Than Significant
<i>Toxic Air Contaminates</i>	Less Than Significant
<b>3. BIOLOGICAL RESOURCES</b>	
Construction	Less Than Significant with Mitigation
Operation	<b>No Impact</b>

Environmental Issue	Project Impact
<b>4. CULTURAL RESOURCES</b>	
Historical Resources	No Impact
Archaeological Resources including Human Remains	Less Than Significant with Mitigation
<b>5. ENERGY</b>	
Construction	Less Than Significant
Operation	Less Than Significant
<b>6. GEOLOGY AND SOILS</b>	
Soil Erosion	Less Than Significant
Subsidence	Less Than Significant
Collapsible Soils	Less Than Significant
Expansive Soils	Less Than Significant
Paleontological Resources	Less Than Significant with Mitigation
<b>7. GREENHOUSE GAS EMISSIONS</b>	
	Less Than Significant
<b>8. HAZARDS AND HAZARDOUS MATERIALS</b>	
Emergency Evacuation Plan	
<i>Construction</i>	Less Than Significant with Mitigation
<i>Operation</i>	Less Than Significant with Mitigation
<b>9. HYDROLOGY AND WATER QUALITY</b>	
Water Quality	Less Than Significant
<i>Construction</i>	Less Than Significant
<i>Operation</i>	Less Than Significant
Surface Runoff	Less Than Significant
Stormwater Drainage Systems	Less Than Significant
<b>10. LAND USE AND PLANNING</b>	
Land Use Consistency	Less Than Significant
<b>11. NOISE</b>	
Construction	
<i>On-Site Noise</i>	<b>Significant and Unavoidable with Mitigation</b>
<i>Off-Site Noise</i>	<b>Significant and Unavoidable with Mitigation</b>
<i>On-Site Vibration (Building Damage)</i>	Less Than Significant
<i>On-Site Vibration (Human Annoyance)</i>	Less Than Significant with Mitigation
<i>Off-Site Vibration (Building Damage)</i>	Less Than Significant
<i>Off-Site Vibration (Human Annoyance)</i>	Less Than Significant with Mitigation
Operation	Less Than Significant
<b>12. TRANSPORTATION</b>	
Construction	Less Than Significant with Mitigation
Operation	
<i>Vehicle Miles Traveled</i>	Less Than Significant
<i>Public Transit</i>	Less Than Significant
<i>Access and Circulation</i>	Less Than Significant with Mitigation
<i>Bicycle, Pedestrian, and Vehicular Safety</i>	No Impact
<i>Parking</i>	Less Than Significant
<b>13. TRIBAL CULTURAL RESOURCES</b>	
Construction	Less Than Significant with Mitigation
Operation	Less Than Significant
<b>14. UTILITIES AND SERVICE SYSTEMS</b>	
Water Supply	Less Than Significant
Wastewater Treatment	Less Than Significant
Stormwater Drainage	Less Than Significant



Environmental Issue	Project Impact
Electric Power	Less Than Significant
Natural Gas	No Impact
Telecommunications Facilities	Less Than Significant
Solid Waste	Less Than Significant
<b>15. WILDFIRE HAZARDS</b>	
Emergency Response Plan or Evacuation Plan	
<i>Construction</i>	Less Than Significant with Mitigation
<i>Operation</i>	Less Than Significant with Mitigation

### 1.8.1 No Impacts

#### 2.1.1.1 Biological Resources

##### Operation

The project site and surrounding areas are completely developed areas that offer no habitat for endangered or special status species. During project operation, the proposed project would operate as a retail, dining and office use building, which would not impact biological resources within or surrounding the project site. Therefore, there would be no operational impacts in regard to biological resources.

#### 2.1.1.2 Cultural Resources

##### Historical Resources

No historical resources were identified onsite or within 0.5 mile of the site in the cultural resources analysis for the project site. No impact would occur.

#### 2.1.1.3 Transportation

##### Hazards Due to Geometric Design

##### Operation

The proposed project would not alter the surrounding roadways. The proposed project would comply with applicable requirements of the City of West Hollywood regarding traffic-related design features and would be designed to provide adequate lines of sight, proper emergency access, and vehicle flow within the project site. Therefore, the proposed project would not increase hazards due to a design feature, and no impact would occur.

#### 2.1.1.4 Utilities and Services

##### Natural Gas

The proposed project would not use natural gas as part of the project. Therefore, there would be no impacts related to demand for natural gas.

## 1.8.2 Less Than Significant Impacts

### 2.1.1.5 Aesthetics

#### Scenic Quality Regulations

The city's General Plan encourages diverse architectural styles and buildings constructed with high quality, permanent building materials. Additionally, the Sunset Specific Plan has zoned the project site a landmark site that should dramatize the western gateway into West Hollywood and the Sunset Strip. The proposed project would develop the desired landmark building for the project site with high quality, permanent building materials. Therefore, there would be less than significant impacts in regard to scenic quality regulations.

#### Light and Glare

The proposed project would introduce lighting that could potentially cause lighting and glare impacts. However, as discussed in **Section 4.1** of this DEIR, the proposed project's lighting and glare impacts were modeled, and results found the project's lighting and glare would be under significant thresholds. Therefore, there would be less than significant impacts in regard to lighting and glare.

### 2.1.1.6 Air Quality

#### Applicable Air Quality Plans

As discussed in **Section 4.2**, the South Coast 2016 AQMP incorporates land use assumptions from local General Plans ("GPs") and regional growth projections developed by SCAG to estimate stationary and mobile air emissions associated with projected population and planned land uses. If the proposed land use is consistent with the local GP, then the impact of the Project is presumed to have been accounted for in the AQMP. This is because the land use and transportation control sections of the AQMP are based on the SCAG regional growth forecasts, which incorporates projections from local GPs. The proposed Project would not change the GP designation; therefore, the land use would continue to be consistent with the local GP and the impacts of the Project are still accounted for in the AQMP.

Another measurement tool in evaluating consistency with the AQMP is to determine whether a Project would generate population and employment growth and, if so, whether that growth would exceed the growth rates forecasted in the AQMP and how the Project would accommodate the expected increase in population or employment. As detailed in **Section 2.0**, Project Description, Project operation is estimated to generate approximately 150 jobs.<sup>1</sup> It is anticipated that employees from the local workforce would be hired during both the construction and operational phases of the project and would not require workers from outside the region. The project is not of the scope or scale to induce people to move from out of the project area to work at the proposed project. The Project would be consistent with the growth projections in both the AQMP and the Connect SoCal - 2020-2045 RTP/SCS. This means that the plans took into account developments such as the Project in their modeling and analyses and the Connect SoCal - 2020-2045 RTP/SCS vehicle trip and VMT

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<sup>1</sup> The job-generation estimate is based upon the project applicant's estimate of 1 employee per 300 square feet of rentable square footage.

reduction goals and policies. Since these growth assumptions are built into the 2016 AQMP demonstration of attainment with NAAQS and CAAQS, it is also expected that the Project would not delay the attainment of those standards.

In summary, the Project would not increase population and would not significantly increase employment in the area. Therefore, the Project would be consistent with the AQMP.

### **Contribution to Cumulative Emissions**

The Project would not exceed any of the SCAQMD daily criteria pollutant thresholds. In general, cumulative *regional* impacts of construction and operation of all projects in the SCAB at any given time are accounted for in the AQMP. The proposed Project is compliant with the AQMP, so the incremental contribution of the Project would not be cumulatively considerable. The only cumulative impacts with the potential for significance would be localized impacts during construction. The analysis in **Section 4.2** of this document shows that localized impacts from the Project would be less than significant and therefore would not contribute to a cumulative impact.

In summary, Project impacts related to consistency with applicable air quality plans would be less than significant and the Project would have less than significant localized impacts.

### **Pollutants and Toxic Air Contaminants**

#### **Construction**

Demolition would last approximately two weeks; site preparation would last approximately two weeks; grading would require approximately three months; building construction would require approximately 15 months; paving would last approximately one month; and architectural coating would require approximately two months. All construction emissions associated with the Project would be below the regional significance thresholds.

In summary, project construction emissions would be less than significant.

#### **Operation**

For each criteria pollutant, net operational emissions would be below the pollutant's SCAQMD significance threshold. Therefore, operational criteria pollutant emissions would be less than significant.

#### **Asbestos**

Due to the existing building's old age, the project site may contain asbestos. However, the Project would comply with SCAQMD Rule 1403 to conduct an asbestos survey before project demolition. If asbestos is found during the survey, appropriate measures would take place to ensure that the asbestos would be removed from the project site safely. Therefore, compliance would result in less than significant impacts in regard to asbestos.

#### **CO Hotspots**

If a project intersection does not exceed 400,000 vehicles per day, then the project does not need to prepare a detailed CO hotspots analysis. While intersection traffic data were unavailable for this



project, the noise analysis<sup>2</sup> determined that the maximum ADT on Sunset Boulevard for which data were available was 52,231. The Project does not trigger the need for a detailed CO hotspots model and would not cause any new or exacerbate any existing CO hotspots.

### 2.1.1.7 Energy

#### **Construction**

Project construction would use gasoline and diesel fuel. During project construction, trucks and construction equipment would be required to comply with the ARB's anti-idling regulations. ARB's In-Use Off-Road Diesel Fueled Fleets regulation would also apply. Vehicles driven to or from the project site (delivery trucks, construction employee vehicles, etc.) are subject to fuel efficiency standards requirements established by the Federal Government. Energy would be consumed in the form of electricity associated with the conveyance and treatment of water used for dust control and, on a limited basis, powering lights, electronic equipment, or other construction activities necessitating electrical power. Due to the fact that electricity usage associated with lighting and construction equipment that utilizes electricity is not easily quantifiable or readily available, the estimated electricity usage during project construction is speculative. Lighting used during project construction would comply with Title 24 standards/requirements (such as wattage limitations). This compliance would ensure that electricity use during project construction would not result in the wasteful, inefficient, or unnecessary use of energy. Therefore, project construction activities regarding fuel use would not result in wasteful, inefficient, or unnecessary use of energy. Impacts respecting wasteful, inefficient, or unnecessary energy use and compliance with energy efficiency plans would be less than significant.

#### **Operation**

Project operation would use natural gas for space and water heating; electricity for commercial needs, street lighting, and conveyance and treatment of water; and gasoline for on-road motor vehicles. The project would comply with all applicable regulations and codes that require achievement of various levels of energy efficiency in building operation. These include (1) CCR Title 24, Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24); and (2) the 2019 CalGreen. Project impacts would be less than significant regarding wasteful, inefficient, or unnecessary energy use and compliance with energy efficiency plans.

### 2.1.1.8 Geology and Soils

As discussed in **Section 4.6**, the project would have less than significant impacts under thresholds regarding rupture of a known earthquake fault, slope stability/landslides, soil erosion, liquefaction, ground subsidence, and soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems.

### 2.1.1.9 Greenhouse Gas Emissions

#### **Generate Greenhouse Gas Emissions, Either Directly or Indirectly**

As discussed in **Section 4.7**, the SCAQMD proposes that if a project generates GHG emissions below 3,000 MT CO<sub>2</sub>e per year, it could be concluded that the project's GHG contribution is not

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2 See **Section 4.11.5**,

“cumulatively considerable” and is therefore less than significant. Estimated project GHG emissions during project operations, including amortized construction emissions, would be 1,538 metric tons of CO<sub>2</sub>e annually; that is, less than the screening level of 3,000 MTCO<sub>2</sub> per year. Project GHG emissions impacts would be less than significant.

### **Conflict with an Applicable Plan, Policy or Regulation Adopted for The Purpose of Reducing the Emissions of Greenhouse Gases**

The project would be compatible with City of West Hollywood Climate Action Plan programs (see discussion in **Section 4.7**). Impacts regarding plans, policies or regulations for reducing GHG emissions would be less than significant.

#### **2.1.1.10 Hydrology and Water Quality**

##### **Water Quality**

###### **Construction**

The project, to obtain coverage under the General Construction Permit, would be required to prepare a SWPPP and implement construction stormwater BMPs prior to commencement of construction activities; additionally, BMPs must be maintained, inspected before and after each rainstorm, and repaired or replaced as necessary. Because the project is required by the SWRCB to comply with all applicable conditions of the Construction General Permit, potential violations of water quality standards or waste discharge requirements during project construction would be a less than significant impact.

###### **Operation**

The Los Angeles County NPDES Permit, or MS4 Permit, regulates, through Los Angeles Regional Water Quality Control Board Order No. R4-2012-0175-A01, the discharge of pollutants into waters of the U.S. through stormwater and urban runoff conveyance systems, including flood control facilities. Project operation could generate the same types of pollutants that project construction could. The proposed project includes a project-specific LID Plan, which incorporates operational LID BMPs in compliance with the MS4 permit requirements. Catch basins and permeable pavement chosen as the BMP for the project, are stormwater management LID components that mitigate the impacts of runoff and stormwater pollution as close to the source as possible. These LID components are highly effective at removing water pollutants such as sediment, nutrients, trash, metals, and oil and grease, while reducing the volume and intensity of stormwater flow leaving a site. Operational water quality impacts would be less than significant after implementation of the project LID Plan.

##### **Surface Water and Drainage**

Existing drainage from the project site is by surface flow west to Cory Avenue, and south to an alley extending east to Carol Drive. The proposed drainage system, including catch basins, catch basin insert filters, private storm drains, and a cistern, would reduce runoff from the project site to less than significant levels. Project development would not cause flooding on- or off-site and would not exceed the capacity of existing public storm drains near the project site. Project impacts on surface water and drainage systems would be less than significant.

### 2.1.1.11 Land Use and Planning

#### Land Use Consistency

The project site has a General Plan land use and zoning designation of Sunset Specific Plan (SSP). The project site is located within Area 8 – West End of the SSP, which aims to accommodate additional office buildings within this area and provide space for “creative” industries and anchor businesses. More specifically, the SSP zones the project site as a landmark site to dramatize Sunset Boulevard and mark the entrance of West Hollywood. The proposed project would create the desired landmark building and develop a restaurant and office building that would adhere to the goals of the SSP. Therefore, there would be less than significant impacts in regard to land use and planning.

### 2.1.1.12 Noise

#### Ambient Noise

#### Operation

As discussed in **Section 4.11**, noise impacts associated with Project operations would be long-term impacts. Long term noise impacts include Project-generated onsite and offsite operational noise sources. Onsite (stationary) noise sources would include operation of mechanical equipment such as air conditioners, landscape and building maintenance. Offsite noise would be attributable to Project-induced traffic, which would cause an incremental increase in noise levels within and near the Project vicinity.

In summary, the Project would replace the existing commercial building with a commercial building with a higher density of use. However, the Project would not introduce major new onsite noise sources or bring existing noise sources closer to sensitive receivers. Therefore, there would be minimal change in exposure to the community and the impact would be less than significant.

### 2.1.1.13 Transportation

#### Vehicle Miles Traveled (VMT)

As detailed in **Section 4.12** of this DEIR, the proposed project would not conflict with the City’s VMT guidelines. Therefore, there would be less than significant impact in this regard.

### 2.1.1.14 Utilities and Service Systems

As detailed in **Section 4.14** of this DEIR, the proposed project would use a small portion of the city’s available water supply, wastewater conveyance and treatment, storm water drainage, electricity, telecommunications, and solid waste systems and facilities. The proposed project would not require the development of any new utility facilities to serve the project. The project applicant is planning an all-electric building, and thus the building would not have natural gas service. Therefore, there would be less than significant impacts in regard to utilities.

### 2.1.1.15 Wildfire

#### Wildfire Risks

The project site is located within an urban portion of the city and is not within a State Responsibility Area (SRA) Fire Hazard Severity Zone (FHSZ) or a Very High FHSZ in a Local Responsibility Area (LRA) (CAL FIRE, 2020). Therefore, there would be no impacts in regard to wildfire.

### 1.8.3 Less Than Significant with Mitigation

#### 2.1.1.16 Biological Resources

##### Species Impacts

As discussed in **Section 4.3**, the project site is located in a highly-urbanized setting which provides low habitat value for special status plant and wildlife species. In compliance with the MBTA, if vegetation removal, ground disturbance, or any other construction activity is scheduled to begin during the nesting bird season (generally February 1 – August 31), mitigation measures **BR-1** and **BR-2** would be implemented, and impacts on nesting bird species protected by the MBTA would be less than significant.

In summary, no direct or indirect impacts on special-status plant or animal species would occur as a result of the project activities because no special-status plant or animal species are located on the project site. With the implementation of mitigation measures **BR-1** and **BR-2**, potential impacts on biological resources would be reduced to less than significant levels.

#### 2.1.1.17 Cultural Resources

##### Archaeological Resources

No archaeological resources were identified onsite during the cultural resources records search or the pedestrian survey of the site. Buried resources could be present in site soils; impacts to such resources would be potentially significant. Mitigation measures **CUL-1** and **CUL-2** would require the City of West Hollywood to retain a qualified archaeologist; require the construction contractor to stop work within 100 feet of any archaeological resource discovered; and require the archaeologist and Native American tribal monitor to recover, evaluate, and curate the resource. Impacts on archaeological resources would be less than significant after implementation of mitigation.

##### Human Remains

Project site grading could damage human remains that may be buried in site soils. This impact would be potentially significant. Mitigation measure **CUL-3** requires compliance with California Health and Safety Code and California Public Resources Code sections pertaining to accidental discovery of human remains. Impacts on human remains would be less than significant after implementation of mitigation.

### 2.1.1.18 Geology and Soils

#### Paleontological Resources

A paleontological resources records search by the Los Angeles County Museum of Natural History determined that no fossil localities are present in the project site; however, fossils could be present in native soils under the site (LACM, 2021). With implementation of mitigation measure **PAL-1**, impacts in regard to paleontological resources would be reduced to less than significant.

### 2.1.1.19 Hazards and Hazardous Materials

#### Emergency Evacuation Plan

Sunset Boulevard is designated an evacuation route in the City of West Hollywood EOP (West Hollywood, 2017). The nearest disaster routes to the project site designated by Los Angeles County are Santa Monica Boulevard, approximately 0.5 mile to the southeast; and La Cienega Boulevard, approximately 0.9 mile to the east (LACCEO, 2020).

#### Construction

Construction activities would be primarily in the project site and would only include minor offsite improvements for utilities such as water, sewer, and electricity. The proposed project would implement mitigation measure **TRANS-1**, which requires preparation and implementation of a Construction Management Plan. Implementation of **TRANS-1** would ensure that construction of the proposed project would not interfere with any adopted or onsite emergency response or evacuation plans during construction. Therefore, project impacts related to an adopted emergency response plan or emergency evacuation plan during construction would be less than significant with mitigation.

#### Operation

During operation, the project would not involve any activities that would impede emergency response or evacuation plan. The proposed project would comply with all emergency access requirements of the city. During operation, two driveways would provide ingress and egress from the project site; both driveways were found to have no issues with access, however, the traffic study recommends a keep-clear sign at the Cory Avenue driveway due to the close proximity to the Cory Avenue/ Sunset Boulevard/ Doheny Road intersection (Sarsour, 2022, p. 20). Therefore, the project would implement mitigation measure **TRANS-2** which would help in reducing emergency access impacts during operation to less than significant. Therefore, project impacts related to inadequate emergency access during operation would be less than significant with mitigation.

### 2.1.1.20 Noise

#### Excessive Groundborne Vibration or Noise

As discussed in **Section 4.11**, it is expected that ground borne vibration from Project construction activities would cause only intermittent, localized intrusion. The Project's construction activities most likely to cause vibration impacts are:

- **Heavy Construction Equipment:** Although all heavy, mobile construction equipment has the potential of causing at least some perceptible vibration while operating close to buildings, the vibration is usually short term and is not of sufficient magnitude to cause building damage. It is not expected that heavy equipment such as large bulldozers would operate closely enough to any sensitive receivers to cause vibration impact.
- **Trucks:** Trucks hauling building materials to construction sites can be sources of vibration intrusion if the haul routes pass through residential neighborhoods on streets with bumps or potholes. Repairing the bumps and potholes almost always eliminates the problem.

The vibration level of construction equipment at the nearest sensitive receiver (17 feet) is at most 0.1162 inch per second, which is less than Caltrans' damage threshold range of 0.5 - 1.0 inch per second PPV for relatively new residential structures. The maximum vibration exposures from loaded trucks would be 91 VdB, which exceeds the FTA threshold for human annoyance of 75 VdB for occasional exposure. However, with implementation of mitigation measure **N-4**, the loaded truck vibration would be less than significant. For a small bulldozer, the exposure would be about 40 VdB, and jackhammers, if they are used on the project, would be about 60 VdB. The impacts would therefore be less than significant with mitigation incorporated.

#### **2.1.1.21 Transportation**

##### **Conflict With a Program Plan, Ordinance, or Policy**

##### **Hazards Due to Geometric Design and Inadequate Emergency Access**

###### **Construction**

Project construction may include temporary sidewalk and lane closures that could possibly increase hazards due to geometric design features or incompatible uses. The proposed project would ensure that vehicles/emergency vehicles have convenient access to the project site and adequate circulation in the project area during the construction phase by implementing mitigation measure **TRANS-1**, which requires preparation and implementation of a Construction Management Plan that would include provisions for adequate circulation within and around the project site during construction. Therefore, circulation impacts and potential for hazards due to geometric design features or incompatible uses during construction would be reduced to less than significant.

###### **Inadequate Emergency Access**

###### **Operation**

During operation, two driveways would provide ingress and egress from the project site; one from Cory Avenue, and one along a driveway connected to Carol Drive. The traffic study found both driveways to have no issues with access; however, the traffic study recommends a keep-clear sign at the Cory Avenue driveway due to the close proximity to the Cory Avenue/ Sunset Boulevard/ Doheny Road intersection (Sarsour, 2021, p. 20). Accordingly, the project would implement mitigation measure **TRANS-2** that requires installation of a keep clear sign at the proposed Cory Avenue driveway and would reduce emergency access impacts during operation to less than significant.



### 2.1.1.22 Tribal Cultural Resources

#### Cause a Substantial Adverse Change in the Significance of a Tribal Cultural Resource

Based on the Phase 1 Cultural Resources Inventory report (**Appendix F**) which includes a records search at the CHRIS South Central Coastal Information Center of survey reports and site records, the pedestrian site survey, the results of an SLF search by the NAHC, information provided by the Gabrielino Tongva Indians of California Tribal Council and the San Gabriel Band of Mission Indians, about the project area being potentially sensitive due to the proximity to natural resources accessed in the traditional past as well as the observation that ground here has been significantly cut and filled for past construction with potentially no original surface soil remaining, it was determined that the probability for significant impacts to TCRs is low at the project site.

During AB52 Consultation with the City, the Gabrieleno Band of Mission Indians-Kizh Nation stated that the proposed project location is within their Ancestral Tribal Territory and suggested implementation of mitigation measures **TCR-1**, **TCR-2** and **TCR-3**, which would ensure that previously unknown tribal cultural resources and archaeological or historical artifacts are protected, evaluated, and recovered as determined by the appropriately qualified Native American representative and cultural resources expert. Implementation of these mitigation measures, in addition to adherence with applicable federal, state, and county regulations would reduce potential project impacts on tribal cultural resources to less than significant level after mitigation.

### 2.1.1.23 Wildfire Hazards

#### Emergency Response Plans

Emergency response plans relevant to the project site include the City's Emergency Response Plan and the County's Emergency Response Plan.

#### Construction

The proposed project would implement mitigation measure **TRANS-1**, which requires preparation and implementation of a Construction Management Plan. Implementation of **TRANS-1** would ensure that construction of the proposed project would not interfere with any adopted or onsite emergency response or evacuation plans during construction. Therefore, project impacts related to an adopted emergency response plan or emergency evacuation plan during construction would be less than significant with mitigation.

#### Operation

During operation, the project would not involve any activities that would impede emergency response or evacuation plan. The proposed project would comply with all emergency access requirements of the county and city. During operation, two driveways would provide ingress and egress from the project site; both driveways were found to have no issues with access; however, the traffic study recommends a keep-clear sign at the Cory Avenue driveway due to the close proximity to the Cory Avenue/ Sunset Boulevard/ Doheny Road intersection (Sarsour, 2022, p. 20). Therefore, the project would implement mitigation measure **TRANS-2** which would help in reducing emergency access impacts during operation to less than significant. Therefore, project impacts related to inadequate emergency access during operation would be less than significant with mitigation.

## 1.8.4 Significant and Unavoidable

### 2.1.1.24 Noise

#### Temporary or Permanent Increase in Ambient Noise

##### Construction

As discussed in **Section 4.11**, noise impacts associated with the proposed Project demolition and construction include short-term impacts. Construction activities, especially heavy equipment operation, would create noise effects on and adjacent to the construction site.

The combinations of pieces of equipment (see **Table 4.11-5**) in all subphases of construction would result in short-term increases in exposures of nearby sensitive receivers of more than 10 dBA. These increases are shown in **Table 4.11-6**. The increase over ambient would range from 11.5 to 20.0 dBA  $L_{eq}$ . These increases are high because very noisy equipment would be used near sensitive receivers in an area where ambient noise levels are normally rather low.

In summary, mitigation measures **N-1** through **N-4** would result in an appreciable decrease in exposures, but these short-term exposures would still be significant sometimes during construction. Therefore, Project impacts related to increased noise levels during construction would be significant and unavoidable after mitigation.

## 1.9 Project Design Features

The following project design features (PDFs) would be implemented by the Project.

### 1.9.1 Aesthetics

**AES-PDF-1:** At 20 minutes before sunset the Project digital billboard signage will be specified to begin transition from the maximum daytime luminance of 6,000 cd/m<sup>2</sup> to the maximum nighttime luminance of 300 candelas/m<sup>2</sup>. Similarly, the Project digital billboard signage will be specified to transition from the night maximum luminance of 300 cd/m<sup>2</sup> to the day maximum luminance of 6,000 cd/m<sup>2</sup>, beginning no earlier than 20 minutes before sunrise.

### 1.9.2 Air Quality

**AQ-PDF-1:** All construction off-road equipment will be Tier 4 Interim or better where applicable.

### 1.9.3 Geology and Soils

**GEO-PDF-1:** The project would implement all geotechnical recommendations for the development of the site, including earthwork, seismic design, retaining walls, shoring and foundation design as specified in the Geotechnical Engineering Investigation prepared for the project; completed by Geotechnologies, Inc. in December 2020 and provided in **Appendix N** of this DEIR.



## 1.9.4 Greenhouse Gas Emissions

The Project would comply with the 2019 California Green Building Standards Code (CalGreen) (Part 11 of Title 24, California Code of Regulations). The following are proposed energy conservation measures that are beyond the minimum requirements of CalGreen. Emission reduction information, where available, is shown in parentheses.<sup>3</sup>

### Energy Conservation and Efficiency

**GHG-PDF-1:** Project design will provide an energy efficiency exceeding Title 24, Part 6, California Energy Code baseline standard requirements by 10 percent, based on the 2019 Building Energy Efficiency Standards requirements.<sup>4</sup>

**GHG-PDF-2:** Use of natural heating and cooling features.

**GHG-PDF-3:** Use of improved insulation.

**GHG-PDF-4:** Installation of PV panels.

**GHG-PDF-5:** Use of efficient and durable roofing materials and exterior finishes.

**GHG-PDF-6:** Use of efficient interior finishes.

### Water Conservation

**GHG-PDF-7:** Water-efficient plumbing fixtures (17 to 31% of GHG emissions associated with non-residential indoor water use).

### Solid Waste Conservation

**GHG-PDF-8:** Use of recycled foundation materials.

### Other

**GHG-PDF-9:** No combustion of natural gas (100% reduction in emissions from natural gas use).

## 1.10 Mitigation Measures

The environmental factors requiring mitigation are listed below.

- Biological Resources
- Cultural Resources
- Geology and Soils/Paleontological Resources
- Hazards and Hazardous Materials
- Noise
- Transportation
- Tribal Cultural Resources

<sup>3</sup> Emission reduction information is from CAPCOA, 2010.

<sup>4</sup> For analysis purposes, a value of 10% more efficient than Title 24 was used in the CalEEMod model.

- Wildfire Hazards

### 1.10.1 Biological Resources

#### Mitigation Measure BR-1: Nesting Bird Surveys

If Project activities begin during nesting bird/raptor season (generally January 1 – August 31), no earlier than one week prior to ground-disturbing activities, a qualified biologist shall conduct preconstruction nesting bird clearance surveys within the project site and within a 100-foot buffer around the project site for nesting birds, and other sensitive species.

To maintain compliance with the Migratory Bird Treaty Act and California Fish and Game Code, and to avoid or minimize direct and indirect effects on migratory non-game nesting birds, and their nests, young, and eggs, the following measures shall be implemented.

- Project activities that will remove or disturb potential nest sites should be scheduled outside the nesting bird season, if feasible. The nesting bird nesting season is typically from February 1 through August 31, but can vary slightly from year to year, usually depending on weather conditions. Raptors are known to begin nesting early in the year and ends late. The raptor nesting bird season begins January 1 to September 15.
- If project activities that will remove or disturb potential nest sites cannot be avoided during January 1 through August 31, a qualified biologist shall conduct a pre-construction survey for nesting birds within the limits of project disturbance up to seven days prior to mobilization, staging and other disturbances. Preconstruction surveys shall be conducted no more than one week prior to vegetation, substrate, and structure removal and/or disturbance.
- If neither nesting birds nor active nests are observed during the pre-construction survey(s), or if they are observed and will not be affected (i.e., outside the buffer zone described below), then project activities may begin and no further nesting bird monitoring will be required.
- If an active bird nest is located during the pre-construction survey and will potentially be affected, a no-activity buffer zone shall be delineated on maps and marked in the field by fencing, stakes, flagging, or other means up to 500 feet for raptors, or 100 feet for non-raptors. Materials used to demarcate the nests will be removed as soon as work is complete or the fledglings have left the nest. The biologist will determine the appropriate size of the buffer zone based on the type of activities planned near the nest and bird species. Buffer zones shall not be disturbed until a qualified biologist determines that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be affected by project activities. Periodic monitoring by a biologist will be performed to determine when nesting is complete. After the nesting cycle is complete, project activities may begin within the buffer zone.

#### Mitigation Measure BR-2: Biological Monitor

- The applicant shall retain a qualified Biological Monitor to conduct pre-construction surveys and biological monitoring during construction. If special-status wildlife species or protected nesting birds are observed and determined present within the BSA during the pre-construction breeding bird surveys, then the qualified biological monitor shall be onsite to monitor throughout the duration of construction activities that result in tree or vegetation

removal, to minimize the likelihood of inadvertent impacts to nesting birds and other wildlife species. Monitoring shall also be conducted periodically during construction activities to ensure no new nests, including raptors nests, occur during vegetation removal or building demolition activities between January 1 through August 31. The biological monitor shall ensure that biological mitigation measures, best management practices, avoidance, and protection measures and mitigation measures described in the relevant project permits and reports are in place and are adhered to.

- The Biological Monitor shall have the authority to halt all construction activities and all non-emergency actions if sensitive species and/or nesting birds are identified and would be directly impacted. The monitor will notify the appropriate resource agency and consult if needed. If necessary, the monitoring biologist shall relocate the individual outside of the work area where it will not be harmed. Work can continue at the location if the applicant and the consulted resource agency determine that the activity will not result in impacts to the species.
- The appropriate agencies shall be notified if a dead or injured protected species is located within the project site. Written notification shall be made within 15 days of the date and time of the finding or incident (if known) and must include: location of the carcass, a photograph, cause of death (if known), and other pertinent information.

### 1.10.2 Cultural Resources

**Mitigation Measure CUL-1:** If historical or unique archaeological resources are discovered during construction activities, the contractor shall halt construction activities in a 30-foot radius and notify the project proponent. A Secretary of the Interior qualified archaeologist shall be notified and afforded the necessary time to recover, analyze, and curate the find(s). The qualified archaeologist shall recommend the extent of archaeological monitoring necessary to ensure the protection of any other resources that may be in the area. Construction activities may continue on other parts of the project site while evaluation and treatment of historical or unique archaeological resources takes place. The Principal Archaeologist, depending on the type and extent of the finds, may prepare an Archaeological Resources Treatment Plan (ARTP) to guide future monitoring, the recovery of cultural resources, analysis and reporting of the finds, and curation of the finds. The ARTP shall be submitted to the City and the project proponent for approval.

**Mitigation Measure CUL-2:** If a local Native American tribal organization(s) request that a tribal monitor and/or a qualified archaeologist monitor construction at the project location, then the project proponent shall retain and schedule any required monitors during all subsurface excavations into native soil. At the discretion of the monitoring archaeologist, excavation or other ground-disturbing activities must be halted when an archaeological artifact or feature is observed. Tribal monitors may request the archaeological monitor to halt ground-disturbing activities if they observe potential cultural finds. Native American monitors will be required to complete and submit daily monitoring logs while at the project site to the project proponent's lead archaeologist.

**Mitigation Measure CUL-3:** If human remains are encountered during excavations associated with this project, all work shall stop within a 30-foot radius of the discovery and the Los Angeles County Coroner will be notified (§ 5097.98 of the Public Resources Code). The Coroner will determine whether the remains are recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the Native American Heritage Commission (NAHC). The NAHC will be responsible for designating the Most Likely Descendant (MLD). The MLDS (either an individual or sometimes a

committee) will be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD will make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).

### 1.10.3 Geology and Soils

**Mitigation Measure PAL-1:** Fossils could be present in native soils onsite. A qualified paleontologist (approved by the County of Los Angeles, as applicable, and the Los Angeles County Natural History Museum Vertebrate Paleontology Department) shall be retained prior to excavation and grading activities at the Project Site.

- Prior to the earth-moving activities, the paleontologist shall develop a site-specific Paleontological Resources Impact Mitigation Program (PRIMP) to be implemented in support of the Project in order to mitigate potential adverse impacts to paleontological resources. The PRIMP shall follow guidelines developed by the Society for Vertebrate Paleontology and shall include monitoring of ground disturbance activities in sediments that are likely to include paleontological resources, specimen recovery, and screen washing; preparation of any collected specimens to the point of identification; curation of any collected specimens to a museum repository with permanent, retrievable storage; and preparation of a final paleontological survey report that would provide details of monitoring, fossil identification, and repository arrangements. The Project Applicant shall then comply with the recommendations of the Project paleontologist and requirements of the PRIMP.
- Before the mitigation program begins, the paleontologist or monitor shall coordinate with the appropriate construction contractor personnel to provide information regarding City or County of Los Angeles requirements, as applicable, for the protection of paleontological resources. Contractor personnel shall be briefed on procedures to be followed in the event that fossil remains and a previously unrecorded fossil site are encountered by earth-moving activities, particularly when the monitor is not on site.
- The qualified paleontologist shall perform periodic inspections of excavation and grading activities at the Project Site to determine the presence of fossiliferous soils. The frequency and location of inspections shall be specified in the PRIMP and shall depend on the depth of excavation and grading activities and the materials being excavated. If paleontological materials are encountered, the paleontologist shall temporarily divert or redirect grading and excavation activities in the area of the exposed material to facilitate evaluation and, if necessary, salvage. The authority of the paleontologist to temporarily halt construction in part of the project site shall be included on project grading and construction plans. A copy of the paleontological survey report shall be submitted to the Los Angeles County Natural History Museum. Any fossils recovered during mitigation shall be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.

### 1.10.4 Noise

**Mitigation Measure N-1:** The construction contractor will use the following source controls:

- Use of noise producing equipment will be limited to the interval from 8:00 a.m. to 5:00 p.m., Monday through Friday.

- For all noise producing equipment, use types and models that have the lowest horsepower and the lowest noise generating potential practical for their intended use.
- The construction contractor will ensure that all construction equipment, fixed or mobile, is properly operating (tuned up) and lubricated, and that mufflers are working adequately.
- Have only necessary equipment on site.
- Use manually adjustable or ambient sensitive backup alarms.<sup>5</sup>

**Mitigation Measure N-2:** The contractor will use the following path controls, except where not physically feasible:

- Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers. A typical noise barrier in a construction setting can absorb about 85% of the noise along the path from source to receiver.<sup>6</sup> If these are used for the cases shown in **Table 4.11-6**, the increase in exposure due to the project would, except for the architectural coating phase, range from about 10 to 12 dBA.
- Temporarily enclose localized and stationary noise sources. Enclosures can attenuate 10 to 20 dBA (AASHTO, 2007).
- Store and maintain equipment, building materials and waste materials as far as practical from as many sensitive receivers as practical.

**Mitigation Measure N-3:** Advance notice of the start of construction shall be delivered to all noise-sensitive receivers adjacent to the Project area. The notice shall state specifically where and when construction activities will occur, and provide contact information for filing noise complaints with the contractor and the City.

**Mitigation Measure N-4:** The applicant shall repave with a smooth surface the alleyway through which loaded trucks will enter the project construction site. According to Caltrans (Andrews et al. 2020), because vibration from vehicle operations is almost always the result of pavement discontinuities, the solution is to smooth the pavement to eliminate the discontinuities. This step will eliminate perceptible vibration from vehicle operations in virtually all cases.

### 1.10.5 Transportation, Hazards and Hazardous Materials and Wildfire Hazards

**Mitigation Measure TRANS-1:** Prior to construction, the General Contractor shall submit a detailed Construction Management Plan to be reviewed and approved by the City of West Hollywood. The Construction Management Plan shall specify that the Construction Manager will schedule truck traffic and employee shifts to avoid creating trips during the peak traffic periods, as is feasible for construction operations. All measures, including identified truck routes and designated employee

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<sup>5</sup> These are backup alarms that focus their noise on a specific area and/or automatically adjust the volume of the noise to be only slightly above that of the ambient level at the worksite.

<sup>6</sup> The 85% reduction value is from AASHTI (2007); the effect on the increase of exposure was calculated by UltraSystems,

parking areas, shall be included in the Construction Management Plan. The Plan shall include but is not limited to the following provisions:

- To handle street traffic affected by at-grade construction work on Sunset Boulevard, Cory Avenue, and Carol Drive, the Construction Management Plan shall specify how traffic will be routed and controlled during the construction phase, including which lane(s) of traffic will be temporarily blocked off for construction work.
- Specification of permitted hours for construction-related deliveries and removal of heavy equipment and material.
- Specification of where construction workers would park their personal vehicles during project construction with a requirement that at no time shall construction worker vehicles block any driveways. If complaints are received by the project applicant regarding issues with construction worker vehicle parking, the project applicant shall identify alternative parking options for construction workers so as not to interfere with any commercial and residential parking availability.
- Identification of how emergency access to and around the project site will be maintained during project construction.
- Specification of haul routes for delivery or removal of heavy and/or oversized equipment or material loads. Where feasible, delivery or removal of oversized equipment or material loads shall be conducted during off-peak traffic periods.
- Maintain pedestrian and bicycle connections around the project site designate safe crossing locations for all pedestrian detours.
- Maintain the security of the project site by erecting temporary fencing during the construction phase of the project. Any onsite night lighting used during the construction phase of the project shall be in compliance with lighting requirements of the City of West Hollywood.
- If temporary lane closures are necessary for the installation of utilities, that emergency access should be maintained at all times.
- Flag persons and/or detours shall be provided as needed to ensure safe traffic operations.
- Construction signs shall be posted to advise of reduced construction zone speed limits.
- The project design shall include entry/exit gates for first responders' vehicles to gain access to the project site.

**Mitigation Measure TRANS-2:** A keep clear sign shall be located at the proposed Cory Avenue driveway to ensure there would be less than significant traffic congestion near the Cory Avenue/Sunset Boulevard/ Doheny Road intersection.



### 1.10.6 Tribal Cultural Resources

#### **Mitigation Measure TCR-1:** Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities

A. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.

C. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.

D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh Nation from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh Nation to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh/Gabrielino TCRs.

E. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh Nation will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe’s sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

#### **Mitigation Measure TCR-2:** Unanticipated Discovery of Human Remains and Associated Funerary Objects

A. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects,

called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.

B. If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the Los Angeles County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed. C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).

D. Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Kizh Nation determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the tribal monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f).)

E. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

F. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

**Mitigation Measure TCR-3: Procedures for Burials and Funerary Remains:**

A. As the Most Likely Descendant (“MLD”), and as determined by the Native American Heritage Commission, the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains.

B. If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.

C. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects.



Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.

D. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.

E. In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. F. Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

F. The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

## 1.11 Summary of Alternatives

This Draft EIR examines in detail four alternatives to the project: Alternative 1: No Project Alternative, Alternative 2: No Digital Billboard Alternative, Alternative 3: Modified Land Use Alternative, and Alternative 4: Aboveground Parking Alternative. A general description of these alternatives is provided below. Refer to **Section 5.0** of this Draft EIR for a more detailed description of the alternatives, a comparative analysis of the impacts of these alternatives to those of the proposed project, and a description of the alternatives that were considered but rejected as infeasible.

### 1.11.1 Alternative 1 – No Project Alternative

In accordance with the CEQA Guidelines, the No Project Alternative for a development project on an identifiable property consists of the circumstances under which the project does not proceed. Section 15126.6(e)(3)(B) of the CEQA Guidelines states in part that, "in certain circumstances, the No Project Alternative mean 'no build' wherein the existing environmental setting is maintained." Accordingly, for the purposes of this analysis, Alternative 1, the No Project Alternative, assumes that the project would not be approved, no new permanent development would occur within the project

site, and the existing environment would be maintained. This alternative would involve the continuation of the current vacant commercial building onsite, which was previously a car dealership.

While the No Project Alternative would avoid all of the project's significant impacts, it would not achieve any of the project objectives.

### **1.11.2 Alternative 2 – No Digital Billboard Alternative**

This alternative would omit the digital billboard on the building exterior; otherwise the design, construction, and operation of this alternative would be the same as for the proposed project. Alternative 2 would reduce aesthetics, light and glare, energy and greenhouse gas emissions impacts compared to the less-than-significant aesthetics, light and glare, energy and greenhouse gas impacts analyzed under the proposed project.

This alternative would achieve all of the objectives of the proposed project, with the exception of partially creating a landmark building that would dramatically mark the entrance of West Hollywood, and developing a digital billboard. The digital billboard would be consistent with the bright lights character of the Sunset Strip and would dramatically mark the entrance to the City of West Hollywood.

### **1.11.3 Alternative 3 – Modified Land Use Alternative**

This alternative would convert the 7,892-square-foot high turnover restaurant use on the first floor of the proposed project to retail use. Otherwise, the design, construction, and operation of this alternative—including the digital billboard—would be the same as for the proposed project. Alternative 3 would reduce construction and operational impacts regarding toxic air contaminants; operational regional air pollutant emissions impacts; and transportation (vehicle miles traveled) impacts compared to the less-than-significant air quality and VMT impacts anticipated for the proposed project.

This alternative would achieve all of the objectives of the proposed project, with the exception of partially creating a mixed-use building with ground-floor uses catering to the needs of area office workers. This alternative would remove the proposed restaurant use that could serve the office workers in the area as well as the proposed new building.

### **1.11.4 Alternative 4 – Aboveground Parking Alternative**

This alternative would replace the restaurant, office, and BOH/MEP uses on the first and second floors with a two-level parking structure—the lower level would be at grade and the upper level above grade—with a total of approximately 50 parking spaces. Under this alternative the three level underground parking structure in the proposed project would be omitted. Office, restroom, and MEP spaces would be provided on levels 3, 4, 5, and 6 (roof) with a total of 32,652 square feet of office space. Alternative 4 would reduce impacts related to air quality, cultural resources, energy, paleontological resources, greenhouse gas emissions, hazards and hazardous materials, vehicles miles traveled and tribal cultural resources, as compared to the less-than-significant impacts anticipated for the proposed project. This alternative would also have reduced construction and operation noise and vibration impacts but noise impacts would still be significant and unavoidable similar to the to the significant-and-unavoidable noise and vibration impacts associated with the proposed project.

This alternative would achieve all of the objectives of the proposed project, with the exception of partially redeveloping the project site with land uses encouraged for the site by the SSP: (a) development of a mixed-use building of landmark quality at the southeast corner of Sunset and Cory that dramatically marks the entrance to West Hollywood and acts as a "hinge" at the bend in the street; and (b) with ground-floor uses catering to the needs of area office workers.

#### 1.11.5 Environmentally Superior Alternative

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives to a project shall identify an Environmentally Superior Alternative among the alternatives evaluated in an EIR. The CEQA Guidelines also state that should it be determined that the No Project/No Build Alternative is the Environmentally Superior Alternative, the EIR shall identify another Environmentally Superior Alternative among the remaining alternatives.

With respect to identifying an Environmentally Superior Alternative among those analyzed in this Draft EIR, the range of feasible alternatives includes the No Project/No Action Alternative; the No Digital Billboard Alternative; the Modified Land Use Alternative; and the Aboground Parking Alternative (refer to **Section 5.0** of this DEIR). **Table 5.4-1** provides a summary of the description of alternatives and a comparison of the different project components. **Table 5.4-2** provides a summary comparison, by environmental topic, of the project impacts and the impacts of each of the alternatives. **Table 5.4-3** provides a summary comparison of each of the alternatives' ability to meet the objectives of the project.

Of the alternatives analyzed in this Draft EIR, Alternative 1, the No Project/No Build Alternative would avoid all of the project's significant environmental impacts, including the project's significant and unavoidable construction noise impacts. Although Alternative 1 would reduce most of the project's less-than-significant and less-than-significant-with-mitigation impacts it would not meet any of the project's objectives.

In accordance with the CEQA Guidelines requirement to identify an Environmentally Superior Alternative other than the No Project/No Build Alternative, a comparative evaluation of the remaining alternatives indicates that Alternative 4, the Abovegorund Parking Alternative, would be the Environmentally Superior Alternative. As discussed above, the Aboveground Parking Alternative would reduce impacts of the project related to air quality, cultural resources, energy, paleontological resources, greenhouse gas emissions, hazards and hazardous materials, vehicles miles traveled and tribal cultural resources, as compared to the less-than-significant impacts anticipated for the proposed project. Alternative 4 would be the only alternative that would reduce the severity of the proposed project's only significant and unavoidable short-term construction impact related to noise during project construction.

The Aboveground Parking Alternative would fully meet four of the objectives for the project, related to compliance with goals of the Sunset Specific Plan (SSP) for SSP Area 8, use of landscaping on ground level and terraces on upper floors, incorporation of numerous sustainability features in the proposed development, and development of a digital billboard that would be used for civic announcements and artwork and would contribute to the landmark quality of the building at the entrance to the city.

Alternative 4 would partially meet the project objective related to the development of a mixed-use building of landmark quality at the southeast corner of Sunset and Cory that dramatically marks the

entrance to West Hollywood and provides ground-floor uses catering to the needs of area office workers, as the ground and second floor restaurant and office uses are omitted from this alternative.

As mentioned previously, § 15626.6(e)(2) of the State CEQA Guidelines indicates that when the No Project Alternative is the environmentally superior alternative the EIR shall also identify another environmentally superior alternative. Based on the information contained in **Table 5.4-2** provided in **Section 5.0** of this DEIR, it is evident that Alternative 4 would be environmentally superior to both the proposed project and Alternative 1. It meets most of the objectives of the proposed project and precludes or reduces to less than significant levels the occurrence of several significant impacts associated with the proposed project.

## **SECTION 2.0 – PROJECT DESCRIPTION**

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## 2.0 PROJECT DESCRIPTION

### 2.1 Introduction and Project Background

The proposed project consists of the development of a five-story, approximately 52,999-square-foot building with office and high turnover restaurant uses on the first floor, and office uses on the second, third, fourth and fifth floors. The project would provide 86 vehicle parking spaces, plus two loading spaces, and ten bicycle parking spaces in a three-level underground parking structure, in addition to six bicycle parking spaces on the ground level.

The project site is within the boundary of the Sunset Specific Plan (SSP), which extends along Sunset Boulevard, for the entire length of the city, and is typically one to two parcels wide on each side of the roadway (City of West Hollywood, 2019). The project site is within Area 8 - West End of the SSP area. The goals of the SSP in the West End area include accommodating additional office buildings and providing space for "creative" industries and anchor businesses. The SSP also encourages development of a building of landmark quality at the southeast corner of Sunset and Cory that dramatically marks the entrance to West Hollywood and acts as a "hinge" at the bend in the street. Ground-floor uses catering to the needs of area office workers are encouraged (City of West Hollywood, 2019).

The project includes applications for the following discretionary permits from the City of West Hollywood, the lead agency:

- A development permit for the construction of a new structure.
- A demolition permit for demolition of the portion of the automotive dealership building on the project site.
- A minor conditional use permit for alcohol sales for onsite consumption accessory to a restaurant, with the permitted hours of operation from 6 a.m. to 2 a.m.
- A modification to setback limits set forth in the Sunset Specific Plan to allow a minor deviation from setback requirements on the south side of the building facing residential uses.
- A development agreement for construction of a 14,000-square-foot digital billboard.
- A vesting parcel map.
- Approval for Parking Reduction for a secondary use (for restaurant in office building), which requires a parking study and review and approval by the Director per the City of West Hollywood Municipal Code (WHMC) Section 19.28.060.
- Other discretionary and ministerial permits and approvals that may be deemed necessary, including but not limited to temporary street closure permits, grading permits, excavation permits, foundation permits, and building permits.



## 2.2 Project Location and Setting

### 2.2.1 Project Location and Existing Conditions

The proposed project, 9160-9176 Sunset Boulevard Commercial Project, is located at 9160 to 9176 Sunset Boulevard in the city of West Hollywood, California. The project site is located on the south side of Sunset Boulevard, between Carol Drive and Cory Avenue. The city of West Hollywood is in west-central Los Angeles County, in the northern portion of the Los Angeles Basin and to the south of the Hollywood Hills. It is surrounded by the city of Los Angeles to the north, east, and south, and by the city of Beverly Hills to the west. Refer to **Figure 2.2-1**, which shows the project's regional location, and **Figure 2.2-2**, which shows the project location. The project site is currently developed with a car dealership, consisting of a two-story building and surface parking.

### 2.2.2 Surrounding Land Uses

The project site is surrounded by medical office, commercial, multi-family residential uses opposite Sunset Boulevard to the north; commercial uses to the west opposite Cory Avenue; a Southern California Edison (SCE) utility yard, single family residential and multi-family residential developments to the south; and a surface parking lot for a nearby office building to the east (see **Figure 2.2-2**).

## 2.3 Project Objectives

The objectives for the proposed project are:

1. Redevelop the project site in accordance with goals of the Sunset Specific Plan (SSP) for SSP Area 8, that is, accommodating additional office buildings and providing space for "creative" industries and anchor businesses.
2. Redevelop the project site with land uses encouraged for the site by the SSP: (a) development of a mixed-use building of landmark quality at the southeast corner of Sunset and Cory that dramatically marks the entrance to West Hollywood and acts as a "hinge" at the bend in the street; and (b) with ground-floor uses catering to the needs of area office workers.
3. Use landscaping on the ground level and on terraces on levels 2 through 5, including hanging plants from terraces, providing green screening and helping to soften the building's edges.
4. Develop a 14,000-square-foot digital billboard on the west, north, and east sides of the building exterior that would be displayed 24 hours per day. One-quarter of the programming time for the sign would consist of civic announcements and artwork. The digital billboard would also function as solar shading latticework during the daytime. The digital billboard would contribute to the landmark quality of the building at the entrance to the city.
5. Incorporate numerous sustainability features including site location<sup>7</sup>; natural heating and cooling features; use of recycled foundation materials; construction of an all-electric building; water-efficient plumbing fixtures; improved insulation; installation of PV panels and other energy efficiency measures; improvements to indoor air quality; use of efficient and durable roofing materials and exterior finishes; and use of efficient interior finishes.

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<sup>7</sup> The project site is previously developed and located in a developed urban area with existing road and public utilities infrastructure.



**Figure 2.2-1  
REGIONAL LOCATION**



Scale: 1:950,400



0 7.5 15 Miles

0 7.5 15 Kilometers

**Legend**

● Project Location

**9160-9176 Sunset Boulevard  
Commercial Project**

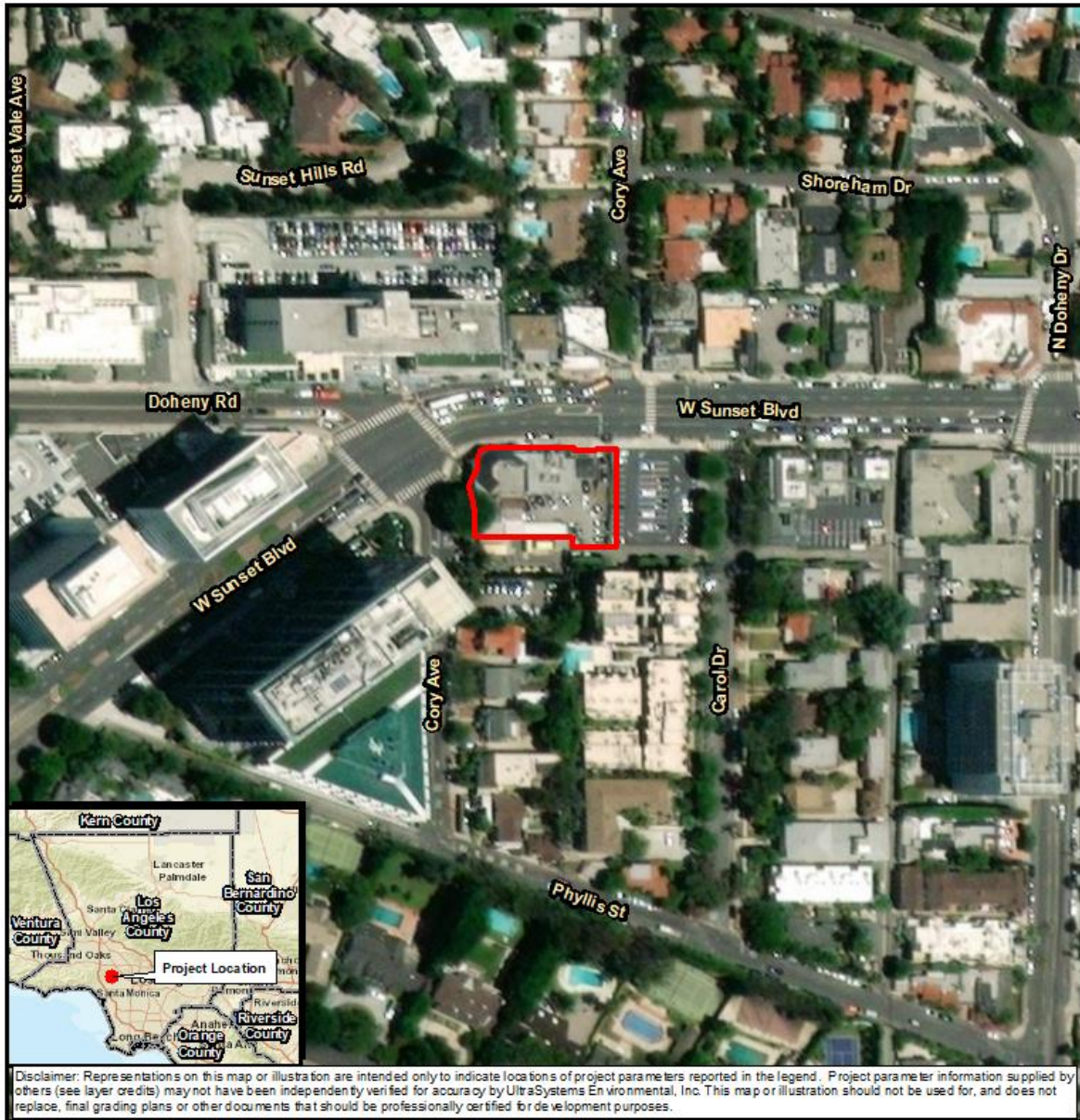
Regional Location Map







**Figure 2.2-2  
PROJECT LOCATION**



October 01, 2020

Scale: 1:1,920



0 80 160 Feet

0 20 40 Meters

**Legend**

Project Boundary

**9160-9176 Sunset Boulevard  
Commercial Project**

Project Location



## 2.4 Project Characteristics

### 2.4.1 Demolition

The existing automotive dealership building and surface parking would be demolished and the demolition debris removed before site preparation for construction of the proposed project.

### 2.4.2 Project Design

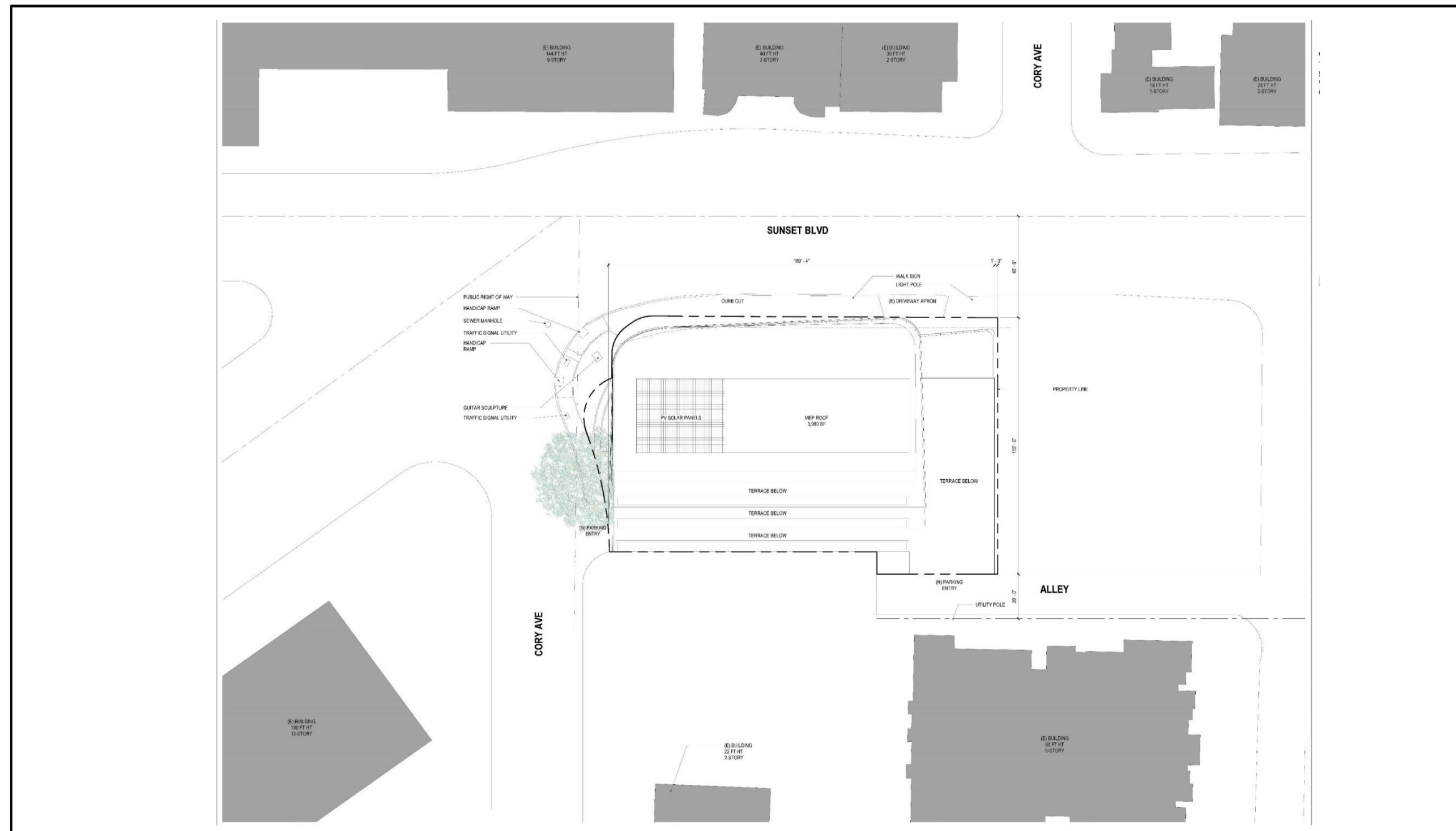
The project site comprises three contiguous lots located on the south side of Sunset Boulevard. The proposed project would consolidate the three lots into one and include construction of a five-story, commercial building. The proposed new building would include approximately 52,999 square feet of floor area on a 18,608-square foot project site, resulting in a FAR of approximately 2.85 to 1. The maximum building height would be approximately 90 feet. Land uses per floor are detailed below in **Table 2.4-1**. **Figure 2.4-1** shows the project site plan and **Figure 2.4-2** shows the proposed ground level floor plan. Project plans and drawings, including floor plans, building elevations, grading plan, landscaping plan and conceptual renderings, are provided in **Appendix B**.

**Table 2.4-1**  
**PROPOSED PROJECT LAND USES AND BUILDING AREAS**

Story	Land Use	Building Area (square feet)	Open Space (square feet)
1 (Ground Level)	Retail/High Turnover Restaurant	7,892	
	Office (Lobby)	590	
	Back of House/Mechanical/ Electrical/Plumbing (BOH/MEP)	2,077	
	Terrace/Plaza and Planting Area		622
	<b>Level 1 Subtotal</b>	<b>10,559</b>	
2	Office	11,616	
	Restrooms and MEP	1,356	
	Terrace and Planting Area		0
	<b>Level 2 Subtotal</b>	<b>12,972</b>	
3	Office	9,102	
	Restrooms and MEP	1,380	
	Terrace and Planting Area		3,943
	<b>Level 3 Subtotal</b>	<b>10,482</b>	
4	Office	7,974	
	Restrooms and MEP	1,358	
	Terrace and Planting Area		996
	<b>Level 4 Subtotal</b>	<b>9,332</b>	
5	Office	7,638	
	Restrooms and MEP	1,380	
	Terrace and Planting Area		
	<b>Level 5 Subtotal</b>	<b>9,018</b>	<b>759</b>
6 (Roof)	BOH/MEP	636	
	<b>Total</b>	<b>52,999</b>	<b>6,320</b>
	<b>Subtotals</b>	Office (including lobby)	36,920
		Retail/Restaurant	7,892
		Restrooms and BOH/MEP	8,187

Source: JBC/Gensler 2021.

**Figure 2.4-1  
PROPOSED SITE PLAN**



Disclaimer: Illustration provided by JBC/Gensler, who has indicated that the information is true and correct. No other warranties are expressed or implied.

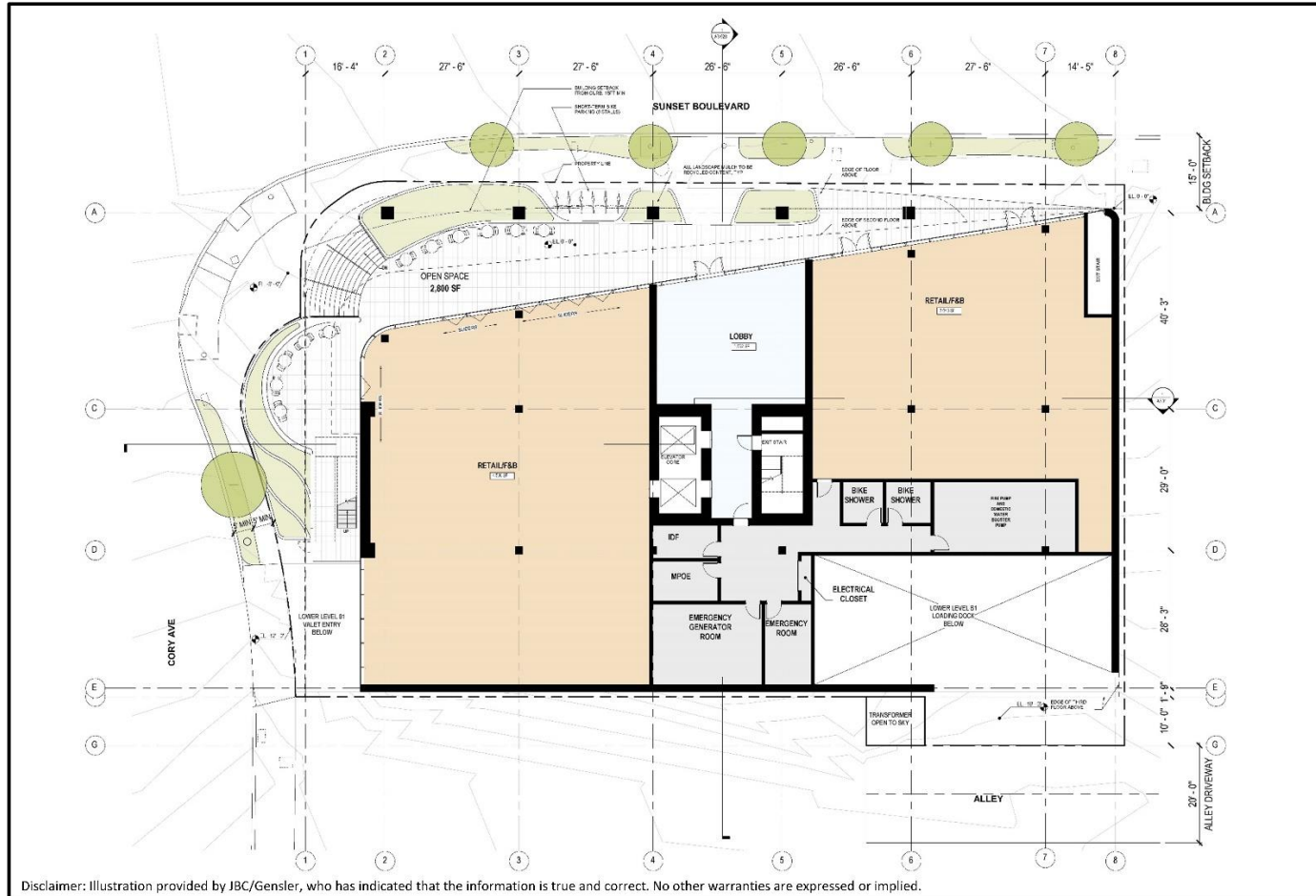
Sources: JBC/Gensler, 2020.



**9160-9176 Sunset Boulevard Commercial Project**  
Proposed Site Plan



**Figure 2.4-2**  
**PROPOSED LEVEL 1 FLOOR PLAN**



Sources: JBC/Gensler, 2020.

**9160-9176 Sunset Boulevard**  
**Commercial Project**  
Level 1 Floor Plan





On the first floor, the retail/high turnover restaurant uses would be provided in the west half of the building and in the northeast corner. The restaurant uses on the ground floor would also include provision of an additional 350 square feet of open space for outdoor dining use. The office use on the first floor would consist of a lobby in the north-central part of the building. The southwest part of the first floor would consist of a ramp to the underground parking structure and back-of-house spaces (refer to **Figure 2.4-2**). The upper levels (i.e., floors 2 through 5) would consist entirely of office spaces. Back-of-house, mechanical, electrical and plumbing uses would be located on the roof. The proposed building would be all-electric.

The proposed project design concept includes a digital billboard. A glass façade on levels 3 through 5 and the rooftop level would function as a solar shading latticework during the day (refer to **Figure 2.4-3**, Rendering, Daytime - Sunset Boulevard); and a digital billboard displaying the proposed off-site sign during both daytime and nighttime (refer to **Figure 2.4-4**, Rendering, Dusk - Sunset Boulevard). Levels 3 through 5 would be stepped back so that the building massing would be compatible with the existing residential scale buildings to the south (refer to **Figure 2.4-5**, Proposed Building Section). The digital billboard would display art; public art required by the City; and off-site advertising during daytime and nighttime hours. Hanging plants from levels 2 and 3 on the north side of the building, and levels 3, 4, and 5 on the south side of the building would provide green screening and help in softening the building edges by adding natural greenery to the building exterior.

The project would be designed and constructed in compliance with applicable City codes, including, but not limited to, the 2019 California Building Code, California Plumbing Code, California Mechanical Code, California Electrical Code, and California Building Energy Efficiency Standards.

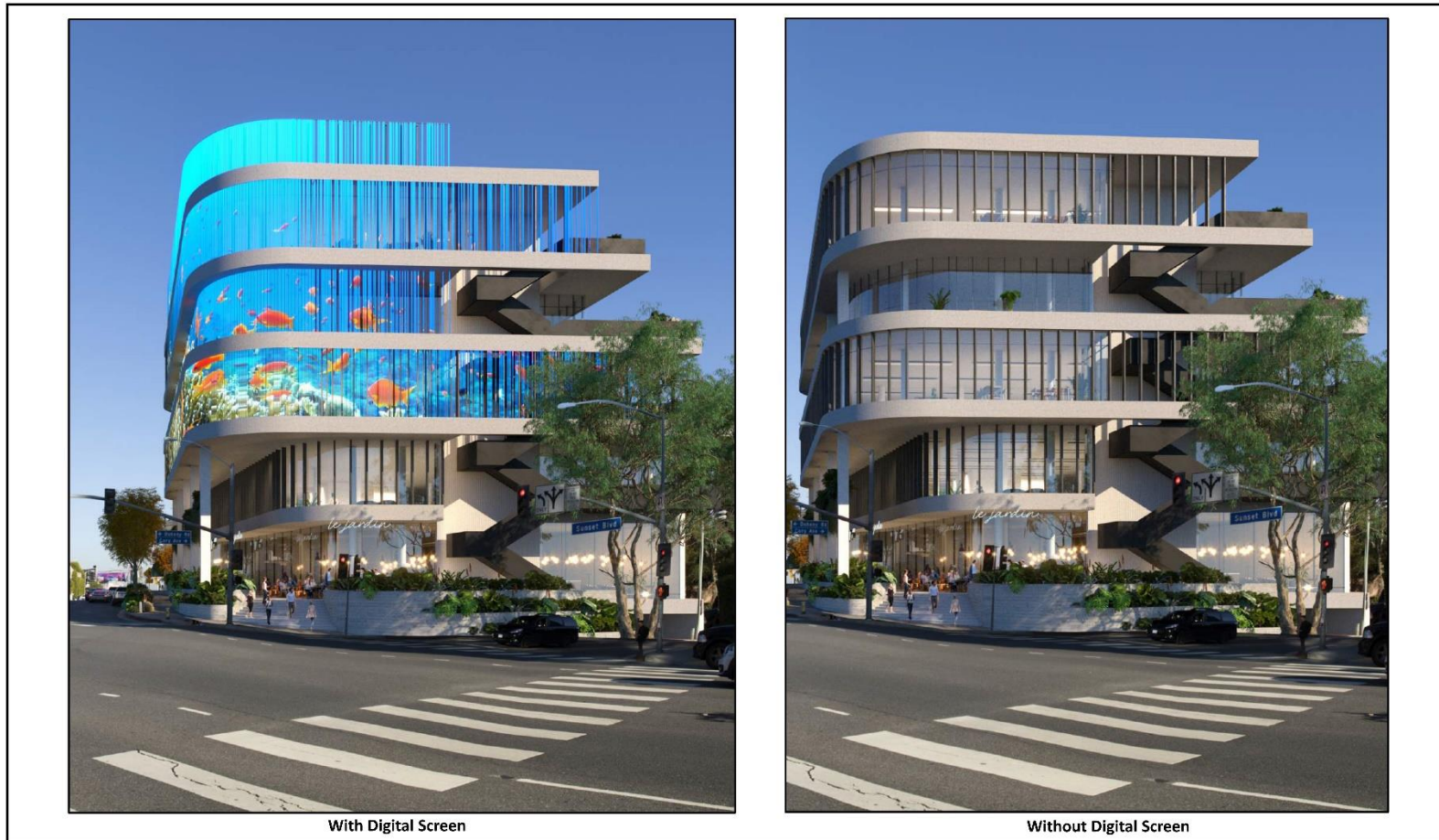
### 2.4.3 Digital Billboard and Signage

The project and proposed off-site signage component of the “digital billboard” would comply with the Sunset Boulevard Off-Site Signage Policy, which is incorporated as part of the Specific Plan. Construction of a new digital billboard requires approval of a Development Agreement pursuant to City of West Hollywood Municipal Code (WHMC) Chapter 19.66 as well as screening for design excellence.

Digital billboards must contribute at least 17.5 percent of programming time for art or civic announcements. Development projects that include a billboard application must be developed to at least 75 percent of the allowed base FAR on the subject property. The project would include an approximately 14,000-square-foot digital billboard. In addition to the statutory 17.5 percent of programming time for art or civic announcements, the project would also include one site-specific artwork featuring local artist(s) or culturally relevant piece each quarter, for an additional 7.5 percent public benefit contribution. Therefore, the total share of art programming would be approximately 25 percent. The project would fully develop the maximum permitted base FAR on the project site.

Consistent with Signage Policy requirements, the digital billboard would be located at least 10 feet above the adjacent sidewalk level; its height would not exceed the maximum allowable height onsite; it would not obscure public sightlines to building entrances or publicly accessible open space; and (as the “digital billboard” would be fully integrated with the building) there would not be any vertical space between the billboard face and the building. The digital billboard would also comply with the lighting and operational standards set forth in the Signage Policy, including with respect to hours of operation, illuminance, digital sign control and transitions, visual comfort and contrast control, and renewable energy use.

**Figure 2.4-3**  
**PROJECT RENDERING, DAYTIME - SUNSET BOULEVARD**



Disclaimer: Illustration provided by JBC/Gensler, who has indicated that the information is true and correct. No other warranties are expressed or implied.

Sources: JBC/Gensler, 2020.



**9160-9176 Sunset Boulevard Commercial Project**

Rendering, Daytime View  
Looking East From Sunset Boulevard

**Figure 2.4-4**  
**PROJECT RENDERING, DUSK - SUNSET BOULEVARD**



With Digital Screen

Without Digital Screen

Disclaimer: Illustration provided by JBC/Gensler, who has indicated that the information is true and correct. No other warranties are expressed or implied.

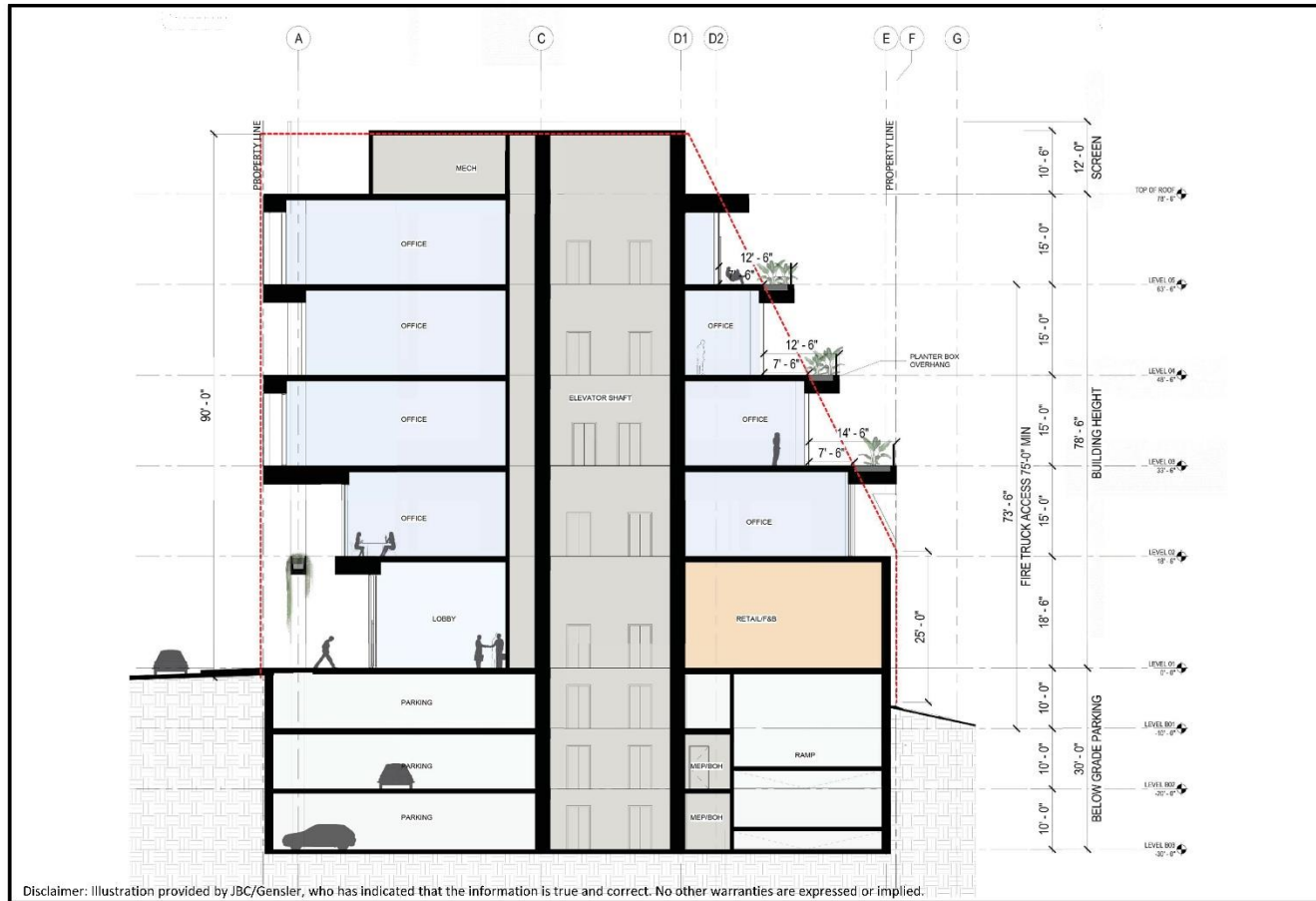
Sources: JBC/Gensler, 2020.



**9160-9176 Sunset Boulevard Commercial Project**

Rendering, Dusk View  
Looking Southwest From Sunset Boulevard

**Figure 2.4-5  
PROPOSED BUILDING SECTION**



Disclaimer: Illustration provided by JBC/Gensler, who has indicated that the information is true and correct. No other warranties are expressed or implied.

Sources: JBC/Gensler, 2021.

**9160-9176 Sunset Boulevard  
Commercial Project**

Building Section





The City adopted the Sunset Arts & Advertising Program in 2019. This program includes a competitive vetting process and merit-based selection of signage projects and grants awards to projects that will contribute to a dynamic environment on the Sunset Strip. According to the Sunset Arts & Advertising Program, the selected projects are those that preserve the past, celebrate the culture of the strip, support artistic expression, rehabilitate existing building, generate new pedestrian-oriented development, and create signage that is creative and integrated into architecture, with advertising content as its own form of art. The selected projects update the concept of what a billboard can be by creatively using shape in relationship to the street and to the buildings that support them and will increase the visibility of the Sunset Strip as a preeminent location for outdoor advertising.

In September 2021, the City launched Round 2 of the Program and opened call for proposals. The Design Excellence Committee reviewed 27 new screening applications, and granted awards to ten top scoring projects. On June 24, 2022, the proposed project was selected as a top scoring project and granted an award under Round 2 of the Sunset Arts & Advertising Program (Refer to **Appendix R**).

#### **2.4.4 Access, Circulation, and Parking**

Vehicular ingress and egress would be from Cory Avenue to the west; and via an existing alley from Carol Drive east of the site to the entrance to the proposed ramp in the southwest corner of the site down to the proposed underground parking structure. Pedestrian access would be from Sunset Boulevard on the north side of the site and Cory Avenue on the west side of the site.

The project would provide 86 parking spaces including 20 Electric Vehicle (EV) charging spaces, and additional two loading spaces. Parking and loading areas would be provided in three subterranean parking levels. The project would also provide 16 bicycle parking spaces (including 10 bicycle parking spaces in the subterranean parking garage and six at ground level). Office workers and retail/restaurant patrons would enter the parking garage from driveways on Cory Avenue and on the rear alley off Carol Drive.

#### **2.4.5 Landscaping and Open Space**

The project would provide 6,320 square feet of open space including 622 square feet of open space on Level 1 and a total of 5,698 square feet of terraces on levels 2 through 5. The open space would be provided via a ground-floor plaza and a series of landscaped terraces at all levels of the proposed building. Each of these open spaces would be expansive and uninterrupted and would be integrated into the design of the building. The terraces would serve as key architectural elements at the eastern and southern ends of the building and the plaza would anchor the project's street frontage and pedestrian orientation at the northwest corner. In addition to the open space plaza, the project would provide streetscape improvements in compliance with Specific Plan standards, including retention of existing two street trees on Sunset Boulevard. One existing ficus tree in the parkway on Cory Avenue and one existing ficus tree on the project site would be removed. Project landscaping would include eight trees, five Chinese pistache and three Brisbane box.

Species identified in the project plants palette are listed below in **Table 2.4-2**. Of the 25 species designated in the proposed project plants palette, 22 require low to very low water use and three require medium water use.

**Table 2.4-2  
LANDSCAPE PLANTINGS**

Common Name	Scientific Name
<b>Streetscape (at-grade)</b>	
Australian fuschia	<i>Correa "ivory bells"</i>
shiny xylosma	<i>Xylosma congestum</i>
<b>Hanging Garden (Vines)</b>	
star jasmine	<i>Tracheolospermum jasminoides</i>
snail vine	<i>Vigna caracalla</i>
Japanese honeysuckle	<i>Lonicera japonica 'Purpurea'</i>
climbing fig	<i>Ficus pumila</i>
<b>Streetscape (retaining wall)</b>	
dwarf coast rosemary	<i>Westringia fruticosa 'Grey Box'</i>
agave 'multicolor'	<i>Agave celsii</i>
felt brush	<i>Kalanchoe beharensis</i>
mangave	<i>X Mangave spp</i>
elephant bush	<i>Portulacaria afrea 'minima'</i>
<b>East Terrace</b>	
California fuschia	<i>Epilobium canum 'Catalina'</i>
wooly torch	<i>Cleistocactus strausii</i>
organ pipe cactus	<i>Lemaireocereus thurberi</i>
Australian fuschia	<i>Correa glabra "Coliban river"</i>
silver falls dichondra	<i>Dichondra argentea 'Silver Falls'</i>
agave 'blue flame'	<i>Agave 'Blue Flame'</i>
mesquite	<i>Prosopis spp.</i>
dwarf olive '	<i>Olea europea 'Little Ollie'</i>
cape aloe	<i>Aloe ferox</i>
<b>Terrace Planters</b>	
wall germander	<i>Teucrium chamaedrys</i>
prostrate coast rosemary	<i>Westringia fruticosa 'low horizon'</i>
prostrate swamp oak	<i>Casuarina glauca 'Cousin it'</i>
agave 'blue flow'	<i>Agave 'Blue Glow'</i>
trailing rosemary	<i>Rosmarinus Officinalus 'Huntington carpet'</i>

**2.4.6 Utilities**

**Sanitary Sewer:** The project proposes offsite sewer improvements to connect the sewer lines from the project site to the existing sewer network in surrounding roadways. All sewer line sizes and connections are subject to review by the city. The project applicant will work with the City's Public Works Department for approval of construction of proposed sewer laterals.

**Domestic Water:** New water meters would be installed as required to meet the demands calculated by the plumber for the project and in compliance with the requirements of the city's Public Works Department. The City of Beverly Hills Public Works Department provides water to the project site. The project would install water laterals connecting to existing mains in surrounding roadways.

**Dry Utilities:** Electricity would be provided by Southern California Edison Company (SCE), and solid waste collection would be provided by Athens Services (City of West Hollywood, 2020c). The project applicant is planning an all-electric building, and thus the building would not have natural gas service.



**Stormwater:** Stormwater generated on the project site would continue to drain into the existing 72-inch Los Angeles County storm drain line in Cory Avenue. Drainage patterns after project development would remain similar to existing drainage patterns. The project would implement comply with the City's Low Impact Development (LID) requirements and implement LID best management practices (BMPs) on-site, for reductions in the stormwater flows to the County's stormwater system.

#### **2.4.7 Trash Collection and Loading Areas**

The project is designed to minimize the visual impact of trash receptacles and loading areas. Electrical rooms, storage rooms, trash enclosures, and loading spaces would be located within the project site and would not be visible from surrounding public streets or public views. Rooftop equipment would be set back from the roof parapet edge and appropriately screened from public view. The loading area for the commercial uses would be provided on the first subterranean parking level and would be accessed from the alley.

#### **2.4.8 Sustainability and Green Building Program**

The proposed building has been designed to provide a significant sustainable and cultural project for the West Hollywood community as the first all electrical Class-A building.

The project would include a number of other sustainability features including site location<sup>8</sup>; natural heating and cooling features; use of recycled foundation materials; water-efficient plumbing fixtures; improved insulation; installation of PV panels and other energy efficiency measures; improvements to indoor air quality; use of efficient and durable roofing materials and exterior finishes; and use of efficient interior finishes.

To offset the electrical load of the proposed digital billboard LED screen, the mechanical and electrical systems have been designed with a streamlined approach to provide efficient loading/use for the tenants of the building while avoiding massive site equipment or excess service to the greatest extent feasible. At the roof level, an array of PV panels and an associated battery storage system would be installed to provide further support for the overall electrical loads. Within the tenant space, the mechanical system would utilize a heat recovery HVAC system to move unwanted heat from spaces that need cooling to spaces that need heating, rather than using electricity to both heat and cool each space. Outside the office spaces, occupiable terraces would act as both an eco-friendly workspace and a shading mechanism for a large portion of the building's southern exposure, thereby reducing the solar heat transfer into the space to the greatest extent feasible.

#### **2.4.9 Project Operation**

The project tenants are currently unknown. However, one of the goals of the SSP for Area 8 is provision of office space for creative industries. Project operational employment is estimated at 125 employees.

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<sup>8</sup> The project site is previously developed and located in a developed urban area with existing road and public utilities infrastructure.

## 2.5 Project Design Features

The following project design features (PDFs) would be implemented in addition to the Project characteristics noted above.

### 2.5.1 Aesthetics

**AES-PDF-1:** At 20 minutes before sunset the Project digital billboard signage will be specified to begin transition from the maximum daytime luminance of 6,000 cd/m<sup>2</sup> to the maximum nighttime luminance of 300 candelas/m<sup>2</sup>. Similarly, the Project digital billboard signage will be specified to transition from the night maximum luminance of 300 cd/m<sup>2</sup> to the day maximum luminance of 6,000 cd/m<sup>2</sup>, beginning no earlier than 20 minutes before sunrise.

### 2.5.2 Air Quality

**AQ-PDF-1:** All construction off-road equipment will be Tier 4 Interim or better where applicable.

### 2.5.3 Geology and Soils

**GEO-PDF-1:** The project would implement all geotechnical recommendations for the development of the site, including earthwork, seismic design, retaining walls, shoring and foundation design as specified in the Geotechnical Engineering Investigation prepared for the project; completed by Geotechnologies, Inc. in December 2020 and provided in **Appendix N** of this DEIR.

### 2.5.4 Greenhouse Gas Emissions

The Project would comply with the 2019 California Green Building Standards Code (CalGreen) (Part 11 of Title 24, California Code of Regulations). The following are proposed energy conservation measures that are beyond the minimum requirements of CalGreen. Emission reduction information, where available, is shown in parentheses.<sup>9</sup>

#### **Energy Conservation and Efficiency**

**GHG-PDF-1:** Project design will provide an energy efficiency exceeding Title 24, Part 6, California Energy Code baseline standard requirements by 10 percent, based on the 2019 Building Energy Efficiency Standards requirements.<sup>10</sup>

**GHG-PDF-2:** Use of natural heating and cooling features.

**GHG-PDF-3:** Use of improved insulation.

**GHG-PDF-4:** Installation of PV panels.

**GHG-PDF-5:** Use of efficient and durable roofing materials and exterior finishes.

<sup>9</sup> Emission reduction information is from CAPCOA, 2010.

<sup>10</sup> For analysis purposes, a value of 10% more efficient than Title 24 was used in the CalEEMod model.

**GHG-PDF-6:** Use of efficient interior finishes.

### **Water Conservation**

**GHG-PDF-7:** Water-efficient plumbing fixtures (17 to 31% of GHG emissions associated with non-residential indoor water use).

### **Solid Waste Conservation**

**GHG-PDF-8:** Use of recycled foundation materials.

### **Other**

**GHG-PDF-9:** No combustion of natural gas (100% reduction in emissions from natural gas use)

## **2.5.5 Transportation**

**TRANS-PDF-1:** The project would comply with the City's Transportation Demand and Management (TDM) Program and implement the following TDM program requirements for commercial projects:

- ***TDM Marketing.*** Implement the requirements for TDM marketing, as outlined in WHMC Section 10.16.070;
- ***TDM Plan and Required Trip Reduction Strategies.*** Submit a TDM plan with the contents outlined in WHMC Section 10.16.060(a), that provides a minimum of eight trip reduction strategies for commercial or mixed use structures with a total of more than 10,000 square feet of floor area;
- ***Average Vehicle Ridership (AVR) Goal.*** Employ best efforts to implement TDM strategies determined in the TDM plan to achieve the commercial only AVR goal of 1.5;
- ***TDM Survey.*** Conduct the annual TDM survey, as outlined in WHMC Section 10.16.080, provided by and submitted to the Director, which calculates estimated AV;
- Submit a Commercial and Mixed Use Development Annual Report, as further outlined in WHMC Section 10.16.080
- Maintain TDM records in accordance with WHMC Section 10.16.110.

## **2.6 Project Construction and Phasing**

### **2.6.1 Onsite Construction**

Construction activities would include earthwork, rebar, structural steel, concrete slab, concrete panels, mechanical, electrical, plumbing, glazing, roofing, landscaping, hardscape consisting of asphalt concrete, fencing, associated site utilities, site drainage, and any associated offsite work that may be required.

Construction would include excavation for construction of the proposed three-level underground parking structure. The finished floor of the bottom (B03) level of the parking structure would be 36 feet below ground surface, and the structure would span the entire footprint of the proposed building. Construction would involve approximately 25,000 cubic yards (cy) of soil export. Exported soil would be transported to Chiquita Canyon Sanitary Landfill west of the city of Santa Clarita, approximately 36 miles to the north.

For safety reasons, temporary barricades would be used to limit access to the site during project construction and allow for safe access for construction workers to be maintained throughout construction. It is anticipated that approximately 75 to 100 workers would be onsite during the peak construction phases.

The type of equipment utilized during construction is anticipated to include:

- Tractors, loaders, backhoes, dozers, excavators, skip loaders, scrapers, concrete trucks, concrete pumps, concrete vibrators, laser screeds, and dump trucks for site preparation and rough grading.
- Cranes, forklifts, backhoes, skip loaders, trucking, compacting equipment, manlifts, welders, paving-skip loaders, grading equipment, trucking and rollers for building construction.
- Skip loaders, backhoes, trenchers and trucking for utility improvements.
- Bobcats, air compressors, forklifts, and delivery trucks for landscaping and irrigation.

The majority of construction staging areas would be provided within the boundaries of the project site. The existing parking lane on Sunset Boulevard, along the project site boundary, would also be occupied during project construction and used for construction material deliveries and concrete placement activities.

Construction workers' vehicles and construction trucks and equipment would be parked onsite and/or on nearby vacant lots that would be leased for use as construction staging/parking areas. Construction workers would also be encouraged to carpool or use mass transit.

### **2.6.2 Offsite Improvements**

Under the proposed project, offsite improvements would include construction of utility laterals connecting to utility mains in surrounding roadways.

### **2.6.3 Construction Schedule**

Project construction is expected to start in December 2022 and require approximately **21** months. The construction schedule by phase is listed below in **Table 2.6-1**.

**Table 2.6-1  
CONSTRUCTION PHASING: SCHEDULE AND EQUIPMENT**

Construction Phase	Schedule			Construction Equipment	Estimated Number of Construction Workers per day
	Duration in weeks	Beginning	Ending	Type and Number	
Demolition	2	12/1/2022	12/15/2022	Concrete/Industrial Saw (1), Rubber Tired Dozer (1), Tractor/Loader/Backhoe (3), Excavator (1)	5
Site Preparation	2	12/16/2022	12/29/2022	Grader (1), Rubber Tired Dozer (1), Tractor/Loader/Backhoe (1)	6
Grading	12	12/30/2022	3/23/2023	Grader (1), Rubber Tired Dozer (1), Tractor/Loader/Backhoe (2), Excavator (1)	15
Building Construction	60	3/24/2023	5/16/2024	Crane (1), Forklift (1), Generator Set (1), Tractor/Loader/Backhoe (1),	75
Paving	5	5/17/2024	6/20/2024	Cement and Mortar Mixer (1), Paver (1), Roller (1), Paving Equipment (1), Tractor/Loader/Backhoe (1), Welders (3), Cement and Mortar Mixers (2),	8
Architectural Coating	8	6/21/2024	8/15/2024	Air Compressor (1)	10

## 2.7 Standard Requirements and Conditions of Approval

The proposed project would be reviewed in detail by applicable City of West Hollywood departments and divisions that have the responsibility to review land use application compliance with city codes and regulations. City staff is also responsible for reviewing this EIR to ensure that it is technically accurate and is in full compliance with CEQA. The departments and divisions at the City of West Hollywood responsible for technical review include:

- City of West Hollywood Planning and Development Services Department;
- City of West Hollywood Public Works Department;
- Los Angeles County Fire Department;
- City of West Hollywood Engineering Department.

## 2.8 Discretionary and Ministerial Approvals

For the proposed project to be implemented, the project applicant would require West Hollywood City Council approval of a development permit, a minor conditional use permit, a development agreement and approval of a vesting parcel map and parking reduction for the project site.

**Table 2.8-1** identifies ministerial permits and approvals required from either the city, other public agencies and/or quasi-public agencies (utilities).

**Table 2.8-1**  
**MINISTERIAL PERMITS AND APPROVALS**

Agency	Permit or Approval
City of West Hollywood Building & Safety Division	Site Plan review and approval, Building Permits, and Demolition Permit.
Los Angeles County Fire Department	Building plan check and approval. Review for compliance with the 2019 California Fire Code, 2019 California Building Code, California Health & Safety Code and West Hollywood Municipal Code. Plans for fire detection and alarm systems, and automatic sprinklers.
West Hollywood Public Works Department	Approval for proposed offsite utility improvements and Tree Removal Permit.
City of Beverly Hills Public Works Department [water service]	Letter of authorization/consent for proposed improvements to provide water supply connection to new development.
Southern California Edison Company	Letter of authorization/consent for proposed improvements to provide electrical connection to new development.



## **SECTION 3.0 – ENVIRONMENTAL SETTING**

## 3.0 ENVIRONMENTAL SETTING

### 3.1 Overview of Environmental Setting

This section describes the existing conditions within the study area for a suite of applicable environmental resources, as required under CEQA. For the purpose of analysis, the study area includes the proposed project site and the immediately surrounding area, and is dependent upon the environmental issue being analyzed.

Details regarding existing conditions and resources in the study area are described briefly below for each environmental topic in **Sections 4.1** through **4.15** of this document. Refer to each of the respective topical sections for additional information. General existing conditions are described first, followed by specific descriptions for existing environmental resources within and nearby the project site.

Some environmental resources (such as air quality) cannot be described specifically for the project site alone. To analyze existing conditions for these types of resources, a general description is provided for the environmental topic being discussed. For example the baseline setting description for air quality includes a general description of existing air quality within the air basin where the project is located.

The following methodology and resources were used for collecting the baseline setting information:

- Review of existing literature and data available on various public agency websites including but not limited to the Southern California Association of Governments (SCAG), City of West Hollywood Planning and Development Services and California Department of Transportation.

- Data collected during a site visit conducted by UltraSystems staff members.

- Technical reports that have been prepared to analyze potential project impacts.

### 3.2 Project Location and Surrounding Uses

The project site is approximately 0.43 acre and located at 9160, 9166 and 9174 Sunset Boulevard, within the City of West Hollywood (APNs 4340-028-001, -002 and -010). The project site consists of an existing automotive dealership, a surface parking lot, and ornamental vegetation. Land uses in the vicinity of the project site include commercial, multi-family residential and dining establishments to the north and west, a Southern California Edison (SCE) utility yard, single family residential and multi-family residential developments to the south, and a surface parking lot to the east (Google Earth Pro, 2021).

### 3.3 Existing Project Site Conditions

The project site is located in the northwestern portion of the City of West Hollywood, at the southeastern intersection of Sunset Boulevard and Cory Avenue. The project site is located within an urban developed portion of the city with an existing automotive dealership, a surface parking lot and ornamental vegetation. The project site was historically developed with numerous restaurants, offices and retail developments until it was developed into the current automobile dealership in 1987 (GPA Consulting, 2021, p. 1).

## Aesthetics

The project site is located in the city's SSP. The SSP is characterized by large scale and unique designs, and symbolic references to movie glamour such as billboards, which are a significant part of the street's visual character (City of West Hollywood, 2019, p. 9). The SSP also promotes a human-scale atmosphere that accommodates the "bright lights" of the Boulevard's entertainment image and will create a sense of community for local residents. The Sunset Specific Plan is designed to improve the livability of Sunset Boulevard by providing more places for people to gather, talk, sit, and live. The SSP seeks to integrate Sunset Boulevard into the greater community, balancing commercial needs and neighborhood concerns (City of West Hollywood, 2019, p. 11). Additionally, the project site is located in Area 8 – West End of the SSP, where the local landscape is dominated by office buildings on Sunset Boulevard. The views surrounding the project site include commercial buildings to the north, east and west, and residential developments to the south.

## Air Quality

The project site is in the City of West Hollywood, which is in the South Coast Air Basin. The distinctive climate of the South Coast Air Basin is determined by its terrain and geographic location. The general region lies in the semi-permanent high-pressure zone of the eastern Pacific, resulting in a mild climate tempered by cool sea breezes with light average wind speeds. The usually mild climatological pattern is interrupted occasionally by periods of extremely hot weather, winter storms, or Santa Ana winds.

## Biological Resources

The project site and adjacent land uses are completely developed with ornamental vegetation. Therefore, focused protocol surveys for plants or wildlife are not required and were not conducted for this project.

## Cultural and Historic Resources

The only cultural resources within the Sunset Specific Plan are the buildings located at 9118-9134 and 9165-9169 Sunset Boulevard (City of West Hollywood, 2019, p. 248); however, the project site is not located at those addresses. A Historic Resources Memorandum (refer to **Appendix G** to this DEIR) was created for the project site by GPA Consulting on February 13, 2020. Results found the project site was historically developed with numerous restaurants, offices and retail developments until it was developed into the current automobile dealership in 1987. In the 2016 Commercial Historic Resources Survey, the project site was deemed ineligible for the National Register, California Register, or local designation through survey evaluation (GPA Consulting, 2021, p. 1). Additionally, the field survey conducted for this project observed no historic artifacts or features. The potential for subsurface cultural and or historical deposits is minimal based on the above findings. Refer to **Section 4.4** for details.

## Energy

Electricity is provided to the project site by Southern California Edison (SCE) (CEC, 2021a). In 2019, the latest year for which data are available, SCE's electricity supplies were 35 percent renewable including 16 percent solar and 12 percent wind; 8 percent large hydroelectric; 16 percent natural gas; and 33 percent unspecified (SCE, 2020).

Natural Gas is provided to the project site by the Southern California Gas Company (SCGC) (CEC, 2021b). Total natural gas supplies available to SCGC are expected to increase from 3,175 million cubic feet per day (MMcf/d) in 2020 to 3,435 MMcf/d in 2023 and then remain stable at the latter supply level through the year 2035 (CEGU, 2020). However, the proposed project would not use natural gas, and would be completely operated on electricity.

### **Geology and Soils**

The project site is located along the southern margin of the Santa Monica Mountains, which is the northern boundary of the Los Angeles Basin. Five regionally active faults are present within five miles of the project site; two of these, the Hollywood Fault Zone and the Santa Monica Fault Zone, are within one mile of the project site (Geotechnologies, Inc., 2020, p. 6). Two soil types were identified in three exploratory borings drilled onsite to depths of up to 80 feet below ground surface. Fill soil consisting of silty sands which are light brown to brown, slightly moist to moist, medium dense, and fine to coarse grained were encountered in all three borings to depths of 3 to 7.5 feet below ground surface (bgs). Fill soil underlain by older alluvial fan deposits consisting of layers of sandy clays and clayey to silty sands, ranging from brown, dark reddish and bluish gray; moist to wet medium dense to very dense, stiff to very stiff, and fine to coarse grained, were encountered to the depth explored (Geotechnologies, Inc., 2020, p. 3).

### **Greenhouse Gas Emissions**

The project site is developed with commercial land uses. Greenhouse gas (GHG) emissions are currently generated by the use of on-road motor vehicles, energy (electricity and natural gas), water, and generation of solid waste and wastewater. As detailed in the GHG Emissions section of this document, GHG emissions generated by the existing uses at the project site have been estimated utilizing the California Emissions Estimator Model (CalEEMod), Version 2020.4.0 recommended by the South Coast Air Quality Management District (SCAQMD).

### **Hazards and Hazardous Materials**

The proposed project includes the demolition of the existing automotive dealership. As detailed in the Initial Study for the proposed project, a Phase I and Phase II Environmental Site Assessment (ESA) was conducted for the project site. All soil constituents were under their respective environmental screening levels (ESLs). Therefore, there are no existing hazardous materials within the existing project site.

### **Land Use and Zoning**

As detailed in **Section 4.10**, the project site has a General Plan land use and zoning designation of “Sunset Specific Plan (SSP)”. The developments adjacent to the project site have a General Plan land use and zoning designation of SSP to the north, east, and west, and a General Plan land use and zoning designation of Residential, Multi-Family Medium Residential (R3A) to the south (City of West Hollywood, 2010; City of West Hollywood, 2018a).

### **Land Use Plans**

The project site is located within Area 8 – West End of the City of West Hollywood Sunset Specific Plan (SSP). Area 8 – West End extends from Doheny to the Beverly Hills border and has the largest concentration of office buildings on the Sunset Strip. The goal of the Area 8 – West End is to

accommodate additional office buildings within this area and provide space for “creative” industries and anchor businesses (City of West Hollywood, 2019, p. 241).

The City of West Hollywood land use plans applicable to the project include the City of West Hollywood General Plan, including the Land Use & Urban Form Element, and the city’s Municipal Code. Regional plans that are applicable to the project include the Southern California Association of Governments (SCAG) Regional Comprehensive Plan, SCAG Regional Transportation Plan/Sustainable Communities Strategy, South Coast Air Quality Management District’s Air Quality Management Plan and Metro Congestion Management Program.

### **Noise**

The project site is located along Sunset Boulevard, a major traffic throughfare of the city, where the predominant source of noise in the project area is motor vehicle traffic. On Thursday, December 17, 2020, UltraSystems conducted ambient noise sampling at five locations in the general project area, the results of which are detailed in the noise section of this document. Ambient noise levels at all the points ranged from 55.2 to 69.1 dBA, which is typical of commercial and residential settings.

### **Population and Housing**

The project site is currently developed with an automotive dealership and surface parking lot. The project would develop a commercial building with retail, dining and office spaces. No residential land use is located on the project site and no new residential use is proposed under this project.

### **Public Services, Parks and Recreation**

The Los Angeles County Fire Department (LACoFD) provides fire protection and emergency medical services for the City of West Hollywood under contract with the city. Two LACoFD stations, Station 7 and Station 8, serve the City. Station 7 is located at 864 North San Vicente Boulevard, approximately 0.4 mile to the southeast of the project site. Station 7 is equipped with one paramedic engine, one rescue ambulance, and one battalion commander’s vehicle (LACoFD, 2020a). Daily staffing at Station 7 is six firefighters including four firefighter-paramedics (Durbin, 2020). Station 8 is located at 7643 Santa Monica Boulevard, approximately two miles to the east of the project site (LACoFD, 2020b). Station 8 is equipped with two fire engines, one quint, and one rescue ambulance (LACoFD 2020a).<sup>11</sup> Daily staffing at Station 8 is 13 (Beck, 2020).

The Los Angeles County Sheriff’s Department (LASD) provides police protection to the city based at its West Hollywood Station at 780 North San Vicente Boulevard; the West Hollywood Station also serves Universal CityWalk in an unincorporated area of Los Angeles County. LASD personnel and services at the West Hollywood Station are organized into seven divisions; Patrol, Traffic, Detectives, Red Light Camera, Special Units, Reserve Forces, and Volunteers (Los Angeles County Sheriff’s Department, 2020).

The City of West Hollywood Facilities and Recreation Services Department (FRSD) Recreation Division provides recreation programs in City parks, and the FRSD Facilities Division maintains City parks (City of West Hollywood, 2020). Two City parks are within one mile of the project site: West Hollywood Park, Dog Park, and Tennis Courts, at 647 and 625 North San Vicente Boulevard, approximately 0.6 mile to the southeast; and Sal Guarriello Veterans’ Memorial at 8441 Santa Monica

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<sup>11</sup> A quint is a fire apparatus serving dual purposes of an engine and a ladder truck (Calfireprevention.org, 2020).

Boulevard, approximately 0.9 mile to the east. The City has seven other parks (counting Plummer Park and Plummer Tennis Courts as one park) (City of West Hollywood, 2020b). Demands for parks are generated by the populations in the parks' service areas.

The Los Angeles County Library serves the City through its West Hollywood Library at 625 North San Vicente Boulevard. The library is currently closed due to the Covid-19 pandemic. The facility is 33,150 square feet in building area and was constructed in 2011 (Los Angeles County Library, 2020).

### Transportation

The key roadways that serve the project site are Sunset Boulevard, Cory Avenue, and Carol Drive. Existing parking includes the surface parking lot on the project site, and there are curb parking spots along Sunset Boulevard, Cory Avenue, and Carol Drive. The project site is located within a High Quality Transit Area (HQTA), which are areas that are 0.5 mile from transit stops or corridors with a 15-minute or less service frequency during peak commute hours. There are several bus stations that are within a 0.5 mile radius from the project site that are considered high-quality transit corridors. The Sunset Boulevard/Cory Avenue and Sunset Boulevard/Doheny Drive bus stops, both part of the two Metro Local Line, are approximately 60 feet west and 160 northwest of the project site, respectively, and both are high-quality transit corridors with busses stopping within 15 minute increments during peak commute hours. Additionally, the San Vicente/Sunset Boulevard bus stop along the 105 Metro Local Line is approximately 0.35 mile east of the project site and is also a high-quality transit corridor (Metro, 2021).

### Tribal Cultural Resources

The Native American Heritage Commission (NAHC) in Sacramento conducted a search of their Sacred Lands File and provided a list of Native American contacts for the project area in the City of West Hollywood, Los Angeles County. The search of Sacred Lands File at the NAHC failed to identify any traditional cultural properties (refer to **Attachment C** in **Appendix F**).

In March 2021, letters were sent by UltraSystems to eight Native American contacts representing eight tribes and bands on the list as part of its cultural resources study outreach. This is separate from the lead agency's AB 52 consultation mailings to tribes on September 1, 2021. The letter described the project and requested information about any traditional cultural properties, sites, or resources about which they may be concerned. Subsequent to the letters, telephone calls were made to all of the tribal contacts. There were two responses by the Native American contacts during the course of the Phase I Cultural Inventory Investigation. Refer to the Tribal Cultural Resources section of this EIR for a more detailed description of existing conditions and onsite conditions related to tribal cultural resources in the project area.

### Wildfire

The project site and project area are characterized as urban developed with ornamental vegetation throughout. As detailed in **Section 4.15**, the project site is not located within or adjacent to a wildland urban interface (WUI), or a Very High Fire Hazard Severity Zone (VHFHSV) in a State Responsibility Area (SRA) or Local Responsibility Area (LRA) (CAL Fire, 2020).



### 3.4 Approach to Cumulative Impacts Analysis

CEQA Guidelines § 15130(a) requires that an EIR discuss the cumulative impacts of a proposed project, when the project’s incremental effect is “cumulatively considerable.” Per § 15065(a)(3) of the CEQA Guidelines: Cumulatively considerable “means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” As detailed in CEQA Guidelines § 15130(a)(3), a project’s contribution is less than cumulatively considerable “if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact. The lead agency shall identify facts and analysis supporting its conclusion that the contribution will be rendered less than cumulatively considerable.”

CEQA Guidelines § 15130(b) states “The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness, and should focus on the cumulative impacts to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact.”

CEQA Guidelines § 15130(b) further states that the following elements are necessary to an adequate discussion of significant cumulative impacts:

(1) Either:

- (A) A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or
- (B) A summary of projections contained in an adopted local, regional, or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect. Such plans may include: a general plan, regional transportation plan, or plans for the reduction of greenhouse gas emissions. A summary of projections may also be contained in an adopted or certified prior environmental document for such a plan. Such projections may be supplemented with additional information such as a regional modeling program. Any such documents shall be referenced and made available to the public at a location specified by the lead agency.

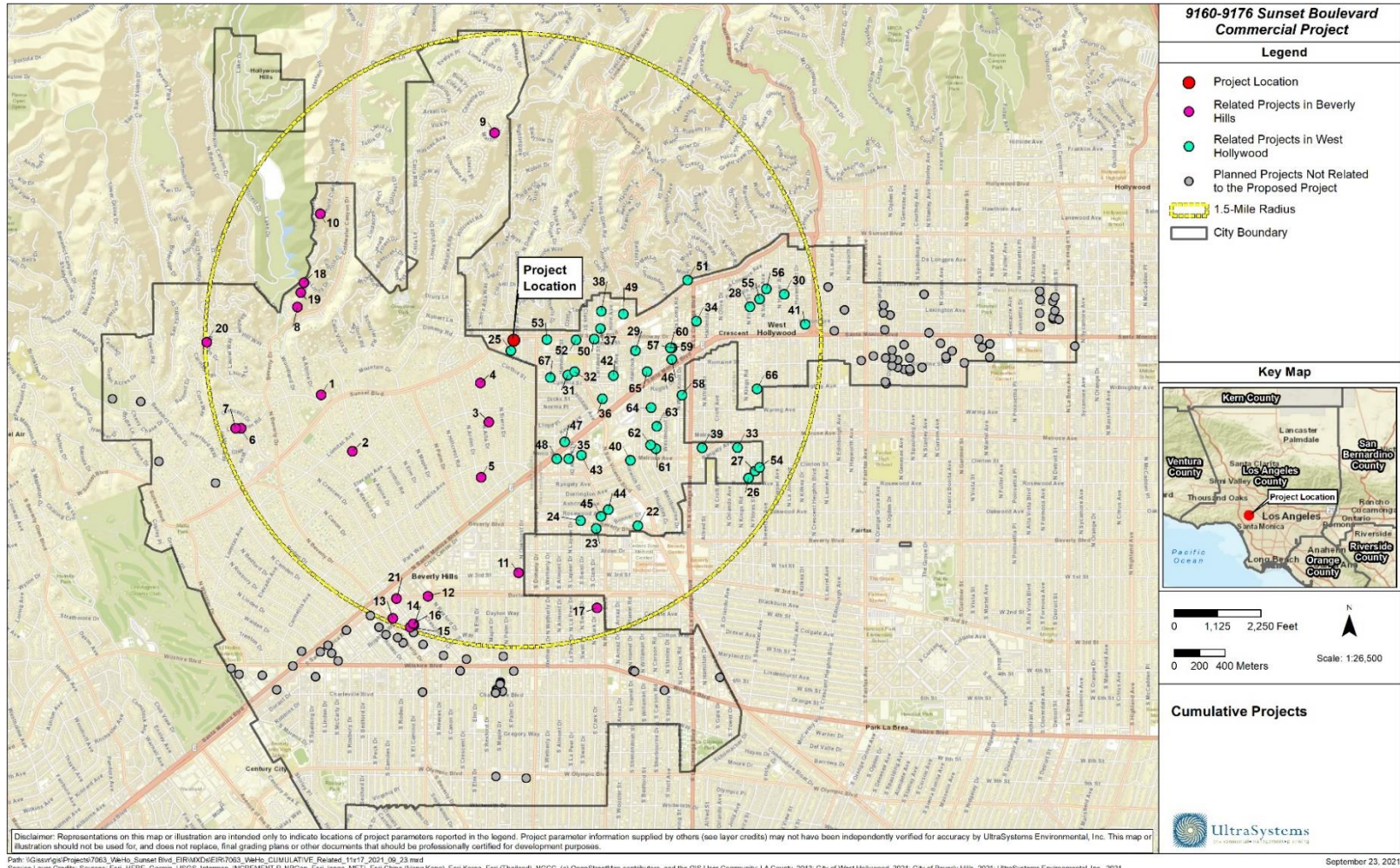
The cumulative analysis conducted for the proposed project considers the growth generated by related projects, provided below in **Table 3.4-1**. Cumulative impacts are analyzed in terms of cumulative study areas, which can vary depending on the separate environmental impact of each environmental issue area. For example, air quality or greenhouse gas impacts would be viewed on a larger scale (such as the Southern California Air Basin), as opposed to more localized and site-specific and localized mineral resources and aesthetics impacts.

#### 3.4.1 Related Projects

Based on a review of the planned area projects data obtained from the City of West Hollywood and the City of Beverly Hills, planned and probable future projects within a 1.5 mile radius area around the project site were included in the cumulative analysis. **Table 3.4-1** below provides the related projects identified within the City of West Hollywood and the City of Beverly Hills. The locations of the area projects are depicted in **Figure 3.4-1** below.



**Figure 3.4-1**  
**CUMULATIVE PROJECT LOCATIONS**





**Table 3.4-1  
SUNSET BOULEVARD CUMULATIVE PROJECTS LIST**

Map ID	Address	City	Description
1	910 Alpine Drive	Beverly Hills	Hillside R-1 Permit to allow cumulative floor area in excess of 15,000 SF. New project scope also involves a request to deviate from wall height standards within the front yard and to allow the height of a wall to exceed the maximum height standards.
2	718 Alpine Drive	Beverly Hills	Request to allow for a new accessory structure that exceeds 14' in height within the required side and rear setbacks.
3	628 Alta Drive	Beverly Hills	Request to allow for a new 2-story garage and pool house within the required side and rear setbacks.
4	714 Alta Drive	Beverly Hills	Request to allow for a new two-story accessory structure (recreation room and garage) in excess of 14' in height within the rear yard.
5	518 Arden Drive	Beverly Hills	Request to allow for a new two-story guest house and garage structure in excess of 14' in height within the side and rear yard.
6	1508 Lexington Road	Beverly Hills	Request for Hillside R-1 permits to exceed 3,000 cubic yards (CY) of export, exceed maximum allowable earthwork in a 5 year period and for view preservation for a structure over 14' in height.
7	1510 Lexington Road	Beverly Hills	Request for Hillside R-1 permit to allow floor area in excess of 15,000 square feet.
8	1193 Loma Londa Drive	Beverly Hills	Request to allow export of over 1,500 cubic yards on a property immediately adjacent to a street that is less than 24' wide.
9	445 Martin Lane	Beverly Hills	Request by View Owner at 445 Martin Lane for restorative action on the property of 455 Martin Lane.
10	1280 Monte Cielo Drive	Beverly Hills	Hillside R-1 Permit to allow cumulative floor area in excess of 1,000 square feet off the existing level pad, Export more than 1,500 cubic yards of earth materials, and exceed the amount of cut permissible within a 5-year period.
11	331 North Oakhurst Drive	Beverly Hills	Request to construct a new 3-story, 2,100 SF single-family residence in the R-4 Zone.
12	9220 North Santa Monica Boulevard	Beverly Hills	Beverly Hills Creative Offices Project: a specific plan proposal for 11 creative office buildings in a linear layout on a 2.2 acre parcel located on Santa Monica Boulevard. (Lots 12 and 13 site)
13	414 N Beverly Drive	Beverly Hills	Request to continue operating 22 square feet of open air dining on private property and 165 square feet on the public right-of-way.
14	340 N Canon Drive	Beverly Hills	Request to increase the amount of open air dining for an existing restaurant Louka.
15	341 N Canon Drive	Beverly Hills	Request to increase the amount of open air dining for an existing restaurant Louka.
16	342 N Canon Drive	Beverly Hills	Request to increase the amount of open air dining for an existing restaurant Louka.
17	300 North Clark Drive	Beverly Hills	Request to renew conditional use permit (CUP) for continued religious and educational institution uses for Temple Emanuel.
18	1170 Lona Linda	Beverly Hills	Request for a new front yard fence within the front yard setback.
19	1178 Loma Linda	Beverly Hills	Request to adjust a portion of the rear lot line of 1178 Loma Linda to 1113 Sutton Way.
20	1101 Marilyn Drive	Beverly Hills	Request for addition to a single-family residence within a required side yard setback above 14 feet in height.
21	9388 South Santa Monica Boulevard	Beverly Hills	Request for a Development Plan Review and Open Air Dining for new restaurant with rooftop/sidewalk dining.
22	8713 Beverly	West Hollywood	Development of a mixed—use building composed of 30 condo units, 5,475 SF of retail space, 3,416 SF of office space, and 500 SF of gallery space.
23	8816 Beverly	West Hollywood	Development of a mixed—use building composed of seven condo units, 28 apartment units, 5,535 SF of retail space, 8,889 SF of restaurant space, and 128 hotel rooms.
24	8899 Beverly	West Hollywood	Development of a mixed—use building composed of 76 apartment units, 19,755 SF of retail space, 4,394 SF of restaurant space, and 6,321 SF of office space.
25	1012 Cory	West Hollywood	Development of six condo units.
26	511 Flores	West Hollywood	Development of 10 condo units.
27	528 Flores	West Hollywood	Development of four apartment units.
28	1216 Flores	West Hollywood	Development of 14 condo units.
29	1006 Hancock	West Hollywood	Development of six apartment units.
30	1264 Harper	West Hollywood	Development of 14 condo units.
31	917 Hilldale	West Hollywood	Development of nine condo units.
32	926 Hilldale	West Hollywood	Development of three condo units.
33	621 Kings	West Hollywood	Development of four apartment units.
34	1136 La Cienega	West Hollywood	Development of 23 condo units.
35	637 La Peer	West Hollywood	Development of a commercial building composed of 11,513 SF of retail space, 8,575 SF of restaurant space, and 19,350 SF of showroom space.

Map ID	Address	City	Description
36	829 Larrabee	West Hollywood	Development of 13 apartment units.
37	1120 Larrabee	West Hollywood	Development of 22 apartment units.
38	1204 Larrabee	West Hollywood	Development of five condo units.
39	8465 Melrose	West Hollywood	Development of a 4,122 SF retail space.
40	8650 Melrose	West Hollywood	Development of a mixed—use building composed of seven apartment units and 14,571 SF of retail space.
41	8116 Norton	West Hollywood	Development of eight apartment units.
42	923 Palm	West Hollywood	Development of 49 affordable housing units.
43	645 Robertson	West Hollywood	Development of a commercial building composed of 18,130 SF of retail space, 33,300 SF of restaurant space, 241 hotel rooms, 10,325 SF of showroom space, and 3,780 SF of nightclub space.
44	8763 Rosewood	West Hollywood	Development of a 4,920 SF retail space.
45	8804 Rosewood	West Hollywood	Development of a 3,740 SF medical office space.
46	8555 Santa Monica	West Hollywood	Development of a mixed—use building composed of 123 apartment units, 14,500 SF of retail space, 3,900 SF of restaurant space, 6,700 SF of office space, and 3,600 SF of personal service space.
47	9001 Santa Monica	West Hollywood	Development of a commercial building composed of 9,850 SF of retail space and 9,800 SF of restaurant space.
48	9040 Santa Monica	West Hollywood	Development of a mixed—use building composed of 16 condo units, 9,038 SF of retail space, 9,313 SF of restaurant space, and 309,324 SF of office space.
49	8760 Shoreham	West Hollywood	Development of 11 apartment units.
50	8850 Sunset	West Hollywood	Development of a mixed—use building composed of 41 apartment units, 28,800 SF of restaurant space, 115 hotel rooms, and 4,700 SF of nightclub space.
51	8497 Sunset	West Hollywood	Development of a commercial building composed of 9,775 SF of retail space and 11,520 SF of restaurant space.
52	8920 Sunset	West Hollywood	Development of a commercial building composed of 5,238 SF of retail space, 1,765 SF of restaurant space, 45,888 SF of office space, 2,192 SF of gallery space, and 6,745 private club members.
53	9034 Sunset	West Hollywood	Development of mixed—use building composed of 107 apartment units, 3,200 SF of retail space, 8,800 SF of restaurant space, and 200 hotel rooms.
54	545 Sweetzer	West Hollywood	Development of nine apartment units.
55	1257 Sweetzer	West Hollywood	Development of 14 condo units.
56	1280 Sweetzer	West Hollywood	Development of nine condo units.
57	8553 West Knoll	West Hollywood	Development of five condo units.
58	852 West Knoll	West Hollywood	Development of nine condo units.
59	8553 West Knoll	West Hollywood	Development of five condo units.
60	8557 West Knoll	West Hollywood	Development of six condo units.
61	618 Westbourne	West Hollywood	Development of four condo units.
62	629 Westbourne	West Hollywood	Development of three condo units.
63	718 Westbourne	West Hollywood	Development of three apartment units.
64	823 Westbourne	West Hollywood	Development of four apartment units.
65	916 Westbourne	West Hollywood	Development of eight condo units.
66	8314 Willoughby	West Hollywood	Development of two condo units.
67	910 Wetherly	West Hollywood	Development of 93 affordable housing units.

Source: City of Beverly Hills, 2021; City of West Hollywood, 2021

### 3.4.2 Forecasts of Population and Employment for City of West Hollywood

The population of the City of West Hollywood is forecast to increase between 2021 and 2045 by 6,475, or approximately 18 percent of its 2021 population. The number of households in the city is forecast to increase by 6,406, or about 27 percent of the number of households in 2021. Employment in the city is forecast to increase by approximately 6,093, or about 19 percent of the 2021 figure (CDF, 2021; SCAG, 2020; US Census Bureau, 2021). Refer to **Table 3.4-2** which provides a demographic forecast for the city.

**Table 3.4-2  
CITY OF WEST HOLLYWOOD DEMOGRAPHIC FORECAST**

	2021	2045	Difference, 2021 - 2045	Percent Difference, 2021 - 2045
Population	36,125	42,600	6,475	17.9%
Households	23,694	30,100	6,406	27.0%
Employment	32,007	38,100	6,093	19.0%

**Sources:** CDF, 2021; SCAG, 2020; US Census Bureau, 2021

## **SECTION 4.0 – ENVIRONMENTAL IMPACT ANALYSIS**





## 4.1 Aesthetics

### 4.1.1 Introduction

The Initial Study, included as **Appendix A** to this DEIR, determined that impacts on scenic vistas and scenic resources, including scenic resources in designated state scenic highways, would be less than significant. Therefore, those impacts are not addressed in this section.

### 4.1.2 Regulatory Framework

#### Federal

There are no federal regulations that pertain to this issue area.

#### State

##### **California Public Resources Code Section 21099(d)**

California Public Resources Code Section 21099 Subsection (d) sets forth the following:

- (1) Aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.
- (2)
  - (A) This subdivision does not affect, change, or modify the authority of a lead agency to consider aesthetic impacts pursuant to local design review ordinances or other discretionary powers provided by other laws or policies.
  - (B) For the purposes of this subdivision, aesthetic impacts do not include impacts on historical or cultural resources.

#### Local

##### **City of West Hollywood General Plan**

##### **Land Use and Urban Form Element**

**Goal LU-5:** Encourage a high level of quality in architecture and site design in all construction and renovation of buildings.

#### Policies

- LU-5.1** Continue to encourage diverse architectural styles that reflect the City's diversity and creativity.
- LU-5.4** Encourage the use of high quality, permanent building materials that do not require excessive maintenance and utilize the design review process to evaluate such materials.

The following goal and policies pertain to the Sunset Boulevard commercial district.



**Goal LU-15:** Maintain Sunset Boulevard as a regional, national, and international destination for entertainment, and the primary economic engine of the City.

### **Policies**

- LU-15.1** Continue to promote a great diversity of uses on Sunset Boulevard including the following:
  - a. Entertainment and related uses to support the community’s vision of a high-quality national and international entertainment destination.
  - b. Offices catering particularly to entertainment and creative businesses.
  - c. Night clubs, music venues, theaters, and other live entertainment venues.
  - d. Restaurants, bars, and cafés that support both the daytime and night-time populations.
  - e. Neighborhood-serving retail businesses that provide goods and services for nearby residents.
  - f. Hotels and other hospitality uses.
- LU-15.2** Allow residential uses on Sunset Boulevard in mixed-use buildings pursuant to the Sunset Specific Plan.
- LU-15.3** Maintain the identity of Sunset Boulevard as an eclectic urban environment with varied building heights and architectural styles.
- LU-15.4** Require high density development identified in the Sunset Specific Plan to support the economic development goals of the City.
- LU-15.5** As feasible, locate parking behind buildings or in structures hidden from public view so as not to detract from the pedestrian experience.
- LU-15.6** Seek to create a park-once district for this area that allows for centralized, shared parking facilities from which customers and employees can then walk to and between multiple destinations.
- LU-15.7** Maintain the Sunset Specific Plan and update as appropriate.

### **Sunset Specific Plan**

The Sunset Specific Plan (SSP), adopted in 1996 and amended in 2019, extends the length of Sunset Boulevard in the City of West Hollywood and typically extends one to two parcels north and south of the roadway. The Sunset Specific Plan is a detailed plan that guides the future development of Sunset Boulevard in the City of West Hollywood. The Plan is designed as a specific response to the urban conditions of the Boulevard and it includes policies, standards, and guidelines which promote and preserve the unique qualities of the street. Urban design standards, density strategies, cultural resource guidelines, and land-use and development regulations encourage responsible development along Sunset Boulevard. The Sunset Specific Plan acts as a supplement to the City’s General Plan and

its Zoning Ordinance. The Plan reiterates the City or West Hollywood's commitment to maintaining the high quality of life enjoyed by its residents, and it is consistent with the City's innovative approach to planning and development. Selected SSP urban design standards and guidelines are enumerated below.

### ***Threshold A: Urban Design: Standards and Guidelines***

#### **Goals:**

Sunset Boulevard is an important asset to the City of West Hollywood. Distinctive and innovative urban design and architecture will ensure Sunset Boulevard's continued role as a major focus of urban life in West Hollywood and reinforce its appeal as an attractive and lively destination and commercial address. Urban design includes the careful and creative development of the streetscape and open space along the Boulevard. Landscaping and well-designed open space will contribute to the existing beauty of the street and create a pedestrian-friendly atmosphere in the tradition of great boulevards around the world.

- I Encourage the development of a street that presents a powerful image to visitors while also encouraging use by local residents.
- II Enhance economic development and pedestrian activity by improving the physical attractiveness of the street through widening sidewalks and providing, places for relaxation, shopping, living, and dining.
- III Encourage sensitive design that continues the varied pattern of use, height, and density.
- IV Retrofit and rehabilitate existing buildings so that they reflect the spirit of Sunset's historic past and are compatible with the expressed design guidelines for new development.
- VI Protect and enhance significant public views to the Los Angeles basin and to the hills above Sunset as well as along street corridors and within open spaces.

The SSP is divided into eight geographic areas; the project site is in Area 8, West End.

### ***Threshold B: Area 8 – West End***

Area 8 of the Sunset Specific Plan area extends from Doheny Drive to the west City boundary. The largest concentration of office buildings on the Sunset Strip is in this area. There are two historic buildings in the area designated as Cultural Resources by the City of West Hollywood: a Streamline Moderne building designed by Paul Williams and the building currently occupied by Geffen Records.

**Goals:** Accommodate additional office buildings in this area and provide space for “creative” industries and anchor businesses. Existing buildings will be upgraded. Open space, streetscape improvements, and other amenities will create an attractive location where businesses will want to relocate and where existing businesses will thrive. Guidelines for massing and design will result in new buildings that dramatize the western gateway into West Hollywood and the Sunset Strip.

### **Sunset Specific Plan Lighting Requirements**

Sunset Specific Plan sections governing signage are set forth in City of West Hollywood Municipal Code Sections 19.34.080 et seq. These sections govern allowable luminance and spill light; visual

comfort and contrast control; energy usage; lighting monitoring; architectural lighting; and temporary creative billboards and tall wall signs. The text of the sections is contained in the Lighting Study included as **Appendix C1** to this DEIR.

### 4.1.3 Existing Conditions

#### Overview

A “visual environment” includes the built environment (development patterns, buildings, parking areas, and circulation elements) and natural environment (such as hills, vegetation, rock outcroppings, drainage pathways, and soils) features. Visual quality, viewer groups and sensitivity, duration, and visual resources characterize views. Visual quality refers to the general aesthetic quality of a view, such as vividness, intactness, and unity. Viewer groups identify who is most likely to experience the view. High-sensitivity land uses include residences, schools, playgrounds, religious institutions, and passive outdoor spaces such as parks, playgrounds, and recreation areas. Duration of a view is the amount of time that a particular view can be seen by a specific viewer group. Visual resources refer to unique views, and views identified in local plans, from scenic highways, or of specific unique structures or landscape features.

Scenic vistas generally include extensive panoramic views of natural features, unusual terrain, or unique urban or historic features, for which the field of view can be wide and extend into the distance, and focal views that focus on a particular object, scene or feature of interest.

#### Characteristics

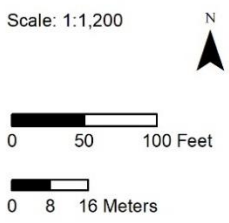
The project site is located in the City of West Hollywood, in the northwest part of the Los Angeles Basin, a broad coastal plain that is almost entirely densely developed. The project site and surroundings have a south slope of approximately 12 percent grade. The south foot of the Hollywood Hills is approximately 250 feet north of the site. The Hollywood Hills extend east-west and are contiguous with the Santa Monica Mountains to the west; the Hollywood Hills and Santa Monica Mountains combined extend approximately 45 miles east-west from Griffith Park in the City of Los Angeles in the east to Point Mugu in Ventura County in the west. Visual resources in the project vicinity are buildings, the cityscape generally, trees, and the Hollywood Hills to the north. The project site is visible from Sunset Boulevard and from Cory Avenue.

Refer to **Figure 4.1-1a** which shows locations and directions of site photos; Figure 4.1-1b shows photos of the project site and surrounding areas. These photographs show the existing conditions both on the project site and surroundings. As shown in these photographs, the surrounding project area is a mix of residential and commercial land uses. Refer to **Table 4.1-2** below, which describes the existing visual character and land uses on and surrounding the project site.

**Figure 4.1-1a**  
**SITE PHOTOGRAPHS LOCATIONS MAP**



Path: I:\GIS\Projects\7063\_WeHo\_Sunset Blvd\_EIR\MXDs\EIR\7063\_WeHo\_4\_1\_Photo\_Locations\_2021\_10\_01.mxd  
 Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community UltraSystems Environmental, Inc., 2021. October 01, 2021



**9160-9176 Sunset Boulevard  
Commercial Project**  
Photograph Key Map





**Figure 4.1-1b**  
**VISUAL CHARACTER OF PROJECT AREA**



PHOTO 1: View looking southwest of the auto dealership building onsite; the office building at 9200 Sunset Boulevard is in the right background.



PHOTO 2: View of the project site looking east from Cory Avenue.



PHOTO 3: View looking northwest of the south façade of the auto dealership building onsite; the medical office building at 9201 Doheny Road is in the background.





**Table 4.1-2  
EXISTING VISUAL CHARACTER AND LAND USES IN THE PROJECT AREA**

Location	Land Use Designation <sup>1</sup>	General Characteristics <sup>2</sup>	Existing Lighting <sup>2</sup>	Building Materials and colors <sup>2</sup>	Building Design	Landscaping
<b>North of the Project Site</b>	Sunset Specific Plan (SSP)	Commercial: 9-story office building and two 2-story buildings	Street lights on both sides of Sunset Boulevard; exterior and interior building lights; vehicle lights	Glass, metal, and stucco; blue, gray, white, and beige	Modern mid-rise office building with mostly glass walls; two 2-story buildings of contemporary design	Street trees; small landscaped area in front of one of the 3 buildings
<b>South of the Project Site</b>	R3A – Residential Multi-Family Medium Density	Single-family residential, one and two stories (on Cory Avenue); and multi-family residential, three stories (on Carol Drive)	Street lights; exterior and interior building lights; vehicle lights	Brick, metal, glass; stucco; red tile roof	Three-story multifamily residential building in contemporary design; one-story single-family residence of no distinct style	Trees, shrubs, and ground covers
<b>East of the Project Site</b>	SSP	Office building, 2-3 stories	Street lights on both sides of Sunset Boulevard; exterior and interior building lights; vehicle lights	Stucco, wood, glass	Two- to three-story office building of	Trees and shrubs
<b>West of the Project Site</b>	SSP	Mid-rise office building	Street lights on both sides of Sunset Boulevard; exterior and interior building lights; vehicle lights	Glass and metal	Mid-rise office building, contemporary design	Grass, trees, and shrubs
<b>Project Site</b>	SSP	Car dealership consisting of two-story buildings	Street lights on both sides of Sunset Boulevard; exterior and interior building lights; vehicle lights; parking lot lighting	Stucco, wood, glass		Grass, trees, and shrubs

Source: UltraSystems, 2021

<sup>1</sup>City of West Hollywood General Plan.

<sup>2</sup> Google Earth Pro, 2020 and site visit to project site in December 2020 by UltraSystems staff.

## Lighting

Existing light sources on and near the project site include interior and exterior building lights, parking lot lights, street lights, vehicle lights, and signs. Nighttime lighting levels (illuminance) were measured by Krahe & Associates (Krahe) at five locations at residential property boundaries near the proposed project site on February 15, 2021 between 8:00 p.m. and 9:09 p.m. using a Minolta LS-100 light meter. Measurement locations are mapped on **Figure 4.1-2** and **Table 4.1-3** shows existing nighttime light levels near the project site. Horizontal illuminance is light incident on a horizontal plane and is measured with the light meter facing upward. Vertical illuminance is light incident on a vertical plane and is measured with the light meter facing sideways. Illuminance is evaluated as high (over 1.4 foot-candles [fc]); medium (0.75 to 1.4 fc), and low (0.74 fc and below).

**Table 4.1-3  
EXISTING NIGHTTIME LIGHT CONDITIONS NEAR PROJECT SITE**

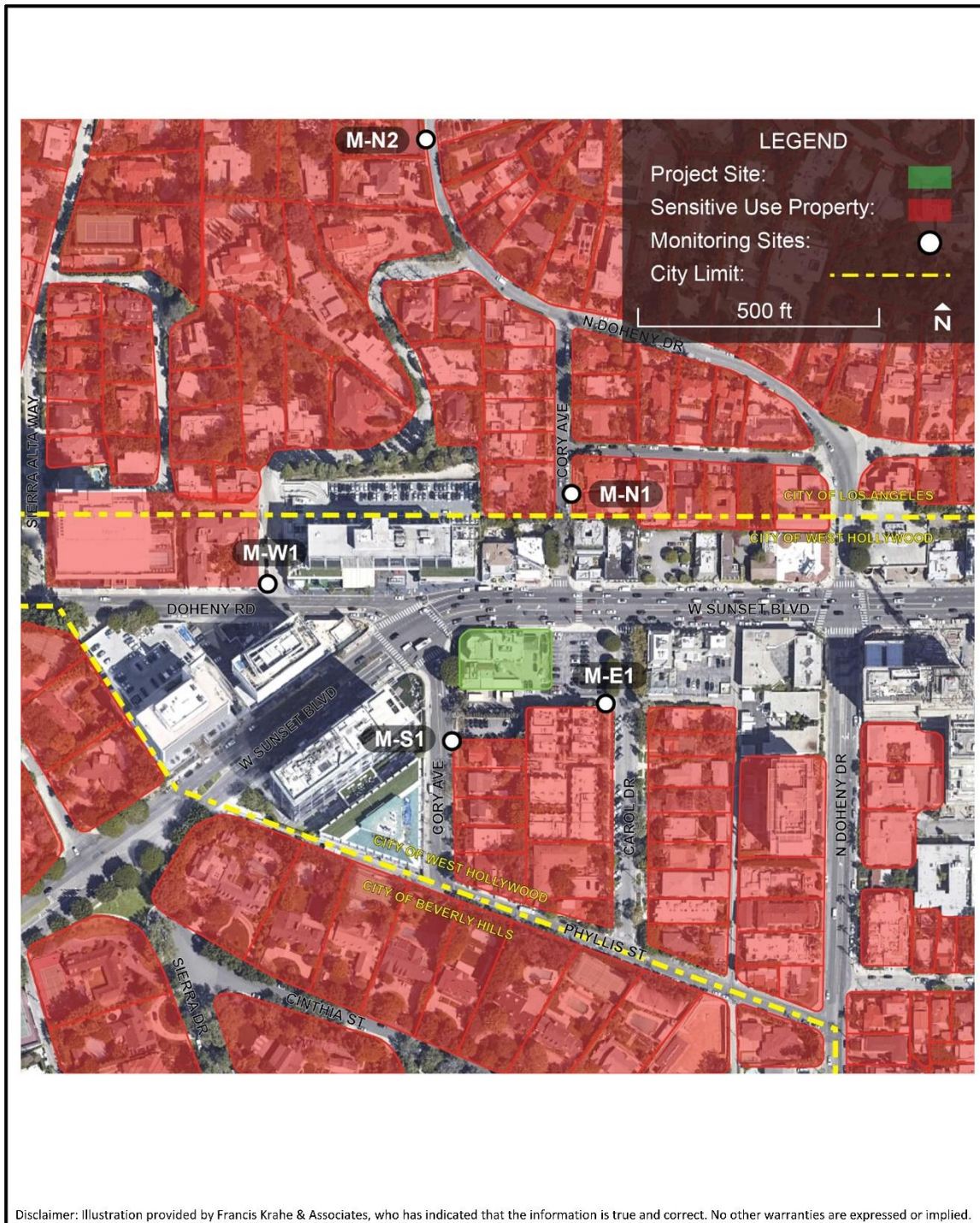
Monitoring Site	Illuminance (fc)		Address; direction from project site	Evaluation
	Horizontal	Vertical		
M-E1	0.25	1.99	Next to 1033 Carol Drive; east	Low Horizontal, High Vertical illuminance
M-N1	0.30	0.38	Next to 1112 Cory Avenue; north	Low Horizontal, Low Vertical illuminance
M-N2	0.22	0.08	Next to 1245 North Doheny Drive; north	Low Horizontal, Low Vertical illuminance
M-W1	2.31	0.55	Next to 9233 Doheny Road; west	High Horizontal, Low Vertical illuminance
M-S1	0.20	0.29	Next to 1024 Cory Avenue; south	Low Horizontal, Low Vertical illuminance

Source: Krahe, 2021.

## Glare

Glare is visual discomfort experienced from high luminance or high range of luminance. For exterior environments at night, glare occurs when the range of luminance in a visual field is too large. The light energy incident at a point is measured by a scale of footcandles or lux, and is described in the technical term Illuminance. This incident light is not visible to the eye until it is reflected from a surface, such as pavement, wall, dust in the atmosphere or the surface of a light bulb. The visible brightness of a surface is measured in footlamberts (or metric equivalent candelas per square meter) and is described by the term Luminance. Contrast is the ratio of one surface luminance to a second surface luminance or to the field of view. Contrast exceeding 30 to 1 are usually deemed uncomfortable and evaluated as high; less than 30 to 1 to greater than 10:1 are medium contrast; 10 to 1 are clearly visible and evaluated as low; and less than 3 to 1 appear to be equal, and evaluated as very low. Glare is measured as the ratio of the maximum luminance to the average luminance looking toward the project site (Krahe, 2021).

**Figure 4.1-2**  
**NIGHTTIME LIGHTING MEASUREMENT LOCATIONS**





The measured luminance recorded at the Monitoring Sites within the view to the project Site includes prominent, high brightness light sources and illuminated surfaces, such as streetlights, illuminated signs, and flood lighted buildings, as well as lower brightness surfaces such as sidewalks, parking lots, and un-illuminated walls and landscape areas. The existing project site is developed with parking lot light poles and existing exterior lights. The site is well illuminated with many bright surfaces visible. **Table 4.1-4** below shows the average and maximum luminances from five monitoring sites looking toward the project site. As shown in the table, the contrast ratios as seen at all five monitoring sites is medium—ranging from 11.1 to 17.8—and is not evaluated as high glare.<sup>12</sup>

**Table 4.1-4  
MEASURED LUMINANCE, cd/m<sup>2</sup>, AT MONITORING SITES**

Monitoring Site	Luminance, cd/m <sup>2</sup>		Contrast Ratio (Maximum/Average) <sup>1</sup>	Address; direction from project site	Evaluation
	Average	Maximum			
M-E1	257	2,864	11.1	Next to 1033 Carol Drive; east	Medium average luminance, high maximum luminance, medium contrast
M-N1	131	1,544	11.8	Next to 1112 Cory Avenue; north	Medium average luminance, high maximum luminance, medium contrast
M-N2	255	4,031	15.8	Next to 1245 North Doheny Drive; north	Medium average luminance, high maximum luminance, medium contrast
M-W1	133	1,918	14.4	Next to 9233 Doheny Road; west	Medium average luminance, high maximum luminance, medium contrast
M-S1	189	3,361	17.8	Next to 1024 Cory Avenue; south	Medium average luminance, high maximum luminance, medium contrast

<sup>1</sup> Glare is measured by the ratio between the maximum brightness (luminance) in a field of view to the average luminance within the same field of view; that is the contrast ratio. For instance, for monitoring site M-N1, the contrast ratio is maximum 1,544 cd/m<sup>2</sup> divided by 131 cd/m<sup>2</sup>, that is, 11.8. The contrast ratio is unitless. Source: Krahe, 2021.

<sup>12</sup> Contrast ratio is the maximum brightness (luminance) in a field of view divided by the average luminance in the same field of view.



#### 4.1.4 Methodology

Light levels from the proposed sign at the five monitoring sites were estimated using the illumination modeling software program AGI32. The digital billboard was modeled with all sign surfaces operating simultaneously at maximum luminance of 300 cd/m<sup>2</sup>, all white, at night, and 6000 cd/m<sup>2</sup>, all white, during the day. The digital billboard would not operate in this manner in practice; the luminance levels were used for a conservative (i.e. “worst-case”) evaluation of trespass light and glare.

#### Project Design Features

**AES-PDF-1:** At 20 minutes before sunset the Project digital billboard will be specified to begin transition from the maximum daytime luminance of 6,000 cd/m<sup>2</sup> to the maximum nighttime luminance of 300 cd/m<sup>2</sup>. Similarly, the Project digital billboard will be specified to transition from the night maximum luminance of 300 cd/m<sup>2</sup> to the day maximum luminance of 6,000 cd/m<sup>2</sup>, beginning no earlier than 20 minutes before sunrise.

#### 4.1.5 Project Impacts

##### Thresholds of Significance

CEQA Guidelines Appendix G, *Environmental Checklist*, sets forth the following significance thresholds for aesthetics impacts:

- A. Have a substantial adverse effect on a scenic vista.
- B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.
- C. Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
- D. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

The Initial Study, included as **Appendix A** to this DEIR, determined that impacts associated with **Thresholds A** and **B** would be less than significant.

##### 2.1.1.25 Analysis of Project Impacts

##### Topics Addressed in Written Public Comments on the Initial Study

Provided below is a list of topics concerning aesthetics addressed in written public comments received on the Initial Study.

- Excessive light (day and nighttime impacts)
- Light pollution:

- health effects including impact on sleep; adverse health effects on persons with autism and epilepsy (seizures and stress)
- impact of light pollution on animals
- skyglow (impact on dark sky)
- Safety: distractions affecting drivers and causing traffic hazards for pedestrians
- Impacts on residents north of project site in the City of Los Angeles
- Opposition to the digital billboard: concerns regarding wrong aesthetic and proximity to residential developments

Mashaël Majid, Planning Director for City of Los Angeles Council District 4 submitted a comment letter regarding the Initial Study dated August 27, 2021. The comment letter expressed concerns about impacts to scenic vistas from roadways or private residences in the City of Los Angeles; and concerns about aesthetic impacts of the digital billboard. The City of Los Angeles CEQA Thresholds Guide (2006), in describing scenic views that could be impacted, only mentions views from public vantage points, and does not mention views from private properties. In addition, as identified in the Initial Study, no roadways are located directly north of the project site from which scenic vistas could be blocked. No City of Los Angeles Scenic Highways are near the project site; the nearest such highway to the site is Laurel Canyon Road approximately 1.7 miles to the northeast. Project development would not substantially impair scenic vistas from within the City of Los Angeles; thus, impacts to scenic vistas are not analyzed in detail below.

***Threshold C: Would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?***

### **Less Than Significant Impact**

#### **Visual Character of Project Site and Surroundings**

Project development would change the visual character of the site and its immediate surroundings through development of a five-story, 90-foot-high building with a digital billboard on its north, east, and west sides and spanning approximately 14,000 square feet in area.<sup>13</sup> Many other mid-rise structures are present near the project site; thus, the proposed building would fit with the height and massing of several nearby buildings. The south side of the building would be stepped back on levels 3 and 5 for compatibility with residential uses to the south. Twenty-five percent of the programming time for the digital billboard would be art and civic announcements, including local artist(s) and/or culturally relevant work. The digital billboard would not be lit with rapidly changing or flashing signage, or use more light intensity than is absolutely necessary, pursuant to City of West Hollywood Municipal Code § 19.20.100. The change in visual character of the site and surroundings arising from project development would not be a substantial adverse change, and impacts would be less than significant.

#### **Impacts on Applicable Zoning and other Regulations Governing Scenic Quality**

Project development would not conflict with zoning and other regulations governing scenic quality. West Hollywood General Plan Policy LU-5.1 encourages diverse architectural styles and buildings constructed with high quality, permanent building materials. Sunset Specific Plan urban design goals

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<sup>13</sup> The sixth floor would consist of mechanical space; leasable space would be on floors one through five.



include encouraging sensitive design that continues the varied pattern of use, height, and density. The applicable Sunset Specific Plan goal for Area 8 (West End) includes:

Open space, streetscape improvements, and other amenities will create an attractive location where businesses will want to relocate and where existing businesses will thrive. Guidelines for massing and design will result in new buildings that dramatize the western gateway into West Hollywood and the Sunset Strip.

The proposed five-story building would be of contemporary design and would be stepped back on levels 3 and 5 to give variety to the building's massing. A glass façade on levels 3 through 5 and the rooftop level would function as a solar shading latticework during the day (refer to **Figure 3.2-3**); and a digital billboard displaying the proposed off-site sign at night (refer to **Figure 3.2-4**). Other materials in the building's exterior would be concrete, terrazzo, and metal siding. Hanging garden planters would be installed on the north sides of levels 2 and 3 and terrace planters on the south sides of levels 3, 4, and 5. The planters would soften and add greenery to the façade.

While the existing vacant auto dealership buildings onsite contributes to the variety of uses and building heights in the West End portion of the Sunset Specific Plan area, the dealership does not contribute to dramatizing the western gateway into West Hollywood and the Sunset Strip.

Project development would not conflict with applicable West Hollywood General Plan and Sunset Specific Plan policies governing scenic quality and therefore impacts regarding conflict with regulations governing scenic quality would be less than significant.

***Threshold D: Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.***

### **Less than Significant Impact**

Project development would create a new source of substantial light or glare which could adversely affect day or nighttime views in the area.

### **Lighting**

Estimates of light levels from the proposed digital billboard were made at 13 vertical planes: 11 in the City of West Hollywood and two planes in the City of Los Angeles consisting of three planes east of the project site; six planes to the north; three to the south; and one to the west; the locations of the planes are shown on **Figure 4.1-3**. Significance thresholds are 1.4 foot-candles (fc) for vertical planes within 250 feet of Sunset Boulevard, and 0.74 fc for planes over 250 feet from Sunset Boulevard (the two planes in the City of Los Angeles). The 1.4 fc threshold is a City of West Hollywood threshold, and the 0.74-fc threshold is from the City of Los Angeles. Light levels are listed below in **Table 4.1-5**; as shown, all light levels would be below thresholds. Modeled light levels from the digital billboard would be lower than existing light levels. Therefore, spill light impacts would be less than significant.



**Table 4.1-5  
MODELED LIGHT LEVELS FROM DIGITAL BILLBOARD AT 13 VERTICAL PLANES NEAR  
PROJECT SITE**

Vertical Plane	Illuminance (fc)			Significant Impact?
	Max	Min	Average	
<b>Planes in City of West Hollywood (Threshold 1.4 fc)<sup>1</sup></b>				
VP-E1	0.00	0.00	0.00	No
VP-E2	0.10	0.00	0.04	No
VP-E3	0.30	0.00	0.09	No
VP-N1	1.00	0.00	0.71	No
VP-N2	0.50	0.00	0.22	No
VP-N3	0.10	0.00	0.03	No
VP-N4	0.30	0.00	0.03	No
VP-S1	0.20	0.00	0.04	No
VP-S2	0.10	0.00	0.06	No
VP-S3	0.10	0.00	0.01	No
VP-W1	0.30	0.00	0.11	No
VP-E1	0.00	0.00	0.00	No
VP-E2	0.10	0.00	0.04	No
<b>Planes in City of Los Angeles (Threshold 0.74 fc)<sup>1</sup></b>				
VP-N5	0.40	0.00	0.34	No
VP-N6	0.40	0.00	0.22	No

<sup>1</sup> The difference in thresholds is due to the distance from Sunset Boulevard (the modeled planes in the City of Los Angeles are over 250 feet from Sunset Boulevard, and thus the threshold is lower at those locations), not to the difference in jurisdictions.

Source: Krahe, 2021.

Concerns were raised in comments on the Initial Study regarding health effects of light pollution on sleep. The digital billboard would not be lit with rapidly changing or flashing signage, or use more light intensity than is absolutely necessary, pursuant to City of West Hollywood Municipal Code § 19.20.100. It is anticipated that adverse impacts from the digital billboard on sleep of nearby

residents would be less than significant after compliance with relevant City of West Hollywood Municipal Code sections.

## Glare

Glare from Sign lighting would occur when the light source is visible against a dark background, such as a dark sky. The maximum nighttime sign luminance would be 300 cd/m<sup>2</sup>.<sup>14</sup> Sign luminance is compared to the average existing measured luminance in **Table 4.1-6** below; as shown, no glare would occur at any of the five monitoring sites. Three of the monitoring sites are in the City of West Hollywood, and two of the sites in the City of Los Angeles north of West Hollywood.

**Table 4.1-6**  
**CONTRAST RATIO, NIGHTTIME, EXISTING LUMINANCE TO PROJECT SIGN AT 300 cd/m<sup>2</sup>**

Monitoring Site <sup>1</sup>	Existing Measured Luminance		Project Sign Luminance		Evaluation
	Average	Maximum	Maximum	Contrast Ratio <sup>2</sup>	
M-E1	257.2	2864.0	300	1.2	Low Contrast, no Glare
M-N1	131.3	1544.0	300	2.3	Low Contrast, no Glare
M-N2	255.9	4031.0	300	1.2	Low Contrast, no Glare
M-W1	133.0	1918.0	300	2.3	Low Contrast, no Glare
M-S1	188.8	3361.0	300	1.6	Low Contrast, no Glare

<sup>1</sup> Monitoring Sites M-E1, M-S1 and M-W1 are in the City of West Hollywood; sites M-N1 and M-N2 are in the City of Los Angeles.

<sup>2</sup> Contrast Ratio is Maximum Project Sign Luminance/Average Existing Measured Luminance  
Source: Krahe, 2021.

## Glare Analysis for Roadways

Regulatory requirements from the California Vehicle Code (CVC) Section 21466.5 are summarized here and are explained further in the Lighting Study included as **Appendix C-1** to this DEIR. Allowable sign luminance at night ranges from 500 footlamberts (1,713 cd/m<sup>2</sup>) upward, depending on the angle between the driver’s field of view and the light source. The sign would be operated at a maximum luminance of 87.6 footlamberts (300 cd/m<sup>2</sup>) at night, that is, less than 20 percent of the most conservative limit allowed by the CVC.

The twilight periods analyzed were 20 minutes before sunrise to sunrise, and 20 minutes before sunset to sunset. For a conservative (i.e. worst-case) analysis the maximum allowable luminance during these periods was taken to be 500 footlamberts (1,713 cd/m<sup>2</sup>), the same for nighttime. The sign would operate at a maximum luminance of 300 cd/m<sup>2</sup> the entire period from sunset to sunrise,



including twilight. The sign would not introduce a new source of substantial glare during twilight hours.

During daytime (sunrise till 20 minutes before sunset), the maximum allowable luminance from the sign would be 10,000 fL or 34,300 cd/m<sup>2</sup>. The maximum luminance of the sign would be 6,000 cd/m<sup>2</sup>, well below the allowed maximum. Therefore, sign operation would not generate substantial glare during daytime hours.

During daytime, severe storms or heavy cloud cover can reduce ambient light levels such that the 10,000 footlamberts maximum does not apply.<sup>15</sup> The digital billboard would include an electronic control system to reduce the sign luminance from 6,000 cd/m<sup>2</sup> (1,750 fL) to 300 candelas/m<sup>2</sup> (87.6 fL) maximum when the ambient sun light falls to illuminance values similar to night, that is, less than 100 fc.

During the day, when storms, cloud cover, or other low ambient sunlight conditions occur and when the ambient sunlight is less than 100 fc, the project sign will transition from the daytime 6,000 cd/m<sup>2</sup> (1,750 fL) to 300 candelas/m<sup>2</sup> (87.6 fL) maximum, and thereby ensure that the sign brightness remains less than the maximum brightness allowed by the CVC. Therefore, the project sign would not create a new source of glare during daytime periods with storm or severe overcast weather conditions.

Concerns were raised in written public comments on the Initial Study about impacts of the digital billboard on driver and pedestrian safety. High light levels or intense glare would have the potential to impact driver and/or pedestrian safety, however high light levels and intense glare would not be produced from the digital billboard, therefore the project would have a less than significant impact in this regard.

### **Shade and Shadow**

The project architects prepared a study showing the shadows that the proposed project would cast on adjacent properties during the Winter Solstice.<sup>16</sup> As shown in the study, during the Winter Solstice, the project would cast shadows at various locations on the 9157 Sunset Boulevard and 9165 Sunset Boulevard property throughout the day during the hours of 9:00 a.m. to 3:00 p.m.

Nevertheless, pursuant to Public Resources Code Section 21099(d)(1), the project's shade and shadow impacts, as well as all other aesthetic related impacts, would be less than significant as a matter of law, because the project is an employment center project on an infill site within a transit priority area.

The following analysis addresses shade and shadow impacts in the absence of the Public Resources Code section mentioned above. The analysis was done for the winter solstice, which is December 21 most years, since the longest shadows of any day of the year occur that day and thus it is a conservative analysis respecting the rest of the year. Shadows at 9:00 a.m. on December 21 would extend onto the lower southern façade of the medical office building at 9201 Doheny Road, and on to a small part of the southwest corner of a building occupied by a film distribution company at 9165 Sunset Boulevard (see **Figure 4.1-3**). At noon on December 21 shadows of the proposed building

<sup>15</sup> Foot-lambert is a unit of luminance in United States units; 1 foot-lambert is approximately 0.318 candela per square foot.

<sup>16</sup> Gensler, 9176 Sunset Boulevard – Sun Studies – December 2021 Time-Lapse, March 8, 2021.

would fall on the southern façade of the building at 9165 Sunset Boulevard; on the southern façade of a pizza restaurant at 9161 Sunset; and on a small part of the southern façade of the medical office building at 9201 Doheny Road (see **Figure 4.1-4**). At 3:00 p.m. on the winter solstice most of the shadows of the proposed building would be within the shadow of the existing office building at 9200 Sunset Boulevard (see **Figure 4.1-5**).

Land uses sensitive to shading include routinely useable outdoor spaces in residential, recreational, or institutional (e.g., schools, convalescent homes) land uses; commercial uses such as pedestrian-oriented outdoor spaces or restaurants with outdoor eating areas; nurseries; and existing solar collectors (City of Los Angeles, 2006). The proposed building would not cast shadows on shade-sensitive land uses. Therefore, project shade and shadow impacts would be less than significant even without the Public Resources Code section identified above.

#### **2.1.1.26 Cumulative Impacts**

The proposed project would be within view from one related project, a planned residential project at 1012 Cory Avenue approximately 220 feet south of the project site. The proposed project would not be within view from any other related project due to intervening buildings and, in some cases, intervening topography. The planned project at 1012 Cory Avenue is a six-unit condominium project, much smaller than the proposed project. Due to the residential nature of the Cory Avenue project, it is not expected to include lit outdoor signage, and exterior lighting is expected to be limited to safety and security lighting. Impacts of the proposed project and the project at 1012 Cory Avenue would not combine to cause significant adverse impacts to scenic resources, visual character of the two sites and their surroundings, or light and glare. Proposed project impacts on aesthetics would not be cumulatively considerable.

#### **4.1.6 Level of Significance Without Mitigation**

Upon compliance with regulatory requirements, impacts related to **Thresholds C** (scenic quality) and **D** (light, glare, and shade and shadow) would be less than significant.

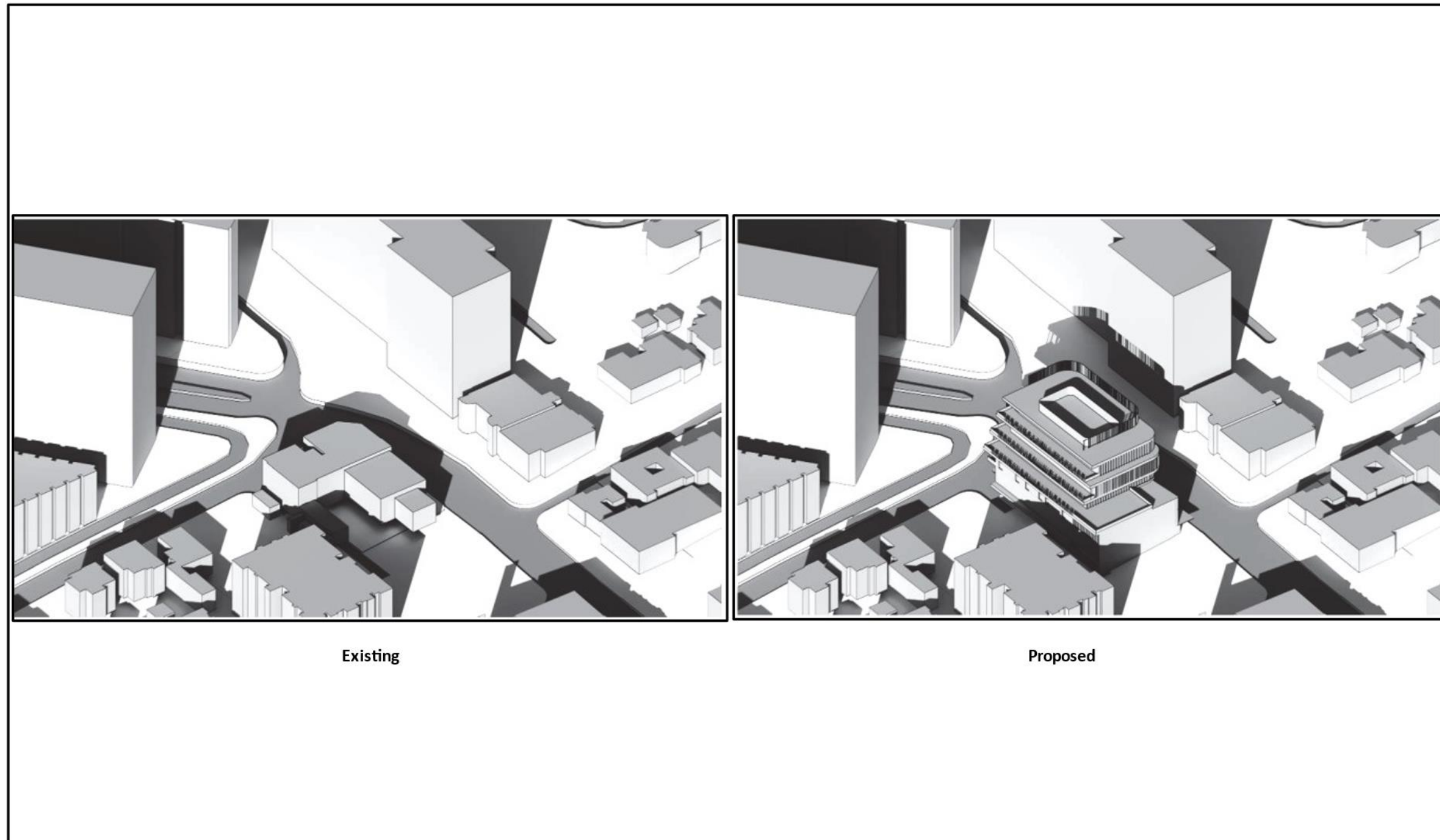
#### **4.1.7 Mitigation Measures**

No mitigation measures are required.

#### **4.1.8 Level of Significance After Mitigation**

Impacts would be less than significant, and no mitigation measures are required.

**Figure 4.1-3**  
**PROPOSED PROJECT SHADOW ANALYSIS, WINTER SOLSTICE, 9 A.M.**



Disclaimer: Illustration provided by JBC/Gensler, who has indicated that the information is true and correct. No other warranties are expressed or implied.

Sources: JBC/Gensler, March 2021.

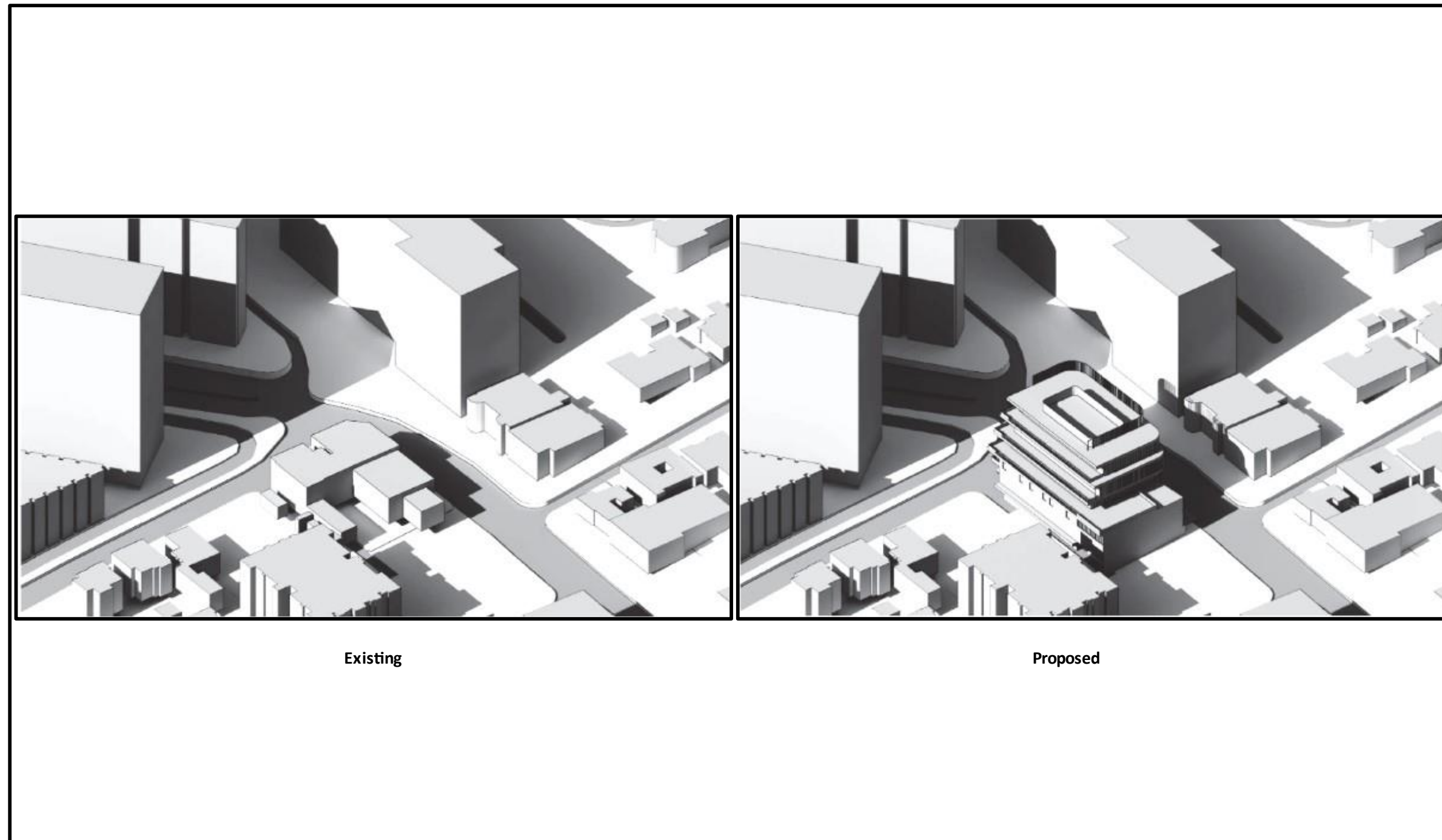
**9160-9176 Sunset Boulevard Commercial Project**

Shadow Diagram, Winter Solstice, 9:00 a.m.





**Figure 4.1-4**  
**PROPOSED PROJECT SHADOW ANALYSIS, WINTER SOLSTICE, NOON**



Disclaimer: Illustration provided by JBC/Gensler, who has indicated that the information is true and correct. No other warranties are expressed or implied.

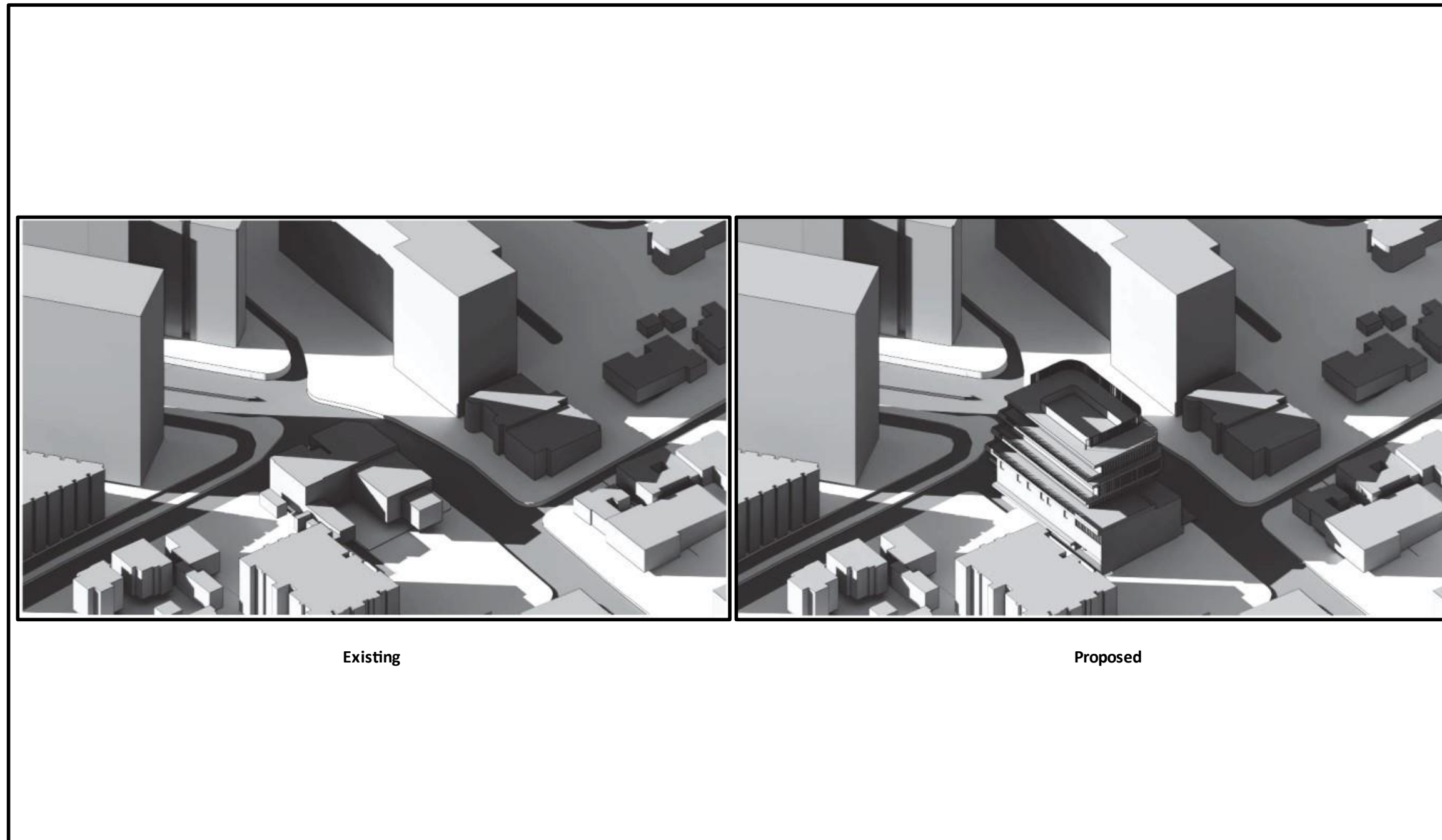
Sources: JBC/Gensler, March 2021.



**9160-9176 Sunset Boulevard Commercial Project**

Shadow Diagram, Winter Solstice, Noon

**Figure 4.1-5**  
**PROPOSED PROJECT SHADOW ANALYSIS, WINTER SOLSTICE, 3:00 P.M.**



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Sources: JBC/Gensler, March 2021.



**9160-9176 Sunset Boulevard Commercial Project**

Shadow Diagram, Winter Solstice, 3:00 p.m.

## 4.2 Air Quality

### 4.2.1 Introduction

This section<sup>17</sup> addresses the project's impacts on regional and local air quality. After discussing the factors that influence air quality in the South Coast Air Basin (SCAB or Basin), it identifies air pollutants of concern and summarizes their health effects. The section identifies and describes relevant federal, state, regional and municipal air quality regulations, standards, policies, and plans; characterizes ambient air quality near the project site, and defines criteria for significance of impacts. Emissions are estimated for both construction and project operations and compared with significance thresholds. Health risks from construction activities are discussed. Inputs to and outputs from CalEEMod, the emissions model used for this analysis, are provided in **Appendix D**. The construction-related health risk assessment is provided in **Appendix Q**.

### 4.2.2 Background Information

#### 4.2.2.1 Air Quality Background

Air quality is affected by both the rate and location of pollutant emissions, and by meteorological conditions that influence movement and dispersal of pollutants. Atmospheric conditions such as wind speed, wind direction, and air temperature gradients, along with local topography, provide the link between air pollutant emissions and air quality.

The project site is in the City of West Hollywood, which is in the SCAB. The Basin includes all of Orange County and the non-desert portions of Los Angeles County, most of Riverside County, and the western portion of San Bernardino County – including some portions of what was previously known as the Southeast Desert Air Basin. The distinctive climate of the Basin is determined by its terrain and geographic location. The Basin is a coastal plain with connecting broad valleys and low hills, bounded by the Pacific Ocean to the southwest and high mountains around its remaining perimeter. The general region lies in the semi-permanent high-pressure zone of the eastern Pacific, resulting in a mild climate tempered by cool sea breezes with light average wind speeds. The usually mild climatological pattern is interrupted occasionally by periods of extremely hot weather, winter storms, or Santa Ana winds.

The vertical dispersion of air pollutants in the Basin is hampered by the presence of persistent temperature inversions. An upper layer of dry air that warms as it descends characterizes high-pressure systems, such as the semi-permanent high-pressure zone in which the Basin is located. This upper layer restricts the mobility of cooler marine-influenced air near the ground surface and results in the formation of subsidence inversions. Such inversions restrict the vertical dispersion of air pollutants released into the marine layer and, together with strong sunlight, can produce worst-case conditions for the formation of photochemical smog.

The atmospheric pollution potential of an area is largely dependent on winds, atmospheric stability, solar radiation, and terrain. The combination of low wind speeds and low inversions produces the greatest concentration of air pollutants. On days without inversions, or on days of winds averaging over 15 miles per hour (mph), smog potential is greatly reduced (SCAQMD, 1993).

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17 This section is based on the Air Quality and Greenhouse Gas Emissions Report for the 9160-9176 Sunset Boulevard Project, City of West Hollywood, which is included in **Appendix D**.

The nearest National Weather Service station to the project site is in Westwood, approximately 5.4 miles southeast of the project site, at 34.04°N, 118.27°W. At the UCLA, California (049152) station (WRCC, 2021), the National Climatic Data Center period of record is 1933 through 2016. During the period of record, the average annual rainfall measured 17.48 inches, which occurs mostly during the winter and relatively infrequently during the summer. Monthly precipitation averages approximately 3.58 inches during the winter (December, January, and February), approximately 1.38 inches during the spring (March, April, and May), approximately 0.81 inch during the fall (September, October, and November), and approximately 0.05 inch during the summer (June, July, and August).

The average maximum and minimum monthly temperatures during the period of record were 71.4°F and 55°F respectively. Average winter (December, January, and February) high and low temperatures are approximately 66.33°F and 49.97°F, respectively and average summer (June, July, and August) high and low temperatures are approximately 76.07°F and 59.97°F, respectively (WRCC, 2021).

Winds in the Basin are generally light, tempered by afternoon sea breezes. Severe weather is uncommon in the Basin, but strong easterly winds known as the Santa Ana winds can reach 25 to 35 mph below the passes and canyons. During the spring and summer months, air pollution is carried out of the region through mountain passes in wind currents or is lifted by the warm vertical currents produced by the heating of the mountain slopes. From the late summer through the winter months, because of the average lower wind speeds and temperatures in the proposed project area and its vicinity, air contaminants do not readily disperse, thus trapping air pollution in the area.

#### 4.2.2.2 Air Pollution and Potential Health Effects

Short- and/or long-term exposure to air pollution has been associated with a wide range of human health effects, including increased respiratory symptoms, hospitalization for heart or lung diseases, and even premature death (USEPA, 2018a). Hazardous (or toxic) air pollutants may cause cancer or other serious health effects, such as reproductive effects or birth defects. Specific groups within the general population may have a greater risk of pollution effects due to a variety of factors. For example, children often are more vulnerable to pollutants. The following are summaries of the health effects of the air pollutants typically emitted during construction and operation of commercial developments.

Criteria pollutants are air pollutants for which acceptable levels of exposure can be determined and an ambient air quality standard (AAQS) has been established by the U.S. Environmental Protection Agency (USEPA) and/or the California Air Resources Board (ARB). The criteria air pollutants of concern are nitrogen dioxide (NO<sub>2</sub>), carbon monoxide (CO), particulate matter (PM), sulfur dioxide (SO<sub>2</sub>), lead, and ozone, and their precursors. Since the proposed project would not generate appreciable SO<sub>2</sub> or lead emissions,<sup>18</sup> it is not necessary for the analysis to include those two pollutants. Federal and state AAQS are listed in **Table 4.2-1**. Presented below is a description of the air pollutants of concern and their known health effects.

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18 Sulfur dioxide emissions will be about 0.08 pound per day during construction and about 0.16 pound per day during operations.



**Table 4.2-1  
AMBIENT AIR QUALITY STANDARDS FOR CRITERIA AIR POLLUTANTS**

Pollutant	Averaging Time	California Standards <sup>1</sup>		National Standards <sup>2</sup>				
		Concentration <sup>3</sup>	Method <sup>4</sup>	Primary <sup>3,5</sup>	Secondary <sup>3,6</sup>	Method <sup>7</sup>		
<b>Ozone (O<sub>3</sub>)<sup>8</sup></b>	1 Hour	0.09 ppm (180 µg/m <sup>3</sup> )	Ultraviolet Photometry	---	Same as Primary Standard	Ultraviolet Photometry		
	8 Hour	0.070 ppm (137 µg/m <sup>3</sup> )		0.070 ppm (137 µg/m <sup>3</sup> )				
<b>Respirable Particulate Matter (PM<sub>10</sub>)<sup>9</sup></b>	24 Hour	50 µg/m <sup>3</sup>	Gravimetric or Beta Attenuation	150 µg/m <sup>3</sup>	Same as Primary Standard	Inertial Separation and Gravimetric Analysis		
	Annual Arithmetic Mean	20 µg/m <sup>3</sup>		---				
<b>Fine Particulate Matter (PM<sub>2.5</sub>)<sup>9</sup></b>	24 Hour	No Separate State Standard		35 µg/m <sup>3</sup>	Same as Primary Standard	Inertial Separation and Gravimetric Analysis		
	Annual Arithmetic Mean	12 µg/m <sup>3</sup>	Gravimetric or Beta Attenuation	12 µg/m <sup>3</sup>			15 µg/m <sup>3</sup>	
<b>Carbon Monoxide (CO)</b>	1 Hour	20 ppm (23 mg/m <sup>3</sup> )	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m <sup>3</sup> )	---	Non-Dispersive Infrared Photometry (NDIR)		
	8 Hour	9.0 ppm (10 mg/m <sup>3</sup> )		9 ppm (10 mg/m <sup>3</sup> )				
<b>Nitrogen Dioxide (NO<sub>2</sub>)<sup>10</sup></b>	1 Hour	0.18 ppm (339 µg/m <sup>3</sup> )	Gas Phase Chemiluminescence	100 ppm (188 µg/m <sup>3</sup> )	---	Gas Phase Chemiluminescence		
	Annual Arithmetic Mean	0.030 ppm (57 µg/m <sup>3</sup> )		0.053 ppm (100 µg/m <sup>3</sup> )			Same as Primary Standard	
<b>Sulfur Dioxide (SO<sub>2</sub>)<sup>11</sup></b>	1 Hour	0.25 ppm (655 µg/m <sup>3</sup> )	Ultraviolet Fluorescence	75 ppm (196 µg/m <sup>3</sup> )	---	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method)		
	3 Hour	---		---			0.5 ppm (1300 µg/m <sup>3</sup> )	
	24 Hour	0.04 ppm (105 µg/m <sup>3</sup> )		0.14 ppm (for certain areas) <sup>11</sup>			---	
	Annual Arithmetic Mean	---		0.030 ppm (for certain areas) <sup>11</sup>			---	
<b>Lead<sup>12,13</sup></b>	30 Day Average	1.5 µg/m <sup>3</sup>	Atomic Absorption	---	---	---		
	Calendar Quarter	---		1.5 µg/m <sup>3</sup> (for certain areas) <sup>12</sup>			Same as Primary Standard	High Volume Sampler and Atomic Absorption
	Rolling 3-Month Average	---		0.15 µg/m <sup>3</sup>				
<b>Visibility Reducing Particles<sup>14</sup></b>	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	<b>No National Standards</b>				
<b>Sulfates</b>	24 Hour	25 µg/m <sup>3</sup>	Ion Chromatography					
<b>Hydrogen Sulfide</b>	1 Hour	0.03 ppm (42 µg/m <sup>3</sup> )	Ultraviolet Fluorescence					
<b>Vinyl Chloride<sup>12</sup></b>	24 Hour	0.01 ppm (26 µg/m <sup>3</sup> )	Gas Chromatography					

1. California Standards for ozone, carbon monoxide, sulfur dioxide (1 and 24 hour), nitrogen dioxide, suspended particulate matter-PM<sub>10</sub>, PM<sub>2.5</sub>, and visibility reduction particles, are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in § 70200 of Title 17 of the California Code of Regulations.
2. National Standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration in a year, averaged over 3 years, is equal to or less than the standard. For PM<sub>10</sub>, the 24-hour standard is attained when the expected number of days per calendar with a 24-hour average concentration above 150 µg/m<sup>3</sup> is equal to or less than one. For PM<sub>2.5</sub>, the 24-hour standard is attained when 98% of the daily concentrations, averaged over 3 years, are equal to or less than the standard.
3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.



Pollutant	Averaging Time	California Standards <sup>1</sup>		National Standards <sup>2</sup>		
		Concentration <sup>3</sup>	Method <sup>4</sup>	Primary <sup>3,5</sup>	Secondary <sup>3,6</sup>	Method <sup>7</sup>
<p>4. Any equivalent procedure which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.</p> <p>5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.</p> <p>6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.</p> <p>7. Reference method as described by the EPA. An “equivalent method” of measurement may be used but must have a “consistent relationship to the reference method” and must be approved by EPA.</p> <p>8. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.</p> <p>9. As of December 14, 2012, the annual primary PM<sub>2.5</sub> standard changed from 15 µg/m<sup>3</sup> to 12 µg/m<sup>3</sup>. The existing national 24-hour PM<sub>2.5</sub> standards (primary and secondary) were retained at 35 µg/m<sup>3</sup>, as was the annual secondary standard of 15 µg/m<sup>3</sup>. The existing 24-hour PM<sub>10</sub> standards (primary and secondary) of 150 µg/m<sup>3</sup> also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.</p> <p>10. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.</p> <p>11. On June 2, 2010, a new 1-hour SO<sub>2</sub> standard was established, and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO<sub>2</sub> national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.</p> <p>* Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.</p> <p>12. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.</p> <p>13. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 µg/m<sup>3</sup> as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.</p> <p>14. In 1989, the ARB converted the general statewide 10-mile visibility standard to instrumental equivalents, which are “extinction of 0.23 per kilometer”.</p>						

## Criteria Pollutants

### Ozone (O<sub>3</sub>)

*Ozone* is a secondary pollutant produced through a series of photochemical reactions involving ROG and NOX. Ozone creation requires ROG and NOX to be available for approximately three hours in a stable atmosphere with strong sunlight. Because of the long reaction time, peak ozone concentrations frequently occur downwind of the sites where the precursor pollutants are emitted. Thus, ozone is considered a regional, rather than a local, pollutant.

Individuals working outdoors, children (including teenagers), older adults, people with preexisting lung disease, such as asthma, and individuals with certain nutritional deficiencies are considered to be the subgroups most susceptible to ozone effects. Short-term exposures (lasting for a few hours) to ozone at levels typically observed in Southern California can result in breathing pattern changes, reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue, and some immunological changes. Elevated ozone levels are associated with increased school absences and daily hospital admission rates, as well as increased mortality. An increased risk for asthma has been found in children who participate in multiple sports and live in high-ozone communities. Ozone exposure under exercising conditions is known to increase the severity of respiratory symptoms. Although lung volume and airway resistance changes observed after a single exposure diminish with repeated exposures, biochemical and cellular changes appear to persist, which can lead to subsequent lung structural changes (SCAQMD, 2017, p. 2-17).

### Particulate Matter (PM<sub>10</sub> and PM<sub>2.5</sub>)

PM is a general term used to describe a complex group of airborne solid, liquid, or semi-volatile materials of various sizes and composition. Primary PM is emitted directly into the atmosphere from activities such as agricultural operations, industrial processes, construction and demolition activities, and entrainment of road dust into the air. Secondary PM is formed in the atmosphere from predominantly gaseous combustion by-product precursors, such as sulfur oxides, NO<sub>x</sub>, and ROGs.

Particle size is a critical characteristic of PM that primarily determines the location of PM deposition along the respiratory system (and associated health effects) as well as the degradation of visibility through light scattering. In the United States, federal and state agencies have established two types of PM air quality standards, as shown in **Table 4.2-1**. PM<sub>10</sub> corresponds to the fraction of PM no greater than 10 micrometers in aerodynamic diameter and is commonly called respirable PM, while PM<sub>2.5</sub> refers to the subset of PM<sub>10</sub> of aerodynamic diameter smaller than 2.5 micrometers, and is commonly called fine PM.

PM<sub>10</sub> and PM<sub>2.5</sub> deposition in the lungs results in irritation that triggers a range of inflammation responses, such as mucus secretion and bronchoconstriction, and exacerbates pulmonary dysfunctions, such as asthma, emphysema, and chronic bronchitis. Sufficiently small particles may penetrate the bloodstream and impact functions such as blood coagulation, cardiac autonomic control, and mobilization of inflammatory cells from the bone marrow. Individuals susceptible to higher health risks from exposure to PM<sub>10</sub> airborne pollution include children, the elderly, smokers, and people of all ages with low pulmonary/cardiovascular function. For these individuals, adverse health effects of PM<sub>10</sub> pollution include coughing, wheezing, shortness of breath, phlegm, bronchitis, and aggravation of lung or heart disease, leading for example to increased risks of hospitalization and mortality from asthma attacks and heart attacks.

In the 2020 ARB projected emission inventory (EI) (ARB, 2018a), the primary sources of PM<sub>10</sub> are in the category labeled Miscellaneous Processes, with 59% of the total PM<sub>10</sub>, primarily from paved road dust and construction and demolition activity. Since PM<sub>2.5</sub> is finer and results more from combustion processes, the primary sources of PM<sub>2.5</sub> are still from the Miscellaneous Processes category but come mostly from managed burning and disposal (33%), paved road dust (26%), and residential fuel combustion (17%).

### **Carbon Monoxide (CO)**

CO is a colorless and odorless gas formed by the incomplete combustion of fossil fuels. CO is emitted almost exclusively from motor vehicles, power plants, refineries, industrial boilers, ships, aircraft, and trains. In urban areas, such as the project location, automobile exhaust accounts for most CO emissions. CO is a non-reactive air pollutant that dissipates relatively quickly; therefore, ambient CO concentrations generally follow the spatial and temporal distributions of vehicular traffic. CO concentrations are influenced by local meteorological conditions; primarily wind speed, topography, and atmospheric stability. CO from motor vehicle exhaust can become locally concentrated when surface-based temperature inversions are combined with calm atmospheric conditions, a typical situation at dusk in urban areas between November and February. The highest levels of CO typically occur during the colder months of the year when inversion conditions are more frequent.

Individuals with a deficient blood supply to the heart are the most susceptible to the adverse effects of CO exposure. (SCAQMD, 2017, p. 2-38) The effects observed include earlier onset of chest pain with exercise, and electrocardiograph changes indicative of worsening oxygen supply delivery to the heart. Inhaled CO has no known direct toxic effect on the lungs but exerts its effect on tissues by interfering with oxygen transport, by competing with oxygen to combine with hemoglobin present in the blood to form carboxyhemoglobin (COHb). Hence, people with conditions requiring an increased oxygen supply can be adversely affected by exposure to CO. Individuals most at risk include patients with diseases involving heart and blood vessels, fetuses, and patients with chronic hypoxemia (oxygen deficiency), such as is seen at high altitudes.

Reductions in birth weight and impaired neurobehavioral development have been observed in animals chronically exposed to CO resulting in COHb levels similar to those observed in smokers. Recent studies have found increased risks for adverse birth outcomes with exposure to elevated CO levels, including preterm births and heart abnormalities.

Per the 2020 projected EI, 43% of the total CO in the Los Angeles County portion of the Basin comes from onroad motor vehicles, primarily light-duty autos and trucks. Other offroad engines and vehicles (primarily construction equipment) will contribute another 49%.

### **Nitrogen Dioxide (NO<sub>2</sub>)**

*Nitrogen oxides* (NO<sub>x</sub>) serve as integral participants in the process of photochemical smog production. The two major forms of NO<sub>x</sub> are nitric oxide (NO) and NO<sub>2</sub>. NO is a colorless, odorless gas formed from atmospheric nitrogen and oxygen when combustion takes place under high temperature and/or high pressure. NO<sub>2</sub> is a reddish-brown irritating gas formed by the combination of NO and oxygen. NO<sub>x</sub> is an ozone precursor. A precursor is a directly emitted air contaminant that, when released into the atmosphere, forms, causes to be formed, or contributes to the formation of a secondary air contaminant for which an AAQS has been adopted, or whose presence in the atmosphere will contribute to the violation of one or more AAQS. When NO<sub>x</sub> and reactive organic gases (ROG) are

released in the atmosphere, they can chemically react with one another in the presence of sunlight to form ozone.

Experimental studies have found that NO<sub>2</sub> exposures increase responsiveness of airways, pulmonary inflammation, and oxidative stress, and can lead to the development of allergic responses. (SCAQMD, 2017, p. 2-43). These biological responses provide evidence of a plausible mechanism for NO<sub>2</sub> to cause asthma. Additionally, results from controlled exposure studies of asthmatics demonstrate an increase in the tendency of airways to contract in response to a chemical stimulus (airway responsiveness) or after inhaled allergens. Animal studies also provide evidence that NO<sub>2</sub> exposures have negative effects on the immune system, and therefore increase the host's susceptibility to respiratory infections. Epidemiological studies showing associations between NO<sub>2</sub> levels and hospital admissions for respiratory infections support such a link, although the studies examining respiratory infections in children are less consistent.

A review of the projected 2020 EI shows that 45% of the total NO<sub>x</sub> emissions in Los Angeles County portion of the Basin are projected to come from onroad vehicles, primarily from heavy-duty diesel trucks and from light-duty autos and trucks, and another 17% come from offroad vehicles, primarily from construction equipment, ocean-going vessels, and aircraft.

### **Volatile Organic Compounds (VOCs)**

The term *reactive organic gases* (ROG) is used by the California ARB for this air quality analysis and is defined the same as the federal term “volatile organic compound” (VOC). ROG is defined as any compound of carbon, excluding CO, carbon dioxide (CO<sub>2</sub>), carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participate in atmospheric photochemical reactions. It should be noted that there are no state or national AAQS for ROG because ROG are not classified as criteria pollutants. They are regulated, however, because a reduction in ROG emissions reduces certain chemical reactions that contribute to the formation of ozone. ROG are also transformed in the atmosphere into organic aerosols, which contribute to higher PM<sub>10</sub> and lower visibility.

According to the 2020 projected EI, over 29% of the total ROG in the Los Angeles County portion of the Basin in 2020 will be contributed by solvent evaporation, primarily from consumer products; another 25% will come from onroad vehicles, predominantly light-duty cars and trucks; and almost 19% will come from other mobile sources, such as recreational boats and offroad recreational vehicles.

### **Toxic Air Contaminants (TACs)**

In addition to the above-listed criteria pollutants, toxic air contaminants (TACs) are another group of pollutants of concern. Assembly Bill (AB) 1807<sup>19</sup> sets forth a procedure for the identification and control of TACs in California. It defines a TAC as an air pollutant which may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health. Almost 200 compounds have been designated as TACs in California. The ten TACs posing the greatest known health risk in California, based primarily on ambient air quality data, are acetaldehyde, benzene, 1,3-butadiene, carbon tetrachloride, hexavalent chromium, formaldehyde, methylene chloride, para-dichlorobenzene, perchloroethylene, and diesel particulate matter (DPM).

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<sup>19</sup> Enacted in September 1983. Health and Safety Code § 39650 et seq., Food and Agriculture Code § 14021 et seq.

TACs do not have AAQS. Since no safe levels of TACs can be determined, there are no air quality standards for TACs. Instead, TAC impacts are evaluated by calculating the health risks associated with a given exposure. TAC concentrations in the SCAB and near the project site are discussed in **Section 4.2.4**.

### **4.2.3 Regulatory Framework**

#### **Criteria Pollutants**

##### **Federal**

The Federal Clean Air Act (FCAA), passed in 1970, established the national air pollution control program. The basic elements of the FCAA are the NAAQS for criteria air pollutants, hazardous air pollutants standards, state attainment plans, motor vehicle emissions standards, stationary source emissions standards and permits, acid rain control measures, stratospheric ozone protection, and enforcement provisions.

The NAAQS are the maximum allowable concentrations of criteria pollutants, over specified averaging periods, to protect human health. The FCAA requires that the USEPA establish NAAQS and reassess, at least every five years, whether they are adequate to protect public health, based on current scientific evidence. The NAAQS are divided into primary and secondary standards; the former standards are set to protect human health within an adequate margin of safety, and the latter to protect environmental values, such as plant and animal life.

Data collected at permanent monitoring stations are used by the USEPA to classify regions as “attainment” or “nonattainment,” depending on whether the regions have met the requirements stated in the primary NAAQS. Nonattainment areas are subject to additional restrictions, as required by the USEPA.

The FCAA Amendments in 1990 substantially revised the planning provisions for those areas not currently meeting NAAQS. The Amendments identify specific emission reduction goals that both require a demonstration of reasonable further progress and attainment and incorporate more stringent sanctions for failure to attain the NAAQS or to meet interim attainment milestones.

##### **State**

#### **California Clean Air Act (CCAA)**

The State of California began to set CAAQS in 1969 under the mandate of the Mulford-Carrell Act. There were no attainment deadlines for the CAAQS originally. However, the State Legislature passed the California Clean Air Act (CCAA) in 1988 to establish air quality goals, planning mechanisms, regulatory strategies, and standards of progress to promote their attainment. The ARB, which became part of the California Environmental Protection Agency (CalEPA) in 1991, is responsible for ensuring implementation of the CCAA, responding to the federal CAA, and for regulating emissions from motor vehicles and consumer products.

The CCAA requires attainment of CAAQS by the earliest practicable date. The state standards are generally more stringent than the corresponding federal standards. Attainment plans are required for air basins in violation of the State ozone, PM<sub>10</sub>, CO, SO<sub>2</sub>, or NO<sub>2</sub> standards. Responsibility for achieving state standards is placed on the ARB and local air pollution control districts. District plans



for nonattainment areas must be designed to achieve a 5% annual reduction in emissions. Preparation of and adherence to attainment plans are the responsibility of the local air pollution districts or air quality management districts.

### **California Code of Regulations**

The California Code of Regulations (

CCR) is the official compilation and publication of regulations adopted, amended or repealed by the state agencies pursuant to the Administrative Procedure Act (APA). The CCR includes regulations that pertain to air quality emissions. Specifically, Section 2485 in Title 13 of the CCR states that the idling of all diesel-fueled commercial vehicles (weighing over 10,000 pounds) during construction shall be limited to five minutes at any location. In addition, Section 93115 in Title 17 of the CCR states that operation of any stationary, diesel-fueled, compression-ignition engines shall meet specified fuel and fuel additive requirements and emission standards.

### **Regional**

#### **South Coast Air Quality Management District**

The South Coast Air Quality Management District (SCAQMD) is responsible for maintaining and improving air quality in all of Orange County and the urbanized portions of Los Angeles, Riverside and San Bernardino Counties. Through its regulations and rules, it implements state and federal laws and regulations within its geographic distribution.

The SCAQMD is required to produce plans to show how air quality will be improved in the region. The CCAA requires that these plans be updated triennially to incorporate the most recent available technical information.<sup>20</sup> A multi-level partnership of governmental agencies, at the federal, state, regional, and local levels, implements the programs contained in these plans. Agencies involved include the USEPA, the ARB, local governments, Southern California Association of Governments (SCAG), and the SCAQMD. The SCAQMD and the SCAG are responsible for formulating and implementing the Air Quality Management Plan (AQMP) for the Basin. The SCAQMD updates its AQMP every three years.

The 2016 AQMP was adopted by the SCAQMD Board on March 3, 2017, and was submitted to the ARB on March 10, 2017 to become part of the State Implementation Plan (SIP) (SCAQMD, 2017). The ARB adopted the 2016 AQMP, and the 2016 State SIP Strategy with its complementary commitments, on March 23, 2017 and submitted them to USEPA as revisions to the California SIP on April 27, 2017 (ARB, 2017a; ARB, 2018b). The 2016 AQMP focuses largely on reducing NO<sub>x</sub> emissions as a means of attaining the 1979 1-hour ozone standard by 2022, the 1997 8-hour ozone standard by 2023, and the 2008 8-hour standard by 2031 (SCAQMD, 2017). The AQMP prescribes a variety of current and proposed new control measures, including a request to the USEPA for increased regulation of mobile source emissions. The NO<sub>x</sub> control measures will also help the Basin attain the 24-hour standard for PM<sub>2.5</sub>.

All projects are subject to SCAQMD rules and regulations in effect at the time of construction. Specific rules applicable to the construction of the project may include, but are not limited to, the following:

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<sup>20</sup> CCAA of 1988.

**Rule 401 – Visible Emissions**

This Rule prohibits discharge into the atmosphere from any single source of emission whatsoever of any air contaminant for a period or periods aggregating more than three minutes in any one hour which is as dark or darker in shade as that designated No. 1 on the Ringelmann Chart, as published by the United States Bureau of Mines.

**Rule 402 – Nuisance**

This Rule prohibits discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause injury or damage to business or property. The provisions of this rule do not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.

**Rule 403 – Fugitive Dust**

This rule is intended to reduce the amount of PM entrained in the ambient air from anthropogenic (man-made) fugitive dust sources by requiring actions to prevent, reduce, or mitigate fugitive dust emissions. Rule 403 applies to any activity or man-made condition capable of generating fugitive dust. Some specific requirements of Rule 403 that apply to all construction projects, regardless of the size of their disturbed areas, are addressed below:<sup>21</sup>

- No person shall cause or allow emissions of fugitive dust to remain visible in the atmosphere beyond the property line of the emission source or to exceed 20% opacity if the dust emission is a result of a moving motorized vehicle.
- Apply applicable Best Available Control Measures in Table 1 of Rule 403 to minimize fugitive dust emissions during active operation.
- No person shall cause or allow PM<sub>10</sub> levels to exceed 50 micrograms per cubic meter when determined as the difference between upwind and downwind samples collected on high-volume PM samplers or other USEPA approved equivalent method for PM<sub>10</sub> monitoring at the project limits for a five-hour period during the time of Active Operations. Sampling will only occur if a complaint is reported to the SCAQMD, in which case the decision to conduct sampling will be made by SCAQMD, and SCAQMD will conduct sampling.
- No person shall allow track-out to extend 25 feet or more in cumulative length from the point of origin from an active operation, and all track-out from an active operation shall be removed at the end of each workday or evening shift.
- No person shall conduct an active operation with a disturbed surface area of five or more acres, or with a daily import or export of 100 cubic yards or more of bulk material without at least one of the measures listed under subparagraph (d)(5) of Rule 403 at each vehicle egress.

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21 SCAQMD Rule 403(d), as Amended June 3, 2005.

### ***Rule 445 – Wood-burning Devices***

The purpose of this rule is to reduce the emission of PM from wood-burning devices. Section (d)(1) requires that no person shall permanently install a wood-burning device into any new development.<sup>22</sup>

### ***Rule 1113 – Architectural Coatings***

The purpose of this rule is to limit the VOC content of architectural coatings used in the District and applies to any person who supplies, sells, markets, offers for sale, or manufactures any architectural coating that is intended to be field applied within the District and any person who applies, stores at a worksite, or solicits the application of any architectural coating within the District.<sup>23</sup>

## **Southern California Association of Governments**

The Southern California Association of Governments (SCAG) is the federally-designated metropolitan planning agency for Ventura, Los Angeles, Riverside, San Bernardino and Imperial Counties. It works together with the SCAQMD to prepare the above-described AQMP. One of SCAG’s major responsibilities is to prepare and periodically update the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), which is required for the region to receive federal and state transportation funding for public transit, streets and roads, and bicycle and pedestrian improvements. The SCS, which is required by the Sustainable Communities and Climate Protection Act (SB 375), has as its primary goal the reduction of per capita passenger vehicle-generated GHG emissions.

The most recent update, Connect SoCal (2020-2045 RTP/SCS), was adopted on September 3, 2020 (SCAG, 2020b). Connect SoCal is described in general terms in **Section 4.10.2** and the project’s land use characteristics are evaluated in **Section 4.10.4**.

## **Local**

### **City of West Hollywood General Plan**

Local air quality within West Hollywood varies from place to place and depends on both regional wind patterns and proximity to local pollution sources. Activities within the city of West Hollywood have an effect on air quality both within the city and in the wider South Coast Air Basin. Portions of the City of West Hollywood General Plan that address air quality include the Infrastructure, Resources, and Conservation Element (Rami + Associates, Inc., 2011) and the Mobility Element (Rami + Associates, Inc., 2011).

### **Infrastructure, Resources, and Conservation Element**

The most relevant goal of this element is ***Goal IRC-7: Improve air quality and reduce emissions of air pollution***. Its intent is to prioritize the regulation and limiting of stationary and mobile sources of air pollution, and support techniques and technologies that will reduce emissions within the City and region. Policies under this goal are:

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22 SCAQMD Rule 445(d), as Adopted May 3, 2013.

23 SCAQMD Rule 1113, as Amended February 5, 2016.

- **IRC-7.1** The City will protect its air quality and seek to improve overall respiratory health for residents through regulation of private and commercial, stationary, and mobile sources of air pollution.
- **IRC-7.2** The City supports land use and transportation strategies to reduce driving rates and resulting air pollution, including pollution from commercial and passenger vehicles.
- **IRC-7.3** The City will promote fuel efficiency and cleaner fuels for vehicles as well as construction and maintenance equipment by requesting that City contractors provide cleaner fleets.
- **IRC-7.4** The City prohibits combustion or gasoline powered engines in leaf blowers.
- **IRC-7.5** The City should discourage the use of equipment with two-stroke engines and publicize the benefits and importance of alternative technologies.
- **IRC-7.6** The City will support increased local access to cleaner fuels and cleaner energy by encouraging fueling stations that provide cleaner fuels and energy to the community.
- **IRC-7.7** The City will collaborate with other agencies within the region to improve air quality and meet or exceed state and federal air quality standards through regional efforts to reduce air pollution from mobile sources, including trucks and passenger vehicles.

### **Mobility Element**

A comprehensive multi-modal transportation system is critical in West Hollywood's urbanized environment. In addition to the direct transportation-related benefits, there are many related co-benefits to a multi-modal transportation system and reduced auto use.

**Public Health:** In recent years, there has been significant research about the links between health and mobility. Walkable communities generally have lower rates of obesity and heart disease, fewer air quality issues, and higher levels of physical activity by residents.

**Environment:** Less auto use means less air pollution, soil and water pollution, and greenhouse gas emissions. Today and into the future, autos and trucks will continue to emit significant amounts of pollutants. These pollutants undermine our air quality, flow into our storm drains, and coat our streets, buildings, and open spaces. In addition, transportation is responsible for the greatest proportion of greenhouse gas emissions in the City (62% as of 2008).

The Mobility Element contains the following goals and policies that affect air quality in the city and region:

***Goal M-1: Develop a world-class transit system in West Hollywood***

***Goal M-2: Collaborate on regional transportation solutions that improve mobility, quality of life, and environmental outcomes***

- **M-2.5** Develop programs and strategies that work to achieve greenhouse gas or VMT reduction standards established by regional, state, and/or federal agencies.
- **M-2.7** Pursue multi-jurisdictional car-sharing and bike-sharing programs with regional partners including the Westside Cities and SCAG.

***Goal M-4: Create a comprehensive bicycle network throughout the City***

- **M-4.1** Implement improvements identified in the adopted Bicycle and Pedestrian Mobility Plan (2003) as funding becomes available.

***Goal M-5: Create an environmentally and financially sustainable transportation network that provides for the mobility and livability needs of West Hollywood residents, businesses, and visitors***

- M-5.2 Prioritize property access to promote transit, walking, and bicycling over auto access.
- M-5.4 Where possible, optimize roadway and signal systems with appropriate technologies to support access and multi-modal travel.
- M-5.10 Encourage the concept of shared streets in residential areas.

***Goal M-6: Utilize Transportation Demand Management strategies to reduce auto travel***

- M-6.1 Maintain and periodically update a Transportation Demand Management (TDM) Ordinance to reduce auto trips associated with new development.
- M-6.5 Regularly study the community's travel characteristics to identify actions and techniques for reducing travel demand.
- M-6.8 Implement car-sharing and bike-sharing programs for City employees.

***Goal M-7: Protect and preserve residential neighborhoods from intrusion of non-residential traffic***

- M-7.1 Support the Neighborhood Traffic Management Program.
- M-7.2 Maintain an established process of including neighborhood, businesses and other affected parties in discussions of neighborhood traffic management issues and resolutions.
- M-7.4 Manage traffic speeds and volumes on neighborhood streets to reduce cut-through traffic.

***Goal M-8: Manage parking supply to serve residents, businesses and visitors***

***Goal M-9: Facilitate sustainable, effective, and safe movement of goods and commercial vehicles***



- M-9.1 Establish and designate a system of truck routes on specified arterial streets to minimize the negative impacts of trucking through the City.
- M-9.3 Utilize alleys for access to parking, delivery loading/unloading and trash collection and, where possible, provide additional green space and pedestrian amenities.
- M-9.4 Encourage operators of commercial vehicles doing business in West Hollywood to utilize technologies that minimize air pollution, fuel use, and greenhouse gas emissions.
- M-9.5 Prohibit commercial vehicles from excessive idling during deliveries and while parked.
- M-9.7 Continue to prohibit mobile advertising to avoid unnecessary traffic congestion and air pollution.

## Toxic Air Contaminants

### State

California's air toxics control program was established by two pieces of legislation in the 1980s: the Toxic Air Contaminant Identification and Control Act (AB 1807) and the Air Toxics "Hot Spots" Information and Assessment Act of 1987 (AB 2588). Under AB 1807, the ARB uses a two-step process of risk identification and risk management to address the potential health effects from air toxic substances and protect the public health of Californians (ARB, 2017a). The first step is to determine which compounds and compound classes are to be considered as TACs. After considering criteria relating to "the risk of harm to public health, amount or potential amount of emissions, manner of, and exposure to, usage of the substance in California, persistence in the atmosphere, and ambient concentrations in the community,"<sup>24</sup> the ARB identifies candidate TACs. The Office of Environmental Health Hazard Assessment (OEHHA) then obtains and evaluates information on the health effects of exposure to each candidate compound. The scientific accuracy of the work of the ARB and OEHHA is reviewed by an independent Scientific Review Panel (SRP). After SRP approval, the substances are formally designated as TACs. The second step is for the ARB to develop air toxics control measures (ATCMs) to reduce emissions in the state. Local agencies, including the SCAQMD, may adopt the ATCMs as is, or develop more stringent rules.

The purpose of AB 2588 is to identify individual facilities whose TAC emissions pose a significant health risk to the surrounding community. Using procedures prescribed by the ARB, OEHHA, and (in the SCAB) the SCAQMD, the facility first prepares an air toxics emission inventory. The inventory includes emission from permitted sources and from sources that do not require permits. Then the facility uses dispersion modeling to estimate maximum one-hour and 70-year annual average exposures at sensitive receptor points, such as residences, schools and hospitals. Exposure of workers in nearby businesses are also estimated. Using concentration-based risk factors from OEHHA, the facility then estimates cancer risk and acute and chronic non-cancer risk. If the cancer risk is above 10 in one million or the non-cancer risk is above a certain threshold, then the facility must prepare and implement a risk reduction plan.

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<sup>24</sup> Health and Safety Code § 39666(f).

## Regional

SCAQMD Regulation XIV, Toxics and Other Non-Criteria Pollutants, comprises 28 rules governing emissions of TACs in the SCAB. As with most other SCAQMD rules, these apply whether or not a facility has a permit. Review of all 28 rules indicates that only one is applicable to the project:

### ***Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities***

The purpose of this rule is to specify work practice requirements to limit asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos-containing materials (ACM). The requirements for demolition and renovation activities include asbestos surveying, notification, ACM removal procedures and time schedules, ACM handling and clean-up procedures, and storage, disposal, and landfiling requirements for asbestos-containing waste materials.<sup>25</sup>

## 4.2.4 Existing Conditions

### Regional Air Quality

**Table 4.2-2** shows the attainment status of the SCAB for each criteria pollutant for both the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS). The entire SCAB is currently nonattainment for ozone and PM<sub>2.5</sub>, while the Los Angeles County portion of the basin is nonattainment for the NAAQS for lead. The entire basin is nonattainment for the CAAQS for PM<sub>10</sub>.

**Table 4.2-2**  
**FEDERAL AND STATE ATTAINMENT STATUS**

Pollutants	Federal Classification	State Classification
Ozone (O <sub>3</sub> )	Nonattainment (Extreme)	Nonattainment
Particulate Matter (PM <sub>10</sub> )	Maintenance (Serious)	Nonattainment
Fine Particulate Matter (PM <sub>2.5</sub> )	Nonattainment (Serious)	Nonattainment
Carbon Monoxide (CO)	Maintenance (Serious)	Attainment
Nitrogen Dioxide (NO <sub>2</sub> )	Maintenance	Attainment
Lead (Pb)	Nonattainment <sup>a</sup>	Attainment
Sulfates	No Federal Standards	Attainment
Hydrogen Sulfide (H <sub>2</sub> S)		Unclassified
Visibility Reducing Particles		Unclassified
Sulfur Dioxide (SO <sub>2</sub> )		Attainment

**Sources:** USEPA, 2021a; USEPA, 2021b; USEPA, 2021c; USEPA, 2021d; USEPA, 2021e; USEPA, 2021f; ARB, 2021a; ARB 2021b; ARB, 2021c; ARB, 2021d; ARB, 2021e; ARB, 2021f; ARB, 2021 g; ARB, 2021h; ARB, 2021i; ARB, 2021j.

<sup>a</sup>Los Angeles County portion of SCAB only (USEPA, 2021g).

<sup>25</sup> SCAQMD Rule 1403, as Amended October 5, 2007.

## Local Air Quality

### Existing Pollutant Levels at Nearby Monitoring Stations

The SCAQMD has divided the Basin into source receptor areas (SRAs), based on distinctive meteorological and topographical features. The proposed project site is located in the Northwest Los Angeles County Coastal SRA (SRA 2), just outside SCAQMD's Central Los Angeles SRA (SRA 1). The stations most representative of the site are the Los Angeles-North Main Station and West Los Angeles VA Hospital. These stations are 9.7 miles southwest and 6.3 miles southeast of the project site, respectively. The Los Angeles North Main Station monitors PM<sub>10</sub> and PM<sub>2.5</sub> and the West Los Angeles VA Hospital station monitors NO<sub>2</sub> and ozone. The ambient air quality data in the proposed project vicinity as recorded at these stations for 2018 to 2020 and the applicable federal and state standards are shown in **Table 4.2-3**.

### Existing Health Risk in the Surrounding Area

Since 1986–87 the South Coast Air Quality Management District (SCAQMD) has been conducting Multiple Air Toxics Exposure Studies (MATES) to evaluate regional air toxics health risks in the Basin. The MATES V Study consists of several elements. These include a monitoring program, an updated emissions inventory of toxic air contaminants, and a modeling effort to characterize risk across the Basin. Additionally, MATES V includes an exploratory analysis of chronic non-cancer health impacts (e.g., cardiovascular, respiratory, neurological health outcomes, etc.). The MATES analysis does not estimate impacts on mortality risk or other health effects from criteria air pollutant exposures; such analyses are instead conducted as part of the Air Quality Management Plans. The current study – MATES V – focuses on measurements during 2018 and 2019 with a comprehensive modeling analysis and emissions inventory based on 2018 data.

A network of 10 fixed sites was used to monitor toxic air contaminants once every six days for one year. The locations of the sites were generally the same as in MATES II, III, and IV to allow for comparisons over time. Several sites have been relocated over time due to site availability, however, relocated monitors were sited in nearby locations with similar air quality characteristics.

The nearest MATES V site to the project site is located at the Burbank Area station, as is the criteria pollutant monitoring activity discussed above. Regional modeling analysis shows carcinogenic risk from air toxics in the grid cell containing West Hollywood is 501 to 800 per million.

The population-weighted average Basin air toxics cancer risk using multiple-pathway factors is 454 in a million, and the average inhalation-only risk is 423 in a million. The areas of the Basin that are exposed to the higher air toxics cancer risk continue to be along the goods movement corridors. The MATES V risk in the SCAB constitutes a 54% reduction from the corresponding risk during the MATES IV period (997 in-a-million for multiple pathway risk). Diesel PM continues to be the primary risk driver, contributing to more than 72% of the inhalation-only risk and 67% of the overall multiple pathway air toxics cancer risk.

**Table 4.2-3  
AMBIENT AIR QUALITY MONITORING DATA**

Station	Air Pollutant	Standard/Exceedance	Year		
			2019	2020	2021
West Los Angeles-VA Hospital	Ozone (O <sub>3</sub> )	Max. 1-hour Concentration (ppm)	0.086	0.134	0.095
		Max. 8-hour Concentration (ppm)	0.075	0.092	0.082
		# Days > Federal 8-hour Std. of 0.075 ppm	0	5	1
		# Days > Federal 8-hour Std. of 0.070 ppm	1	8	1
		# Days > State 1-hour Std. of 0.09 ppm	0	6	1
		# Days > State 8-hour Std. of 0.070 ppm	1	8	1
Los Angeles-North Main Street	Respirable Particulate Matter (PM <sub>10</sub> )	State Max. 24-hour Concentration (µg/m <sup>3</sup> )	ND	93.9	138.5
		# Days > Fed. 24-hour Std. of 150 µg/m <sup>3</sup>	ND	ND	0
		# Estimated Days > State 24-hour Std. of 50 µg/m <sup>3</sup>	ND	35.6	17.2
		State Annual Average (µg/m <sup>3</sup> )	ND	33.9	30.9
Los Angeles-North Main Street	Fine Particulate Matter (PM <sub>2.5</sub> )	Federal Max. 24-hour Concentration (µg/m <sup>3</sup> )	43.5	175	61.0
		State Annual Average (µg/m <sup>3</sup> )	10.8	14.9	14.8
		# Measured Days > Fed. 24-hour Std. of 35 µg/m <sup>3</sup>	1	12.1	13
		Federal Annual Average (µg/m <sup>3</sup> )	10.8	13.7	12.8
West Los Angeles-VA Hospital	Nitrogen Dioxide (NO <sub>2</sub> )	Federal Max. 1-hour Concentration (ppb)	48.8	76.6	60.6
		Annual Average (ppb)	9	10	10
		# Days > Federal 1-hour Std. of 100 ppb	0	0	0
		# Days > State 1-hour Std. of 0.18 ppm	0	0	0

**Source:** <https://www.arb.ca.gov/adam/topfour/topfour1.php>. Accessed September 13, 2022; <https://www.arb.ca.gov/adam/select8/sc8start.php>. Accessed September 13, 2022.

ND – There were insufficient (or no) data available to determine the value.

### **Surrounding Uses and Sensitive Receptors**

Some people, such as individuals with respiratory illnesses or impaired lung function because of other illnesses, persons over 65 years of age, and children under 14, are particularly sensitive to certain pollutants. Facilities and structures where these sensitive people live or spend considerable amounts of time are known as sensitive receptors. For the purposes of a CEQA analysis, the SCAQMD considers a sensitive receptor to be a receptor such as a residence, hospital, or convalescent facility where it is possible that an individual could remain for 24 hours. Commercial and industrial facilities are not included in the definition of sensitive receptor because employees typically are present for shorter periods of time, such as eight hours. Therefore, applying a 24-hour standard for PM<sub>10</sub> is appropriate not only because the averaging period for the state standard is 24 hours, but because the sensitive receptor would be present at the location for the full 24 hours.

The project site is in the Sunset Specific Plan (SSP), which extends along Sunset Boulevard, along the entire length of the City and is typically one to two parcels wide on each side of the roadway (City of West Hollywood, 2019). The project site is within Area 8 - West End of the SSP area. The goals of the

SSP in the West End area include accommodating additional office buildings and providing space for "creative" industries and anchor businesses. The nearest sensitive receptors to the proposed project Site, with the highest potential to be adversely affected by the proposed project, are listed in **Table 4.2-4**.

**Table 4.2-4  
SENSITIVE RECEPTORS NEAR PROJECT SITE**

#	Sensitive Receiver Name	Location	Approximate Distance <sup>a</sup> from Proposed Project (Feet)
1	<b>Nearest Residence</b> 1033 Carol Drive West Hollywood, CA 90069	Latitude: 34.090121 Longitude: -118.391617	19
2	<b>Doheny School</b> 968 N Doheny Dr, Los Angeles, CA 90069	Latitude: 34.089310 Longitude: -118.389599	668
3	<b>West Hollywood Elementary School</b> 970 Hammond St., West Hollywood, CA 90069	Latitude: 34.089308 Longitude: -118.387461	1,276
4	<b>Beverly Hills Baptist Church</b> 9025 Cynthia St, West Hollywood, CA 90069	Latitude: 34.087612 Longitude: -118.388667	1,276

<sup>a</sup>Distances measured from nearest project boundary.

#### 4.2.5 Methodology

##### Construction

##### Regional Emissions

The California Emissions Estimator Model® (CalEEMod) Version 2020.4.0 (Breeze Software, 2021b), which incorporates onroad emission factors from EMFAC2017 (v1.0.7) for applicable calendar years in the Los Angeles County portion of the SCAB, were used to estimate construction emissions for offroad equipment exhaust; onroad exhaust emissions from construction employee commute and vendor activity; and onroad exhaust emissions from hauling activity. (CalEEMod outputs are presented in **Appendix D** to this document.)

It was assumed that construction activities will be divided into six phases. **Table 4.2-8** shows the off-road equipment use in each phase. The "load factor" in the rightmost column is the fraction of the time that a given type of equipment is operating in a way to emit air pollutants.



**Table 4.2-8  
CONSTRUCTION EQUIPMENT BY PHASE**

Phase	Equipment Type	No. of Pieces	Hours/Day	Horse-power	Load Factor
Demolition	Concrete/Industrial Saws	1	8	81	0.73
	Excavators	1	8	158	0.38
	Rubber-Tired Dozers	1	8	247	0.40
	Tractors/Loaders/Backhoes	3	8	97	0.37
Site Preparation	Graders	1	8	187	0.41
	Rubber-Tired Dozers	1	7	247	0.40
	Tractors/Loaders/Backhoes	1	8	97	0.37
Grading	Excavators	1	8	158	0.38
	Graders	1	8	187	0.41
	Rubber-Tired Dozers	1	8	247	0.40
	Tractors/Loaders/Backhoes	2	7	97	0.37
Building Construction	Cement and Mortar Mixers	2	6	9	0.56
	Cranes	1	6	231	0.29
	Forklifts	1	6	89	0.20
	Generator Sets	1	8	84	0.74
	Tractors/Loaders/Backhoes	1	6	97	0.37
	Welders	3	8	46	0.45
Paving	Cement and Mortar Mixers	1	6	9	0.56
	Pavers	1	6	130	0.42
	Paving Equipment	1	8	132	0.36
	Rollers	1	7	80	0.38
	Tractors/Loaders/Backhoes	1	8	97	0.37
Architectural Coating	Air Compressors	1	6	78	0.48

It was assumed in the modeling that all applicable provisions of SCAQMD Rule 403 would be followed. It was also assumed that all construction offroad equipment will be Tier 4 interim or better, where applicable. CalEEMod considers these control measures to be “mitigation,” although, being legally mandatory, they are not considered as such in this EIR.

### Localized Significance Analysis for Criteria Pollutants

The purpose of this analysis is to estimate whether ambient air quality standards for NO<sub>2</sub>, CO, PM<sub>10</sub> or PM<sub>2.5</sub> would be violated in the immediate vicinity of the project. To facilitate impact analysis, the SCAQMD developed a methodology for modeling for many combinations of project footprint area, source-receptor distance, and local meteorology in the SCAB (Chico and Koizumi, 2008). From the results of the analysis, SCAQMD developed mass rate look-up tables that can be used to determine whether a project’s emissions may generate significant localized air quality impacts on offsite receptors (including sensitive receptors). Based on the SRA number, the distance to the receptor and the site area, the output of the modeling is a set of pollutant-specific emission thresholds.

### Toxic Air Contaminants

The chief toxic air contaminant during construction is diesel particulate matter (DPM), a carcinogen. The SCAQMD’s significance thresholds for carcinogens are based upon 30 years of continuous exposure. To assess the cancer and noncancer health risks from construction, a health risk

assessment (HRA) was performed by Air Quality Dynamics (Piazza, 2022).<sup>26</sup> The HRA used CalEEMod results for offroad diesel equipment to develop hourly emission rates. Resulting ambient exposures in the residential neighborhood south of the project site were estimated with the U.S. Environmental Protection Agency’s regulator dispersion model AERMOD. Meteorological data from the SCAQMD Santa Monica Airport monitoring station, which is located approximately 6.14 miles southwest of the project site, were used to represent local weather conditions and prevailing winds. Only the inhalation pathway of exposure was considered. To account for upper-bound exposures associated with residential occupancies, lifetime cancer risks were adjusted to account for the time of exposure (only during construction), and breathing rates in utero during the third trimester and for ages from birth to two years. Potential noncancer effects of DPM exposure were evaluated by comparing the pollutant concentration with the appropriate reference exposure level (REL) published by the Office of Environmental Health Hazard Assessment (OEHHA). The ratio of exposure to REL is known as the hazard index (HI). Only chronic (long-term) risk was assessed, as there is no OEHHA REL for acute exposure to DPM.

### Operation

For the operational emissions calculations, CalEEMod’s “default” assumptions were used, with two exceptions:

- No natural gas combustion-related emissions were included, given that no natural gas will be used.
- As discussed in **Section 2.5.3**, the modeling assumes that project energy conservation will exceed Title 24 requirements by 10 percent.

### Project Design Features

The following project design feature (PDF) would be implemented for minimizing emissions during project construction. Please note that AQ-PDF-1 was taken into account in the Air Quality emissions calculations and Health Risk Assessment conducted for the project.

**AQ-PDF-1:** All construction off-road equipment will be Tier 4 Interim or better where applicable.

### 4.2.6 Environmental Impact Analysis

#### Thresholds of Significance

In accordance with *State CEQA Guidelines Appendix G*, implementation of the project would result in a potentially significant impact related to air quality if it would:

- A. Conflict with or obstruct implementation of the applicable air quality plan; or
- B. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; or
- C. Expose sensitive receptors to substantial pollutant concentrations; or
- D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

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<sup>26</sup> Detailed assumptions, methods and results of the health risk assessment are provided in Appendix Q.

The Initial Study determined that the impact for Threshold (d) would be less than significant. This analysis therefore evaluated impacts only for Appendix G Thresholds (a) through (c).

### **SCAQMD's CEQA Air Quality Handbook**

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the significance determinations. As will be discussed in the next section, the SCAQMD has developed a *CEQA Air Quality Handbook* to provide a protocol for air quality analyses that are prepared under the requirements of CEQA.

To assist in implementing the air quality plans, the SCAQMD developed criteria for determining whether emissions from a project are regionally significant. They are useful for estimating whether a project is likely to result in a violation of the NAAQS and/or whether the project is in conformity with plans to achieve attainment. The SCAQMD no longer has “indirect source” rules,<sup>27</sup> e.g., rules that place restrictions on housing or commercial development, or require reductions in trip generation and/or VMT to developed commercial or industrial sites. Instead, the District has published guidance on conducting air quality analyses under CEQA (SCAQMD, 1993).

### **Emission Thresholds for Regional Air Quality Impacts**

SCAQMD's significance thresholds are summarized in **Table 4.2-6** for criteria pollutant emissions during construction activities and project operation. A project is considered to have a regional air quality impact if emissions from its construction and/or operational activities exceed the corresponding SCAQMD significance thresholds.

**Table 4.2-6  
SCAQMD EMISSIONS THRESHOLDS FOR SIGNIFICANT REGIONAL IMPACTS**

Pollutant	Mass Daily Thresholds (Pounds/Day)	
	Construction	Operation
Nitrogen Oxides (NO <sub>x</sub> )	100	55
Volatile Organic Compounds (VOC)	75	55
Respirable Particulate Matter (PM <sub>10</sub> )	150	150
Fine Particulate Matter (PM <sub>2.5</sub> )	55	55
Sulfur Oxides (SO <sub>x</sub> )	150	150
Carbon Monoxide (CO)	550	550
Lead	3	3

**Source:** SCAQMD 2015. Accessed March 16, 2018.

27 Two indirect source rules (1501 – Work Trip Reduction Plans and 1501.1 – Alternatives to Work Trip Reduction Plans) were repealed in 1995.

### **Emission Thresholds for Localized Air Quality Impacts**

As part of its environmental justice program to address localized air quality impacts of development projects, the SCAQMD developed localized significance thresholds (LSTs) in 2003 and revised them in 2008 (Chico and Koizumi, 2008). Since the original LST Guidance did not include PM<sub>2.5</sub>, in 2006, the SCAQMD published a method to calculate LSTs for PM<sub>2.5</sub> (Krause and Smith, 2006). LSTs represent the maximum NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state AAQS. NO<sub>x</sub> and CO LSTs are based on the ambient concentrations of that pollutant for each SRA<sup>28</sup> and distance to the nearest offsite receptor. For PM<sub>10</sub>, LSTs were based on requirements in SCAQMD Rule 403. Note that the LST analysis does not apply to VOC emissions, since there is no AAQS for VOC. Also note that the use of LSTs is voluntary, to be implemented at the discretion of the lead agency pursuant to CEQA.

Localized significance thresholds for the project site are shown in **Table 4.2.7**. They are discussed further in **Sections 4.2.4** and **4.2.5**.

**Table 4.2-7**  
**LOCALIZED SIGNIFICANCE THRESHOLDS FOR PROJECT**

Pollutant	Maximum Emissions (lb/day)
Nitrogen Oxides	74
Carbon Monoxide	562
Respirable Particulate Matter (PM <sub>10</sub> )	4
Fine Particulate Matter (PM <sub>2.5</sub> )	3

In addition, the SCAQMD has defined the following significance thresholds for exposure to TACs:

- Maximum Incremental Cancer Risk ≥ 10 in 1 million.
- Cancer Burden > 0.5 excess cancer cases (in areas where risk ≥ 1 in 1 million).
- Chronic & Acute Hazard Index<sup>29</sup> ≥ 1.0 (project increment).

### **Impacts of Carbon Monoxide Hotspots**

Increased local vehicle traffic may contribute to offsite air quality impacts. The traffic increases in nearby intersections may contribute to traffic congestion, which may create “pockets” of CO called hotspots. These pockets have the potential to exceed the state 1-hour standard of 20 parts per million (ppm) and/or the 8-hour standard of 9.0 ppm, thus affecting sensitive receptors that are close to these roadways or intersections. CO hotspots historically were found at busy intersections but could also occur along congested major arterials and freeways. They occurred mostly in the early morning hours when winds are stagnant and ambient CO concentrations are elevated.

28 The SCAQMD has defined 38 source receptor areas for various regulatory purposes. Each SRA is assumed to have a unique set of geographic and meteorological characteristics.

29 The hazard index is the ratio between the modeled concentration of a specific TAC and a threshold value set by OEHHA for that TAC.

It has long been recognized that CO exceedances are caused by vehicular emissions,<sup>30</sup> primarily when vehicles are idling at intersections.<sup>31,32</sup> Accordingly, vehicle emissions standards have become increasingly more stringent. Before the first vehicle emission regulations, cars in the 1950s were typically emitting about 87 grams of CO per mile.<sup>33</sup> Currently, the CO standard in California is a maximum of 3.4 grams/mile for passenger cars (with provisions for certain cars to emit even less).<sup>34</sup> With the turnover of older vehicles, introduction of cleaner fuels and implementation of control technology on industrial facilities, CO concentrations in the Air Basin have steadily declined.

An analysis prepared for CO attainment in the SCAB by the SCAQMD can be used to assist in evaluating the potential for CO exceedances due to development projects. CO attainment was thoroughly analyzed as part of the SCAQMD's 2003 Air Quality Management Plan (2003 AQMP) and the 1992 Federal Attainment Plan for Carbon Monoxide (1992 CO Plan).<sup>35</sup> In the 1992 CO Plan, a CO hot spot analysis was conducted for the four worst-case scenario intersections in Los Angeles County at the peak morning and afternoon time periods. The intersections evaluated included Long Beach Boulevard and Imperial Highway (Lynwood); Wilshire Boulevard and Veteran Avenue (Westwood); Sunset Boulevard and Highland Avenue (Hollywood); and La Cienega Boulevard and Century Boulevard (Inglewood). These analyses did not predict a violation of CO standards. The peak modeled CO concentrations due to vehicle emissions occurred at the intersection of Wilshire Boulevard and Veteran Avenue, which had a daily traffic volume of approximately 100,000 vehicles. The 2003 AQMP estimated that the 1-hour concentration for this intersection was 4.6 ppm, which indicates that the most stringent 1-hour CO standard (20.0 ppm) would likely not be exceeded until the daily traffic at the intersection exceeded more than 400,000 vehicles per day.<sup>36</sup> The AQMP CO hotspots modeling also took into account worst-case meteorological conditions and background CO concentrations. The Los Angeles County Metropolitan Transportation Authority (Metro) evaluated the level of service (LOS) in the vicinity of the Wilshire Boulevard and Veteran Avenue intersection and found it to be Level E for peak morning traffic and Level F for peak afternoon traffic.<sup>37,38</sup> If a project intersection does not exceed 400,000 vehicles per day, then the project does not need to prepare a detailed CO hotspots analysis using California LINE Source Dispersion Model, version 4 (CALINE4), which is a model used to assess air quality impacts near transportation facilities (i.e., roadways, intersections, street canyons, and parking facilities).

### **Asbestos**

The threshold of significance for asbestos is the presence of the material in friable form. Due to the age of the buildings to be demolished, the presence of asbestos is highly probable. Therefore, the owner or operator of any demolition activity must comply with SCAQMD Rule 1403. Compliance

<sup>30</sup> USEPA. 2000. Air Quality Criteria for Carbon Monoxide. EPA 600/P-099/001F.

<sup>31</sup> SCAQMD. 1993. CEQA Air Quality Handbook. Section 4.5.

<sup>32</sup> SCAQMD. 2003. Air Quality Management Plan.

<sup>33</sup> USEPA, Timeline of Major Accomplishments in Transportation, Air Pollution, and Climate Change, [www.epa.gov/air-pollution-transportation/timeline-major-accomplishments-transportation-air-pollution-and-climate](http://www.epa.gov/air-pollution-transportation/timeline-major-accomplishments-transportation-air-pollution-and-climate), accessed January 17, 2018.

<sup>34</sup> California Air Resources Board. California 2015 and Subsequent Model Criteria Pollutant Exhaust Emission Standards and Test Procedures and 2017 and Subsequent Model Greenhouse Gas Exhaust Emission Standards and Test Procedures for Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles. Adopted March 22, 2012.

<sup>35</sup> SCAQMD, 1992. Federal Attainment Plan for Carbon Monoxide.

<sup>36</sup> Based on the ratio of the CO standard (20.0 ppm) and the modeled value (4.6 ppm).

<sup>37</sup> The Metropolitan Transportation Authority measured traffic volumes and calculated the LOS for the intersection of Wilshire Blvd./ Sepulveda Ave. which is a block west along Wilshire Blvd., still east of Interstate 405.

<sup>38</sup> Metropolitan Transportation Authority. 2004. Congestion Management Program for Los Angeles County. Exhibit 2-6 and Appendix A.



must include a facility survey for the presence of asbestos prior to any demolition activity; notification of the SCAQMD of the intent to conduct any demolition activity; and, if asbestos is discovered, removal of the asbestos according to an asbestos removal schedule.

### **Analysis of Project Impacts**

#### **a) Threshold A: Would the Project conflict with or obstruct implementation of the applicable air quality plan?**

##### **Less Than Significant Impact**

The SCAQMD's 2016 AQMP, discussed above, is based upon population, employment and housing projections in SCAG's 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) (SCAG, 2016). The RTP/SCS is in turn based upon local plans and policies, including the City of West Hollywood General Plan.

The project would be consistent with the growth projections in both the AQMP and the 2016-2040 RTP/SCS. This means that these two documents took into account developments such as the project in their modeling and analyses and the 2016-2040 RTP/SCS vehicle trip and VMT reduction goals and policies. Since these growth assumptions are built into the 2016 AQMP demonstration of attainment with NAAQS and CAAQS, it is also expected that the project would not delay the attainment of those standards. The next iteration of the AQMP, which is now under development (SCAQMD, 2022), will be based in a similar way on Connect SoCal (2020-2045 RTP/SCS), which was discussed in **Section 4.2.3**.

The RTP portion of the RTP/SCS focuses largely on how funding for transportation projects will be spent during the 25-year planning period. The project may benefit from some of these specific projects and is unlikely to conflict with any of them. It is therefore more instructive to consider whether the proposed project would conflict with the air quality benefits that are expected to come from the SCS. Although the SCS' focus is on reducing GHG emissions,<sup>39</sup> its implementation will reduce criteria pollutant emissions as well. **Section 4.12.4**, in particular **Table 4.12-5**, contains a detailed evaluation of how the proposed project is consistent with the goals of the Sustainable Communities Strategy.

Additionally, to assist the implementation of the AQMP, projects must not create regionally significant emissions of regulated pollutants from either short-term construction or long-term operations. As demonstrated under Threshold (b) below, neither short-term (construction) nor long-term (operational) emissions would exceed the significance thresholds established by the SCAQMD.

Based on the discussion above, project impacts related to consistency with applicable air quality plans would be less than significant.

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<sup>39</sup> GHG emission reductions are discussed in **Section 4.7**.

- b) Threshold B: Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?**

**Less Than Significant Impact**

**Short-Term Construction**

The project will be built in six phases.<sup>40</sup> A tentative schedule for construction is shown in **Table 4.2-9**. Construction activities are proposed to begin in December 2022 and the project is expected to be fully operational in the fall of 2024.

**Table 4.2-9**  
**CONSTRUCTION SCHEDULE**

Phase	Type of Activity	Start	End
1	Demolition	December 1, 2022	December 15, 2022
2	Site Preparation	December 16, 2022	December 29, 2022
3	Grading	December 30, 2022	March 23, 2023
4	Building Construction	March 24, 2023	May 16, 2024
5	Paving	May 1, 2024	June 20, 2024
6	Architectural Coating	June 21, 2024	August 15, 2024

As shown in **Table 4.2-10**, all construction emissions associated with the project would be below the regional significance thresholds. Therefore, impacts related to air quality during project construction would be less than significant.

**Table 4.2-10**  
**ESTIMATED CONSTRUCTION EMISSIONS**

Construction Phase	Maximum Daily Emissions (lbs)				
	ROG	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Demolition	0.6	<b>11.4</b>	<b>20.0</b>	0.5	0.1
Site Preparation	0.3	5.1	10.1	2.3	1.2
Grading	0.9	<b>23.6</b>	<b>19.7</b>	<b>4.3</b>	<b>1.9</b>
Building Construction	0.5	<b>10.3</b>	<b>13.5</b>	<b>0.4</b>	<b>0.2</b>
Paving	<b>0.3</b>	5.7	10.3	0.2	0.1
Architectural Coating	<b>10.4</b>	1.1	1.9	0.04	0.01
<i>SCAQMD Daily Regional Threshold</i>	<i>75</i>	<i>100</i>	<i>550</i>	<i>150</i>	<i>55</i>

<sup>40</sup> The construction phases will not overlap in time, so their maximum daily emissions are not additive.

Construction Phase	Maximum Daily Emissions (lbs)				
	ROG	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
<i>Exceed Thresholds?</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>

Source: OB-1 Air Analyses, September 2021.

### Long-Term Operational Emissions

The primary source of operational emissions would be vehicle exhaust emissions generated from project-induced vehicle trips, known as “mobile source emissions.” Other emissions, identified as “energy source emissions,” would be generated from energy consumption for water, space heating, and cooking equipment while “area source emissions” would be generated from structural maintenance and landscaping activities, and use of consumer products. The CalEEMod-predicted area source, energy source, and mobile source emissions from operation of the proposed project are presented in **Table 4.2-11**. Detailed output sheets are provided in **Appendix D**.

As seen in **Table 4.2-11**, for each criteria pollutant, net emissions would be below the pollutant’s SCAQMD significance threshold. Therefore, operational criteria pollutant emissions would be less than significant.

**Table 4.2-11**  
**MAXIMUM DAILY PROJECT OPERATIONAL EMISSIONS**

Emission Source	Pollutant (lbs/day)				
	ROG	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Area Sources	1.16	0.00005	0.005	0.00002	0.00002
Energy Sources <sup>a</sup>	0	0	0	0	0
Mobile Sources	3.48	2.93	28.65	6.28	1.70
<b>Project Total Emissions</b>	<b>4.6</b>	<b>2.9</b>	<b>28.7</b>	<b>6.3</b>	<b>1.7</b>
<i>SCAQMD Significance Thresholds</i>	<i>55</i>	<i>55</i>	<i>550</i>	<i>150</i>	<i>55</i>
<b>Significant (Yes or No)</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: UltraSystems, September 2022.

<sup>a</sup>No natural gas combustion sources will be used by the project.

According to the CEQA Guidelines, a lead agency may determine that a project’s incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved air quality attainment or maintenance plan.<sup>41</sup> As described above, the project would not exceed any of the SCAQMD daily criteria pollutant thresholds. In general, cumulative *regional* impacts of construction and operation of all projects in the SCAB at

41 CEQA Guidelines, § 15064(h)(3).

any given time are accounted for in the AQMP. The proposed project is compliant with the AQMP, so the incremental contribution of the project would not be cumulatively considerable.

As discussed above, while diesel particulate matter and other TACs are emitted during construction, the duration of exposure would not be sufficient to result in a significant cancer risk or noncancer health risk. TAC emissions from operations would be negligible. The incremental contribution of the project would not be cumulatively considerable.

The only cumulative impacts with the potential for significance would be localized impacts during construction. The analysis for **Threshold C** shows that localized impacts from the project would be less than significant and therefore would not contribute to a cumulative impact.

**c) Threshold C: Would the project expose sensitive receptors to substantial pollutant concentrations?**

**Less Than Significant Impact**

**Criteria Pollutants**

Following SCAQMD LST Guidance (Chico and Koizumi, 2008), only onsite construction emissions were considered in the localized significance analysis. It was estimated that the largest area of construction activity on a single day would be less than one acre. The nearest sensitive receptor to the project boundary is about 19 feet (about 5.8 meters) away. The SCAQMD LST Guidance recommends using 25 meters for cases in which the distance is less than that value. The activity with the largest onsite emissions of NO<sub>x</sub> and CO would be demolition. The activity with the largest emissions of PM<sub>10</sub> and PM<sub>2.5</sub> would be grading. LSTs were obtained from tables in **Appendix C** of the SCAQMD's LST Guidance. Since the proposed project site is on or near the boundary between SRA 1 and SRA 2, the lower (more stringent) threshold for the two SRAs was used for each pollutant. **Table 4.2-12** shows the results of the localized significance analysis for the proposed project. Emissions of no criteria pollutant would exceed its threshold for significance. Therefore, localized air pollution impacts from construction activity would be less than significant.

**Table 4.2-12**  
**RESULTS OF LOCALIZED SIGNIFICANCE ANALYSIS**

Nearest Sensitive Receptor	Maximum Onsite Emissions (lbs/day)			
	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Residence	10.8	19.3	2.4	1.3
SCAQMD LST for 1 acre @ 25 meters	74	562	4	3
<b>Significant (Yes or No)</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source:  
OB-1 Air Analyses, September 2021.

The localized significance analysis that was done here for construction is not normally done for the operational phase of projects of this type. The reason, as explained by the SCAQMD (Krause and

Smith, 2006), is that by far the highest emissions from operations are from onroad motor vehicles, which travel over a large geographical area. “Local” receptors are highly dispersed, so that each one receives a tiny fraction of the emissions. Meanwhile, emissions from onsite sources are minor.

## Asbestos

Many buildings constructed before the late 1990s contain asbestos. Asbestos was widely used in the construction industry in thousands of materials. Some asbestos containing materials (ACM) are judged to be more dangerous than others due to the species of asbestos, amount of ACM and the material's friable nature. Sprayed coatings, pipe insulation, and asbestos insulating board are thought to be the most dangerous due to their high content of amphibole asbestos and friable nature. A Phase I Environmental Site Assessment of the property states, “Due to the age of the building present on the subject property (pre-1978), asbestos-containing materials ... may be present” (Herschberger and Smith, 2018).<sup>42</sup> If asbestos is subsequently found, it would have to be abated to comply with SCAQMD Rule 1403. To comply with this Rule, the contractor is required to have an asbestos survey performed by a Cal/OSHA Certified Asbestos Consultant (CA Department of Industrial Relations, 2018) and to submit an asbestos notification form with a fee to the SCAQMD at least 10 working days prior to any demolition activity.<sup>43</sup> Compliance will result in a less than significant effect from exposure to asbestos.

## CO Hotspots

As discussed in **Section 4.2.3**, if a project intersection does not exceed 400,000 vehicles per day, then the project does not need to prepare a detailed CO hotspots analysis. While intersection traffic data were unavailable for this project, the noise analysis<sup>44</sup> determined that the maximum ADT on Sunset Boulevard for which data were available was 52,231. This is considerably below the daily traffic volumes that would be expected to generate CO exceedances as evaluated in the 2003 AQMP.<sup>45</sup> This daily trip estimate is based on the peak hour conditions of the intersection. There is no reason unique to the Air Basin meteorology to conclude that the CO concentrations at intersections near the project would exceed the 1-hour CO standard if modeled in detail, based on the studies undertaken for the 2003 AQMP.<sup>46</sup> Therefore, the project does not trigger the need for a detailed CO hotspots model and would not cause any new or exacerbate any existing CO hotspots. **As a result, impacts related to localized mobile-source CO emissions are considered less than significant.**

## Air Toxics Health Risk Assessment for Construction

**Table 4.2-13** shows the results of the air toxics health risk assessment (Piazza, 2022). Both cancer and noncancer risk values would be less than significance thresholds.

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42 Provided in **Appendix I**.

43 Additional compliance information was published in a SCAQMD Advisory Notice dated March 27, 2019 and titled “Important Notice to all Facility Owners and Contractors Performing Renovations or Demolitions Re: Asbestos.” <http://www.aqmd.gov/docs/default-source/compliance/Asbestos-Demolition-/rule-1403-compliance-advisory.pdf?sfvrsn=8>.

44 See **Section 4.11.5**,

45 The 2003 AQMP estimated that the 1-hour concentration for a studied intersection was 4.6 ppm, which indicates that the most stringent 1-hour CO standard (20.0 ppm) would likely not be exceeded until the daily traffic at the intersection exceeded more than 400,000 vehicles per day.

46 It should be noted that CO background concentrations within the vicinity of the modeled intersection have substantially decreased since preparation of the 2003 AQMP. In 2003, the 1-hour background CO concentration was 5 ppm and has decreased to 2 ppm in 2014.



**Table 4.2-13  
RESULTS OF AIR TOXICS HEALTH RISK ASSESSMENT OF RESIDENTIAL EXPOSURE**

<b>Criterion</b>	<b>Maximum Risk</b>	<b>Significance Threshold</b>	<b>Significant?</b>
Carcinogenic Risk	1.6 per million	10 per million	<b>No</b>
Chronic Noncancer Hazard Index	0.021	1.0	<b>No</b>

**4.2.7 Mitigation Measures**

As discussed above, the project would result in less than significant impacts related to air quality and no mitigation measures are required.

**4.2.8 Level of Significance After Mitigation**

No significant impacts related to regional or localized emissions during construction or operation are anticipated to occur as a result of the project. Through compliance with state mandates and other applicable regulatory requirements, impacts related to air quality would be less than significant.

## **4.3 Biological Resources**

### **4.3.1 Introduction**

This section of the Draft EIR provides an analysis of the project’s potential impacts with regard to biological resources. The analysis is based on a habitat assessment conducted for the proposed project.

### **4.3.2 Regulatory Framework**

#### **Federal**

##### **Federal Endangered Species Act (ESA)**

The Federal Endangered Species Act (ESA) of 1973 (Title 16, United States Code [U.S.C.] §§ 1531-1543), as amended, designates and provides for protection of listed threatened and endangered plant and animal species, and their critical habitat. The United States Fish and Wildlife Service (USFWS), in the Department of the Interior, and the National Oceanic and Atmospheric Administration’s National Marine Fisheries Service (NMFS), in the Department of Commerce, share responsibility for administration of the ESA. These responsibilities include listing and delisting species, designating critical habitat, and formulating recovery plans. The USFWS has primary responsibility for terrestrial and freshwater organisms, while the responsibilities of NMFS are mainly marine wildlife.

##### **Migratory Bird Treaty Act (MBTA)**

The Migratory Bird Treaty Act (MBTA) of 1918 (Title 16, U.S.C. §§ 703-712), as amended, includes provisions for protection of migratory birds, including basic prohibitions against any take not authorized by federal regulation. The administering agency for the above authority is the USFWS. The law contains no requirement to prove intent to violate any of its provisions. Wording in the MBTA makes it clear that most actions that result in “take” or possession (permanent or temporary) of a protected species can be a violation of the act. The word “take” is defined as “pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect (including nests, eggs, and feathers).” The provisions of the MBTA are nearly absolute; “except as permitted by regulations” is the only exception.

##### **Clean Water Act: § 401**

Section 401 CWA requires project owners or proponents to obtain a Water Quality Certification which requires their project to prevent the discharge or dredge and fill material in quantities that would violate federal water quality standards. In the State of California, the SWRCB) and its nine Regional Water Quality Control Boards (RWQCBs) have been given the authority to issue § 401 Water Quality Certifications (WQCs).

The Los Angeles Regional Water Quality Control Board (Region 4) would provide review and water quality certification services for this project.

### **Clean Water Act; § 404**

Waters of the U.S. including wetlands, are subject to U.S. Army Corps of Engineers (USACE) jurisdiction under § 404 of the CWA. A § 404 permit is required for the discharge of dredged or fill material into Waters of the U.S. The Los Angeles District of the USACE would provide review and permitting services for this project.

### **Executive Order 11990, Protection of Wetlands (May 24, 1977)**

This order provides for the protection of wetlands. The administering agency is the USACE. If impacts to wetlands cannot be avoided, then all practicable measures to minimize harm to those wetlands must be included and documented in the final environmental document for the proposed project or activity.

### **Executive Order 13112, Invasive Species (February 3, 1999)**

This order requires Executive Branch agencies to work to prevent and control the introduction and spread of invasive species. Non-native flora and fauna can cause substantial changes to native ecosystems, upset native ecological balances, and have the potential to also cause economic harm. Roads and highways provide opportunities for the movement and spread of non-native, invasive species through an area, from the local to the national level.

## **State**

### **California Endangered Species Act (CESA) of 1984, California Fish and Game Code §§ 2050-2098**

This act includes provisions for the protection and management of wildlife species listed by the State of California as endangered or threatened, or designated as candidates for such listings. This act includes a requirement for consultation “to ensure that any action authorized by a state lead agency is not likely to jeopardize the continued existence of any endangered or threatened species...or result in the destruction or adverse modification of habitat essential to the continued existence of the species” (§ 2090). Plants of California declared to be endangered, threatened, or rare are listed under 14 CCR § 670.2. Animals of California declared to be endangered, threatened, or rare (also referred to as “sensitive” wildlife species) are listed under 14 CCR § 670.5. The administering agency for the above authority is the CDFW.

### **Native Plant Protection Act of 1977; California Fish and Game Code § 1900 et. seq.**

The Native Plant Protection Act prohibits import of rare and endangered plants into California, take of rare or endangered plants, and sale of rare and endangered plants. CESA defers to the California Native Plant Protection Act (CNPPA), which ensures that plant species listed by the State as endangered, threatened, or rare (‘sensitive’ plant species) are protected when state agencies are involved in projects or activities subject to CEQA. In this instance, plants listed as rare under the CNPPA are not protected under CESA, but rather under CEQA.

### **California Fish and Game Code § 3503 and § 3503.5**

This act provides for the protection and enhancement of birds by declaring “It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code

or any regulation made pursuant thereto (§ 3503), and that “It is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto (§ 3503.5).

## Local

### City of West Hollywood Municipal Code

The City of West Hollywood municipal code states “*It is unlawful for any person, firm or corporation (other than the city, or persons acting under the city’s authority) to plant, trim, prune, cut, break, deface, destroy, burn or remove any shade or ornamental tree, hedge, plant, shrub or flower growing, or planted to grow upon any public highway, public ground or public property within the City of West Hollywood without a permit.*” Furthermore, “*No permit for the removal of any tree shall be issued under this chapter unless and until the applicant agrees to replace the tree with another tree, of a type and quality to be determined by the Director of Public Works*” (Ord. 00-585 § 2, 2000; Ord. 90-252 § 1, 1990).

#### 4.3.3 Existing Conditions

The project site is located near the base of the Santa Monica Mountains approximately 1.2 miles southeast of the Franklin Canyon Reservoir. This area is classified by the U.S. Geological Survey as the Los Angeles Plain Ecoregion, which is described as “...on nearly level floodplains and terraces and very gently to gently sloping alluvial fans that include the San Fernando and San Gabriel valleys (Griffith et.al., 2016).

The project site is characterized as urban developed with ornamental trees and shrubs throughout. Land uses surrounding the site are characterized by a mixture of retail, office and residential development, with primarily commercial developments along Sunset Boulevard.

A literature review and a general habitat assessment were conducted within the project site and a 500-foot buffer around the project footprint: together, the project site plus the buffer form the biological study area (BSA) refer to **Figure 4.3-1** below. Because plants may spread from one site to another and wildlife may inhabit one site but forage, hunt, etc. in another site the BSA is used to assess the potential presence of federal or state-listed Endangered, Threatened, or Candidate Endangered/Threatened, or sensitive (e.g., listed by CDFW, CNPS, or other listing authority) plant and wildlife species (collectively referred to as “special-status” species). The literature review and habitat assessment were also conducted to identify plant communities; to identify the potential presence of waters of the U.S. or State, USFWS-designated critical habitat, and potential wildlife corridors within the BSA and project site. Results of the literature review and habitat assessment were then used to identify potential impacts to biological resources that may result from construction or operation of the project.



**Figure 4.3-1**  
**PROJECT BOUNDARY AND BIOLOGICAL STUDY AREA (BSA)**





The literature review discovered records of two sensitive plant species which have been observed within two miles of the project site (refer to **Table 4.3-1** below):

- Braunton's milk-vetch (*Astragalus brauntonii*; FE, CRPR 1B.1)
- Plummer's mariposa lily (*Calochortus plummerae*; CRPR 4.2)

The literature review also revealed records of four sensitive wildlife species which have been observed within two miles of the project site (refer to **Table 4.3-1** below):

- Busck's gallmoth (*Eugnosta busckana*; CDFW Special Animal)
- Coast horned lizard (*Phrynosoma blainvillii*; CDFW Species of Special Concern)
- Hoary bat (*Lasiurus cinereus*; CDFW Special Animal)
- Southern California legless lizard (*Anniella stebbinsi*; CDFW Species of Special Concern)

In addition, the USFWS provided one federal Endangered (FE) plant species and two Threatened (FT) wildlife species with the potential to occur within the BSA (USFWS, 2021):

- Gambel's Watercress (*Rorippa gambelii*; FE)
- Coastal California Gnatcatcher (*Polioptila californica californica*; FT)
- Western Snowy Plover (*Charadrius nivosus nivosus*; FT)

The site lacks suitable habitat to support the species listed above. The site lacks native vegetation and water resources required to support native plant species and most wildlife species. Additionally, no sensitive plant or wildlife species were observed within the BSA during the habitat assessment.

A tree inventory (refer to **Appendix E**) was conducted on October 30, 2020 by Steve Marshall, Arborist, on the project site (Marshall, 2020). Based on that survey, no protected native trees or heritage/historic trees were observed on or immediately adjacent to the project site.

Neither surface waters nor wetlands were observed in the BSA. The project site is drained by the municipal storm drain system; open stormwater channels are not located adjacent to the project site or within the BSA.

**Table 4.3-1  
LISTING STATUS DEFINITIONS**

Listing Authority	Designations	Notes
CDFW	<p><b>SSC = Species of Special Concern:</b> a species of special concern is a species, subspecies, or distinct population of an animal (fish, amphibian, reptile, bird and mammal) native to California that currently satisfies one or more of the following (not necessarily mutually exclusive) criteria: is extirpated from the state or, in the case of birds, in its primary seasonal or breeding role; is listed as federally-, but not state-, threatened or endangered; meets the state definition of threatened or endangered, but has not formally been listed; is experiencing, or formerly experienced, serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for state threatened or endangered status; has naturally small populations exhibiting high susceptibility to risk from any factor(s), that if realized, could lead to declines that would qualify it for state threatened or endangered status.</p>	-
Federal Endangered Species Act	<p><b>FE = federally listed as endangered:</b> any species of plant or animal that is in danger of extinction throughout all or a significant portion of their range.</p>	-
	<p><b>FT = federally listed as threatened:</b> any species of plant or animal that is considered likely to become endangered throughout all or a significant portion of its range within the foreseeable future.</p>	-
California Native Plant Society	<p><b>CRPR 1B = California Rare Plant Rank 1B</b> - plants rare, threatened, or endangered in California and elsewhere: plants with a CRPR of 1B are rare throughout their range with the majority of them endemic to California. Most of the plants that are ranked 1B have declined significantly over the last century. All of the plants constituting CRPR 1B meet the definitions of § 2062 and § 2067 (CESA) of the Fish and Game Code, and are eligible for state listing. It is mandatory that they be fully considered during preparation of environmental documents relating to CEQA.</p>	<p><b>1</b> = seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat)</p>
	<p><b>CRPR 4 = California Rare Plant Rank 4</b> - plants of limited distribution - a watch list: the plants in this category are of limited distribution or infrequent throughout a broader area in California. While CNPS and CDFW cannot call these plants "rare" from a statewide perspective, they are uncommon enough that their status should be monitored regularly. Should the degree of endangerment or rarity of a CRPR 4 plant change, CNPS and CDFW will transfer it to a more appropriate rank. Some of the plants constituting CRPR 4 meet the definitions of § 2062 and § 2067 (CESA) of the Fish and Game Code, and few, if any, are eligible for state listing. Nevertheless, many of them are significant locally, and CNPS strongly recommends that CRPR 4 plants be evaluated for consideration during preparation of environmental documents relating to CEQA.</p>	<p><b>2</b> = moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)</p>

## **Land Cover Types**

This section describes the land cover type present within the BSA as determined by the literature review, habitat assessment, and augmented by examining aerial imagery (Google Earth Pro, 2021). One land cover type was observed within the BSA: Developed Lands.

The land cover type identified within the BSA during the literature review and habitat assessment is not considered a sensitive natural community in local or regional plans, policies, and regulations, or by CDFW and USFWS. The plants within this land cover type are not considered rare by the California Natural Diversity Database (CNDDDB). The Developed Lands land cover type is dominated by non-native species; it is widespread in the project vicinity; it is considered common and not to be of concern; and/or it exhibits a moderate level of disturbance rendering this land cover type less valuable as habitat to support wildlife diversity or special-status species.

Characteristics of the Developed Lands land cover type are described below.

### ***Developed Lands***

Residential, retail, and commercial properties comprise the BSA. Developed lands are either non-vegetated features that are occupied by man-made structures or other impermeable surfaces that cannot support vegetation (e.g., streets and buildings), or are vegetated by ornamental or landscape vegetation. These developed areas provide virtually no habitat for wildlife species; however, birds could use the ornamental vegetation for foraging and nesting. Developed lands and ornamental vegetation do not have a global or state rank and are not considered sensitive communities.

#### **4.3.4 Methodology**

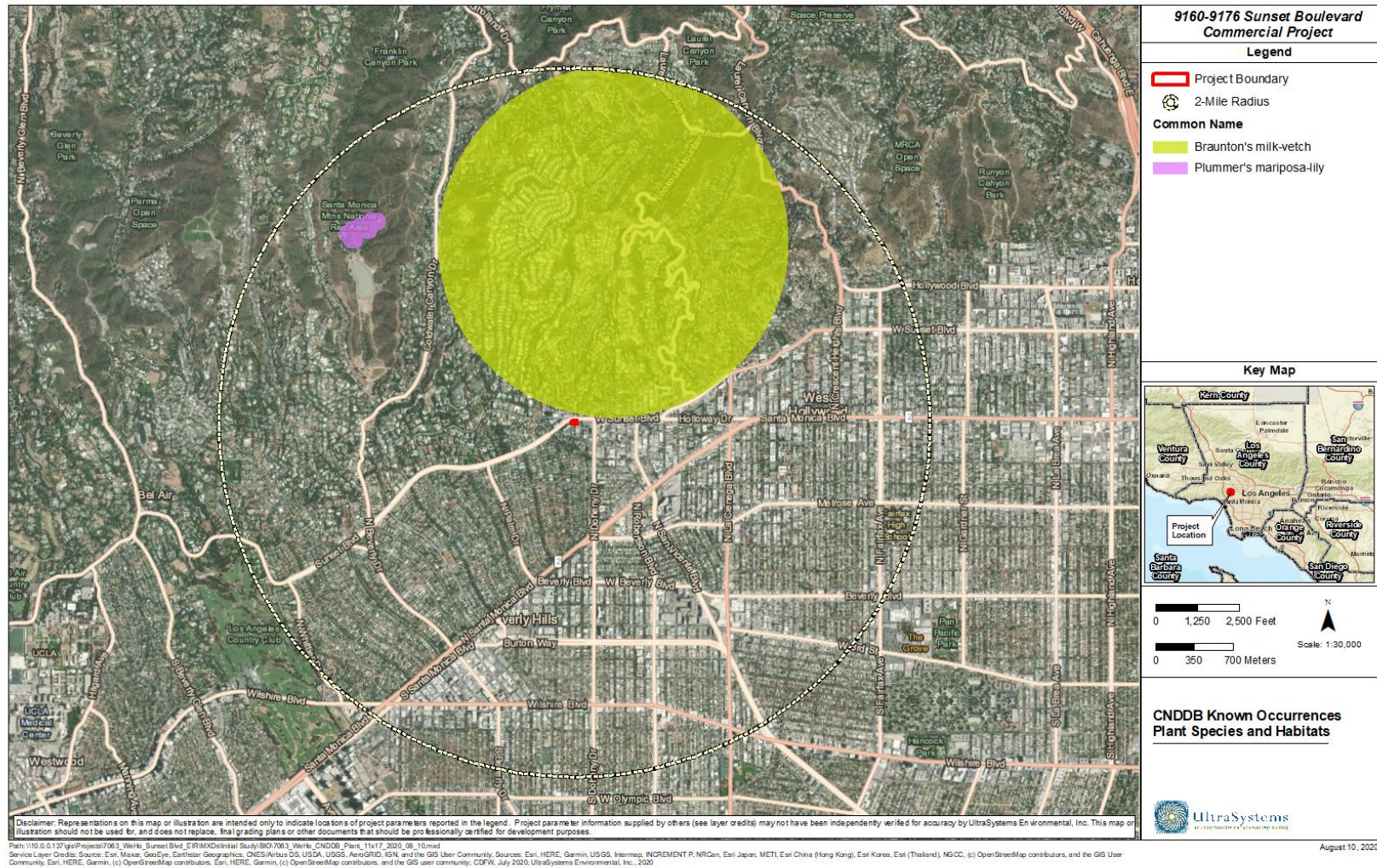
The analysis is based on the habitat assessment conducted by UltraSystems in December, 2020, and on the Tree Inventory Report (Marshall, 2020) that was conducted in December 2020. The Tree Inventory Report is included in **Appendix E** of this Draft EIR.

Relevant literature, maps, databases, agency web sites, Geographic Information System (GIS) data, and aerial imagery were obtained to: (1) assess habitats, special-status plant and wildlife species, jurisdictional waters, critical habitats, and wildlife corridors that potentially may occur on and near the project site; and (2) identify local or regional plans, policies, and regulations that may apply to the project.

A reconnaissance-level habitat assessment of the BSA was conducted on December 17, 2020. The purposes of the assessment were to evaluate the initial results of the literature review and to collect additional data on baseline site conditions. The habitat assessment covered all accessible areas of the BSA, including the project site. Pertinent regional aerial imagery of the BSA was used to help navigate in the field, assist in identifying habitats and physical features, and assist in identifying and recording special-status species if present. Digital color photographs were also taken in the field to record site conditions at the time of the habitat assessment. Prior to the habitat assessment, a search of the CNDDDB was conducted and mapped within a two-mile radius of the project site to determine which special-status wildlife and special-status plants have the potential to occur in the vicinity of and within the BSA based on distribution and elevation range. See **Figure 4.3-2** and **Figure 4.3-3**.

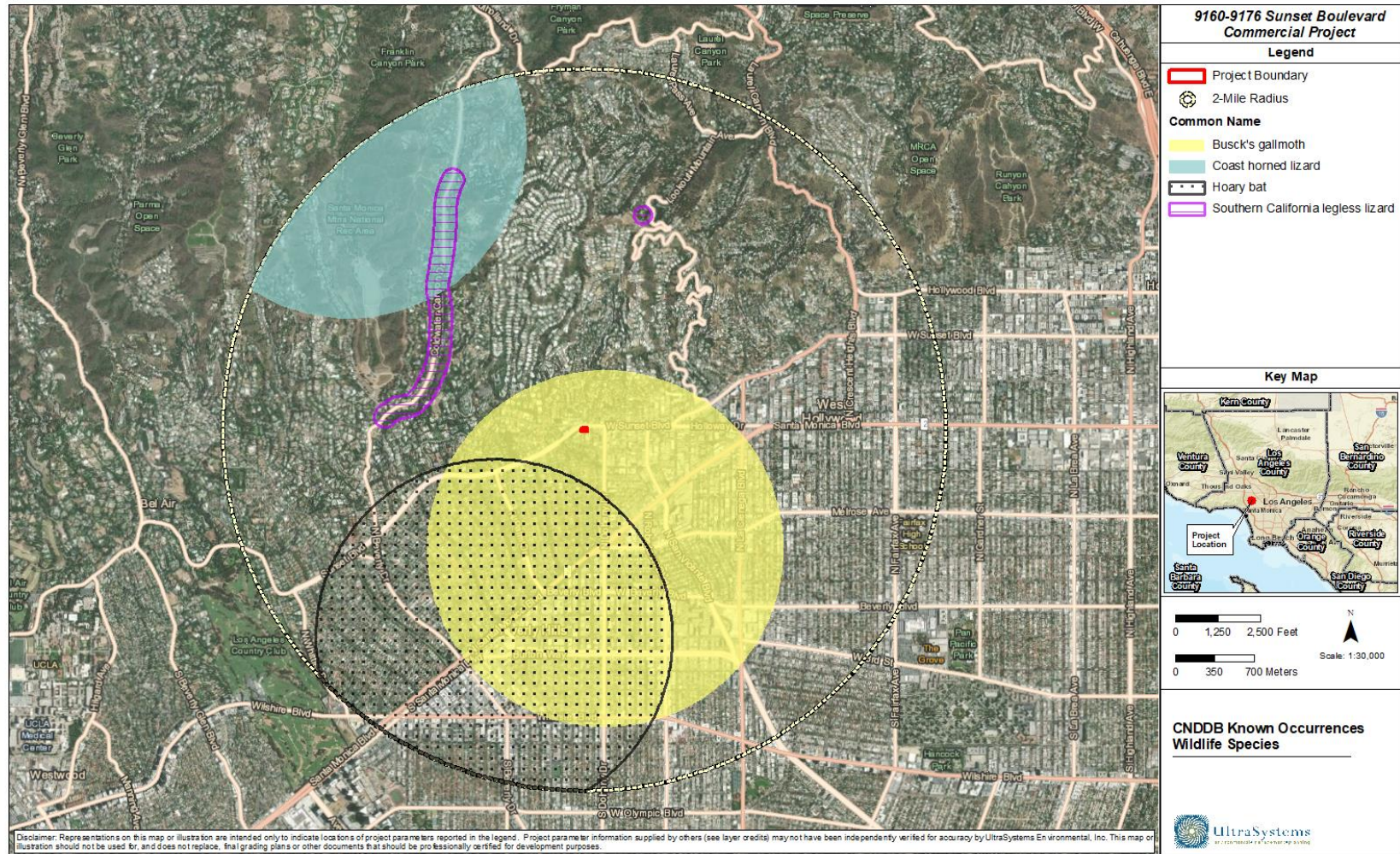


**Figure 4.3-2**  
**CNDBB KNOWN OCCURRENCES: PLANT SPECIES AND HABITATS**





**Figure 4.3-3**  
**CNDDDB KNOWN OCCURRENCES: WILDLIFE SPECIES AND HABITATS**





The CNDDDB search resulted in two sensitive plant species known to occur within two miles of the project site. One of these plant species is listed as endangered but both are endemic to California. These species are:

- Braunton's milk-vetch (*Astragalus brauntonii*; FE, CRPR 1B.1)
- Plummer's mariposa lily (*Calochortus plummerae*; CRPR 4.2)

No federal or state listed endangered, threatened, candidate, or wildlife or rare plant species were observed within the BSA during the habitat assessment. Both literature review and habitat assessment concluded that the species in the wildlife and plant inventories do not occur within the BSA because the BSA is located outside the plant species' known current distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support these plant species.

The CNDDDB search resulted in four sensitive wildlife species known to occur within two miles of the project site. These include:

- Busck's gallmoth (*Eugnosta busckana*; CDFW Special Animal)
- Coast horned lizard (*Phrynosoma blainvillii*; CDFW Species of Special Concern)
- Hoary bat (*Lasiurus cinereus*; CDFW Special Animal)
- Southern California legless lizard (*Anniella stebbinsi*; CDFW Species of Special Concern)

No sensitive wildlife or plant species were observed within the BSA during the habitat assessment. Both literature review and habitat assessment concluded that the listed sensitive species in the wildlife and plant inventories do not occur within the BSA because the BSA is located outside the plant species' known current distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support these wildlife species.

The USFWS list of threatened and endangered species included one endangered plant species and two threatened wildlife species as having the potential to occur in the BSA or the potential to be affected by the proposed project:

- Gambel's Watercress (*Rorippa gambelii*; FE)
- Coastal California gnatcatcher (*Polioptila californica californica*; FT)
- Western Snowy Plover (*Charadrius nivosus nivosus*; FT)

No federal or state listed Endangered, Threatened, or Candidate plant species were observed within the BSA during the field surveys. Similarly, no federal or state listed Endangered, Threatened, or Candidate wildlife species were observed within the BSA during the field surveys.

The BSA may support a limited assortment of wildlife and provides foraging, nesting, breeding, and cover habitats to some bird species (year-round residents, seasonal residents, migrants), and potentially to common mammals (e.g., western gray squirrels [*Sciurus griseus*], raccoons [*Procyon lotor*]) that have become acclimated to human activities.

The project site and the BSA are not situated on or near waters of the U.S. or State; therefore, a jurisdictional delineation is not required and was not conducted for this project.

### 4.3.5 Environmental Impact Analysis

#### Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, the project would have a significant impact related to biological resources if it would:

- A. **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; or**
- B. **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; or**
- C. **Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; or**
- D. **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; or**
- E. **Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or**
- F. **Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.**

For this analysis, the CEQA Appendix G Thresholds listed above are relied upon.

#### Analysis of Project Impacts

***Threshold A: Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?***

#### Less Than Significant Impact with Mitigation

The project site is located in a highly-urbanized setting which provides low habitat value for special-status plant and wildlife species. The literature review and reconnaissance biological survey conducted in December 2020 assessed that the project site contains structures, sidewalks, and multiple paved surface areas with impervious surfaces and lacks suitable soils, biological resources, and physical features to support any special-status plant and wildlife species. The habitat assessment also indicated that there is no potential for these special-status species to occur within the project site (due to lack of suitable habitat). Additionally, no special-status plants or wildlife were observed within the project site during the habitat assessment.

A tree inventory was conducted on the project site on October 30, 2020 by Steve Marshall, Arborist. Two *Ficus macrocarpa* (Indian laurel fig) and two *Koelreuteria paniculate* (golden rain trees) were identified onsite; these species are not native to California and are not considered special-status species.). Therefore, no direct or indirect impacts to special-status plant or animal species would occur as a result of the project activities.

Native bird species such as the mourning doves, California towhee (*Melospiza crissalis*), house finch (*Haemorhous mexicanus*), etc. are common in the BSA and are protected by the MBTA (described in **Section 4.3.2**) and the California Fish and Game Code, which render it unlawful to take (e.g., kill, harass, etc.) native breeding birds, their nests, eggs, and young. The project site contains ornamental vegetation and building structures that could potentially provide cover and nesting habitat for common bird species that have adapted to urban areas, such as rock pigeons (*Columba livia*) and mourning doves (*Zenaidura macroura*). Indirect impacts to nesting birds could occur from increased noise, vibration, and dust during construction, which could adversely affect the breeding behavior of some birds, and lead to the loss (take) of eggs and chicks, or nest abandonment. The project would remove all vegetation and demolish building structures currently onsite; as a result, the project has the potential to impact migratory non-game breeding birds, and their nests, young and eggs. Mitigation is required to reduce potential impacts. **Section 4.3.7** includes mitigation measures to reduce potential impacts regarding **Threshold A** to less than significant.

In compliance with the MBTA (see Section 4.3.2, Regulations, Plans, and Standards: Migratory Bird Treaty Act), if vegetation removal, ground disturbance, or any other construction activity is scheduled to begin or occur during the nesting bird season (generally February 1 – August 31), mitigation measures **BR-1** and **BR-2** (refer to Section 4.3.7) would be implemented, and impacts to nesting bird species protected by the MBTA would be less than significant. With the implementation of mitigation measures **BR-1** and **BR-2** in **Section 4.3.7**, potential impacts to biological resources would be reduced to less than significant levels.

***Threshold B: Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?***

### **No Impact**

The dominant land use in the project vicinity is developed land which includes structures, paving, and other impervious surfaces and or areas where landscaping has been installed and maintained. Both the literature review and results of the habitat assessment, conducted in December 2020, indicate that riparian habitat and other sensitive natural communities do not exist on the project site or within the BSA. For this reason, no direct or indirect impacts to riparian habitat or other sensitive natural communities are anticipated as a result of project construction and operation and, as such, the project would have no impact. No impact would occur and no further analysis is required.

***Threshold C: Would the Project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?***

### **No Impact**

No surface waters or wetlands are located in or adjacent to the project site, or within the BSA. For this reason, no direct or indirect impacts to state or federal protected wetlands as defined by SWRCB

Resolution No. 2019-0015 and Resolution No. 2021-0012, or by § 404 of the Clean Water Act (CWA) are anticipated through direct removal, filling, hydrological interruption, or other means, as a result of project activities. Therefore, no impact would occur and no further analysis is required.

***Threshold D: Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?***

#### **Less Than Significant Impact with Mitigation**

The literature review and habitat assessment determined that the project site and BSA do not support resident or migratory fish species or wildlife nursery sites. No established resident or migratory wildlife corridors occur on the project site or in the BSA (refer to **Figure 4.3-4**). As a result, the project would not interfere substantially with or impede: (1) the movement of any resident or migratory fish or wildlife species, (2) established resident or migratory wildlife corridors, or (3) the use of wildlife nursery sites.

As discussed above in response to **Threshold A**, native bird species such as the mourning doves, California towhee (*Melospiza crissalis*), house finch (*Haemorhous mexicanus*), etc. are common in the BSA and are protected by the MBTA. The project site contains ornamental vegetation and building structures that could potentially provide cover and nesting habitat for common bird species that have adapted to urban areas, such as rock pigeons (*Columba livia*) and mourning doves (*Zenaidura macroura*). If vegetation removal, ground disturbance, or any other construction activity is scheduled to begin or occur during the nesting bird season (generally February 1 – August 31), mitigation measures **BR-1** and **BR-2** (refer to **Section 4.3.7**) would be implemented, and impacts to nesting bird species protected by the MBTA would be less than significant. With the implementation of mitigation measures **BR-1** and **BR-2** in **Section 4.3.7**, potential impacts to biological resources would be reduced to less than significant levels.

***Threshold E: Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?***

#### **No Impact**

The project site is located in a developed area, and the project site does not support native trees which are protected by local policies or ordinances. The project would not conflict with local policies or ordinances protecting biological resources and therefore would not result in any impacts. Therefore, no impact would occur and no further analysis is required.

***Threshold F: Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?***

#### **No Impact**

The project site is not located in a Habitat Conservation Plan (HCP), Natural Communities Conservation Plan (NCCP), or another approved HCP area. For this reason, the project would not conflict with the provisions of an adopted HCP, NCCP, or other approved local, regional, or state HCP and therefore, no impacts would result. Therefore, no impact would occur and no further analysis is required.







### 4.3.6 Cumulative Impacts

The project site is located in a highly-urbanized setting which provides low habitat value for special-status plant and wildlife species. The literature review and habitat assessment in December 2020 determined that the project site and BSA contain structures, sidewalks, and multiple paved surface areas with impervious surfaces that lacks suitable soils, biological resources, and physical features to support any candidate, sensitive, or special-status plant or wildlife species. The project has the potential to impact migratory non-game breeding birds, and their nests, young and eggs. With implementation of mitigation measures **BR-1** and **BR-2** (refer to **Section 4.3.7**), potential impacts would be reduced to less than significant levels. After implementation of mitigation, cumulative impacts to nesting birds would be less than significant.

### 4.3.7 Mitigation Measures

As analyzed above in Threshold (a), indirect impacts to nesting birds could occur from increased noise, vibration, and dust during construction, which could adversely affect the breeding behavior of some birds, and lead to the loss (take) of eggs and chicks, or nest abandonment. The project has the potential to impact migratory non-game breeding birds, and their nests, young and eggs. Therefore, the following measures are provided to reduce the construction-related impacts to migratory non-game breeding birds, their nests, young and eggs:

#### BR-1: Nesting Bird Surveys

If project activities begin during nesting bird/raptor season (generally January 1 – August 31), no earlier than one week prior to ground-disturbing activities, a qualified biologist shall conduct preconstruction nesting bird clearance surveys within the project site and within a 100-foot buffer around the project site for nesting birds, and other sensitive species.

To maintain compliance with the Migratory Bird Treaty Act and California Fish and Game Code, and to avoid or minimize direct and indirect effects to migratory non-game nesting birds, and their nests, young, and eggs, the following measures shall be implemented:

Project activities that will remove or disturb potential nest sites should be scheduled outside the nesting bird season, if feasible. The nesting bird nesting season is typically from February 1 through August 31, but can vary slightly from year to year, usually depending on weather conditions. Raptors are known to begin nesting early in the year and ends late. The raptor nesting bird season begins January 1 to September 15.

If project activities that will remove or disturb potential nest sites cannot be avoided during January 1 through August 31, a qualified biologist shall conduct a pre-construction survey for nesting birds within the limits of project disturbance up to seven days prior to mobilization, staging and other disturbances. Preconstruction surveys shall be conducted no more than one week prior to vegetation, substrate, and structure removal and/or disturbance.

If neither nesting birds nor active nests are observed during the pre-construction survey(s), or if they are observed and will not be affected (i.e., outside the buffer zone

described below), then project activities may begin and no further nesting bird monitoring will be required.

If an active bird nest is located during the pre-construction survey and will potentially be affected, a no-activity buffer zone shall be delineated on maps and marked in the field by fencing, stakes, flagging, or other means up to 500 feet for raptors, or 100 feet for non-raptors. Materials used to demarcate the nests will be removed as soon as work is complete or the fledglings have left the nest. The biologist will determine the appropriate size of the buffer zone based on the type of activities planned near the nest and bird species. Buffer zones shall not be disturbed until a qualified biologist determines that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be affected by project activities. Periodic monitoring by a biologist will be performed to determine when nesting is complete. After the nesting cycle is complete, project activities may begin within the buffer zone.

**BR-2: Biological Monitor**

The applicant shall retain a qualified Biological Monitor to conduct pre-construction surveys and biological monitoring during construction. If special-status wildlife species or protected nesting birds are observed and determined present within the BSA during the pre-construction breeding bird surveys, then the qualified biological monitor shall be onsite to monitor throughout the duration of construction activities that result in tree or vegetation removal, to minimize the likelihood of inadvertent impacts to nesting birds and other wildlife species. Monitoring shall also be conducted periodically during construction activities to ensure no new nests, including raptors nests, occur during vegetation removal or building demolition activities between January 1 through August 31. The biological monitor shall ensure that biological mitigation measures, best management practices, avoidance, and protection measures and mitigation measures described in the relevant project permits and reports are in place and are adhered to.

The Biological Monitor shall have the authority to halt all construction activities and all non-emergency actions if sensitive species and/or nesting birds are identified and would be directly impacted. The monitor will notify the appropriate resource agency and consult if needed. If necessary, the monitoring biologist shall relocate the individual outside of the work area where it will not be harmed. Work can continue at the location if the applicant and the consulted resource agency determine that the activity will not result in impacts to the species.

The appropriate agencies shall be notified if a dead or injured protected species is located within the project site. Written notification shall be made within 15 days of the date and time of the finding or incident (if known) and must include: location of the carcass, a photograph, cause of death (if known), and other pertinent information.

### **4.3.8 Level of Significance after Mitigation**

The project has the potential to impact migratory non-game breeding birds, and their nests, young and eggs. Mitigation measures **BR-1** and **BR-2** would reduce the potential indirect impacts to nesting



## ❖ SECTION 4.3 – BIOLOGICAL RESOURCES ❖

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birds and their young from increased noise, vibration, and dust during construction. Mitigation measures **BR-1** and **BR-2** would reduce potential impacts to biological resources to a less than significant level.

## 4.4 Cultural Resources

### 4.4.1 Introduction

This section provides an overview of cultural resources that may be present within the study area. Cultural resources are artifacts of human activity, occupation, or use (see **Appendix F** for UltraSystems' Cultural Resources Report). They include expressions of human culture and history in the physical environment, such as archaeological sites, historic buildings and structures, or other culturally significant places. This section also provides an analysis of the project's potential impacts on historic resources that could result from development of the proposed project. The analysis is based on investigations of the project site by cultural resources and historical resources specialists. This section is based on record searches and other investigation methods provided in **Appendix F** (Phase I Cultural Resources Inventory).

Historic buildings and structures generally must be 50 years or older and are typically identified through archival and library research, followed by field reconnaissance and recordation. Historic buildings and structures are architecturally, historically, or artistically important individual and groups of residential, commercial, industrial, and transportation properties.

Archaeological resources refer to surface or buried material remains, buried structures, or other items used or modified by people. Prehistoric archaeological resources predate European presence in the Los Angeles region, and can include villages or campsites, food remains, basketry fragments, shell and stone tools and tool-making debris. Ethnohistoric or protohistoric archaeological resources are those that can be attributed to native cultures, but include evidence of European contact, such as trade beads or other goods in a site that otherwise appears to be prehistoric. Historic archaeological sites are those deposits that post-date European contact.

Traditional cultural properties (TCPs) are places associated with the cultural practices or beliefs of a living community. The significance of these places is derived from the role the property plays in a community's cultural identity, as defined by its beliefs, practices, history, and social institutions. Examples include natural landscape features, plant gathering places, sacred sites, and Native American burial locations.

### 4.4.2 Regulatory Framework

The treatment of cultural resources is governed by federal, state, and local laws and guidelines. There are specific criteria for determining whether prehistoric sites or objects are significant and thus protected by law. Federal and state significance criteria generally focus on the integrity and uniqueness of the resource, its relationship to similar resources, and its potential to contribute information important to scholarly research. Some resources that do not meet federal significance criteria may be considered significant by state criteria. The laws and regulations seek to mitigate project impacts on significant prehistoric and historical-period resources.

#### Federal

##### **National Historic Preservation Act (NHPA) of 1966**

The NHPA of 1966 authorized the NRHP and coordinates public and private efforts to identify, evaluate, and protect the Nation's historic and archaeological resources. The NRHP includes districts, sites, buildings, structures, and objects that are significant in American history, architecture,

archaeology, engineering, and culture. Section 106 (Protection of Historic Properties) of the NHPA requires federal agencies to take into account the effects of projects on historic properties.

### **National Register of Historic Places**

The National Register is “an authoritative guide to be used by Federal, State, and local governments, private groups and citizens to identify the Nation’s cultural resources and to indicate what properties should be considered for protection from destruction or impairment.” (Title 36 Code of Federal Regulations, Part 60.2)

#### ***Criteria***

The National Historic Preservation Act, enacted in 1966, established the National Register of Historic Places program under the Secretary of the Interior. The National Register established four criteria to evaluate significance and eligibility for listing. They are:

1. Property is associated with events that have made a significant contribution to the broad patterns of our history.
2. Property is associated with the lives of persons significant in our past.
3. Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
4. Property has yielded, or is likely to yield, information important in prehistory or history. (City of Los Angeles Office of Historic Resources, 2019a).

#### ***Context***

To qualify for the National Register, “a property must be significant; that is, it must represent a significant part of the history, architecture, archaeology, engineering, or culture of an area, and it must have the characteristics that make it a good representative of properties associated with that aspect of the past.”(National Register Bulletin #15, 1997, p. 7). Additionally, National Register Bulletin #15 states that the significance of a historic property can be judged and explained only when it is evaluated within its historic context. The Bulletin defines Historic contexts as: “...historical patterns that can be identified through consideration of the history of the property and the history of the surrounding area” (National Register Bulletin #15, 1997. p. 7).

#### **d) Integrity**

In addition to context, a property must have integrity, which is defined as: “...the ability of a property to convey its significance” (National Register Bulletin #15, 1997. p. 44). The seven aspects of integrity include; location, design, setting, materials, workmanship, feeling, and association. “To retain historic integrity a property will always possess several, and usually most, of the aspects” (National Register Bulletin #15, 1997. p. 44).



### e) Historic Districts

A Historic District “...possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. A district derives its importance from being a unified entity, even though it is often composed of a wide variety of resources. The identity of a district results from the interrelationship of its resources, which can convey a visual sense of the overall historic environment or be an arrangement of historically or functionally related properties” (National Register Bulletin #15, 1997, p. 5).

As detailed in Title 36 of the Code of Federal Regulations Part 60.3(d): A District is a geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united by past events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history.

### State

#### **California Register of Historical Resources (Public Resource Code § 5024.10 et seq.)**

State law protects cultural resources by requiring evaluations of the significance of historical resources in CEQA documents. A cultural resource is an important historical resource if it meets any of the criteria found in § 15064.5(a) of the *State CEQA Guidelines*. These criteria are similar to those used in federal law. The California Register of Historical Resources (CRHR) is maintained by the state Office of Historic Preservation. Properties listed, or formally designated eligible for listing, on the NRHP are automatically listed on the CRHR, as are state historical landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys.

As detailed in Public Resources Code § 5024.1, the California Register is an authoritative guide in California to be used by state and local agencies, private groups, and citizens to identify the state’s historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change.

For purposes of CEQA, a historical resource is any object, building, structure, site, area, place, record, or manuscript listed in or eligible for listing in the CRHR (PRC § 21084.1). A resource is eligible for listing in the CRHR if it meets any of the following criteria:

1. Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values;
4. Has yielded, or may be likely to yield, information important in prehistory or history.

Properties formally determined eligible for the NRHP are automatically listed in the CRHR.

The California Code of Regulations (CCR) further provides that cultural resources of local significance are CRHR-eligible (Title 14 CCR, § 4852).

### **California Environmental Quality Act (CEQA)**

CEQA requires the lead agency to consider whether the Project will have a significant effect on unique archaeological resources and to avoid unique archaeological resources when feasible or mitigate any effects to less-than-significant levels per California Public Resources Code (PRC) § 21083.2. CEQA (PRC § 21083.2(g)) defines a unique archaeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type.
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

CEQA Guidelines (Title 14 of the California Code of Regulations § 15064.5) states that historical resources include:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Public Resources Code § 5024.1, Title 14 CCR, Section 4850 et seq.);
2. A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements of section 5024.1(g) of the Public Resources Code; and
3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historic resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record.

The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources, or identified in an historical resources survey does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code §§ 5020.12(j) or 5024.1.

A significant impact would occur under CEQA if the Project results in a substantial adverse change in the significance of a historical resource as defined in § 15064.5(a). A substantial adverse change in the significance of a historical resource, per CEQA Guidelines, means: "...physical demolition, destruction, relocation, or alternation of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired. "

The significance of an historical resource is materially impaired when a project:

- (A) *Demolishes or materially alters in an adverse manner those physical characteristics of an historical resources that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or*
- (B) *Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or*
- (C) *Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA*

Section 15064.5(b)(3) of CEQA states that: “Generally, a project that follows the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource.”

## Local

### **City of West Hollywood General Plan**

The City of West Hollywood “General Plan 2035”, Section 4 covers “Historic Preservation” elements (City of West Hollywood 2011:4-1 to 4-12), which concerns the city’s urban landscape and culture. The City included this element in their general plan because the “...City values and seeks to recognize its built environment, its history, and its culture. West Hollywood has been an important site both for the generation of culture and innovation in entertainment and the arts, and for leadership in political and social movements” (City of West Hollywood, 2011:4-1). It states that “Cultural resource designation is a good way of elevating specific resources that deserve recognition. Designations can be made through federal, state, and local cultural resource programs” (City of West Hollywood, 2011:4-4). The Plan identifies three types of historic designations: (1) placement on the NRHP, (2) placement on the California Register of Historic Resources, and (3) designated a cultural resource under the West Hollywood Cultural Preservation Ordinance.

The General Plan also provides a set of Goals and Policies for Historic Preservation (West Hollywood, 2011: 4-9 to 4-11). They include:

HP-1: Expand the base of information on the City’s history.

HP-2: Continue to identify and evaluate cultural resources.

HP-3: Protect cultural resources from demolition and inappropriate alterations.

HP-4: Increase the public’s awareness of the City’s history and cultural resources.

HP-5: Promote the preservation of cultural resources through maintenance and rehabilitation incentives and technical assistance.

HP-6: Use historic preservation concepts as tools for economic development.

The General Plan’s Goal LU-15 is to “Maintain Sunset Boulevard as a regional, national, and international destination for entertainment, and the primary economic engine of the City.” The intent of this goal is to “...enhance Sunset Boulevard as the highest intensity area of West Hollywood, a popular and iconic national and international destination for entertainment, and the primary economic engine of the City. Also known as The Sunset Strip, the area will continue to have a diverse mix of entertainment, retail, office and hotels that support the entertainment and destination-oriented character of the area. This will include a vital and varied streetscape with a diverse mix of architectural styles, building heights, and uses. General Plan polices call for continued varied land use as well as an enhanced pedestrian environment to promote walking between destinations. To further activate the pedestrian environment, additional ground-floor retail uses are encouraged and parking is called for in centralized locations, thus encouraging people to park once and walk to their destinations.” (City of West Hollywood, 2011: 3-46.)

### **City of West Hollywood Cultural Preservation Ordinance**

The West Hollywood Cultural Preservation Ordinance (Ord. 03-663 § 4, § 12, 2003; Ord. 98-513 § 1, 1998; Ord. 243 § 1, 1989; prior code § 29103) was initially adopted by the City Council in 1989 and was last updated in 2003. This regulation provides a high level of protection to designated cultural resources. Districts, as well as groupings of structures related by common characteristics or uses, may be designated under the Ordinance. Additionally, a property may be designated a cultural resource if it meets one of the designation criteria including distinctive architectural character, reflecting important geographic patterns, or association with significant persons or events (City of West Hollywood, 2011: 4-4).

The Cultural Preservation Ordinance also allowed for the creation of the Historic Preservation Commission (formerly Cultural Heritage Commission). The powers and duties of the Commission are outlined in West Hollywood Municipal Code Section 2.40.080 et seq. and include periodically updating the City’s Historic Resources Survey and recommending to the Planning Commission and City Council, the designation of cultural resources including structures, portions of structures, improvements, natural features, landmarks, sites, objects, historic districts, multiple resource or thematic groupings of structures sharing common characteristics or uses (City of West Hollywood, ND).

Section 2.40.080 of the City of West Hollywood Municipal Code states that the Commission will:

"Recommend to the Planning Commission and City Council, in accordance with the criteria set forth in Section 19.92.070 of this code, the designation of cultural resources including structures, portions of structures, improvements, natural features, landmarks, sites, objects, historic districts, multiple resource or thematic groupings of structures sharing common characteristics or uses." and "Prepare prescriptive standards and design guidelines to be used in reviewing applications for permits to construct, alter, remodel, relocate, enlarge, remove or demolish any cultural resource, or structure within a historic district, or conservation zone. Such

design guidelines shall be based upon the Secretary of the Interior’s Standards for Rehabilitation.” (City of West Hollywood ND.)

The existing structures at the project site were not determined to be eligible for the National Register of Historic Places, and they are not on the CRHR (see discussion below).

### **Human Remains**

According to § 15064.5 of the *State CEQA Guidelines*, all human remains are a significant resource. § 15064.5 of the *State CEQA Guidelines* also assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. These procedures are discussed within PRC § 5097. Per PRC § 5.97.98(a): Whenever the commission receives notification of a discovery of Native American human remains from a county coroner pursuant to subdivision (c) of § 7050.5 of the Health and Safety Code, it shall immediately notify those persons it believes to be most likely descended from the deceased Native American. The decedents may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The descendants shall complete their inspection and make their recommendation within 24 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

### **California Public Resources Code § 5097.98**

California Senate Bill 297 (1982) addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the Native American Heritage Commission to resolve disputes regarding the disposition of such remains. It has been incorporated into § 15064.5(e) of the *State CEQA Guidelines*.

### **California Health and Safety Code**

The California Health and Safety Code § 7050.5 states that if human remains are discovered during construction on a project’s site, no further disturbance shall occur until a county coroner makes a determination of origin and disposition of the remains. If the county coroner determines the remains are not subject to his or her authority and recognizes the remains to be those of Native American, the county coroner must contact the Native American Heritage Commission within 24 hours.

## **4.4.3 Existing Conditions**

### **Natural Setting**

The project site lies within the City of West Hollywood, situated in the northwest portion of the Los Angeles Basin. Numerous valleys, hills, coastlines and riverbeds characterize the region, making it an area of diverse micro-climates. This area of the Basin is surrounded by Santa Monica Mountains to the north, the Pacific Ocean to the southwest, and plains to the east and southeast of the greater part of the Los Angeles Basin. Ballona Creek runs through the southern edge of this portion of the Basin and several small creeks out of the Santa Monica Mountains cross through the community,



making this a well-watered plain in the recent past. Prior to the Euro-American invasion the Los Angeles Basin was a verdant grassland with patches of chaparral and dotted with oaks spilling out from large groves in the surrounding hills. Prior to urbanization, creeks flowed across the Los Angeles Basin (better identified as a plain) from the San Gabriel Mountains to the ocean with little hindrance. These water courses often meandered across the plain to different locations over time. The Los Angeles Basin situated behind the coast was, in the preindustrial era, primarily grassland and coastal scrub brush. In the past, the several rivers and large creeks contained riparian habitat as well as estuaries at their ocean exits.

The geology underlying the project area is noted as Qyf, described as young alluvial fan deposits (Yerks and Campbell, 2005), coming from canyons of the Santa Monica Mountains immediately to the north. These were deposited in the Late Pleistocene (126,000 to 11,650 years before present [ybp]) and Holocene (dating from the termination of the Pleistocene to present) epochs.

The project site is located in western edge of the City of West Hollywood, previously an unincorporated community in Los Angeles County west of downtown Los Angeles., which is shown on the *Beverly Hills, California, 1995 USGS quadrangle map*. West Hollywood is bordered by the City of Beverly Hills to the west, and the City of Los Angeles communities of Hollywood Hills to the north, the Fairfax District to the southeast, and Beverly Grove to the southwest. The project site is at an elevation ranging from 420 to 400 feet above sea level, sloping gradually to the south-southeast. The city is served by U.S. Highway 101 / Hollywood Freeway on the east and U.S. Highway 66/Santa Monica Boulevard along the south.

The project site is bounded by Sunset Boulevard and Cory Avenue to the north and west that contain commercial business buildings. To the east is a parking lot that extends to Carrol Avenue. Bordering the project site to the south is a mix of single and multiple family residences.

## **Archaeological Setting**

### **Prehistoric Overview**

The term "prehistoric period" refers to the period of pre-contact Native California lifeways and traditions prior to the arrival of Euroamericans.

It is widely acknowledged that human occupation in the Americas began about 13,000 or more years ago (all dates presented here are calibrated radiocarbon ages or calendar dates). However, recent discoveries in areas outside of California have pushed that age back several thousand years more to about 15,000 or even perhaps up to nearly 20,000 years ago.

To describe and understand the cultural processes that occurred during prehistory, archaeologists have routinely developed a number of chronological frameworks to correlate technological and cultural changes recognized in the archaeological record. These summaries bracket certain time spans into distinct archaeological horizons, traditions, complexes, and phases.

There are many such models even for the various sub-regions of Southern California. Given the variety of environments and the mosaic of diverse cultures within California, prehistory is typically divided into specific sub-regions that include: The Interior of Southeastern California and the Mojave Desert; and San Diego and the Colorado Desert.

Many archaeologists tend to follow the regional syntheses adapted from a scheme developed by William J. Wallace in 1955 and modified by others. Although the beginning and ending dates vary, the general framework of prehistory in the Southern California area consists of the following four periods:

- **Paleoindian and Lake Mojave Periods** [Pleistocene and Early Holocene] (ca. 11000 B.C. to 6000 B.C.). This time period is characterized by highly mobile foraging strategies and a broad spectrum of subsistence pursuits. These earliest expressions of aboriginal occupation in America were marked by the use of large dart or spear points (Fluted and Concave Base Points) that are an element of the Western Clovis expression. Following the earliest portions of this time span there was a change in climate coincident with the retreat of the glaciers. Large bodies of water existed and lakeside aboriginal adaptations were common. Large stemmed points (Western Stemmed Series – Lake Mojave and Silver Lake point types) were accompanied by a wide variety of formalized stone tools and were employed with the aid of atlatls (dart throwing boards). The latter archaeological materials are thought to be representative of an adaptation that was in part focused on lacustrine and riverine environments.
- **Millingstone Horizon** [Middle Holocene] (ca. 6000 B.C. to A.D. 1000). During this time span mobile hunter-gatherers evolved and became more sedentary. Certain plant foods and small game animals came to the forefront of indigenous subsistence strategies. This prehistoric cultural expression is often notable for its large assemblage of millingstones. These are especially well-made, deep-basin metates accompanied by formalized, portable handstones (manos). Additionally, the prehistoric cultural assemblage of this time period is dominated by an abundance of scraping tools (including scraper planes and pounding/pulping implements), with only a slight representation of dart tipped - projectile points (Pinto, Elko and Gypsum types).
- **Late Prehistoric Period** (ca. A.D. 1000 to 1500). Following the Millingstone Horizon were cultures that appeared to have a much more complex sociopolitical organization, more diversified subsistence base and exhibited an extensive use of the bow and arrow. Small, light arrow points (ex. Rose Spring Series), and, later, pottery mark this period along with the full development of regional Native cultures and tribal territories.
- **Protohistoric Period** (ca. A.D. 1500 to 1700s). This final cultural period ushered in long-distance contacts with Europeans, and thereby led to the Historic Period (ca. A.D. 1700 to contemporary times). Small arrow points recognized as Desert Side-notched and Cottonwood forms are a hallmark of this time period.

### **Ethnohistoric Overview**

The project area lies within the area of the Gabrielino/Tongva ethnolinguistic group, who speak a language classified as a member of the Uto-Aztecan language stock family. Gabrielino is specifically identified as an element of the Northern Takic Branch of that linguistic group.

The Gabrielino were considered the most populous, wealthiest, and therefore most powerful ethnic nationality in aboriginal Southern California. Unfortunately, most Gabrielino cultural practices had declined long before systematic ethnographic studies were instituted. Today, the leading sources on Gabrielino culture are Bean and Smith (1978), and McCawley (1996).

According to the recent research of several prehistorians, Takic groups were not the first inhabitants of the region. Archaeologists suggest that the Takic in-migration may have occurred as early as the Middle Holocene, replacing or intermarrying with indigenous Hokan speakers. By the time of European contact, the Gabrielino territory included the southern Channel Islands and the Los Angeles Basin reaching east into the present-day San Bernardino-Riverside area and south to Newport Bay in central Orange County.

Different groups of the Gabrielino adopted varied types of subsistence, based on differing combinations of gathering, hunting, and/or fishing. Because of the similarities to other Southern California tribes in economic activities, inland Gabrielino groups' industrial arts, dominated by basket weaving, demonstrated substantial similarity with those of their neighbors. Coastal Gabrielino material culture, on the other hand, reflected an elaborately developed artisanship most recognized through the medium of steatite, which was rivaled by few other groups in Southern California.

The intricacies of Gabrielino social organization are not well known. There appeared to have been at least three hierarchically ordered social classes, topped with an elite class consisting of the chiefs, their immediate families, and the very rich. Some individuals owned land, and property boundaries were marked by the owner's personalized symbol. Villages were politically autonomous, composed of non-localized lineages, each with its own leader. The dominant lineage's leader was usually the village chief, whose office was generally hereditary through the male line. Often several villages were allied under the leadership of a single chief. The villages frequently engaged in warfare against one another, resulting in what some consider to be a state of constant enmity between coastal and inland Gabrielino groups.

The West Hollywood area, situated in the northwest Los Angeles Basin and adjacent to the Santa Monica Mountains but with no rivers nearby, was not a prime location for prehistoric permanent settlements. Villages did surround the region, with *Yaangna* to the southeast near downtown Los Angeles and possibly a smaller settlement named *Maaw'nga* in-between. Also inland was the village of *Kaweenga* (still recalled in the topographic name Cahuena Peak to the east) directly north of West Hollywood but on the northern edge of the Santa Monica Mountains. The equally well-known village of *Kuruvunga*, to the southwest, visited by the Portolá Expedition in September 1769, was set in inland Santa Monica at the springs of the same name. These were all situated approximately five to seven miles from the project area in all directions. While not well-suited for habitation by a permanent village, the natural resources of the plains at the edge of mountain canyons with several small streams flowing from one to the other would have made the region very attractive for hunting and gathering of animals and plants by the inhabitants of the surrounding communities.

The first Franciscan establishment in Gabrielino territory and the project region was Mission San Gabriel, founded in 1771. This was the initial colonization effort by the Spanish in Tongva territory. Priests from here proselytized the Tongva throughout the Los Angeles Basin region. Over the next four decades, most of the Gabrielino people were incorporated into Mission San Gabriel and other missions in Southern California. Due to introduced diseases, dietary deficiencies, and forceful *reduccion* (removal of non-agrarian Native populations to the mission compound), Gabrielino population dwindled rapidly from these impacts. By 1900, the Gabrielino Native community had almost ceased to exist as a culturally identifiable group. In the late 20<sup>th</sup> century, however, a renaissance of Native American activism and cultural revitalization took place among a number of groups of Gabrielino descendants. Among the results of this movement has been a return to a traditional name for the tribe, the Tongva, which is employed by several of the bands and

organizations representing tribal members. The term *Kizh* is also used by some descendants. Many of the bands focus on maintaining and teaching traditional knowledge, with special focus on language, place names and natural resources.

## Historic-Period Overview

### Spanish / Mexican Era

Spanish occupation of California began in 1769, in San Diego. Prior to that, the first Europeans to explore the area that would become the state of California were members of the A.D. 1542 expedition of Juan Rodriguez Cabrillo. Cabrillo sailed along the coast of California, but did not explore the interior. Europeans did not attempt inland exploration until 1769, when Lieutenant Colonel Gaspar de Portolá led an overland expedition from San Diego north to San Francisco Bay in search of Monterey Bay, recording detailed observations of the land and the indigenous peoples encountered along the way. This expedition of 62 people passed through the current study area in early August 1769, encountering the Tongva village of *Yaanga* along the Los Angeles River to the east, noting “about forty springs of pitch, or tar, boiling in great surges up out of the ground” while scouting to the west, and springs likely associated with the village of *Koruuvanga* near the Santa Monica coast. Mission San Gabriel was established 15 miles to the east in 1771, and the Los Angeles pueblo was established as a civilian settlement on September 4, 1781. Mission San Fernando Rey de España, 15 miles to the north in the San Fernando Valley, was not founded until 1797 on lands already under production for crops and mining by Francisco Reyes, then alcalde (mayor) of the Pueblo.

Mexico rebelled against Spain in 1810, and by 1821, Mexico, including California, achieved independence. The Mexican Republic began to grant private land to citizens to encourage emigration to California. Huge land grant ranchos took up large sections of land in California. Ranchos surrounded the mission lands in all directions. Except for those large tracts of land, the Mission San Gabriel and Mission San Fernando lands were used for the support of the mission and provided for the large population of Tongva Native Americans. The mission lands were held in trust for Native peoples by the Franciscan missionaries for eventual redistribution; this intended plan was thwarted by the secularization act.

Surrounding the Pueblo common lands, relatively modest rancho tracts were granted during the Mexican period. These include the two ranchos west of town that eventually became West Hollywood and adjacent cities. Rancho La Brea was granted to Antonio José Rocha and Nemesio Dominguez in 1828 by José Antonio Carrillo, the Los Angeles Pueblo Alcalde. This was named for the famous tar pits long-used by the Tongva people and observed by the Portolá Expedition in August 1769. Next to La Brea to the west the Rancho Rodeo de las Aguas consisting of 4,539 acres was granted to Maria Rita Quinto Valdez de Villa 1838. It was named for the many streams coming out of the Santa Monica Mountains.

The Mexican-American War of 1846 saw the invasion of California by the United States from both land and sea. Following several skirmishes in the San Diego and Los Angeles areas, and the capture of the territorial capital in Monterey, the United States rule was firmly established. After a rapid influx of Americans to the north because of the Gold Rush of 1849, California was made a state in 1850. The economic and social order was slow to change in the southern portion of the state, and rancheros were left in control of their vast estates through the 1860s. Los Angeles was a part of the “Cow Counties” and had little representation in the state legislature because of the sparse population. This allowed the predominantly Anglo population of the north to pass laws aimed at breaking up the ranches for settlement by Eastern farmers. Coupled with devastating droughts in the early 1860s

that crippled many livestock raisers, dismemberment of the Rancheros soon came. This helped pave the way for the “Boom of the Eighties” which saw an influx of people from the eastern United States and the beginning of many of the towns we see today. This was the first big spurt of growth for Los Angeles, and satellite communities started to form around the City of Los Angeles to the southeast, west and northwest, and much of the plains between these areas came to be filled with farms and orchards.

### **The American Period to the Founding of West Hollywood**

With the imposition of United State jurisdiction over California came the requirement to prove title to rancho lands. All land holders brought their cases to the U.S. Land Claims Commission, including the Rocha family for Rancho La Brea and the Quinto family for Rancho Rodeo de las Aguas. This process proved costly for the rancheros involving the gathering and presentation of sometimes misplayed documents, hiring lawyers versed in American law, and paying for land surveys. The Rocha family started their case before the Public Land Commission in 1852, eventually winning in 1873, but the effort left them broke. In 1860 A.J. Rocha’s son José Jorge Rocha deeded the ranch lands to Henry Hancock for \$20,000; Hancock knew the lands and Rocha’s intimately, having been the man who had surveyed the same lands for the U.S. Land Claims case. Tapping into the minerals associated with the tar pit here, Hancock started an oil/tar and transportation company by 1850s. The lands were subsequently subdivided and developed by his son George Allen Hancock through the 1890’s.

Similarly, the Quinto family sold their Rancho Rodeo de las Aguas in 1854 to Benjamin Wilson and Henry Hancock, following which it passed through several owners, remaining largely in agricultural use to about 1900, following which oil production expanded here as well. In an example of the economic transition, Arthur Gilmore from 1880’s operated a large dairy farm in the area where West Hollywood currently meets Beverly Hills, but while drilling for water in 1903 he struck oil and started a production company; soon Doheny and other oil men joined in the search for “black gold” in this area.

While agriculture and oil were the primary economic occupations on the land from the 1850’s through 1900, transportation systems began to cross the ranches and farms linking the town of Los Angeles with the Pacific coast. Moses Sherman partnered with Henry Huntington to build a rail line from Los Angeles to Santa Monica beach with “a spot midway between downtown and the beach for his rail yard and station . . . . Up and around the yard grew a small village of shop workers, supervisors, and conductors that Sherman named for himself.” Sherman’s rail line was initially known as the Los Angeles Pacific Railway Company. By 1890 the rail lines reached from Pasadena to downtown Los Angeles and out to the beach. Later Henry Huntington expanded the system with other lines, including the Pacific Electric Railway Company which operated the Red Cars, which operated until 1942. Along with tourists and beach-goers, the rail took farm workers to the bean fields of west Hollywood and Beverly Hills – mostly seasonal workers when planting and harvesting required additional labor.

Sherman’s rail yard was located in 1896 at the intersection of Santa Monica and San Vicente boulevards. From this location the nascent town of West Hollywood started to grow. “In addition to the railyard and church [St. Vincent’s 1906], the town had a handful of taverns, one brothel, and a few score houses for the workers at the oil field and yard. By 1919 Sherman was a collection of scattered roads and large grain fields.” The Laussal School District formed, with school at South and Laurel in 1886. In 1890 Methodist church was built. It was also during this period of growth and change that Sherman’s private Los Angeles Pacific rail line was bought out by Southern Pacific in 1906. Even so,



still in 1909 the rail yard itself remained surrounded by grain fields and the past rancho lands to the west were “one vast field of lima beans.”

For many decades, the area that is now the City of West Hollywood was still an unincorporated area amidst the growing Los Angeles. Because gambling was illegal in Los Angeles but still legal in Los Angeles County, the 1920's saw the proliferation of many casinos, nightclubs, etc., along Sunset Boulevard which starts near downtown Los Angeles and runs westward. These businesses were immune from the sometimes-heavy-handed law-enforcement of the City of Los Angeles Police Department. Some people connected with moviemaking were attracted to this less-restricted area of the County, and several architecturally distinctive apartment buildings and hotels were built. Many interior designers, decorators, and "to the trade" furnishing showrooms located in West Hollywood date back to the middle of the century, including the original late 1920's through 40's uses for the several buildings on the proposed project site.

The adjacent community of Hollywood was incorporated into the City of Los Angeles in 1910. “In 1924, when annexation to the city of Los Angeles seemed beneficial to those in Sherman, a hard-fought referendum lost out by a bare majority, 814 votes to 750.” “From 1919 on the town was called both West Hollywood and Sherman, causing some confusion, but by 1925 the town folk universally were using the more glamorous West Hollywood.”

The early twentieth century saw the rapid expansion of residences and business in all directions from downtown Los Angeles, particularly to the west and south across the Los Angeles plain to the ocean. This was especially facilitated in the West Hollywood/Beverly Hills area by such thoroughfares as Sunset Boulevard, aka the “Sunset Strip” (in the proposed project area) and Santa Monica Boulevard, direct routes between downtown Los Angeles all the way to the coast. Along with homes and commercial businesses, “[i]n the 1930's through 1950's the world famous Sunset Strip helped to define the former rail yard as the international entertainment mecca to the stars.”

“In the 60's and 70's, [West Hollywood] became a major gathering place for the counterculture, with hippies, musicians and artists flooding the streets. Acts like Led Zeppelin, The Doors and Elton John won over crowds in emerging music venues such as [The Troubadour](#), [The Whisky a Go Go](#), and [The Roxy](#). The Strip continued to be a cultural center for punk rock and New Wave during the late 1970's, and evolved into the epicenter of the colorful glam metal and heavy metal scenes during the 1980's. Groups including Van Halen, Motley Crue and Guns N Roses redefined the standard for excess, with West Hollywood serving as their playground.”

Into the 1970's, “West Hollywood, by virtue of its location nestled amongst the hills of Hollywood, the stars of Beverly Hills, and the numerous record and TV industries, had become one of the most desirable places in all of Los Angeles to live and work.”

The neighborhood did undergo an economic decline in the 1980's, causing many landmarks to be threatened with demolition. West Hollywood was officially incorporated as an independent city in 1984. At the northwest corner of Sunset Boulevard and Gower Street, Columbia Square is part of the ongoing rebirth of Hollywood. In Hollywood, part of Sunset Boulevard is sometimes called "Guitar Row" due to many guitar stores and music industry-related businesses, including the recording studio's Sunset Sound Studios and United Western Recorders. This local association with the guitar and music business is commemorated on the proposed project site with a statue and plaque

recognizing the industry (calling the Sunset Strip “Guitartown”) and Freddie Mercury, a past star in the industry.

Rancho La Brea was transformed into the town and communities of Hollywood, the east portion of West Hollywood and Hancock Park, while Rancho Rodeo y de las Aguas became West Hollywood, Beverly Hills and Beverlywood communities. The northern edge of both ranchos runs along the edge of the Santa Monica Mountains foothills and the towns include this boundary area with homes nestled in the adjacent canyons. The project area, at the intersection of Sunset Boulevard and Cory Avenue, is situated in this open land, just 660 feet north of the Rancho Rodeo de la Agua boundary line.

### **History of the Project Site**

Historic aerial photos for West Hollywood, the earliest dating to 1947, show that the buildings (later combined into one) on the project site were already present by this date. The areas to the west, southwest and a block to the south of the project site were being used for farming until circa 1950, but had become developed with residential properties by the time of the 1952 aerial photo. The 1964 aerial photo shows the building to the southwest, on the west side of Cory Avenue is present, in what had been the last adjacent open land. The east-side portico is always present but frequently redesigned from 1952 – 1972, at which point it is left unchanged through the most recent aerial photo from 2016. Otherwise, the building on the project site does not appear to change in any of the subsequent aerial maps.

Historic topographic maps for what would become West Hollywood, the earliest dating to 1894, does not indicate any buildings on the project site. An east/west road that would become known as Sunset Boulevard was present along the north project boundary was already present in 1894. The 1894 topo map continued to be used in multiple printings through 1915. From the 1921 through 1926 editions of the maps there are only buildings shown east of San Vicente Boulevard, but not in the immediate project area, though in 1924 Carol Drive immediately east was present and by this time Sunset Boulevard was rerouted diagonally to the southwest as it is now at the corner of Cory Avenue at the project site’s northwest corner. By the 1932 map, the larger area became more urbanized with buildings to the east and south of the project site but still no structures on the project site itself. Continued farming to the south and west of the project site is evident in the 1952 and 1955 maps; by 1959 these areas are shown as developed except for the corner immediately west across Sunset Boulevard, where farming activities seems to have disappeared by 1963. Individual buildings are not shown following 1932 onward however the blocks along Sunset Boulevard from 1955 onward through seven printings of the USGS map are indicated to be fully developed, which would include the project buildings. USGS maps post-1999 do not show any features except roads. No changes appear on the project site or within the large area on any of the subsequent topographic maps.

The buildings used for the current Jaguar car dealership at 9176 Sunset Boulevard is a combination of various structures on three parcels that remained of a variety of structures built, and sometimes replaced, from the 1920s through the 1970s. GPA Consulting conducted a study (refer to **Appendix G**) of the project site that found the site includes three parcels: APN 4340-028-001, 9174 Sunset Boulevard, that is occupied by a commercial building constructed in 1929; APN 4340-028-002, 9166 Sunset Boulevard, that is occupied by a commercial building constructed in 1936; and APN 4340-028-010, 9160 Sunset Boulevard, that is occupied by a structure constructed in 1975 as an adjunct to the 9166 building.

The 9174 Sunset Boulevard parcel had two commercial buildings on it in the late 1920’s, with one of them later demolished. Sometimes more than one retail store occupied the same building, with the

shops changing from interior decorations to various clothing stores over time. The two storefronts selling clothing were later combined into one by an auto dealer by 1956. The 9166 Sunset Boulevard parcel, however, held a single building that was originally occupied by three storefronts on both the first and second floors occupied at various time by a glassware dealer, a furniture store, a booking agency and other enterprises from 1936 through 1942. In 1939 the ground floor was occupied by the Cock ‘n Bull Restaurant which expanded to other storefronts and, eventually other adjacent buildings. The 9160 Sunset Boulevard parcel originally contained a single building with three storefronts in the 1930s, but that was eventually demolished and in 1975 “a new buildings was completed that essentially served as a port cochere for the Cock ‘n Bull Restaurant surface parking lot.”

The Cock ‘n Bull Restaurant occupied the two east parcels at least through 1987 while the car dealership used the western parcel at 9174 Sunset Boulevard. By circa 1980 this was the Jaguar dealership . “In 1987, the three buildings were substantially remodeled by the [Charles] Hornburg automobile dealership. In doing so, the buildings were given a unified design that resembles the French Revival architecture of the buildings at 9118-34 and 9121 Sunset Boulevard [to the east].”

### **Identified Cultural Resources**

#### **Recorded Archaeological Sites**

Based on the cultural resources records search conducted at the SCCIC, no prehistoric or historic cultural resource sites or isolates, have been recorded within the project area boundary or within the 0.5-mile radius buffer zone surrounding the project boundary.

#### **Previous Archaeological Investigations**

According to the records at the SCCIC, there have been 11 previous cultural resource studies within the half-mile buffer of the project site (refer to **Table 4.1-1 below**) (see **Attachment D to Appendix F**). One of these studies took place, in part, inside of the project boundary.

The single cultural resource investigation that includes the project site was a Historic Resources Survey for the City of West Hollywood (LA-19568) conducted by Johnson Heumann Research Associates in 1987. The study project involved a city-wide survey documenting architectural and historical resources. Resources were identified that were listed in the National Register as well as resources that have the potential for listing in the National Register. No structures within the project boundary were among those recorded as historic resources in the LA-19568 study.

The other cultural resources investigations within the half-mile buffer of the project site concerned seven proposed wireless facilities, a residential site and a commercial building site, and a cultural resources assessment for a specific plan for a parcel on Sunset Boulevard approximately 500 feet to the northeast of the current project site.

**Table 4.4-1  
KNOWN CULTURAL RESOURCE STUDIES WITHIN A 0.5-MILE RADIUS OF THE APE**

Report Number	Author(s)	Date	Title	Resources
LA-04402	Duke, Curt (LSA Associates, Inc.)	1999	Cultural Resource Assessment for the AT&T Wireless Services Facility Number R242.1, Located at 9145 Sunset Boulevard, in the City and County of Los Angeles, California	NA
LA-06123	Duke, Curt (LSA Associates, Inc.)	2002	Cultural Resource Assessment Cingular Wireless Facility No. Sm 015-02 Los Angeles County, California	NA
LA-06125	Michael Brandman Associates	2002	Proposed Sprint Pcs Wireless Telecommunication Facility Project La54xc034c-starshine #3-a 900 Loma Vista Drive, Beverly Hills, Los Angeles County, California	NA
LA-06515	Nicole Pletka (LSA Associates, Inc.)	2003	Cultural Resource Assessment AT&T Wireless Services Facility No. M310e Beverly Hills, Los Angeles County, California	NA
LA-07128	Fulton, Terri (LSA Associates, Inc.)	2003	Cultural Resource Assessment AT&T Wireless Services Facility No. M310e Beverly Hills, Los Angeles County, California	NA
LA-10568	Johnson Heumann Research Associates	1987	City of West Hollywood Historic Resources Survey 1986-1987 Final Report	19-176743, 19-176819
LA-10604	Candace Ehringer (EDAW, Inc.)	2009	Cultural Resources Assessment for the Proposed 8801 Sunset Boulevard Specific Plan, West Hollywood, Los Angeles County, California	19-188716
LA-10903	Robert Wlodarski (Cellular Archaeological Resource Evaluations)	2006	Records Search Results for Bechtel Corporation Site LSANCAR242 (Sunset Nu Image)	NA
LA-11481	Lofts, Shannon ACE Environmental	2011	Cultural Resource Records Search and Site Survey and Historic Architectural Resource-Inventory and Assessment. AT&T Site: EL0416-8, 402 Doheny Road Beverly Hills, Los Angeles County, California 90210. CASPR#3551016878	19-175985, 19-177094, 19-189856

Report Number	Author(s)	Date	Title	Resources
LA-12720	Diane, Bonner, Carrie Wills, EAS, and Kathleen Crawford (EAS)	2014	Cultural Resources Records Search and Site Visit Results for T-Mobile West, LLC Candidate SV11150B (Mani Bros. Building) 9000 West Sunset Boulevard, West Hollywood, Los Angeles County, California	19-175985, 19-176772, 19-176773, 19-176871, 19-176909, 19-188508, 19-189716, 19-189947, 19-190977
LA-13168	Myra L. Frank & Associates, Inc.	1999	West Hollywood Villas de San Vicente Courtyard Housing Project	19-176800, 19-176801, 19-176803, 19-176804, 19-176805

Source: **Appendix F**

#### f) Pedestrian Survey

A pedestrian field survey to look for the presence of cultural resources was conducted March 11, 2021. Survey transects were conducted in an opportunistic manner in conformity with the available exposed ground surface and layout of the landscaping.

The result of the pedestrian survey was negative for both prehistoric and historic archaeological sites, features and isolates.

#### g) Native American Outreach

On February 2, 2021, Mr. O’Neil contacted the NAHC via email notifying them of the project, requesting a search of their SLF and asking for a list of local tribal organizations and individuals to contact for project outreach. The results of the search request were received March 9, 2021 from Mr. Andrew Greene, Associate Governmental Planner. The NAHC letter stated that “A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative [emphasis in the original].” (See **Attachment C in Appendix F**.)

UEI prepared letters to each of the eight tribal contacts describing the project and a map showing the project’s location, requesting a reply if they have knowledge of cultural resources in the area, and asking if they had any questions or concerns regarding the project (see **Attachment C in Appendix F**). On March 10, 2021, Archaeological Technician Megan B. Doukakis mailed and emailed letters with accompanying maps to all eight tribal contacts. There were two responses to the letters and emails. Joseph Ontiveros, Tribal Historic Preservation Officer for the Soboba Band of Luiseno Indians responded via email on March 10, 2021 that the tribe will defer the project to Mr. Anthony Morales, Chairman of the San Gabriel Band of Mission Indians. The Administration Specialist of the Gabrieleno Band of Mission Indians - Kizh Nation responded though email on March 30, 2021 asking for the lead agency’s contact information. Ms. Doukakis responded via email with this information on March 31, 2021.



Following up on the initial letter, email contacts and the 30-day period when replies could be made by the tribes, telephone calls were conducted by Ms. Doukakis on April 9, 2021, to complete the outreach process. These calls were to the five tribal contacts who had not already responded to UEI mailing and email. Three telephone calls were placed with no answer and so messages were left describing the project and requesting a response. These were to Chairperson Sandonne Goad, Chairperson of the Gabrielino/Tongva Nation, to Mr. Charles Alvarez of the Gabrieleno-Tongva Tribe and to Lovina Redner, Tribal Chair of the Santa Rosa Band of Cahuilla Indians. There have been no responses to date from these tribes.

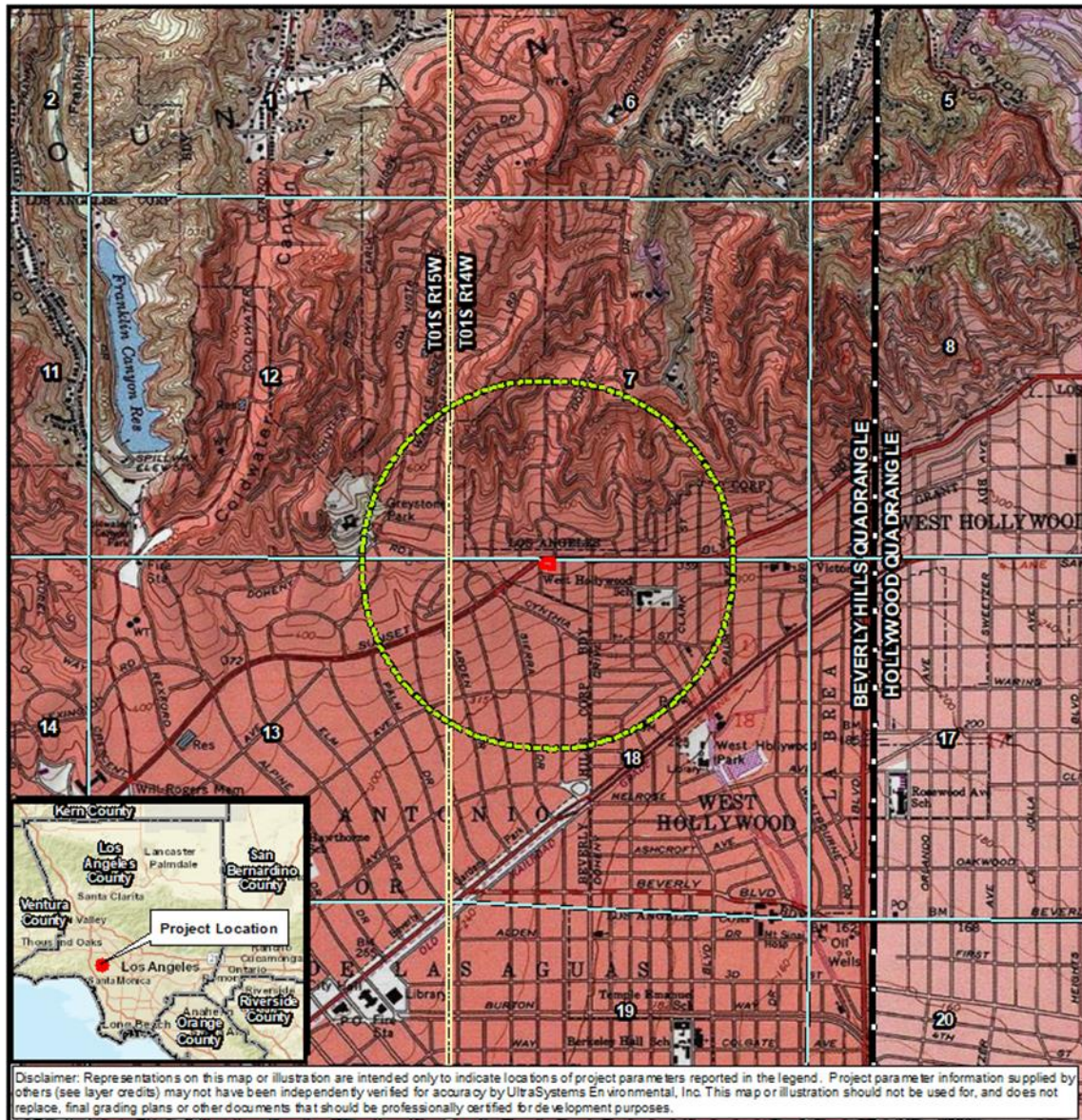
During the telephone call of April 9, 2021, Chairperson Robert Dorame of the Gabrielino Tongva Indians of California Tribal Council stated he would recommend tribal monitoring for all ground disturbance for this project due to the sensitive location and its proximity to water sources like the Franklin Canyon Reservoir. Chairperson Anthony Morales of the San Gabriel Band indicated that the area is culturally sensitive due to the natural resources in the area that his people would have used. Due to this Mr. Morales recommended both archaeological and Native American monitoring for the proposed construction, noting that the San Gabriel Band is available to conduct tribal monitoring. There have been no further responses from these tribes to date (see **Attachment C** in **Appendix F**).

To date there has been one request, by the Gabrielino Kizh Nation, asking UEI to supply the lead agency's contact information, which was provided in an email response on March 31, 2021. UEI has not received any further Tribal requests for contact information regarding the Lead Agency pursuant to AB 52. No sites within the APE were documented in the NAHC's sacred land file search.

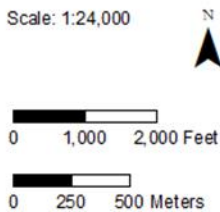
#### **4.4.4 Methodology**

UltraSystems searched for the presence of historic properties within the APE through background research, desktop visual inspections of the APE, pedestrian survey and tribal consultation. Specific identification efforts for this undertaking are discussed below. The APE (**Figure 4.4-1**) includes the

**Figure 4.4-1**  
**USGS TOPOGRAPHIC MAP OF THE STUDY AREA**



Path: \\10.0.0.137\gsd\Projects\7063\_WestH\_Sunset Blvd\_EIR\MXDs\Initial Study\7063\_WestH\_4\_5\_Topo\_2020\_08\_06.mxd  
 Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC,  
 (c) OpenStreetMap contributors, and the GIS User Community, Copyright © 2013 National Geographic Society, i-cubed, CA Dept. of Conservation, May 2019, UltraSystems  
 Environmental, Inc., 2020



**Legend**

-  Project Boundary
-  Half Mile Radius
-  Quadrangle Boundary
-  Township Boundary
-  Section Boundary

**9160-9176 Sunset Boulevard  
Commercial Project**

Topographic Map  
 USGS Quadrangle: Beverly Hills  
 Township: 1S Range: 14W  
 Section: 18





project footprint. Ground disturbance would occur in areas that were previously disturbed by construction of the three original structures, now combined, in the early 1930s. There are no undisturbed ground surfaces in this highly urbanized environment for the entire reach of the project site.

The record search and literature review conducted by South Central Coastal Information Center (SCCIC) staff for the 9160-9176 Sunset Boulevard Development Project provided the basic overview information for this document. A cultural resource records and literature search was conducted in March 2021, utilizing a half-mile buffer beyond the APE, at the SCCIC. The SCCIC is the regional repository for the California Historical Resources Information System (CHRIS). The record search there included archaeological site records and reports, California Points of Historical Interest, California Historical Landmarks, the CRHR, the NRHP, the California Historical Resources Inventory, and the Caltrans Historic Bridge Inventory. The record search only includes the results of previous archaeological or historical surveys and other investigations.

A pedestrian survey was conducted on March 11, 2021. The survey consisted of walking, visually inspecting, and photographing the exposed ground surface and landscaped areas throughout the project site using standard archaeological procedures and techniques.

The three parcels comprising the project site are fully developed and occupied by the Jaguar car dealership sales building and parking lot. Among the only visible ground surface present are two small strips at the east edge of the project site from the sidewalk along W. Sunset Boulevard at the north nearly to the alley at the back of the property on the south, the east strip approximately five feet wide by 85 feet long, and the west strip also five feet wide but only 50 feet long. The other visible ground surface consists of a well-maintained lawn and bed of shrubs and trees starting at the northwest corner of the lot at W. Sunset Boulevard and Cory Avenue, then running along Cory to the south end of the property, approximately 20 feet wide and 150 feet long. While the lawn could be walked in transect lines, the two bedding areas were narrow and filled with shrubs and trees, and therefore the ground surface here was observed primarily by walking along the sides and looking in.

The two narrow bedding strips along the east side of the property contained a vine on the fence, Indian Hawthorn (*Rhaphiolepis indica*), a lily-species and other widely-separated shrubs that allowed up to 80% visibility of the ground surface.

The lawn along Cory Avenue is present in two segments, one adjacent to the building and another between the sidewalk and street curb, is well-maintained and there was no exposed soil; the sidewalk strip also contains a large mature ficus tree (*Ficus benjamina*). The bedding area is between the lawn and building to the north, as well as between the sidewalk and the building in the south stretch. This contains shrubs consisting of Indian Hawthorne, zonal geraniums (*Pelargonium hortorum*), small ficus trees, ornamental ginger (*Alpinia* sp.), spider plant (*Chlorophytum comosum*), and other ornamental plants, and mature eucalyptus and other trees in the southern portion with open soil between the allowing for up to 50-80% visibility of the ground surface.

Situated in the grass lawn, visible to pedestrians passing by on W. Sunset Boulevard and on Cory Avenue, is a small monument (small statue) of a guitar with an image of “Freddie Mercury Icon” on it, dedicated to “The Sunset Strip GUITARTOWN”.

The result of the pedestrian survey was negative for both prehistoric and historic sites and isolates.

UltraSystems contacted the California NAHC for a search of the Sacred Lands File (SLF) to determine if there is any record of sensitive sites or TCPs in the APE and buffer zone, and to obtain the most current list of Native American contacts for outreach. The NAHC responded on March 9, 2021 that there were no records of Native American cultural resources present, and provided a list of tribal contacts for UltraSystems to ask about potential resources. As discussed above under the Native American Outreach section, UltraSystems contacted these tribal representatives by letter on March 10, 2021 (refer to **Section 4.2** and **Attachment C** in **Appendix F**), and requested information on potential TCPs and resources of concern within the APE. There were two responses by the Native American contacts during the course of the Phase I cultural inventory investigation. Neither tribe expressed concerns for the project or the presence of traditional cultural resources in the immediate project area.

#### 4.4.5 Environmental Impact Analysis

##### Thresholds of Significance

In accordance with **Appendix G** of the State CEQA Guidelines, the project would have a significant impact related to cultural resources if it would:

- h) A. Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5; or
- i) B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5; or
- j) C. Disturb human remains, including those interred outside of dedicated cemeteries.

##### Analysis of Project Impacts

***Threshold A: Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?***

##### **No Impact**

Based on the cultural resources records search conducted at the SCCIC, and review of the historical evaluation memorandum prepared for this project (Grimes 2020; see **Appendix G**) no historical resources have been recorded within the project's Area of Potential Effect (APE) boundary (refer to **Figure 4.5-1**). As no historical resources have been recorded within the project's APE boundary, no impacts to historical resources are anticipated. Therefore, the project would have no adverse impact.

***Threshold B: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?***

##### **Less Than Significant Impact with Mitigation**

No prehistoric or historic archaeological resources were observed during the pedestrian field survey. The previous cultural resources surveys within the half-mile buffer zone resulted in no archaeological sites or isolates being recorded. A single historic property, a bridge, was identified within the half-mile buffer zone, but it is not within the APE. The field survey conducted for this project observed no prehistoric or historic artifacts or features.

As per the discussion with the Gabrieleno-Kizh Nation and the San Gabriel Band, both bands believe that the project lies in a sensitive area regarded as the ancestral and traditional territories of both entities. Neither tribe identified any specific Traditional Cultural Properties on the project site. The cultural resource study findings conclude that there is only a low potential for finding cultural resources.

Due to the fully-built environment of the project site, the elevation of the project site relative to adjacent roads (suggesting that ground here has been significantly cut and filled), and the high degree of disturbance associated with the construction of buildings on site, any subsurface archaeological features have likely been destroyed. Thus, the potential for subsurface cultural and or historical deposits is minimal and impacts to archaeological resources would be less than significant.

However, grading activities associated with development of the project would cause new subsurface disturbance and could result in the unanticipated discovery of unique archeological resources. Therefore, mitigation measures **CUL-1** and **CUL-2** listed in **Section 4.4.7** are recommended.

***Threshold C: Would the Project disturb human remains, including those interred outside of dedicated cemeteries?***

#### **Less Than Significant Impact with Mitigation**

The project is proposed on a site that has been graded and in use since 1929. The fully built environment of the project site and elevation relative to adjacent roads and parcels suggests that there was significant cut-and-fill of the ground surface here for construction, with no native surface soil remaining. During previous ground disturbance activities, no human remains were identified or recorded onsite. In the unlikely event that human remains are discovered, during precise grading or construction activities, the project would be subject to California Health and Safety Code § 7050.5, CEQA § 15064.5, and California Public Resources Code § 5097.98.

California Health and Safety Code § 7050.5 identifies procedures for the unlikely discovery of human remains. CEQA § 15064.5 indicates the process for determining the significance of impacts to archeological and historical resources. California Public Resources Code § 5097.98 stipulates the notification process during the discovery of Native American human remains, descendants, disposition of human remains, and associated artifacts.

Although unlikely, there is always the potential that human remains may be encountered during ground disturbance. In the case that human remains are encountered, mitigation measure **CUL-3** listed in **Section 4.4.7** is necessary and implementation is required.

#### **4.4.6 Cumulative Impacts**

No prehistoric or historic archaeological resources were observed during the pedestrian field survey. The previous cultural resources surveys within the half-mile buffer zone resulted in no archaeological sites or isolates being recorded at the project site or within the half mile buffer zone. The fully-built environment of the project site and elevation relative to adjacent roads suggests that ground here has been significantly cut and filled, with no original surface soil remaining.

The project would involve the demolition of the existing building and surface parking. In the Historic Resources Memorandum prepared for the Project, Grimes (2020) (see **Appendix G**) described that none of the buildings in the project are currently designated under national, state, or local landmark



programs. The building was also not evaluated as an eligible historical resource in the 1987 Citywide Historic Resources Survey or the 2016 Commercial Historic Resources Survey. In the 2016 Commercial Historic Resources Survey the building at the project site was found ineligible for National Register, California Register, or local designation through survey evaluation, Status Code of 6Z.

Grading operations could uncover subsurface cultural resources and would be a potentially significant impact to Cultural Resources and mitigation measures have been developed to reduce impacts to less than significant. Impacts to archaeological resources and human remains identified within the project site and implementation of mitigation measures **CUL-1**, **CUL-2**, and **CUL-3** would reduce these impacts to a less than significant level; implementation of the proposed project would not create or contribute to a cumulative impact on cultural resources.

Additional projects would also involve grading and excavation activities and could significantly impact historical or archaeological resources that may be on or buried in soil under those sites. Each project would be evaluated under CEQA for potential impacts to cultural resources. If warranted, each project would be required to implement mitigation measures, to reduced potential impacts. Therefore, in combination with past, present, and reasonably foreseeable projects, the project would result in a less than significant cumulative impact with respect to cultural resources.

#### 4.4.7 Mitigation Measures

**MM CUL-1:** If historical or unique archaeological resources are discovered during construction activities, the contractor shall halt construction activities in a 30-foot radius and notify the project proponent. A Secretary of the Interior qualified archaeologist (Principal Archaeologist) shall be notified and afforded the necessary time to recover, analyze, and curate the find(s). The Principal Archaeologist shall recommend the extent of archaeological monitoring necessary to ensure the protection of any other resources that may be in the area. Construction activities may continue on other parts of the project site while evaluation and treatment of historical or unique archaeological resources takes place.

The Principal Archaeologist, depending on the type and extent of the finds, may prepare an Archaeological Resources Treatment Plan (ARTP) to guide future monitoring, the recovery of cultural resources, analysis and reporting of the finds, and curation of the finds. The ARTP shall be submitted to the City and the project proponent for approval.

**MM CUL-2:** If a local Native American tribal organization(s) request that a tribal monitor and/or a qualified archaeologist monitor construction at the project location, then the project proponent shall retain and schedule any required monitors during all subsurface excavations into native soil. At the discretion of the monitoring archaeologist, excavation or other ground-disturbing activities must be halted when an archaeological artifact or feature is observed. Tribal monitors may request the archaeological monitor to halt ground-disturbing activities if they observe potential cultural finds. Native American monitors will be required to complete and submit daily monitoring logs while at the project site to the project proponent's lead archaeologist.

**MM CUL-3:** If human remains are encountered during excavations associated with this project, all work shall stop within a 30-foot radius of the discovery and the Los Angeles County Coroner will be notified (§ 5097.98 of the Public Resources Code). The Coroner will determine whether the remains are recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the Native American Heritage Commission (NAHC). The NAHC will be responsible for designating the Most Likely Descendant (MLD). The MLDS (either an individual or sometimes a committee) will be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD will make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).

#### **4.4.8 Level of Significance after Mitigation**

##### **Archaeological Resources**

Implementation of mitigation measures **CUL-1** and **CUL-2** would reduce potential impacts to historical resources, archeological resources Native American tribal organization(s) to less than significant.

##### **Human Remains**

Implementation of mitigation measure **CUL-3** and adherence to all applicable laws and regulations would reduce potential impacts regarding human remains to less than significant.

## 4.5 Energy

### 4.5.1 Introduction

The following discussion focuses on project impacts to energy use. The information in this section is based on the Air Quality and Greenhouse Gas Emissions Technical Report included as **Appendix D** to this DEIR.

### 4.5.2 Regulatory Framework

#### Federal

##### **Corporate Average Fuel Economy (CAFE) Standards**

Enacted in 1975, the Corporate Average Fuel Economy (CAFE) Standards aim to reduce energy consumption by improving the fuel economy of cars and light trucks. CAFE standards are regulated by the Department of Transportation's National Highway Traffic and Safety Administration (NHTSA). NHTSA sets and enforces CAFE standards under the Energy Policy and Conservation Act (EPCA) and the U.S. Environmental Protection Agency (USEPA) calculates average fuel economy levels and sets GHG standards under the Clean Air Act (US Department of Transportation, 2020).

##### **Energy Independence and Security Act**

Enacted in 2007, the Energy Independence and Security Act (EISA) reinforces energy reduction goals by aiming to increase the production of clean renewable fuels, improve efficiency of products, and promote research on GHG capture options. Additionally, the EISA aims to protect American consumers by moving the United States toward increased energy independence and security. Three primary provisions of the EISA are (1) the CAFE standards, (2) the Renewable Fuel Standard, and (3) the appliance/lighting efficiency standards (USEPA, 2020).

#### State

##### **California Code of Regulations (CCR) Title 24, Part 6**

CCR Title 24, Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24) were first established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods.

The Title 24 standards are updated on a three-year schedule, with the most current 2019 standards went into effect on January 1, 2020. The Title 24 standards require the installation of insulated hot water pipes, improved window performance, improved wall insulation, and mandatory duct sealing. Title 24 also requires roofs to be constructed to be solar ready, with cool roofing shingles, a minimum one-inch air space between roof material and roof deck, and a minimum of R-22 roof/ceiling insulation. All lighting is required to be high efficiency and daylight sensors and motion sensors are required for outdoor lighting, bathrooms, utility rooms and other spaces. The forced air systems are required to limit leakage to 5% or less and all heat pump systems must be equipped with liquid line filter driers. Single-family homes built with the 2019 standards will use about seven percent less energy due to energy efficiency measures versus those built under the 2016 standards. Once rooftop solar electricity generation is factored in, homes built under the 2019 standards will use about

53 percent less energy than those under the 2016 standards. This will reduce greenhouse gas emissions by 700,000 metric tons over three years, equivalent to taking 115,000 fossil fuel cars off the road. Nonresidential buildings will use about 30 percent less energy due mainly to lighting upgrades.

### **California Code of Regulations (CCR) Title 24, Part 11**

CCR Title 24, Part 11: *California Green Building Standards* (Title 24) was developed in response to continued efforts to reduce energy, water, and material consumption. The most current version is the 2019 California Green Building Standards Code (CalGreen), which became effective on January 1, 2020. One focus of CCR Title 24, Part 11 is clean air vehicles and increasing requirements for electric vehicle (EV) charging infrastructure, which would reduce pollutant emissions. For new multi-family dwelling units, the residential mandatory measures were revised to provide additional EV charging space requirements, including quantity, location, size, single EV space, multiple EV spaces, and identification.

Analysis by the California Energy Commission concludes that the 2019 energy efficiency standards, which took effect January 1, 2020, are projected to result in a 30 percent improvement in energy efficiency for nonresidential buildings over the 2016 standards. The 2019 standards require photovoltaic solar systems on single-family residences and on multifamily residential structures of three stories or less. Single-family homes built to the 2019 standards will be about 7 percent more efficient than homes built to the 2016 standards; and about 53 percent more efficient after factoring in the required solar systems (CEC 2020).

### **California Renewable Portfolio Standard**

Senate Bill 1078 (SB 1078), enacted in 2002, required retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20% of their supply from renewable sources by 2017. In 2006, Senate Bill 107 (SB 107) changed the target date to 2010. Executive Order S-14-08, signed on November 2008, changed the State's Renewable Energy Standard to 33% renewable energy by 2020. The executive order was codified by Senate Bill X1-2. Finally, Executive Order S-21-09 directed the ARB to adopt regulations by July 31, 2010 to enforce S-14-08.

### **Senate Bill 350**

Senate Bill 350 (SB 350), the Clean Energy and Pollution Reduction Act, was enacted in 2015 and includes aggressive clean energy goals in an effort to address climate change. The law creates new clean energy, clean air, and GHG reduction goals for 2030. SB 350 adopts a GHG reduction target of 40 percent below 1990 levels by setting targets for efficiency and renewable electricity, primarily in the energy and transportation sectors. The Act is part of a larger effort to reduce GHG emissions to 80 percent below 1990 levels by 2050. To implement SB 350, the Energy Commission is working closely alongside the California Public Utilities Commission (CPUC) and the ARB. Additionally, SB 350 tasks states agencies with studying and identifying barriers to, and opportunities for, utilizing clean, renewable energy in low-income communities (California Energy Commission, 2020a).

### **Senate Bill 100**

Senate Bill 100 (SB 100), officially known as "The 100 Percent Clean Energy Act of 2018," requires that public utilities, including electric corporations, must design renewable energy portfolios so that all retail sales by 2045 are generated from renewable and zero-carbon energy sources. SB 100

updates the state’s Renewables Portfolio Standard to ensure that by 2030 at least 60 percent of California’s electricity is renewable (CEC, 2021).

### **Assembly Bill 32**

In 2006, the California State Legislature adopted Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006. AB 32 requires ARB to adopt rules and regulations that would achieve GHG emissions equivalent to statewide levels in 1990 by 2020 through an enforceable statewide emission cap which will be phased in starting in 2012. Emission reductions shall include carbon sequestration projects that would remove carbon from the atmosphere and best management practices that are technologically feasible and cost effective.

ARB’s AB 32 Scoping Plan, which was adopted in 2009, proposes a variety of measures including strengthening energy efficiency and building standards; targeted fees on water and energy use; a market-based cap-and-trade system; achieving a 33% renewable energy mix; and a fee regulation to fund the program. The 2014 update to the Scoping Plan identifies strategies moving beyond the 2020 targets to 2050. The cap and trade program established under Scoping Plan sets a statewide limit on sources responsible for 85% of California’s GHG emissions, and has established a market for long-term investment in energy efficiency and cleaner fuels since 2012.

### **Low Carbon Fuel Standard**

The Low Carbon Fuel Standard (LCFS), adopted in 2009 and implemented in 2011, is designed pursuant to California AB 32 and Executive Order S-01-07. The LCFS is one of nine action measures to reduce California’s GHG emissions and emissions that cause climate change and smog-forming pollutants by improving vehicle technology, improving fuel efficiency, and increasing alternative transportation options. The LCFSs encourage production and use of clean low-carbon fuels across the state and establish a ten percent reduction in carbon intensity of fuel products by 2020. Moreover, providers of transportation fuels in the state must meet LCFS carbon intensity standards for each annual compliance period. The ARB administers the LCFS (California Air Resources Board, 2020a).

### **California Air Resources Board (ARB) Advanced Clean Cars Regulation**

The Advanced Clean Cars regulation was adopted in 2012 by the ARB in an effort to reduce emissions from passenger vehicles. Regulations were developed in coordination with the USEPA and NHTSA, and aim to control criteria pollutants and GHG emissions. The program aims to promote the development of environmentally advanced cars that promote high performance while also reducing smog-forming pollution and GHG emissions (California Air Resources Board, 2020b).

### **ARB - Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling**

The ARB Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling<sup>47</sup> was adopted to reduce public exposure to particulate matter and associated toxic air contaminants by establishing restrictions, emissions standards, and other requirements for heavy-duty diesel engines. The regulation applies to any person, business, or agency that operates diesel-fueled vehicles within the State of California. A primary requirement is that drivers may not idle diesel

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47 13 California Code of Regulations § 2485.



engines for greater than five minutes at any location (California Code of Regulations Title 13 Section 2485).

**ARB - Regulation to Reduce Emissions of Diesel Particulate Matter, Oxides of Nitrogen and other Criteria Pollutants, from In-Use Heavy-Duty Diesel-Fueled Vehicles**

Title 13, Section 2025, Article 4.5 aims to reduce emissions of diesel particulate matter, NO<sub>x</sub>, and other criteria pollutants. The regulation applies to any owner or operator of heavy-duty vehicles that operate on diesel fuel, dual fuel, or alternative diesel fuel, in the state of California. Owners must comply with the best available control technology (BACT) requirements of § 2025(f) to reduce emission of harmful pollutants and further the State’s goals to fight climate change (California Air Resources Board, 2020c).

**Sustainable Communities and Climate Protection Act of 2008- SB 375**

SB 375 promotes the State’s climate goals by helping reduce GHG emissions through coordinated transportation, housing, and land use planning. Under SB 375, the ARB creates regional targets for GHG reductions from passenger vehicles for 2020 and 2035 for the 18 metropolitan planning regions. The targets were last updated in 2018. In accordance with SB 375, each MPO must develop a Sustainable Communities Strategy (SCS) that would allow the region to meet the ARB’s targets. Additionally, SB 375 provides incentives to encourage sustainable development, including CEQA exemptions (California Air Resources Board, 2020d).

**Assembly Bill 758**

Assembly Bill 758 (AB 758), adopted in 2009, requires the California Energy Commission (CEC) to develop a comprehensive program to achieve greater energy savings in the state’s residential and nonresidential buildings. AB 758 requires publicly-owned electric utilities to implement energy efficiency programs that encourage energy savings in GHG reductions and report its implementation status to the state. Programs may include, but are not limited to, upgrading infrastructure or providing consumers with information on energy usage (California Legislative Information, 2020c).

**Senate Bill 1389**

Senate Bill 1389 (SB 1389), adopted in 2002, requires the CEC to develop an integrated energy policy report on or before November 2003, and every two years thereafter. The bill requires the commission to conduct assessments and forecasts to evaluate energy supply, production, distribution, demand and price (California Legislative Information, 2020d). The most recent report was completed in February 2019 and includes, “an integrated assessment of major energy trends and issues facing California’s electricity, natural gas, and transportation fuel sectors.” The report also provides policy guidance to conserve natural resources, protect the environment, and ensure adequate energy supplies while furthering the state’s economic growth and protection public health (California Energy Commission, 2020b).

**California Environmental Quality Act**

Appendix F of the CEQA Guidelines, titled Energy Conservation, identifies the state’s goals of conserving energy and presents means of achieving the goal, including decreased per capita energy consumption, decreased reliance on natural gas, and increasing reliance on renewable energy. To ensure that energy implications are considered when assessing proposed projects, CEQA requires

that EIRs discuss potential energy impacts with an emphasis on reducing inefficient consumption of energy. Appendix F details the manner in which impacts to energy must be addressed in various parts of an EIR, including, but not limited to, the project description, mitigation measures, and alternatives.

### **Assembly Bill 1109**

California Assembly Bill 1109 (AB 1109), also known as the Lighting Efficiency and Toxics Reduction Act, requires reductions in energy usage for lighting and is structured to reduce lighting electrical consumption by (1) at least 50% from 2007 levels for indoor residential lighting, and (2) at least 25% from 2007 levels for indoor commercial and all outdoor lighting by 2018.

### **Regional**

#### **SCAG**

#### **2020-2045 Regional Transportation Plan/Sustainable Communities Strategy**

In compliance with SB 375, the Southern California Association of Governments (SCAG) adopted its Connect SoCal (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy) in September 2020. A primary goal of the plan is to promote mobility and transportation services across the SCAG region, and in turn, meet goals set by the ARB. The RTP/SCS applies to six counties under SCAG’s jurisdiction; Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. The plan charts a path toward a more mobile, sustainable, and prosperous region by making key connections: between transportation networks, between planning strategies and between the people whose collaboration can make plans a reality. The goals of Connect SoCal fall into four core categories: economy, mobility, environment and healthy/complete communities. The plan explicitly lays out goals related to housing, transportation technologies, equity and resilience in order to adequately reflect the increasing importance of these topics in the region (Southern California Association of Governments, 2020).

### **Local**

#### **City of West Hollywood Climate Action and Adaptation Plan**

The City of West Hollywood approved its Climate Action Plan (CAAP) in 2021. The CAAP enables the City to achieve carbon neutrality by 2035 and maintain net-negative carbon emissions thereafter (City of West Hollywood, 2021, p. 6)..

The CAAP lays out measures and sub-actions grouped in five categories described below, intended to enable the City to reach carbon neutrality by 2035 (City of West Hollywood, 2021, p. 64):

**Climate Leadership and Governance:** The intent of measures in this category is for the City to lead by example to reduce emissions and adopt climate-responsive practices, work with partners across Southern California, and bolster community resilience at large.

**Energy:** Climate measures in the Energy category detail how the city – including its renters who make up a majority of the population – will tackle the transition to a future without fossil fuels, which requires both existing buildings and new construction to become fully electric and incorporate EV charging.

**Transportation, Mobility and the Public Realm:** Measures in this category include increasing sustainable mode share (walking, bicycling, transit); promoting zero and near zero carbon transportation; rethinking curb space and parking assets; and implementing transportation demand management (TDM) solutions.

**Zero Waste:** Climate measures in the Zero Waste category include the City’s efforts to reduce waste at the source and divert as much as possible from landfills.

**Natural Environment:** Climate measures in the Natural Environment category include greening efforts that expand the tree canopy, add vegetation, and restore soils, which can occur along public rights-of-way, private yards and roofs, alleyways, and other interstitial spaces.

### **West Hollywood General Plan**

The West Hollywood General Plan Infrastructure, Resources, and Conservation Element sets forth the following goal and policies:

#### **Goal IRC-4: Reduce the total and per capita amount of energy used in the City.**

*Intent: To reduce the harmful environmental effects of energy consumption through efficiency, conservation, and the renewable production of energy.*

#### **Policies:**

**IRC-4.1** Promote building energy efficiency improvements through strategies that may include the following:

- Retrofits of existing buildings with energy efficient technology
- Expanded public outreach in partnership with Southern California Edison on energy efficiency upgrades
- A voluntary energy audit program for residents and businesses
- Diverse incentives for energy efficiency

**IRC-4.2** Promote land use patterns and mobility decisions that result in reduced vehicle trips and therefore reduced overall energy use from the transportation sector.

**IRC-4.3** Maximize the use of renewable energy in the City through strategies that may include the following:

- A comprehensive renewable energy program that provides incentives, outreach, financing, or similar forms of assistance to residents and businesses in the City
- Incentives to existing residents to purchase solar water heaters
- Incentives to encourage commercial properties to develop solar energy production systems on private property and sell the energy to the public utility system

**IRC-4.4** As feasible, coordinate with available energy efficiency and conservation programs – such as those administered by Southern California Edison, the United States Department of Energy, or other organizations – to reduce energy use.

### **City of West Hollywood Municipal Code**

City of West Hollywood Municipal Code Section G-12.040 sets forth energy conservation requirements for commercial and public-use buildings such as shading, natural light, and natural ventilation.

#### **4.5.3 Existing Conditions**

##### **Electricity**

Southern California Edison provides electricity to residents and businesses in West Hollywood. Total electricity consumption in SCE’s service area is forecast to be 97,503 GWh in 2020 and 99,414 GWh in 2030 (CEC 2020); one GWh is equivalent to one million kilowatt-hours. Sources of SCE electricity in 2019, the latest year for which data are available, were 35 percent renewable including 16 percent solar and 12 percent wind; 8 percent large hydroelectric; 16 percent natural gas; 8 percent nuclear; and 33 percent unspecified (SCE, 2020). SCE will provide electricity to the project site from existing electrical service lines.

##### **Natural Gas**

More than 90% of the natural gas used in California is produced from basins in Texas and New Mexico. Southern California Gas Company (SoCalGas) has a “network of transmission pipelines and four interconnected storage fields to deliver natural gas to nearly 6 million residential and business customers. The gas transmission system extends from the Colorado River on the east of SoCalGas’ approximately 20,000 square mile service territory, to the Pacific Coast on the west, and from Tulare County to the north, to the United States/Mexico border to the south supporting 21 million consumers in Southern California. SoCalGas operates four storage facilities that interconnect with its gas transmission system. These storage facilities – Aliso Canyon, Honor Rancho, La Goleta, and Playa del Rey – are located near the primary load centers of the SoCalGas system” (SoCalGas, 2019). In 2019, total natural gas consumption in Los Angeles County was approximately 3.05 billion therms, that is, approximately 305 billion cubic feet of natural gas (CEC, 2021).

##### **Transportation Energy**

According to the CEC, transportation accounted for nearly 39 percent of California’s total energy consumption in 2019. In 2018, motor vehicles in Los Angeles County consumed 3.38 billion gallons of gasoline and 561 million gallons of diesel fuel.<sup>48</sup> Petroleum-based fuels currently account for 90% of California’s transportation energy sources. However, as discussed in previous sections, the state has been working for over a decade on developing strategies and regulations for reducing petroleum use, such as use of alternative fuels and reducing vehicle miles traveled. Although total petroleum fuel use in Los Angeles County increased by 4.1% from 2010 through 2018, per-capita gasoline use

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48 Data from California Air Resources Board EMFAC2017 (v1.0.2) Emissions Inventory; values are projections based upon assumptions regarding vehicle population growth and fleet characteristics, and implementation schedules for fuel efficiency standards.

decreased from 1.15 gallons per day to 1.12 gallons per day, about 2.8%.<sup>49</sup> The CEC predicts that the demand for gasoline will continue to decline over the next ten years, and that there will be an increase in the use of alternative fuels.

#### 4.5.4 Methodology

**California Emissions Estimator Model (CalEEMod)** was used to calculate natural gas, electricity (used onsite and for water conveyance), and vehicle miles traveled under existing conditions and after project buildout.<sup>50</sup> It was assumed that conveyance and treatment of water for outdoor use required 0.00927 kWh per gallon. For water for indoor use, the electricity requirement was assumed to be 0.0111 kWh per gallon. Calculations are shown in **Appendix D**.

For mobile sources, CalEEMod calculated VMT and vehicle fleet mix for existing conditions and project buildout. Conversion of results to energy values is shown in **Appendix D**.

#### 4.5.5 Environmental Impact Analysis

##### Thresholds of Significance

Appendix G of the CEQA Guidelines specifies two criteria for evaluating the significance of energy resources; a project would result in impacts related to energy resources if it would:

- A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or
- B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

##### Analysis of Project Impacts

- a) **Threshold A: Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

*or*

- b) **Threshold B: Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

##### Less Than Significant Impact

##### Construction

The following forms of energy would be expended during construction:

- Diesel fuel for off-road equipment (gallons).

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49 2010 and 2018 Los Angeles County populations are 9,818,605 (U.S. Census, <https://www.census.gov/prod/cen2010/doc/dpsf.pdf>) and 10,283,729 (SCAG, 2019, p. 3), respectively.

50 CalEEMod runs used for this analysis are in **Appendix D**. The electricity rates for water treatment and conveyance are from CEC, 2016,



- Electricity to deliver water for use in dust control (kWh).
- Motor vehicle fuel for worker commuting, materials delivery and waste disposal (gallons).

Natural gas is not typically consumed during project construction. It was therefore omitted from this analysis.

### **Off-Road Equipment Fuel Use**

The number of horsepower-hours of each off-road equipment type was calculated using equipment characteristics and scheduling generated by CalEEMod for the air quality and greenhouse gas emissions analyses (see **Section 4.2**). Horsepower hours were multiplied by a fuel use rate of 0.05 gallon of diesel fuel per horsepower hour (CAPCOA, 2019). As shown below in **Table 4.5-1**, off-road equipment is estimated to use approximately 22,840 gallons of diesel fuel.

**Table 4.5-1**  
**CONSTRUCTION ENERGY USE**

Category	Units	Quantity
Off-road Equipment	Gallons, diesel fuel	22,840
Workers	Gallons, gasoline	3,362
Vendors	Gallons, diesel fuel	986
Haulers	Gallons, diesel fuel	8,162
Electricity for Water Conveyance	Kilowatt-hours	2,057

### **Transportation Fuel Use**

Petroleum-based fuels (i.e., gasoline and diesel fuel) would be consumed during the construction phase of the proposed project. Petroleum-based fuels would be consumed via off-road construction vehicles/equipment, gasoline consumed by construction workers traveling to and from the project site, as well as equipment delivery and hauling of building material to the site. On-road vehicle miles traveled (VMT) for each construction subphase and each of the three trip types were calculated from results of the CalEEMod modeling. It was assumed that worker commuter vehicles were gasoline-powered and the remainder were diesel-powered. Composite fuel efficiencies (in miles per gallon) for gasoline and diesel vehicles in the South Coast Air Basin were calculated with the ARB EMFAC2014 model.<sup>51</sup> Finally, VMT values were divided by fuel efficiencies to obtain fuel volumes used for construction. Transportation fuel use for workers, vendors, and haulers is shown above in **Table 4.5-1**.

During project construction, trucks and construction equipment would be required to comply with the ARB’s anti-idling regulations. ARB’s In-Use Off-Road Diesel-Fueled Fleets regulation would also apply. Vehicles driven to or from the project site (delivery trucks, construction employee vehicles, etc.) are subject to fuel efficiency standards requirements established by the Federal Government. Therefore, project construction activities regarding fuel use would not result in wasteful, inefficient, or unnecessary use of energy.

<sup>51</sup> Composite fuel efficiencies presented in Eyestone Environmental, 2019, Appendix P.

## **Electricity Use**

During project construction, energy would be consumed in the form of electricity associated with the conveyance and treatment of water used for dust control and, on a limited basis, powering lights, electronic equipment, or other construction activities necessitating electrical power. Due to the fact that electricity usage associated with lighting and construction equipment that utilizes electricity is not easily quantifiable or readily available, the estimated electricity usage during project construction is speculative. Lighting used during project construction would comply with Title 24 standards/requirements (such as wattage limitations). This compliance would ensure that electricity use during project construction would not result in the wasteful, inefficient, or unnecessary use of energy.

A relatively small amount of electricity would be used for power drills and other equipment during construction. This analysis assumes that an onsite portable diesel-fueled generator will supply the electricity. Air emissions from the generator have been evaluated in **Section 4.2**.

Considering the depth of the proposed excavation for underground parking—the finished floor for the bottom (B03) level of the parking structure would be 36 feet below ground surface, and shoring to be used after excavation—large amounts of water would not be used for dust control, as such water use would cause erosion down the face of the excavation and create difficult (muddy) working conditions in the bottom of the excavation. It is assumed that a dust suppressant—such as a petroleum-based organic product, nonpetroleum-based organic product, moisture-absorbing product, or synthetic polymer emulsion—would be used for dust control.<sup>52</sup> Electricity for water conveyance is estimated above in **Table 4.5-1**.

## **Operations**

The following forms of energy would be expended during project operation:

- Electricity for the proposed office and restaurant uses, street lighting, space and water heating, and conveyance and treatment of water.
- Gasoline for on-road motor vehicles.

Note that the proposed project would be an all-electric building, and thus natural gas is omitted from the analysis of operational energy impacts. Energy would be consumed during project operation for lighting, electric appliance use, space and water heating, water conveyance, landscaping maintenance, solid waste disposal, and vehicle trips from visitors, delivery vehicles and employees. The digital billboard is estimated to use approximately 1,073,000 kWh annually (Psomas, 2022). The former automotive dealership onsite closed in May 2021; thus, no existing electricity use is deducted from proposed project use.<sup>53</sup> Project operational electricity use and vehicle miles traveled per year is estimated below in **Table 4.5-2** and **Table 4.5-3**.

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<sup>52</sup> The types of dust suppressants mentioned here are identified in the Caltrans Construction Site Best Management Practices (BMP) Manual (Caltrans, 2017).

<sup>53</sup> Any lighting for safety and security on the site of the closed auto dealership would be minor and thus is not analyzed here.

**Table 4.5-2**  
**PROJECT OPERATIONAL ELECTRICITY USE**

Land Use	Square Feet	Electricity Use, kWh/yr
General Office Building	45,032	544,392
High Turnover (Sit Down Restaurant)	7,967	338,964
<b>Digital Billboard</b>	<b>Not Applicable</b>	<b>1,073,000</b>
<b>Total</b>	<b>52,999</b>	<b>1,956,356</b>

Sources: UltraSystems, 2022; Psomas, 2022

**Table 4.5-3**  
**PROJECT OPERATIONAL VEHICLE MILES TRAVELED PER YEAR**

Land Use	Vehicle Miles Traveled per Year
General Office Building	1,069,524
High Turnover (Sit Down Restaurant)	1,281,595
<b>Total</b>	<b>2,351,119</b>

Source: UltraSystems, 2022

The project would comply with all applicable regulations and codes that require achievement of various levels of energy efficiency in building operation. These include (1) CCR Title 24, Part 6: California’s Energy Efficiency Standards for Nonresidential Buildings (Title 24); (2) the 2019 California Green Building Standards Code (CalGreen; California Code of Regulations Title 24 Part 11); and (3) City of West Hollywood Municipal Code Section 19.20.060, *Green Building*.

Continued use of energy resources is consistent with the anticipated growth within the city and the general vicinity and would not result in energy consumption requiring a significant increase in energy production for the energy provider. Therefore, the energy demand by project operation would be less than significant.

Based on the information provided above, the proposed project would have a less than significant impact regarding wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. The project would also have a less than significant impact regarding conflict with or obstruction of a state or local plan for renewable energy or energy efficiency.

#### 4.5.6 Cumulative Impacts

The area considered for cumulative impacts is the City of West Hollywood. Energy use in the study area is considered to be proportional to service population (that is, residents plus workers); however, energy use is actually expected to increase less than service population as energy efficiency regulations will grow more stringent in future years (see the regulatory discussion in **Section 4.5.2**).

The population of West Hollywood is forecast to increase by approximately 18 percent between 2021 and 2045, and employment in West Hollywood is projected to increase by about 19 percent during the same period; see **Table 3.4-2** in **Section 3.0**.

Other projects would be required to comply with federal, state, and local energy efficiency laws and regulations. Energy efficiency requirements grow more stringent with the passing of time; for example, see the descriptions of CCR Title 24 Part 11 (CALGreen) and SB 100 in **Section 4.5.2** above. Other projects would comply with energy conservation requirements in the City of West Hollywood Municipal Code Section G-12.040, which apply to commercial and public-use buildings.

Therefore, other projects in the City of West Hollywood combined with the proposed project would not involve wasteful, inefficient, or unnecessary consumption of energy; and would not conflict with a state or local plan for energy efficiency or renewable energy. Cumulative impacts would be less than significant, and project impacts would not be cumulatively considerable.

#### **4.5.7 Mitigation Measures**

Project-level and cumulative impacts related to energy use have been determined to be less than significant. Therefore, no mitigation measures are required.

#### **4.5.8 Level of Significance after Mitigation**

Impacts related to energy use would be less than significant without mitigation.

## 4.6 Geology and Soils

### 4.6.1 Introduction

The following discussion addresses existing environmental conditions related to the stability of soils related to seismic hazards and erosion within the project study area. Additionally, existing laws, regulations, and standards relevant to seismic hazards and soils are described. In some cases, compliance with the existing laws, regulations, and standards would serve to reduce or avoid certain impacts that might occur with implementation of the proposed project.

The information presented in this section and used for this analysis is based on the Geotechnical Engineering Investigation, Proposed Office Development, 9160-9174 West Sunset Boulevard, West Hollywood, California, completed by Geotechnologies, Inc. in December 2020; a complete copy of this Report is included as **Appendix N** to this DEIR. As discussed in **Section 2.0** Project Description, the project would implement **GEO-PDF-1** which requires the development of the site, including earthwork, seismic design, retaining walls, shoring and foundation design of the project to be conducted in compliance with the geotechnical recommendations specified in the Geotechnical Engineering Investigation prepared for the project.

### 4.6.2 Regulatory Framework

#### Federal

#### **Earthquake Hazards Reduction Act of 1977 (Public Law [PL] 95 – 124), as amended**

The Earthquake Hazards Reduction Act was passed by Congress in 1977 to “...reduce the risks of life and property from future earthquakes in the United States through the establishment and maintenance of an effective earthquake hazards reduction program.” This Act led to the establishment of the National Earthquake Hazard Reductions Program (NEHRP). In establishing the NEHRP, Congress recognized that earthquake-related losses could be reduced through improved design and construction methods and practices, land use controls and redevelopment, prediction techniques and early-warning systems, coordinated emergency preparedness plans, and public education and involvement programs (NEHRP, 2018). Congress thoroughly reviewed and updated the Act in 2004, resulting in the NEHRP Reauthorization Act of 2004, PL 108 – 360, which was signed into law the same year. The four primary agencies involved in the NEHRP are:

- Federal Emergency Management Agency (FEMA) of the Department of Homeland Security
- National Institute of Standards and Technology (NIST) of the Department of Commerce
- National Science Foundation (NSF)
- USGS

The NIST is the NEHRP lead agency (NEHRP, 2018).



## State

### **Alquist-Priolo Earthquake Fault Zoning Act (Public Resources Code 2, Division 2, Chapter 7.5 §§ 2625-2630)**

Alquist-Priolo Earthquake Fault Zoning Act was enacted in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The main purpose of Alquist-Priolo is to prevent construction of buildings used for human occupancy on the surface trace of active faults. Before a new project is permitted, cities and counties require a geologic investigation to demonstrate that proposed buildings will not be constructed on active faults. The act addresses only the hazard of surface fault rupture and is not directed toward other earthquake hazards, such as liquefaction or seismically-induced landslides. The law requires the State of California geologist to establish regulatory zones around the surface traces of active faults and to issue appropriate maps. The maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling new or renewed construction. Local agencies must regulate most development projects within the zones. Projects regulated by the Alquist-Priolo Act generally include new structures for human occupancy and subdivisions of land that will eventually include structures for human occupancy (CGS 2018a, p. 24).

### **Seismic Safety Act of 1975**

The Seismic Safety Act (CCR §§ 8870 – 8870.95) created a Seismic Safety Commission whose purpose was to report to the Governor annually on the Commission’s findings, progress, and recommendations relating to earthquake hazard reduction. The Commission was to include individuals intended to represent the professions of architecture, planning, fire protection, public utilities, electrical engineering, mechanical engineering, structural engineering, soils engineering, geology, seismology, local government, insurance, social services, emergency services, and the Legislature. In 2006, the name of the Seismic Safety Commission was changed to the Alfred E. Alquist Safety Commission (SSC). Much of the Commission’s work is carried out by special committees, including:

- Planning & Budget Committee: Provides guidance to the executive director relating to planning, administrative, policy and fiscal issues and make recommendations to the full commission.
- Strong Motion Instrumentation Advisory Committee: Established by law to advise the CGS in the long-term operation and goals of the strong motion instrumentation program, including:
  - Modification and upgrading of existing instrumentation and addition of new recording devices
  - General use and dissemination of data collected by the strong motion instrumentation program
  - Cooperative efforts with other strong motion programs including the USGS
  - Direct application of data for use by engineers in the design of structures and modification of building codes (SSC, 2021).

### **California Earthquake Hazards Reduction Act of 1986**

The California Earthquake Hazards Reduction Act (CCR Title 2 § 8871.1 - 8871.5 et seq.; 1986 Act) is similar in purpose to the federal Earthquake Hazards Reduction Act of 1977, and was enacted by the State of California with the goal of reducing the earthquake hazard within California to “acceptable levels” through a significant reduction in the number of hazardous buildings and expansion of scientific and engineering studies. The 1986 Act established a coordinated program which was allotted the task of specifying priorities, funding sources and amounts, schedules, and other resources needed to significantly reduce earthquake hazards statewide by January 1, 2000. As part of this program, the State Office of Emergency Services was to:

- Establish an interim state operations center in southern California to coordinate response to a major earthquake. The office shall also develop an operational communications plan for the center based upon an inventory of current communications capabilities and an assessment of structural vulnerabilities (7 CCR § 8871.3[a]);
- Undertake a design analysis regarding construction of a permanent state operations center in southern California, including an evaluation of telecommunications and information technology systems for emergency management functions (7 CCR § 8871.3[b]); and
- Integrate and coordinate the California Emergency Services Act (Chapter 7 [commencing with § 8550]), the Disaster Assistance Act (Chapter 7.5 [commencing with § 8680]), the Economic Disaster Act of 1984 (Chapter 7.6 [commencing with § 8695]), the Planning and Zoning Law (Title 7 [commencing with § 65000]), the Community Redevelopment Law (Part 1 [commencing with § 33000] of Division 24 of the Health and Safety Code), and the Community Development Financial Assistance and Disaster Project Law (Part 1.5 [commencing with § 34000] of Division 24 of the Health and Safety Code) (7 CCR § 8871.5[e]).

### **Seismic Hazards Mapping Act of 1990**

The Seismic Hazards Mapping Act of 1990 (Public Resources Code, Chapter 7.8, §§ 2690-2699.6) directs the California Department of Conservation (DOC), CGS, to identify and map areas prone to earthquake hazards of liquefaction, earthquake-induced landslides and amplified ground shaking. The purpose of the Seismic Hazards Mapping Act is to reduce the threat to public safety and to minimize the loss of life and property by identifying and mitigating these seismic hazards.

Staff geologists in the Seismic Hazard Mapping Program gather existing geological, geophysical and geotechnical data from numerous sources to compile the Seismic Hazard Zone Maps. They integrate and interpret these data regionally in order to evaluate the severity of the seismic hazards and designate Zones of Required Investigation for areas prone to liquefaction and earthquake-induced landslides. Cities and counties are then required to use the Seismic Hazard Zone Maps in their land use planning and building permit processes.

Zones of Required Investigation include, in addition to Alquist-Priolo Earthquake Fault Zones, but also areas of liquefaction and earthquake-induced landslides (CGS, 2021).

### **Authority for and Scope of General Plans**

*Title 2 CCR § 65302(g)(1)* requires county and city general plans to include “...a safety element for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence; liquefaction; and other seismic hazards identified pursuant to Chapter 7.8 (commencing with § 2690) of Division 2 of the Public Resources Code, and other geologic hazards known to the legislative body; flooding; and wildland and urban fires. The safety element shall include mapping of known seismic and other geologic hazards. It shall also address evacuation routes, military installations, peak load water supply requirements, and minimum road widths and clearances around structures, as those items relate to identified fire and geologic hazards.”

### **California State Building Code**

The California Building Code (CBC; 24 CCR) contains the regulations that govern the construction of buildings in California. The CBC contains general building design and construction requirements relating to fire and life safety, structural safety, and access compliance. The CBC provides minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures and certain equipment. Part 2 is pre-assembled with the International Building Code with necessary California amendments. The 2019 CBC, Title 24 Part 2, Volume 2, Chapter 16 §1613 contains specific seismic design criteria required for “*Every structure, and portion thereof, including nonstructural components that are permanently attached to structures and their supports and attachments, shall be designed and constructed to resist the effects of earthquake motions in accordance with ASCE 7* “(American Society of Civil Engineers “Minimum Design Loads and Associated Criteria for Buildings and Other Structures”) with few exceptions (California Building Standards Commission [CBSC], 2019).

The 2019 CBC, Part 2, Volume 2, Chapter 18 §§ 1801 – 1803.7 specifically requires soil investigations, geotechnical reports, and geohazard reports conducted on soils that may be classified as questionable, critically expansive subjected to seismic hazards including expansive soils, or prone to other seismic hazards. The purpose of the subsequent geological technical report *shall be to identify geologic and seismic conditions that may require project mitigations. The reports shall contain data which provide an assessment of the nature of the site and potential for earthquake damage based on appropriate investigations of the regional and site geology, project foundation conditions, and the potential seismic shaking at the site* (CBC § 1803.7).

### **Special Publication 118. Recommended Criteria for Delineating Seismic Hazard Zones in California**

In 1992 (and revised in 2004), the CGS released *Special Publication 118, Recommended Criteria for Delineating Seismic Hazard Zones in California* to assist the CGS in mapping seismic hazard zones throughout the state (CGS, 2004, pp. 5 - 8). To qualify as an Earthquake-Induced Landslide Hazard Zone, a geographic area must meet one or more of the following criteria:

4. Areas known to have experienced earthquake-induced slope failure during historic earthquakes;

5. Areas identified as having past landslide movement, including both landslide deposits and source areas;
6. Areas where CGS's analysis of geologic and geotechnical data indicate that the geologic materials are susceptible to earthquake-induced slope failure.

Special Bulletin 118 (CGS, 2004) also recommends criteria for mapping Earthquake-Induced Liquefaction Hazard Zones to identify areas where site-specific geotechnical investigations must be conducted to assess liquefaction hazard and, if a hazard exists, provide a technical basis to mitigate that hazard (CGS, 2004, pp. 3 – 5). Liquefaction zones of required investigation (Liquefaction Hazard Zones) are geographic areas that meet one or more of the following criteria:

7. Areas known to have experienced liquefaction during historical earthquakes.
8. Areas of uncompacted fills that are saturated, nearly saturated, or may be expected to become saturated.
9. Areas where analysis of existing data indicate that the soils are potentially liquefiable.
10. Areas where existing subsurface data are not sufficient for quantitative evaluation of liquefaction hazard (CGS, 2004, pgs. 3 - 5).

## **Local**

### **City of West Hollywood Hazard Mitigation Plan**

The City of West Hollywood Hazard Mitigation Plan (HMP) describes the process for identifying hazards, risks and vulnerabilities; identifies and prioritizes mitigation actions; encourages the development of local mitigation; and provides technical support for those efforts. The HMP mentions that numerous major faults in the region could cause strong ground shaking. The HMP identifies the population vulnerable to an earthquake—the whole City population plus visitors—and structures at risk in an earthquake (all the structures in the City) (City of West Hollywood, 2018).

### **City of West Hollywood General Plan Safety and Noise Element**

The City of West Hollywood Safety and Noise Element identifies the City as susceptible to strong ground shaking in addition to other seismic hazards including liquefaction; and contains a map of zones of required investigation for liquefaction and earthquake-induced landslides.

### **City of West Hollywood Building Code**

The City of West Hollywood Municipal Code Sections 13.04.010 et seq. incorporate by reference the California Building Code (CBC), with City amendments for additional requirements, as the City of West Hollywood Building Code. CBC requirements pertaining to grading are set forth in CBC Appendix J.

Requirements for geotechnical investigations are included in California Building Code (CBC) Section 1803, *Geotechnical Investigations*. Testing of samples from subsurface investigations is required, such as from borings or test pits. Studies must be done as needed to evaluate slope stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on load-bearing capacity,

compressibility, liquefaction, differential settlement, and expansiveness. Geotechnical reports are required for issuance of grading permits under CBC Appendix J, *Grading*, Section J104. CBC Section 1705.6 sets forth requirements for geotechnical inspection and observation during and after grading. The CBC is updated on a three-year cycle; the 2019 CBC took effect on January 1, 2020.

## **Paleontological and Unique Geological Resources**

### **CEQA (13 PRC, 21000 et seq)**

Appendix G of the CEQA Guidelines provides guidance relative to significant impacts on paleontological resources, which states that a project could have a potentially significant impact on the environment if it could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

### **4.6.3 Existing Conditions**

#### **Regional Geology**

The project site is located in the Transverse Ranges Geomorphic Province, a series of east-west trending mountain ranges and valleys extending from Santa Barbara County in the west to central Riverside County in the east. The project site is on the northern margin of the Los Angeles Basin, a broad coastal plain.

#### **Local Geology**

##### **Soil Conditions**

Two soil types were identified in three exploratory borings drilled onsite to depths of up to 80 feet below ground surface.

Fill soil consisting of silty sands which are light brown to brown, slightly moist to moist, medium dense, and fine to coarse grained were encountered in all three borings to depths of 3 to 7.5 feet below ground surface (bgs).

Fill soil is underlain by older alluvial fan deposits consisting of layers of sandy clays and clayey to silty sands, ranging from brown, dark reddish and bluish gray; moist to wet medium dense to very dense, stiff to very stiff, and fine to coarse grained, were encountered to the depth explored. **Figure 4.6-1** shows a geologic map of the project site and vicinity.

##### **Groundwater**

Groundwater was encountered at depths of 50 to 53 feet bgs. The historical high groundwater level is approximately 29 feet bgs.

#### **Faults and Seismic Hazards**

Southern California is a highly seismically active area. The California Geological Survey classifies active faults as those that have shown evidence of surface displacement within the past 11,700 years before present (ybp; that is, within the Holocene epoch). Other faults include Pre-Holocene faults: Faults that have not moved in the past 11,700 years, and thus do not meet the criteria of a “Holocene-



active fault”. Other faults are “age-undetermined faults”, which are faults where the recency of fault movement has not been determined. However, age-undetermined faults within regulatory Earthquake Fault Zones are considered Holocene-active until proved otherwise (CGS, 2018). The known faults near the project site and their potential to generate earthquakes are discussed below.

The energy released by an earthquake is measured as moment magnitude (M<sub>w</sub>). The moment magnitude scale is logarithmic; therefore, each one-point increase in magnitude represents a tenfold increase in amplitude of the waves as measured at a specific location and a 32-fold increase in energy. That is, a magnitude 7 earthquake produces 100 times (10 x 10) the ground motion amplitude of a magnitude 5 earthquake.

The project site is located along the southern margin of the Santa Monica Mountains, which are the northern boundary of the Los Angeles Basin. Five regionally active faults are present within five miles of the project site (see **Figure 4.6-2**); two of these, the Hollywood Fault Zone and the Santa Monica Fault Zone, are within one mile of the project site.

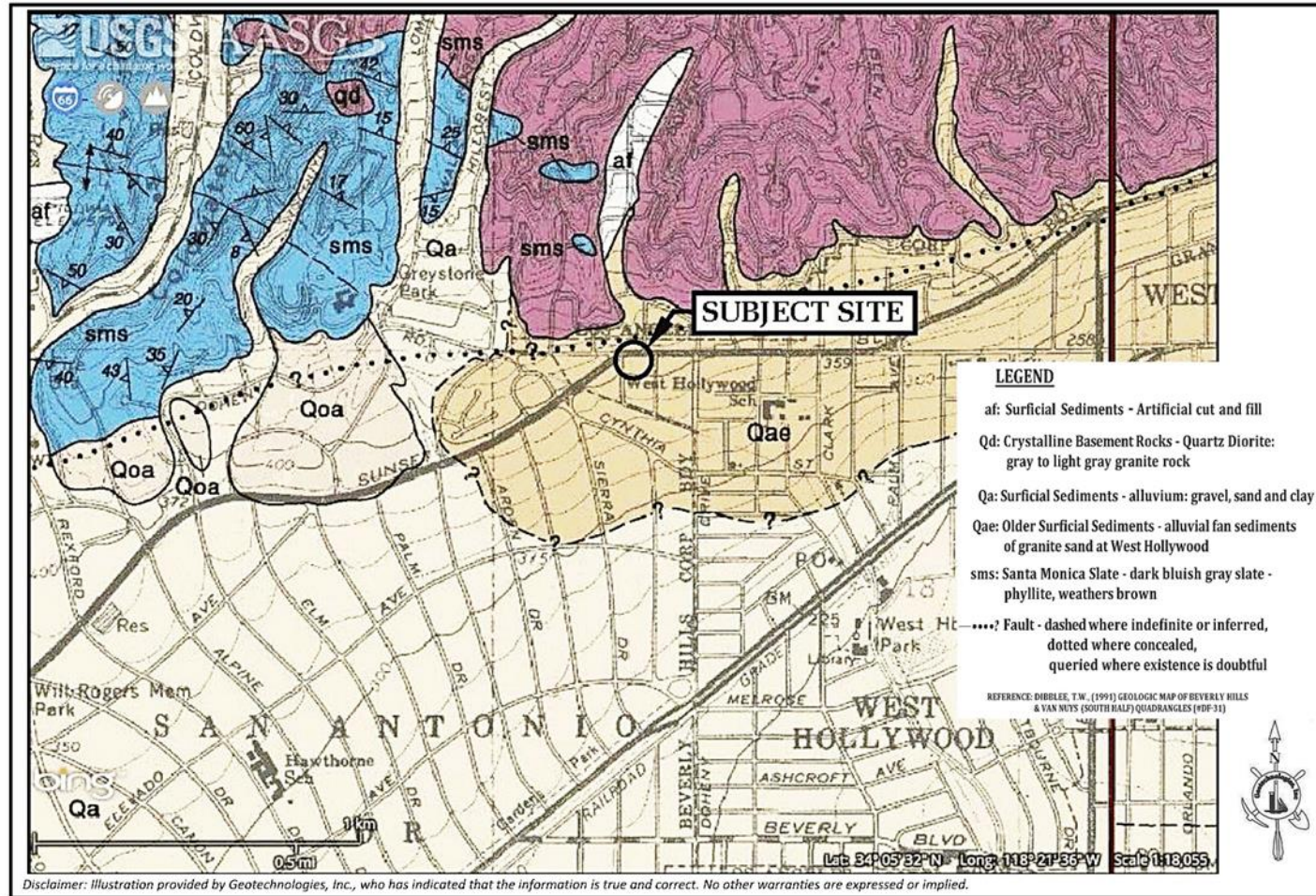
The Hollywood Fault extends approximately 9.3 miles mainly east-west through the cities of Beverly Hills and West Hollywood and part of the City of Los Angeles. The Hollywood Fault is considered active and capable of producing a maximum 6.7 magnitude earthquake.

The Santa Monica Fault Zone extends mainly east-west through the cities of Beverly Hills and Santa Monica, and the Community of West Los Angeles in the City of Los Angeles, and continues westward offshore. The Santa Monica Fault is estimated to be capable of earthquakes with a M<sub>w</sub> from 6.0 to at least 7.0 (SCEDC, 2021a).

The Newport-Inglewood Fault Zone extends northwest-southeast from the City of Beverly Hills on the north southeasterly into Orange and San Diego counties; partly onshore and partly offshore. South of the City of Newport Beach in Orange County it is mostly offshore and is known as the Newport-Inglewood - Rose Canyon Fault Zone. The Newport-Inglewood Fault Zone is considered capable of generating an earthquake of magnitude 6.0 to 7.4 (SCEDC, 2021b).

Faults which have direct evidence of surface displacement within the last 11,000 years are required to be zoned under the Alquist-Priolo Earthquake Fault Zoning Act. The earthquake fault zones generally extend 200 to 500 feet from each side of a known active fault and identify areas where potential surface fault rupture along an active fault could prove hazardous. If a site lies within an Earthquake Fault Zone on an official California Geological Survey map, then a geologic fault rupture investigation must be performed before issuance of building permits to demonstrate that the proposed development is not threatened by surface displacement from the fault.

**Figure 4.6-1**  
**GEOLOGIC MAP**



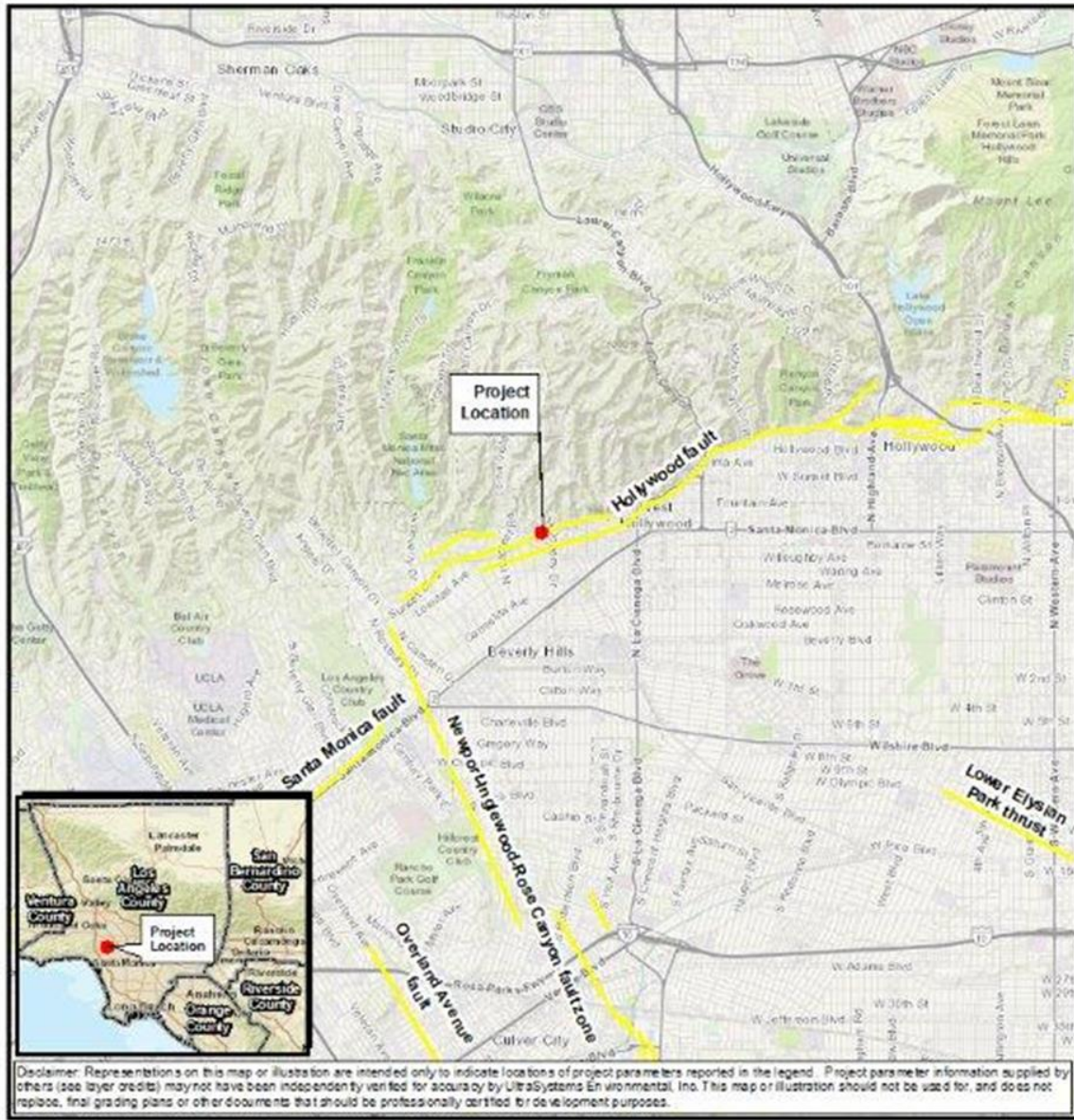
Source: Geotechnologies, Inc., December 14, 2020.



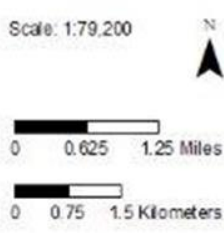
9160-9176 Sunset Boulevard  
Commercial Project  
Local Geologic Map



**Figure 4.6-2  
REGIONALLY ACTIVE FAULTS**



Path: \\110.0.0.137\gep\Projects\7063\_Web\0\_Sunset Blvd EIR\MD\Delinat Study\7063\_Web\4.7\_Active Faults\_2020.08.08.mxd August 08, 2020  
 Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NOAA, Swisstopo, OpenStreetMap contributors, and the GIS User Community. Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kiddo, Esri, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, OpenStreetMap contributors, and the GIS User Community. U.S./California Geological Survey, 2006. UltraSystems Environmental, Inc., 2020



**9160-9176 Sunset Boulevard  
Commercial Project**  
Regionally Active Faults



Alquist-Priolo Earthquake Fault Zones are designated along Hollywood Fault Zone and the Santa Monica Fault Zone (see **Figure 4.6-3**). The project site is not in an Alquist-Priolo Earthquake Fault Zone; the site is approximately 120 feet north of the Earthquake Fault Zone mapped along the Hollywood Fault. The project site is also not in a Fault Precaution Zone designated by the City of West Hollywood; the site is approximately 150 feet north of a Fault Precaution Zone designated along the Hollywood Fault.

### **Liquefaction**

Liquefaction refers to loose, saturated sand or silt deposits that behave as a liquid and lose their load-supporting capability when strongly shaken. Loose granular soils and silts that are saturated by relatively shallow groundwater are susceptible to liquefaction. The project site is not in a zone of required investigation for liquefaction mapped by the California Geological Survey (see **Figure 4.6-4**). A liquefaction analysis conducted as part of the geotechnical engineering investigation determined that soils under the site are not prone to liquefaction.

### **Landslides**

The project site is not in a zone of required investigation for earthquake-induced landslides. The project site and surroundings have a south slope of approximately 10 percent grade and are built out with urban land uses. The potential for such landslides on or next to the site is therefore considered low.

### **Other Geologic Hazards**

#### **Lateral Spreading**

Lateral spreading is the rapid downslope movement of surface sediment, in a fluid-like flow, due to liquefaction in a subsurface layer. The potential for lateral spreading in near-surface site soils is considered to be low, as soils under the site are not considered prone to liquefaction.

#### **Subsidence**

The major cause of ground subsidence is the excessive withdrawal of groundwater. The project site is not in an area of land subsidence mapped by the U.S. Geological Survey (USGS, 2021).

#### **Collapsible Soils/Hydroconsolidation**

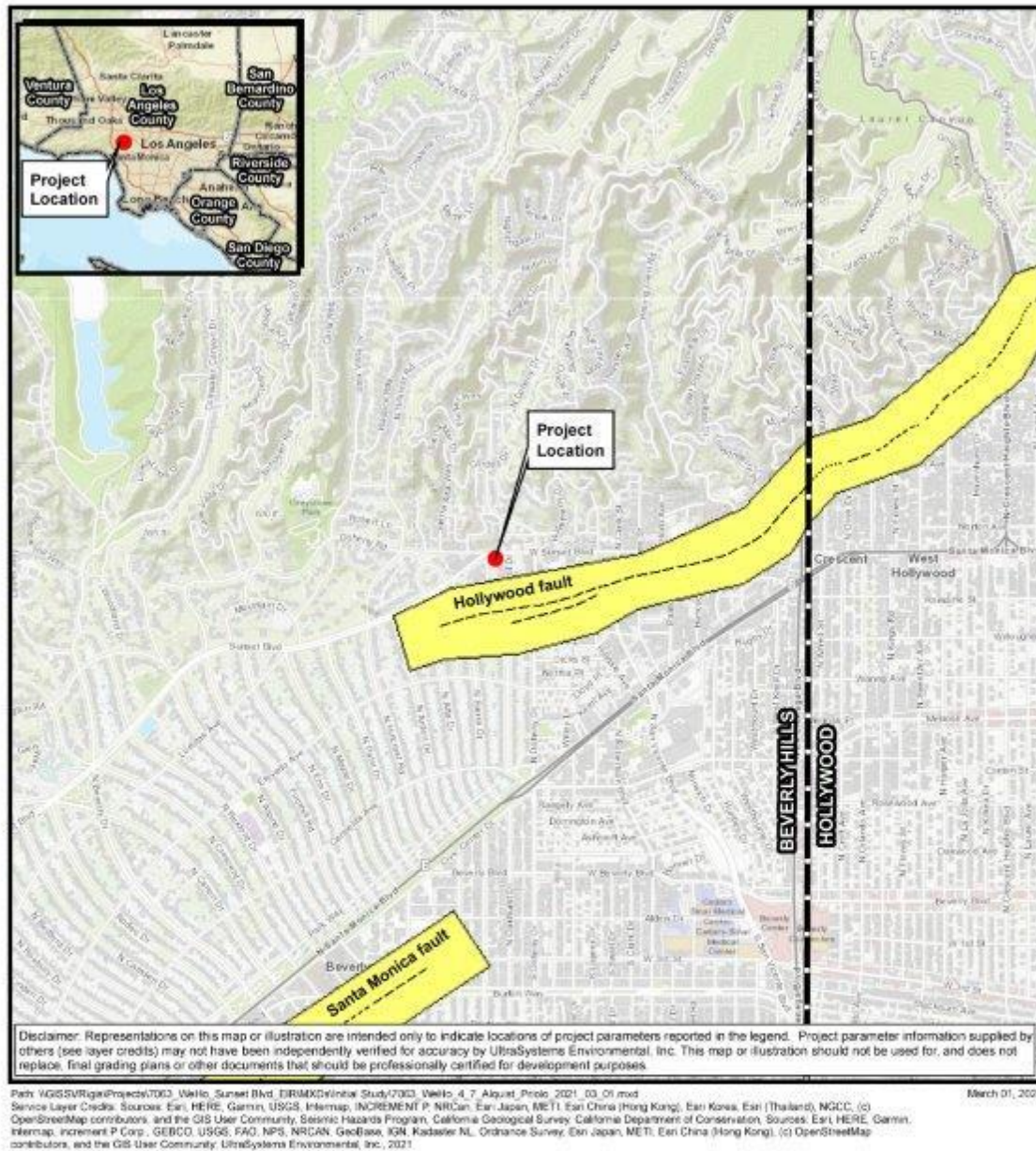
Collapsible soils shrink upon being wetted and/or being subject to a load; shrinkage of saturated soils is also termed hydroconsolidation. Tests of native soils showed very slight hydroconsolidation, from 0 to 0.1 percent.

#### **Expansive Soils**

Expansive soils contain substantial amounts of clay that swells when wetted and shrinks when dried; the swelling or shrinking can shift, crack, or break structures built on such soils. Surface soils onsite have very low expansion potentials; the expansion indices of two soil samples from the upper five feet of site soils were seven and 10, respectively.



**Figure 4.6-3**  
**ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES**



**9160-9176 Sunset Boulevard Commercial Project**  
Alquist Priolo Earthquake Fault Zones


**Legend**

- Project Location
- Alquist-Priolo Fault Zones
- Fault Traces

Scale: 1:24,000

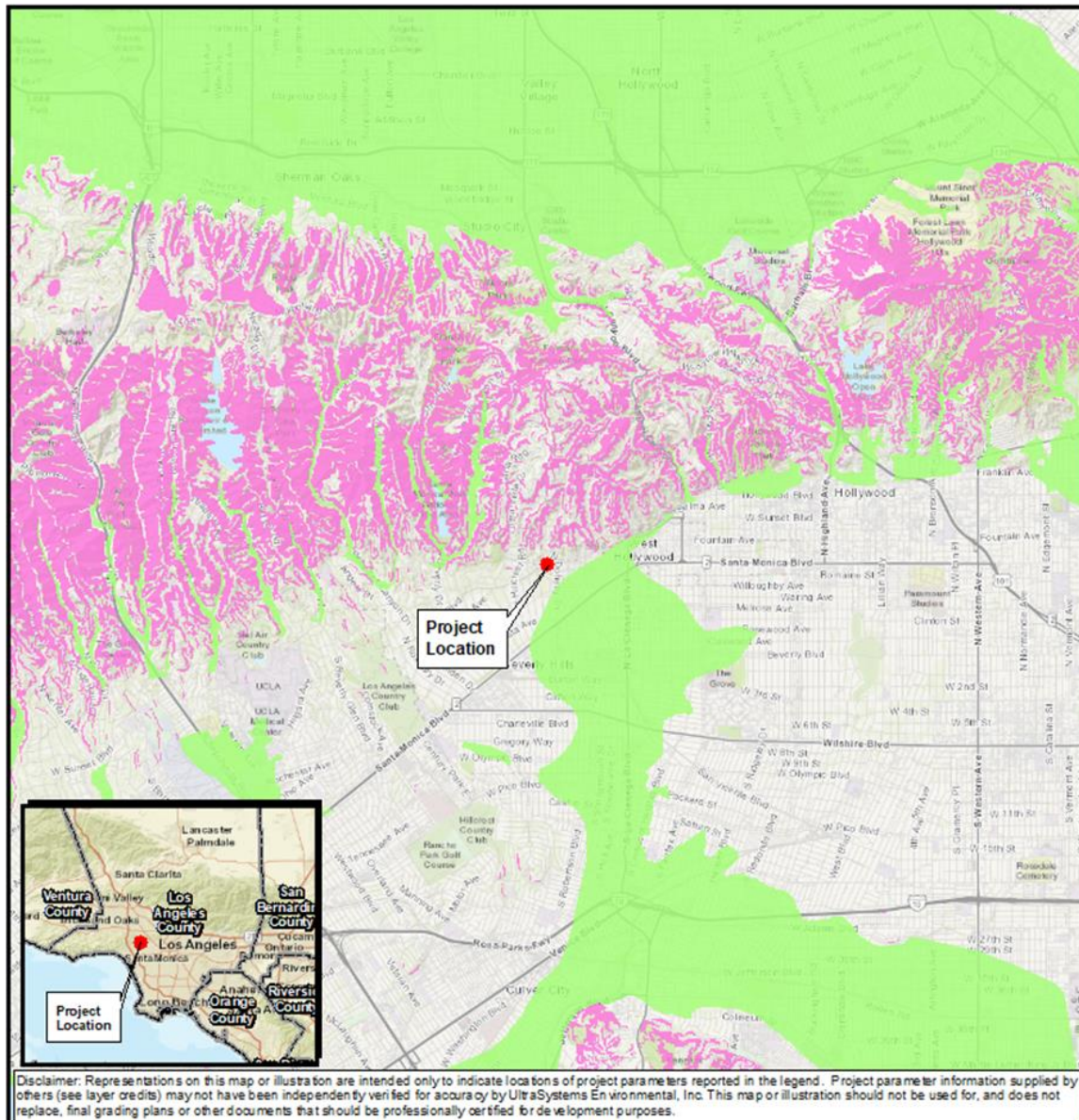
0 1,000 2,000 Feet

0 200 400 Meters





**Figure 4.6-4**  
**ZONES OF REQUIRED INVESTIGATION FOR LIQUEFACTION AND LANDSLIDES**



Scale: 1:95,040

0 0.75 1.5 Miles

0 0.75 1.5 Kilometers

**Legend**

- Project Location
- Earthquake-induced Landslides
- Liquefaction

**9160-9176 Sunset Boulevard Commercial Project**  
Landslides and Liquefaction

## Corrosive Soils

Site soils are considered moderately corrosive to iron and steel based on the electrical resistivity of the soils; and are not considered corrosive to concrete.

## Paleontological Resources

A paleontological resources records search by the Los Angeles County Museum of Natural History (included herein as **Appendix H**) determined that no fossil localities are present in the project site. The records search identified six vertebrate fossil localities near the project site, listed below in **Table 4.6-1**. All six localities are southeast of the project site in the Los Angeles Basin at distances from 1 to 2.3 miles from the project site. Fossils could be present in native soils under the site (LACM, 2021).

**Table 4.6-1**  
**FOSSIL LOCALITIES NEAR THE PROPOSED PROJECT SITE**

Locality Number <sup>1</sup>	Location; distance and direction from project site	Geologic Formation	Taxa	Depth
7673	Intersection of Rosewood Ave. & Westbourne Dr; 1 mile southeast	Undetermined (claystone; Pleistocene)	Horse (Equus)	Unrecorded
7966	375 North La Cienega Blvd.; 1.2 miles southeast	Unknown (Pleistocene, coarse-grained alluvial / riparian sand)	150 specimens of plant; invertebrate & vertebrate material, including multiple Mastodon (Mammut) elements; fossils concentrated in 9 distinct deposits	Unrecorded, 144 feet above mean sea level
3371	Intersection of Sierra Bonita & Oakwood Ave; 2.3 miles southeast	Unknown (Pleistocene clay)	Bison	12 ft bgs
3261	Intersection of Kilkea Blvd. & Beverly Blvd.; 1.7 miles southeast	Unknown (pebbly silt medium to coarse grained)	Elephant family (Proboscidea)	Unrecorded
7672	Intersection of 3rd St. & San Vicente Blvd; 1.4 miles southeast	Undetermined (claystone; Pleistocene)	Deer family (Cervidae); elephant family (Proboscidea)	Unrecorded
7495	600 Ft north of the corner of Fairfax Ave. & 3rd St; 2.1 miles southeast	Older alluvium (siltstone and claystone)	Camel (Camelops hesternus), bison (Bison antiquus), horse (Equus occidentalis), mammoth (Mammuthus columbi), rabbit (Sylvilagus), kangaroo rat (Dipodomys), vole (Microtus), pocket gopher (Thomomys), turtle (Clemmys)	Unrecorded; 171-174 Ft above mean sea level

<sup>1</sup> All locality numbers begin with identifier LACM VP (Los Angeles County Museum Vertebrate Paleontology)  
bgs: below ground surface  
Source: LACM, 2021

#### 4.6.4 Methodology

The geotechnical engineering investigation consisted of three exploratory borings using a hollow-stem auger to depths of 50 to 80 feet below ground surface (bgs); collection of samples; laboratory testing; engineering analysis, review of published geologic data and available geotechnical engineering information, and preparation of the investigation report.

#### Project Design Features

**GEO-PDF-1:** The project would implement all geotechnical recommendations for the development of the site, including earthwork, seismic design, retaining walls, shoring and foundation design as specified in the Geotechnical Engineering Investigation prepared for the project; completed by Geotechnologies, Inc. in December 2020 and provided in **Appendix N** of this DEIR.

#### 4.6.5 Environmental Impact Analysis

##### Thresholds of Significance

In accordance with State CEQA Guidelines Appendix G, the project would have a significant impact related to geology and soils if it would:

- A. **Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**
  - i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Refer to Division of Mines and Geology Special Publication 42.**
    1. **Strong seismic ground shaking**
    - ii) **Seismic-related ground failure, including liquefaction**
    2. **Landslides**
- B. **Result in substantial soil erosion or the loss of topsoil; or**
- C. **Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or offsite landslide, lateral spreading, subsidence, liquefaction or collapse; or**
- D. **Be located on expansive soil, as defined in Table 18-1 B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property; or**
- E. **Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water; or**

**F. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.**

The Initial Study, included as **Appendix A** to this DEIR, determined that impacts related to **Significance Thresholds A.iv** and **E** would be less than significant. Impacts related to **Threshold A.iv**—earthquake-induced landslides—are addressed below to address slope stability in the proposed excavation for the underground parking structure. Impacts related to **Threshold E** are not analyzed below.

**Analysis of Project Impacts**

***Threshold A: Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:***

- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

**No Impact**

No active fault is mapped in or next to the project site, and the project site is not in an Alquist-Priolo Earthquake Fault Zone or a City of West Hollywood Fault Precaution Zone. The nearest known active fault to the project site is the Hollywood Fault Zone about 600 feet to the south. The nearest Alquist-Priolo Earthquake Fault Zone to the project site is approximately 120 feet to the south, and the nearest Fault Precaution Zone is approximately 150 feet to the south. Project development would not expose people or structures to substantial risks arising from surface rupture of a known active fault, and no impact would occur.

- ii) Strong seismic ground shaking?**

**Less than Significant Impact**

The project site is in a seismically active region. Several active faults are mapped within five miles of the site. It is very likely that strong ground shaking will occur during the design lifetime of the project. The geotechnical engineering report contains seismic design parameters for use in project design. Structures for human occupancy must be designed to meet or exceed 2019 California Building Code (CBC) standards for earthquake resistance. Compliance with geotechnical engineering report recommendations would be a condition of the building permit that would be issued by the City of West Hollywood, enforced by the City Building and Safety Division. The CBC contains provisions for earthquake safety based on factors including occupancy type, the types of soil and rock onsite, and the strength of ground motion with a specified probability of occurring at the site. Project development would not expose people or structures to substantial risks from strong ground shaking, and impacts would be less than significant.



**iii) Seismic-related ground failure, including liquefaction?**

**Less than Significant Impact**

Liquefaction refers to loose, saturated sand or silt deposits that behave as a liquid and lose their load-supporting capability when strongly shaken. The geotechnical engineering report determined that soils under the project site are not prone to liquefaction. Project development would not cause substantial risks to people or structures arising from liquefaction, and impacts would be less than significant.

**iv) Landslides?**

**No Impact**

The potential for earthquake-induced landslides onsite is considered low. Shoring of the excavation for construction of the foundation and the underground parking structure would be required to prevent cave-ins and to maintain support for adjacent structures and roadways. The geotechnical engineering report recommends use of steel soldier piles placed in drilled holes and backfilled with concrete; lagging; and drilled tied-back anchors. Soldier piles are steel piles, H-shaped in cross-section, that are drilled into the earth before excavation. Lagging is horizontal pieces of timber or precast concrete that are placed behind the soldier piles. Tied-back anchors are bars drilled into soil with one end protruding through and out of the shoring wall. The end of the bar extending into the soil is bonded to the soil using grout, for instance, and the end protruding through the shoring wall is fastened to the wall (Deep Excavation 2021). Development of the proposed project would not expose people or structures to earthquake-induced landslides, and no impact would occur.

***Threshold B: Would the Project result in substantial soil erosion or the loss of topsoil?***

**Less than Significant Impact**

Project construction would involve excavation and export of approximately 25,000 cubic yards of soil. Disturbance and exposure of large amounts of soil could cause severe erosion if effective erosion control measures were not used.

Construction Best Management Practices (BMPs) in compliance with the requirements of the 2019 California Green Building Code would be implemented by the project to minimize pollution of stormwater. Categories of BMPs that may be used during project construction are described below in **Table 4.6-2**. Erosion impacts from project construction would be less than significant after implementation of the construction BMPs.

**TABLE 4.6-2  
CONSTRUCTION BEST MANAGEMENT PRACTICES**

<b>Category</b>	<b>Purpose</b>	<b>Examples</b>
Erosion Controls	Consists of using project scheduling and planning to reduce soil or vegetation disturbance (particularly during the rainy season), preventing or reducing erosion potential by diverting or	Scheduling, preservation of existing vegetation, hydraulic mulch, hydroseeding, soil binders, straw mulch, geotextile and mats, wood mulching, earth dikes and drainage swales, velocity dissipation devices, slope



Category	Purpose	Examples
	controlling drainage, as well as preparing and stabilizing disturbed soil areas.	drains, streambank stabilization, compost blankets, soil preparation/roughening, and non-vegetative stabilization
Sediment Controls	Filter out soil particles that have been detached and transported in water.	Silt fence, sediment basin, sediment trap, check dam, fiber rolls, gravel bag berm, street sweeping and vacuuming, sandbag barrier, straw bale barrier, storm drain inlet protection, manufactured linear sediment controls, compost socks and berms, and biofilter bags
Wind Erosion Controls	Applying water or other dust palliatives to prevent or minimize dust nuisance.	Soil binders, chemical dust suppressants, covering stockpiles, permanent vegetation, mulching, watering, synthetic covers, and minimization of disturbed area
Tracking Controls	Minimize the tracking of soil offsite by vehicles.	Stabilized construction roadways and construction entrances/exits, and entrance/outlet tire wash.
Non-Storm Water Management Controls	Prohibit discharge of materials other than stormwater, such as discharges from the cleaning, maintenance, and fueling of vehicles and equipment. Conduct various construction operations, including paving, grinding, and concrete curing and finishing, in ways that minimize non-stormwater discharges and contamination of any such discharges.	Water conservation practices, temporary stream crossings, clear water diversions, potable and irrigation water management, and the proper management of the following operations: paving and grinding, dewatering, vehicle and equipment cleaning, fueling and maintenance, pile driving, concrete curing, concrete finishing, demolition adjacent to water, material over water, and temporary batch plants.
Waste Management and Controls (i.e., good housekeeping practices)	Management of materials and wastes to avoid contamination of stormwater.	Stockpile management, spill prevention and control, solid waste management, hazardous waste management, contaminated soil management, concrete waste management, sanitary/septic waste management, liquid waste management, and management of material delivery storage and use.

Source: CASQA 2012

***Threshold C: Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?***

**Less than Significant Impact**

**Landslide**

The potential for earthquake-induced landslides onsite is considered low. No impact would occur.

**Excavation**

The proposed excavation would require shoring; shoring methods recommended in the geotechnical engineering report are discussed above in **Section A.iv**. Soil stability impacts from proposed

excavation would be less than significant after compliance with recommendations of the geotechnical engineering report.

### **Liquefaction**

The geotechnical engineering report determined that soils under the project site are not prone to liquefaction. Project development would not cause substantial risks to people or structures arising from liquefaction, and impacts would be less than significant.

### **Lateral Spreading**

Lateral spreading is the downslope movement of surface sediment due to liquefaction in a subsurface layer. Lateral spreading is not a design concern for the proposed project because, 1) site soils are not prone to liquefaction; and, 2) site soils would be removed to a depth of nearly 40 feet bgs and replaced with the foundation and underground parking structure. No impact would occur.

### **Subsidence**

The project site is not in an area of land subsidence mapped by the U.S. Geological Survey (USGS, 2021). Project development would not cause soil instability relating to ground subsidence, and impacts would be less than significant.

### **Collapsible Soils/Hydroconsolidation**

Collapsible soils shrink upon being wetted and/or being subject to a load. Tests of native soils showed very slight hydroconsolidation, from 0 to 0.1 percent. GeoTechnologies, Inc. (p. 15) provides the following recommendations to minimize hazards from hydroconsolidation:

The property owner shall maintain proper drainage of the subject site throughout the life of the structure. All utility and irrigation lines and drainage devices should be checked periodically and maintained. In addition, landscape irrigation should be properly controlled, in order to reduce the amount of water infiltration into the underlying soils, which provide support to the proposed structure. The Site Drainage section below should be followed and implemented into the final construction documents.

Compliance with recommendations of the geotechnical report is a condition of issuance of a grading permit by the City of West Hollywood. Therefore, mitigation is not required to ensure implementation of the above recommendations. Impacts would be less than significant.

### **Groundwater**

Excavation for construction of the foundation and the underground parking structure could encounter groundwater. Excavation would extend to a depth of nearly 40 feet bgs, and the historical high groundwater level is approximately 29 feet bgs. The geotechnical engineering report recommends that the proposed structure be designed for hydrostatic pressure based on the historically highest groundwater level so that a permanent dewatering system below the base of the structure and a wall subdrain can be eliminated. The basement walls shall be designed for hydrostatic pressure based on the existing ground surface. The project structural engineer shall evaluate and design the proposed foundations for hydrostatic uplift pressures based on the historically high groundwater elevation of 75.0 feet. The Geotechnical Engineering Report recommends that the

proposed underground structure be waterproofed. Compliance with these recommendations is a condition of issuance of a building report for the proposed project and enforced by the City of West Hollywood Building and Safety Division; thus, no mitigation is required to ensure implementation. Impacts related to groundwater and stability of rock and soil would be less than significant.

### **Corrosive Soils**

Site soils are considered moderately corrosive to iron and steel based on the electrical resistivity of the soils; and are not considered corrosive to concrete. The geotechnical engineering report includes a soil corrosivity study by HDR. The soil corrosivity study includes recommendations for steel pipe, hydraulic elevators, ductile iron pipe, cast iron soil pipe, clean sand backfill, copper tubing, plastic and vitrified clay pipe, and concrete structures and pipe. The soil corrosivity study is incorporated into the geotechnical engineering report; thus, the requirement for compliance with recommendations of the geotechnical engineering report as a condition of issuance of a building permit extends to recommendations of the soil corrosivity study. After such compliance, project development would not cause substantial hazards to people or structures arising from corrosive soils. Impacts would be less than significant.

***Threshold D: Would the Project be located on expansive soil, as defined in Table 18-1 B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?***

### **Less than Significant Impact**

Expansive soils swell when wetted and shrink when dried; the swelling or shrinking can shift, crack, or break structures built on such soils. Surface soils onsite have very low expansion potentials; the expansion indices of two soil samples from the upper five feet of site soils were seven and 10, respectively. Soils with expansion indices over 20 are considered expansive per California Building Code Section 1803.5.3. The geotechnical engineering report recommends reinforcing outdoor concrete flatwork with #3 steel bars on 24-inch centers each way. After compliance with this recommendation project development would not cause substantial risks to life or property related to expansive soils, and impacts would be less than significant.

***Threshold F: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?***

### **Less than Significant Impact with Mitigation**

A Paleontological Resources Records Search (refer to **Appendix H**) by the Los Angeles County Museum of Natural History determined that no fossil localities are present in the project site. The records search identified six vertebrate fossil localities near the project site, listed above in **Table 4.6-1**. All six localities are southeast of the project site in the Los Angeles Basin at distances from 1 to 2.3 miles from the project site. Five of the sites produced various species of mammal fossils; the sixth produced plant, invertebrate, and vertebrate fossils (see **Table 4.6-1** above). Fossils could be present in native soils under the site (LACM, 2021). This impact would be significant before mitigation. Implementation of mitigation measure **PAL-1**, set forth in **Section 4.6.7**, would reduce this impact to less than significant.

## 4.6.6 Cumulative Impacts

### Geology and Soils

Geology and soils impacts are site specific and generally do not combine to result in cumulative impacts. Similar to the proposed project, future development projects would be required to comply with applicable state and local building regulations including the CBC and City of West Hollywood Municipal Code Chapter 13.04. Site-specific geologic hazards would be addressed in each project's geotechnical investigation. As with the proposed project, compliance with recommendations of each projects' geotechnical investigation report would be a condition of issuance of the building permit for each respective project. Therefore, no significant cumulative impact would occur.

### Paleontological Resources

The area considered for cumulative impacts to paleontological resources is the Los Angeles Basin (Basin), a coastal plain spanning about 900 square miles in Los Angeles and Orange counties. The Basin is rich in fossil resources; as one example, the La Brea Tar Pits, approximately 2.8 miles southeast of the project site, is one of the best-known Ice Age fossil localities in the world. Many other projects would disturb soil and/or rock that could contain fossils. Each project disturbing such soil or rock would be required, as part of the CEQA process for that respective project, to have a paleontological resources investigation and/or a paleontological resources records search conducted for its project site. Each project that could damage fossils during project construction would be required to implement mitigation requiring recovery, evaluation, and curation of any fossils discovered. Cumulative impacts would be less than significant after implementation of mitigation, and project impacts would not be cumulatively considerable.

## 4.6.7 Mitigation Measures

### Geology and Soils

No mitigation measures are required.

### Paleontological Resources

**PAL-1:** Fossils could be present in native soils onsite. A qualified paleontologist (approved by the County of Los Angeles, as applicable, and the Los Angeles County Natural History Museum Vertebrate Paleontology Department) shall be retained prior to excavation and grading activities at the Project Site.

- Prior to the earth-moving activities, the paleontologist shall develop a site-specific Paleontological Resources Impact Mitigation Program (PRIMP) to be implemented in support of the Project in order to mitigate potential adverse impacts to paleontological resources. The PRIMP shall follow guidelines developed by the Society for Vertebrate Paleontology and shall include monitoring of ground disturbance activities in sediments that are likely to include paleontological resources, specimen recovery, and screen washing; preparation of any collected specimens to the point of identification; curation of any collected specimens to a museum repository with permanent, retrievable storage; and preparation of a final paleontological survey report that would provide details of monitoring, fossil identification, and repository arrangements. The Project

Applicant shall then comply with the recommendations of the Project paleontologist and requirements of the PRIMP.

- Before the mitigation program begins, the paleontologist or monitor shall coordinate with the appropriate construction contractor personnel to provide information regarding City or County of Los Angeles requirements, as applicable, for the protection of paleontological resources. Contractor personnel shall be briefed on procedures to be followed in the event that fossil remains and a previously unrecorded fossil site are encountered by earth-moving activities, particularly when the monitor is not on site.
- The qualified paleontologist shall perform periodic inspections of excavation and grading activities at the Project Site to determine the presence of fossiliferous soils. The frequency and location of inspections shall be specified in the PRIMP and shall depend on the depth of excavation and grading activities and the materials being excavated. If paleontological materials are encountered, the paleontologist shall temporarily divert or redirect grading and excavation activities in the area of the exposed material to facilitate evaluation and, if necessary, salvage. The authority of the paleontologist to temporarily halt construction in part of the project site shall be included on project grading and construction plans. A copy of the paleontological survey report shall be submitted to the Los Angeles County Natural History Museum. Any fossils recovered during mitigation shall be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.

#### **4.6.8 Level of Significance after Mitigation**

##### **Geology and Soils**

Direct and cumulative impacts on geology and soils would be less than significant and no mitigation is required.

##### **Paleontological Resources**

Implementation of mitigation measure **PAL-1** would reduce direct and cumulative impacts on paleontological resources to less than significant.



## 4.7 Greenhouse Gas Emissions

### 4.7.1 Introduction

Gases that trap heat in the atmosphere are called greenhouse gases (GHGs), since they have effects that are analogous to the way in which a greenhouse retains heat. GHGs are emitted by both natural processes and human activities. The accumulation of GHGs in the atmosphere regulates the earth's temperature. The State of California has undertaken initiatives designed to address the effects of GHG emissions, and to establish targets and emission reduction strategies for GHG emissions in California. Activities associated with the project, including construction and operational activities, would have the potential to generate GHG emissions.

This section discusses the main GHG species of interest, regulations pertaining to climate change, the project's consistency with plans for reducing GHG emissions, existing and predicted future GHG emissions from the project site, and their significance under CEQA.

### 4.7.2 Regulatory Framework

#### Federal

The USEPA collects several types of GHG emissions data. These data help policy makers, businesses, and the USEPA track GHG emissions trends and identify opportunities for reducing emissions and increasing efficiency. The USEPA has been maintaining a national inventory of GHG emissions since 1990 and in 2009 established mandatory reporting of GHG emissions from large GHG emissions sources.

Before January 20, 2017, the USEPA was implementing regulatory initiatives such as mobile source GHG emission standards and the Clean Power Plan; partnering with the private sector through voluntary energy and climate programs; and reducing USEPA's carbon footprint with the federal GHG requirements and USEPA's Strategic Sustainability Performance Plan. The recently concluded Trump administration had a different strategy in relation to climate change and took the USEPA in a new direction (USEPA, 2017). Executive Order on Energy Independence (WH, 2017) (Executive Order 13783) specifically addressed revisions in the Clean Power Plan and standards of performance for GHGs for new stationary sources; CH<sub>4</sub> standards for the oil and gas sector; and light-duty vehicle GHG standards. On January 20, 2021, President Biden issued Executive Order 13990 (White House, 2021), which rescinded the Executive Order on Energy Independence, along with several other executive orders concerning energy, climate, and environmental protection. Among the stated goals of Executive Order 13990 are "to reduce greenhouse gas emissions" and "to bolster resilience to the impacts of climate change." Various federal agencies are restoring prior regulations and developing new ones to further these policies.

#### State

Through several pieces of legislation, gubernatorial executive orders, and administrative regulations that relate to GHG emissions and climate change, California has set aggressive goals for GHG reductions within the state. Per Senate Bill (SB) 97, the California Natural Resources Agency adopted amendments to the CEQA Guidelines, which address the specific obligations of public agencies when analyzing GHG emissions under CEQA to determine a project's effects on the environment. However, neither a threshold of significance nor any specific mitigation measures are included or provided in

these CEQA Guideline amendments. The major state provisions for reducing GHG emissions are as follows:

### **Assembly Bill 32 (AB 32)**

The California Global Warming Solutions Act of 2006, widely known as AB 32, requires the California Air Resources Board (ARB) to develop and enforce regulations for the reporting and verification of statewide GHG emissions. The ARB is directed to set a statewide GHG emission limit, based on 1990 levels, to be achieved by 2020. The bill set a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner. The heart of the bill is the requirement that statewide GHG emissions be reduced to 1990 levels by 2020.

The AB 32 Scoping Plan (ARB, 2008) contains the main strategies to achieve the 2020 emissions cap. The plan was developed by the ARB with input from the Climate Action Team and proposes a comprehensive set of actions designed to reduce overall carbon emissions in California, improve the environment, reduce oil dependency, diversify energy sources, and enhance public health while creating new jobs and improving the state's economy. The GHG reduction strategies contained in the AB 32 Scoping Plan include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms such as a cap-and-trade system.

In May 2014, the ARB adopted the First Update to the AB 32 Scoping Plan (ARB, 2014). This update identifies the next steps for California's leadership on climate change. The first update to the initial AB 32 Scoping Plan describes progress made to meet the near-term objectives of AB 32 and defines California's climate change priorities and activities for the next several years. It also frames activities and issues facing the state as it develops an integrated framework for achieving both air quality and climate goals in California beyond 2020.

In the original AB 32 Scoping Plan, the ARB approved a total statewide GHG 1990 emissions level and 2020 emissions limit of 427 million metric tons (MT) of CO<sub>2</sub>e. As part of the update, the ARB revised the 2020 Statewide limit to 431 million MT of CO<sub>2</sub>e, an approximately 1% increase from the original estimate. The 2020 business-as-usual forecast in the update is 509 million MT of CO<sub>2</sub>e. The state would need to reduce those emissions by 15.3% to meet the 431 million MT of CO<sub>2</sub>e 2020 limit.

In November 2017, the ARB published the 2017 AB 32 Scoping Plan (ARB, 2017), which builds upon the former AB 32 Scoping Plan and Update by outlining priorities and recommendations for the state to achieve its 2030 GHG target of a 40% reduction in GHGs by 2030, compared to 1990 levels. The major elements of the framework proposed are enhancement of the Renewables Portfolio Standard (RPS) and the Low Carbon Fuel Standard (LCFS); a Mobile Source Strategy, Sustainable Freight Action Plan, Short-Lived Climate Pollutant Reduction Strategy, Sustainable Communities Strategies, and a Post-2020 Cap-and-Trade Program; a 20% reduction in GHG emissions from the refinery sector and an Integrated Natural and Working Lands Action Plan.

### **Executive Order B-30-15**

On April 29, 2015, Governor Edmund G. Brown Jr. issued an executive order to establish a California GHG reduction target of 40% below 1990 levels by 2030. This new emission reduction target is a step toward the ultimate goal of reducing emissions by 80% below 1990 levels by 2050. The executive order also specifically addresses the need for climate adaptation and directs state government to:

- Incorporate climate change impacts into the state’s Five-Year Infrastructure Plan.
- Update the Safeguarding California Plan – the state climate adaption strategy – to identify how climate change will affect California infrastructure and industry, and what actions the state can take to reduce the risks posed by climate change.
- Factor climate change into state agencies' planning and investment decisions.
- Implement measures under existing agency and departmental authority to reduce GHG emissions.

### **California Senate Bill 32**

This bill codifies Executive Order B-30-15 by adding § 38566 to the Health and Safety Code; it mandates the ARB to ensure that statewide greenhouse gas emissions are reduced to at least 40 percent below the statewide greenhouse gas emissions limit no later than December 31, 2030.

### **California Senate Bills 1078, 107, 2, and 350: Renewables Portfolio Standard**

Established in 2002 under California SB 1078 and accelerated in 2006 under California SB 107, California’s RPS requires retail suppliers of electric services to increase procurement from eligible renewable energy resources by at least 1% of their retail sales annually, until they reach 20% by 2010.

On April 2, 2011, Governor Brown signed California SB 2 to increase California’s RPS to 33% by 2020. This new standard also requires regulated sellers of electricity to procure 25% of their energy supply from certified renewable resources by 2016. In October 2015, Governor Brown signed into legislation SB 350, which requires retail sellers and publicly owned utilities to procure 50% of their electricity from eligible renewable energy resources by 2030. Under SB 100, signed by Governor Brown on September 10, 2018, the renewables requirement was increased to 60%.

### **Low Carbon Fuel Standard (LCFS)**

California Executive Order S-01-07 (January 18, 2007) requires a 10% or greater reduction in the average carbon intensity for transportation fuels in California regulated by the ARB. The ARB identified the LCFS as a Discrete Early Action item under AB 32, and the final resolution (09-31) was issued on April 23, 2009.

### **Sustainable Communities and Climate Protection Act (SB 375)**

California’s Sustainable Communities and Climate Protection Act, also referred to as SB 375, became effective January 1, 2009. The goal of SB 375 is to help achieve AB 32’s GHG emissions reduction goals by aligning the planning processes for regional transportation, housing, and land use. SB 375 requires the ARB to develop regional reduction targets for GHGs and prompts the creation of regional plans to reduce emissions from vehicle use throughout the state. California’s 18 Metropolitan Planning Organizations (MPOs) have been tasked with creating Sustainable Community Strategies in an effort to reduce the region’s vehicle miles traveled (VMT) in order to help meet AB 32 targets through integrated transportation, land use, housing and environmental planning. Pursuant to SB 375, the ARB set per-capita GHG emissions reduction targets from passenger vehicles for each of the state’s 18 MPOs. In March 2018, the ARB issued a regional 8% per capita reduction target for the planning

year 2020, and a target of 19% for 2035 in the jurisdiction of the Southern California Association of Governments (ARB, 2019d).

### **California Green Building Standards (CALGreen) Code**

Although not originally intended to reduce GHGs, California Code of Regulations Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24), was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. Since then, Title 24 has been amended with recognition that energy-efficient buildings that require less electricity reduce fuel consumption, which in turn decreases GHG emissions. The current 2019 Title 24 standards (effective as of January 1, 2020) require new development projects constructed within California after January 1, 2020 are subject to the mandatory planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and environmental quality measures of the California Green Building Standards (CALGreen) Code (California Code of Regulations, Title 24, Part 11). As noted on page 37 in the First Update to the AB 32 Scoping Plan (May, 2014), building efficiency standards that were updated in 2013 were identified to be 25% more efficient for residential construction and 30% more efficient for non-residential construction.<sup>54</sup>

### **Regional**

#### **South Coast Air Quality Management District**

The South Coast Air Quality Management District (SCAQMD) is responsible for regional planning to achieve attainment of ambient air quality standards in the South Coast Air Basin, in which the project is located.<sup>55</sup> It also enforces federal and state emission regulations through a system of source-specific rules and by requiring permits for building and operating facilities that emit criteria pollutants and toxic air contaminants. The SCAQMD does not have rules limiting GHG emissions, nor does it issue permits specifically for emissions of GHG species. However, some of its rules and permit conditions, by limiting fossil fuel combustion, have a side benefit of reducing GHG emissions.

In 2008, the SCAQMD proposed GHG emission thresholds to be used for evaluating significance under CEQA (SCAQMD, 2008). Under the proposal, commercial and/or residential projects that emit less than 3,000 metric tons (MT) of CO<sub>2</sub>e would be assumed to have a less than significant impact on climate change. Although this threshold has never been formally adopted, it is widely used in CEQA evaluations.

#### **Southern California Association of Governments**

The Southern California Association of Governments (SCAG) is the federally-designated metropolitan planning agency for Ventura, Los Angeles, Riverside, San Bernardino and Imperial Counties. It works together with the SCAQMD to prepare the triennial Air Quality Management Plan (AQMP). It is also responsible for quadrennial updates of the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), the latest of which guides transportation developments between 2020 and 2045 (SCAG, 2020b).

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54 Computed from California Energy Demand, 2012–2022 Final Forecast, June 2012, Form 2.2 on Committed Energy Impacts.

55 For more detailed information on the SCAQMD, refer to **Section 4.2**.

**Table 4.12-5** in **Section 4.12** lists strategies and goals of the 2020-2045 SCS and shows how the project is consistent with them.

SCAG estimates that, compared with an alternative of not adopting the Plan, the 2020 RTP/SCS would result in an eight percent reduction in per capita greenhouse gas emissions by 2020, and a 19 percent reduction by 2035, compared with 2005 levels (SCAG, 2020c, p. 12). This meets the state’s mandated reductions, which are 8% by 2020 and 19% by 2035.

**Local**

The City of West Hollywood has taken several actions to address climate change.

**City of West Hollywood Climate Action and Adaptation Plan**

The City of West Hollywood approved its Climate Action and Adaptation Plan (CAAP) in 2021. The CAAP enables the City to achieve carbon neutrality by 2035 and maintain net-negative carbon emissions thereafter (City of West Hollywood, 2021, p. 6).

**Greenhouse Gas Emission Sources**

Communitywide GHG emissions are anticipated to decrease from 2018 levels by 47.5% by 2025 and by 68.4% in 2035. A summary of West Hollywood’s communitywide 2018, 2025, and 2035 emissions is provided in **Table 4.7-1**.

**Table 4.7-1**  
**WEST HOLLYWOOD BASELINE AND PROJECTED GHG EMISSIONS AND PERCENT CONTRIBUTIONS**

<b>Emissions Sector</b>	<b>2018 MT CO<sub>2</sub>e</b>	<b>2025 MT CO<sub>2</sub>e</b>	<b>2035 MT CO<sub>2</sub>e</b>
Transportation and Mobility	66,194	56,455	39,078
Stationary Energy	127,824	33,474	7,327
Product Use	13,090	16,210	19,093
Waste and Wastewater	7,697	5,297	2,186
Other Scope 3 Emissions	6,810	4,994	2,471
Urban Forest (AFOLU)	-255	-255	-261
<b>Total</b>	<b>221,361</b>	<b>116,173</b>	<b>69,894</b>

Notes: CO<sub>2</sub>e = carbon dioxide equivalent; MT= metric tons; Source: City of West Hollywood, 2021, p. 49.

The City Council has established a goal of reaching carbon neutrality by 2035. To achieve carbon neutrality, communitywide GHG emissions must be reduced to approximately 69,894 MT CO<sub>2</sub>e per year by 2035. (City of West Hollywood, 2021, p. 48).

**Emission Reduction Strategies**

The CAAP lays out measures and sub-actions grouped in the five strategies described below, intended to enable the City to reach carbon neutrality by 2035 (City of West Hollywood, 2021, p. 64):



**Climate Leadership and Governance:** The intent of measures in this category is for the City to lead by example to reduce emissions and adopt climate-responsive practices, work with partners across Southern California, and bolster community resilience at large.

**Energy:** Climate measures in the Energy category detail how the city – including its renters who make up a majority of the population – will tackle the transition to a future without fossil fuels, which requires both existing buildings and new construction to become fully electric and incorporate EV charging.

**Transportation, Mobility and the Public Realm:** Measures in this category include increasing sustainable mode share (walking, bicycling, transit); promoting zero and near zero carbon transportation; rethinking curb space and parking assets; and implementing transportation demand management (TDM) solutions.

**Zero Waste:** Climate measures in the Zero Waste category include the City’s efforts to reduce waste at the source and divert as much as possible from landfills.

**Natural Environment:** Climate measures in the Natural Environment category include greening efforts that expand the tree canopy, add vegetation, and restore soils, which can occur along public rights-of-way, private yards and roofs, alleyways, and other interstitial spaces.

The following are the applicable measures from the four strategies that apply directly to the proposed project (City of West Hollywood, 2011, pp. 3-11 to 3-45).

### **Energy**

**EN-2:** Promote, support, and expand the use of local solar power and battery energy storage.

**EN-3:** Decarbonize the future building stock and implement best practices in sustainable and resilient new construction.

**EN-4:** Enhance community energy resilience.

**EN-5:** Promote electric vehicle readiness.

### **Transportation, Mobility and the Public Realm**

**TM-1:** Increase sustainable mode share (walking, bicycling, transit).

**TM-2:** Promote zero and near zero carbon transportation.

**TM-3:** Rethink curb space and parking assets.

**TM-4:** Implement transportation demand management (TDM) solutions.

### **Zero Waste**

**ZW-1:** Improve source reduction and recycling.

**ZW-2:** Divert organic waste.

## Natural Environment

**NE-1:** Protect and expand the urban tree canopy.

**NE-3:** Improve water management.

**NE-4:** Encourage green infrastructure.

### 4.7.3 Existing Conditions

#### Greenhouse Gases

The principal GHGs are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), sulfur hexafluoride, perfluorocarbons, hydrofluorocarbons, and water vapor. CO<sub>2</sub> is the reference gas for climate change because it is the predominant GHG emitted. To account for the varying warming potential of different GHGs, GHG emissions are often quantified and reported as CO<sub>2</sub> equivalent (CO<sub>2</sub>e). CO<sub>2</sub>e emissions are calculated as the sum of the products of each species' emissions and its global warming potential (GWP). The GWP is based upon the heat-absorbing ability of a GHG compound relative to that of CO<sub>2</sub>, as well as the persistence in the atmosphere relative to that of CO<sub>2</sub>. The higher its GWP, the more a given species heats the atmosphere, over a given time. The 100-year GWP values for CO<sub>2</sub>, CH<sub>4</sub> and N<sub>2</sub>O were assumed in this evaluation to be 1, 25 and 298, respectively (Forster et al., 2017).

#### 4.7.4 Emission Calculation Methodology

CalEEMod, Version 2020.4.0, the same software that was used for the criteria air pollutant analysis, was used to estimate carbon dioxide, methane, and nitrous oxide emissions for project construction and operation. Modeling inputs and results are provided in **Appendix D**. The model calculates the CO<sub>2</sub>e emissions from the emissions and global warming potentials of the three aforementioned species. Total construction emissions were “amortized” over 30 years and added to the operational emissions. Further information about the analytical approach is presented in **Section 4.7.5** and **Appendix D**.

#### Project Design Features

The Project would comply with the 2019 California Green Building Standards Code (CalGreen) (Part 11 of Title 24, California Code of Regulations). The following are proposed energy conservation measures that are beyond the minimum requirements of CalGreen. Emission reduction information, where available, is shown in parentheses.<sup>56</sup> Please note that only GHG-PDF-1 and GHG-PDF-10 were taken into account in the emission calculations.

#### Energy Conservation and Efficiency

**GHG-PDF-1:** Project design will provide an energy efficiency exceeding Title 24, Part 6, California Energy Code baseline standard requirements by 10 percent, based on the 2019 Building Energy Efficiency Standards requirements.<sup>57</sup>

<sup>56</sup> Emission reduction information is from CAPCOA, 2010.

<sup>57</sup> For analysis purposes, a value of 10% more efficient than Title 24 was used in the CalEEMod model.

**GHG-PDF-2:** Use of natural heating and cooling features.

**GHG-PDF-3:** Use of improved insulation.

**GHG-PDF-4:** Installation of PV panels.

**GHG-PDF-5:** Use of efficient and durable roofing materials and exterior finishes.

**GHG-PDF-6:** Use of efficient interior finishes.

### **Water Conservation**

**GHG-PDF-7:** Water-efficient plumbing fixtures (17 to 31% of GHG emissions associated with non-residential indoor water use).

### **Solid Waste Conservation**

**GHG-PDF-8:** Use of recycled foundation materials.

### **Other**

**GHG-PDF-9:** No combustion of natural gas (100% reduction in emissions from natural gas use).

## **4.7.5 Environmental Impact Analysis**

### **Thresholds of Significance**

In accordance with **Appendix G** of the State CEQA Guidelines, the project would have a significant impact related to GHGs if it would:

- A. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- c) B. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

According to the CEQA Guidelines, a lead agency shall have the discretion to determine, for a specific project, whether to quantify GHG emissions and/or to rely on a qualitative analysis or performance-based standards.<sup>58</sup> A lead agency should consider the following factors, among others, when determining the significance of GHG emissions on the environment:<sup>59</sup>

- The extent to which the project would increase or decrease GHG emission with reference to existing environmental conditions.
- Whether the project's GHG emissions would exceed a numeric threshold of significance that the lead agency determines to apply to the project.

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<sup>58</sup> CEQA Guidelines § 15064.4(a).

<sup>59</sup> Ibid., § 15064.4(b).

- The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional or local plan for reducing or mitigating GHG emissions.

Neither the State of California, the City of West Hollywood, nor the SCAQMD has a formally adopted numeric, “bright line” threshold that distinguishes between significant and less than significant GHG emission levels for development projects such as the Sunset Boulevard Project. As discussed in **Section 4.7.2**, the SCAQMD has proposed a threshold of 3,000 metric tons per year, but has not adopted it as a rule or guideline. Nevertheless, this threshold is in common use for proposed projects in the South Coast Air Basin, and was used in the present analysis.

In addition, the project’s significance was evaluated by considering the extent to which it complies with regulations or requirements adopted to implement a statewide, regional or local plan for reducing or mitigating GHG emissions. The project was compared with the City of West Hollywood Climate Action and Adaptation Plan for its consistency therewith.

### **Analysis of Project Impacts**

#### **d) Threshold A: Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

#### **Less Than Significant Impact**

The estimates for this analysis include the following sources of annual direct and indirect GHG emissions: (1) area sources (e.g., landscaping-related fuel combustion sources); (2) energy use associated with office and restaurant uses; (3) water and wastewater; (4) solid waste; (5) mobile sources (e.g., passenger vehicles and trucks); and (6) construction activity. The ongoing operational emissions consist of the first five categories, while emissions associated with construction are generated only during construction. The typical types of GHG gases emitted from developments such as the proposed project are CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O.

Construction emissions are from offroad equipment and onroad vehicles such as worker and vendor commuting and trucks for soil and material hauling. CalEEMod defaults were used for construction activity and equipment usage, except for phase lengths that were supplied by the project proponent. To assess the temporary construction effect on the project’s overall lifetime GHG emissions, the SCAQMD developed an Interim Guidance (SCAQMD, 2008) recommending that construction emissions should be amortized over the life of the project, defined in the Guidance as 30 years, which is then added to the operational emissions and compared to the applicable GHG significance threshold.

GHG emissions would also continue to occur every year after buildout. GHGs are emitted from buildings because of activities for which electricity and natural gas are typically used as energy sources. Combustion of any type of fossil fuel emits CO<sub>2</sub> and other GHGs directly into the atmosphere; these emissions are considered direct emissions when associated with a building. GHGs are also emitted during the generation of electricity from fossil fuels; these emissions are indirect emissions as they occur elsewhere but are attributed to the power usage onsite. Indirect GHG emissions also result from the production of electricity used to convey, treat, and distribute water and wastewater. In addition, CalEEMod calculates the indirect GHG emissions associated with waste that is disposed of at a landfill using waste disposal rates by land use and overall composition. CalEEMod defaults were used throughout, with the following two major exceptions.

- Because the project will not require natural gas service (Curtis, 2021, p. 17), natural gas-based GHG emissions were subtracted from the CalEEMod results.
- The CalEEMod analysis did not include indirect GHG emissions from generating the electricity necessary for the electronic canvas. These were calculated outside of CalEEMod, using electricity demand estimates from Curtis, 2021.<sup>60</sup>

**Table 4.7-2** shows the predicted GHG emissions during each construction year. Total GHG emissions are estimated to be **609 MT CO<sub>2</sub>e**, which would amortize to **20.3 MT CO<sub>2</sub>e** per year. Carbon dioxide equivalent emissions from annual operation of the project are shown in **Table 4.7-3**.

**Table 4.7-2**  
**PROJECT CONSTRUCTION GHG EMISSIONS**

Construction Year	Annual CO <sub>2</sub> e Emissions (metric tons)			
	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> e
2022	27.8	0.0068	0.00065	28
2023	443.7	0.063	0.0274	453
2024	127.5	0.021	0.0011	128
<b>Totals</b>	<b>599.0</b>	<b>0.091</b>	<b>0.029</b>	<b>609</b>
<b>30-Year Amortized Emissions</b>				<b>20.3</b>

**Table 4.7-3**  
**PROJECT OPERATIONAL GHG EMISSIONS**

Emissions Source	Annual CO <sub>2</sub> e Emissions (metric tons)
Amortized Construction	20.3
Area Sources	0.0014
Energy (Building Electricity)	278.0
Energy (Electronic Billboard)	337.9
Mobile (Motor Vehicles)	773.6
Solid Waste Generation	64.9
Water Demand	63.5
<b>Project Site Totals</b>	<b>1,538</b>

Annual GHG emissions would be **1,538** metric tons per year, which is less than the significance threshold of 3,000 metric tons per year. Therefore, for **Threshold A**, the project's impacts would be less than significant, and no mitigation would be necessary.

**e) Threshold B: Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

**Less Than Significant Impact**

**Table 4.7-4** compares various aspects of the project with provisions of the City of West Hollywood Climate Action and Adaptation Plan. In view of the findings in **Table 4.7-4** below, the project would

<sup>60</sup> Discussed in **Appendix D**.



**Table 4.7-4  
CONSISTENCY ANALYSIS – CITY OF WEST HOLLYWOOD CLIMATE ACTION PLAN AND PROPOSED PROJECT**

Actions and Strategies	Responsible Party(ies) <sup>a</sup>	Project Consistency Analysis
<b>Energy</b>		
<b>EN-2: Promote, support, and expand the use of local solar power and battery energy storage.</b>	CDD	<b>Consistent.</b> The project would include installation of PV panels and other energy efficiency measures.
<b>EN-3: Decarbonize the future building stock and implement best practices in sustainable and resilient new construction.</b>	CDD	<b>Consistent.</b> The project would include a number of sustainability features including site location; <sup>61</sup> natural heating and cooling features; use of recycled foundation materials; construction of an all-electric building; water-efficient plumbing fixtures; improved insulation; installation of PV panels and other energy efficiency measures; improvements to indoor air quality; use of efficient and durable roofing materials and exterior finishes; and use of efficient interior finishes.
<b>EN-4: Enhance community energy resilience.</b> Sub-action: Implement heat preparation and response measures such as passive cooling design, cool/green roofs, weatherization, and low-energy active cooling systems; additional shade canopies and shade trees; and cooling centers, pools, drinking water fountains and filling stations.	CDD	<b>Consistent.</b> The project design includes natural heating and cooling features and improved insulation.
<b>EN-5: Promote electric vehicle readiness.</b>	CDD	<b>Consistent.</b> The project design includes 20 electric vehicle capable parking stalls.
<b>Transportation, Mobility and the Public Realm</b>		
<b>TM-1: Increase sustainable mode share (Walking, Bicycling, Transit)</b>	CDD	<b>Consistent.</b> The project includes 16 bicycle parking spaces; and the project site is in a high-quality transit area with several bus stops within 0.5 mile of the site.
<b>TM-2: Promote zero and near zero carbon transportation</b>	CDD	<b>Consistent.</b> The project design includes 20 electric vehicle capable parking stalls and 16 bicycle parking spaces.

<sup>61</sup> The project site is previously developed and located in a developed urban area with existing road and public utilities infrastructure.

Actions and Strategies	Responsible Party(ies) <sup>a</sup>	Project Consistency Analysis
<b>TM-4: Implement transportation demand management (TDM) solutions</b>	CDD	<b>Consistent.</b> The proposed project is required to adhere to the city’s Municipal Code § 10.16, TDM Requirements, and would create a TDM plan that consists of at least eight traffic trip reduction strategies, to include bikeshare and carshare programs.
<b>Zero Waste</b>		
<b>ZW-1: Improve source reduction and recycling</b>	CDD	<b>Consistent.</b> The project design includes use of recycled foundation materials. The project design includes storage areas for recyclable materials and organic wastes.
<b>ZW-2: Divert organic waste</b>	CDD	<b>Consistent.</b> The project design includes storage areas for organic wastes.
<b>Natural Environment</b>		
<b>NE-1: Protect and expand the urban tree canopy</b>	CDD	<b>Consistent.</b> Project landscaping would include eight trees, five Chinese pistache and three Brisbane box. The project design would protect two existing street trees and involve removal of two street trees.
<b>NE-3: Improve water management</b>	CDD	<b>Consistent.</b> The project design includes water-efficient plumbing fixtures and low- and very-low water use plants.
<b>NE-4: Encourage green infrastructure</b>	CDD	<b>Consistent.</b> The project would include a number of sustainability features including natural heating and cooling features; use of recycled foundation materials; construction of an all-electric building; water-efficient plumbing fixtures; improved insulation; and installation of PV panels and other energy efficiency measures.

Source: City of West Hollywood, 2021, pp. 77-101.

<sup>a</sup>CC = City Council, CDD = Community Development Department, DPW = Department of Public Works, HSD = Human Services Department.

be consistent with the GHG reduction-related actions and strategies in the City of West Hollywood Climate Action and Adaptation Plan, and related impacts would be less than significant.

#### **4.7.6 Cumulative Impacts**

It is widely recognized that no single project could generate enough GHG emissions to noticeably change the global climate. However, the combination of GHG emissions from past, present, and future projects could contribute substantially to global climate change. Thus, project-specific GHG emissions should be evaluated in terms of whether they would result in a cumulatively significant impact on global climate change. Climate change impacts may include an increase in extreme heat days, higher concentrations of air pollutants, sea level rise, impacts on water supply and water quality, public health impacts, impacts on ecosystems, impacts on agriculture, and other environmental impacts.

As was shown in **Section 4.7.5**, the project is consistent with state and local plans and programs to reduce state and regional GHG emissions, including the City of West Hollywood's Climate Action and Adaptation Plan. The project's incremental contribution to GHG emissions and their effects on climate change would not be cumulatively considerable. For these reasons, the project's cumulative contribution to global climate change would be less than significant.

#### **4.7.7 Mitigation Measures**

As discussed above, the project would result in less than significant impacts related to GHG emissions and no mitigation measures are required. The project would comply with applicable requirements of the California Green Building Code that allow the City to meet its goals for reduction of GHG emissions.

#### **4.7.8 Level of Significance After Mitigation**

Through compliance with state mandates and other applicable regulatory requirements, impacts related to GHG emissions would be less than significant without mitigation.

## **4.8 Hazards and Hazardous Materials**

### **4.8.1 Introduction**

The following discussion focuses on project impacts to emergency response plans. The initial study for the proposed project, included as **Appendix A** to this DEIR, substantiates that impacts related to other Hazards and Hazardous Materials thresholds—that is, respecting hazardous materials, airports, and wildfires—would be less than significant.

### **4.8.2 Regulatory Framework**

#### **Federal**

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) establishes the programs and processes for the federal government to provide disaster and emergency assistance to states, local governments, tribal nations, individuals, and qualified private nonprofit organizations. The provisions of the Stafford Act cover all hazards including natural disasters and terrorist events.

Section 203 of the Stafford Act, 42 USC, required all state, tribal nations, and local governments (including special districts) to develop comprehensive mitigation plans as a condition of eligibility for future post-disaster mitigation grants (LACCEO, 2014, p. 1).

#### **State**

#### **Governor’s Office of Emergency Services (OES)**

The Governor’s Office of Emergency Services (OES) is responsible for the coordination of overall state agency response to disasters; and assuring the state’s readiness to respond to, recover from all hazards and assisting local governments in their emergency preparedness, response, recovery and mitigation.

The State of California Emergency Plan, issued by the Governor’s Office of Emergency Services (OES) in 2017, describes the methods for conducting emergency operations, the process for rendering mutual aid, the emergency services of governmental agencies, how resources are mobilized, how the public will be informed, and the process to ensure continuity of government during an emergency or disaster.

The State emergency management system is divided into Operational Areas, each one consisting of a county and all the jurisdictions within that county including cities and special districts.

The State Hazard Mitigation Plan, issued by OES in 2018, contains risk assessments and sets forth mitigation strategies for a wide variety of natural and human-caused hazards. Hazard mitigation is any sustained action taken to reduce or eliminate long-term risk to people and property from natural or human-caused hazards and their effects (CalOES, 2018, p. 1.1-5).

#### **Los Angeles County**

The City of West Hollywood is the Los Angeles County Operational Area. The existing emergency response plan in Los Angeles County is the Los Angeles County Operational Area Emergency Response Plan (“ERP”) approved by the County Board of Supervisors in 2012. The ERP identifies

County agencies and other agencies that would be involved in emergency responses; threat summaries and assessments; and procedures for responding agencies as well as County agencies that would be involved in coordinating and managing responses. The ERP is focused on emergencies beyond the scope of the daily functions of public safety agencies, such as emergencies requiring multi-agency and/or multi-jurisdictional responses.

Further assessments of potential hazards and County resources available for responding to hazards are contained in the County of Los Angeles All-Hazard Mitigation Plan (AHMP) adopted by the County Board of Supervisors in 2014. The AHMP includes a vulnerability analysis for many types of hazards including earthquakes, floods, fires, and manmade hazards including terrorism and civil unrest; goals and objectives for strategies for mitigating hazards; proposed strategies and actions for reducing vulnerability to identified hazards; and lists of facilities and equipment available for responding to disasters.

### **Disaster Management Areas**

Los Angeles County is divided into eight disaster management areas (DMAs) established through a joint powers agreement between the Board and the 88 cities. Each DMA has a Coordinator who works with each city in its area to coordinate and train in planning for preparedness, response, mitigation and recovery from emergency/disasters; to advocate for cities and serve as liaisons to all levels of government (LACCEO, 2012).

The City of West Hollywood is in DMA A, which consists of the cities of Santa Monica, Beverly Hills, West Hollywood, Culver City, and certain unincorporated areas in the northwest part of the Los Angeles Basin.

### **Disaster Routes**

Four disaster routes designated by Los Angeles County pass through the City of West Hollywood: one primary disaster route, Santa Monica Boulevard; and three secondary disaster routes, La Cienega Boulevard, Laurel Canyon Boulevard, and La Brea Avenue (LACCEO, 2020).

### **City of West Hollywood**

The City of West Hollywood approved its Emergency Response Plan (EOP) in 2017. The EOP sets forth roles and responsibilities of various City agencies and officials in the four phases of emergency response: mitigation, preparedness, response, recovery; procedures for continuity of government; and procedures for implementing mutual aid. Sunset Boulevard is identified in the EOP as an evacuation route (City of West Hollywood, 2017). The City of West Hollywood Hazard Mitigation Plan was adopted by the City Council in 2004 and was last updated in 2018.

#### **4.8.3 Existing Conditions**

Existing emergency operations plans and hazard mitigation plans relevant to the City of West Hollywood are described above in **Section 4.8.2** under *Regulatory Framework*.





#### 4.8.4 Environmental Impact Analysis

##### Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, the project would have a significant impact regarding hazards and hazardous materials if it would:

**Threshold (a):** Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or

**Threshold (b):** Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; or

**Threshold (c):** Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; or

**Threshold (d):** Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment; or

**Threshold (e):** For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area; or

**Threshold (f):** Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or

**Threshold (g):** Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Thresholds of Significance from CEQA Appendix G were used to evaluate the potential level of initial impact and the potential level of impact after implementation of mitigation measures. The Initial Study, included as **Appendix A**, substantiates that impacts respecting **Significance Thresholds A, B, C, D, E, and G** would be less than significant. Therefore, this section focuses on impacts related to emergency response planning.

##### Analysis of Project Impacts

**Threshold F: Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

##### Less Than Significant Impact with Mitigation

Sunset Boulevard is designated an evacuation route in the City of West Hollywood EOP (West Hollywood, 2017). The nearest disaster routes to the project site designated by Los Angeles County are Santa Monica Boulevard, approximately 0.5 mile to the southeast; and La Cienega Boulevard, approximately 0.9 mile to the east (LACCEO, 2020).

## Construction

Construction activities for the project would be primarily confined to the project site and would only include minor offsite improvements in the public right-of-way in the streets surrounding the project site: Sunset Boulevard, Cory Avenue, and Carol Drive. Offsite improvements include utilities such as water, sewer, and electricity.

Mitigation measure **TRANS-1** (described in **Section 4.8.6**), which requires preparation and implementation of a Construction Traffic Management Plan during construction of the project would be implemented to ensure that adequate and safe access remains available within and near the project site during construction activities. The Construction Traffic Management Plan would detail how parking would be managed during project construction. The parking management plan would specify where onsite and offsite parking would be available during project construction. The Construction Traffic Management Plan would also include a street closure plan that details how vehicle traffic (including bus traffic), pedestrian traffic, and bicycle traffic would flow during temporary street closures during project construction.

The project would also comply with all applicable codes and ordinances for emergency access. Therefore, with adherence to regulatory requirements and implementation of a Construction Traffic Management Plan as required by mitigation measure **TRANS-1**, construction of the project would not impair implementation of, or physically interfere with, any adopted or onsite emergency response or evacuation plans and project impacts related to an adopted emergency response plan or emergency evacuation plan during construction would be less than significant with mitigation.

## Operation

During operation, the project would not involve any activities that would impede public access or travel along the public right-of-way or interfere with an adopted emergency response or evacuation plan. The increase in traffic generated by the project would not significantly impact emergency vehicle response to the project site and surrounding uses, including along City-designated disaster routes, since the drivers of emergency vehicles are able to avoid traffic by using sirens to clear a path of travel or by driving in the lanes of opposing traffic. Furthermore, the project would not include a land use that would constitute a potential hazard to the community (such as an airport, oil refinery, or chemicals plant), nor would it close any existing streets or otherwise represent a significant impediment to emergency response and evacuation of the local area. The project's proposed land uses would not require a new, or interfere with an existing, risk management, emergency response, or evacuation plan.

As discussed in **Section 4.12**, Transportation, of this Draft EIR, during operation, two driveways would provide ingress and egress from the project site; one from Cory Avenue, and one along a driveway connected to Carol Drive. The traffic study found both driveways to have no issues with access; however, the traffic study recommends a keep-clear sign at the Cory Avenue driveway due to the close proximity to the Cory Avenue/ Sunset Boulevard/ Doheny Road intersection (Sarsour, 2021, p. 20). Therefore, the project would implement **MM TRANS-2** (described in **Section 4.8.6**), which would help in reducing emergency access impacts during operation to less than significant. Furthermore, the project site plan will be reviewed by the Los Angeles County Fire Department and the project would comply with all emergency access requirements. Therefore, the project would not impair implementation of or physically interfere with adopted emergency response and emergency evacuation plans and project impacts related to inadequate emergency access during operation would be less than significant with implementation of mitigation measure **TRANS-2**.

#### 4.8.5 Cumulative Impacts

The area considered for cumulative impacts is the City of West Hollywood. Construction of other projects would involve temporary street closures for installation of utilities; and construction equipment and delivery trucks entering and exiting construction sites. Other projects would also be required to prepare and implement a Construction Traffic Management Plan specifying parking areas for construction workers, construction equipment, and delivery trucks; permissible work and queuing areas for construction equipment and delivery trucks on public roadways; and traffic management for temporary roadway closures (such as for utilities installation). Planned uses and closures of public roadways would be reviewed by the City of West Hollywood Public Works Department Engineering Division to ensure that uses and closures would not cause traffic or pedestrian hazards. Cumulative impacts on emergency response plans would be less than significant with the implementation of mitigation measures **TRANS-1** and **TRANS-2**, and project impacts would not be cumulatively considerable.

#### 4.8.6 Mitigation Measures

Impacts associated with significance threshold F would be less than significant with the implementation of the following mitigation measure related to the management of traffic and circulation during project construction.

**MM TRANS-1** Prior to construction, the General Contractor shall submit a detailed Construction Management Plan to be reviewed and approved by the City of West Hollywood. The Construction Management Plan shall specify that the Construction Manager will schedule truck traffic and employee shifts to avoid creating trips during the peak traffic periods, as is feasible for construction operations. All measures, including identified truck routes and designated employee parking areas, shall be included in the Construction Management Plan. The Plan shall include but is not limited to the following provisions:

- To handle street traffic affected by at-grade construction work on Sunset Boulevard, Cory Avenue, and Carol Drive, the Construction Management Plan shall specify how traffic will be routed and controlled during the construction phase, including which lane(s) of traffic will be temporarily blocked off for construction work.
- Specification of permitted hours for construction-related deliveries and removal of heavy equipment and material.
- Specification of where construction workers would park their personal vehicles during project construction with a requirement that at no time shall construction worker vehicles block any driveways. If complaints are received by the project applicant regarding issues with construction worker vehicle parking, the project applicant shall identify alternative parking options for construction workers so as not to interfere with any commercial and residential parking availability.
- Identification of how emergency access to and around the project site will be maintained during project construction.

- Specification of haul routes for delivery or removal of heavy and/or oversized equipment or material loads. Where feasible, delivery or removal of oversized equipment or material loads shall be conducted during off-peak traffic periods.
- Maintain pedestrian and bicycle connections around the project site designate safe crossing locations for all pedestrian detours.
- Maintain the security of the project site by erecting temporary fencing during the construction phase of the project. Any onsite night lighting used during the construction phase of the project shall be in compliance with lighting requirements of the City of West Hollywood.
- If temporary lane closures are necessary for the installation of utilities, that emergency access should be maintained at all times.
- Flag persons and/or detours shall be provided as needed to ensure safe traffic operations.
- Construction signs shall be posted to advise of reduced construction zone speed limits.
- The project design shall include entry/exit gates for first responders' vehicles to gain access to the project site.

**MM TRANS-2** A keep clear sign shall be located at the proposed Cory Avenue driveway to ensure there would be less than significant traffic congestion near the Cory Avenue/ Sunset Boulevard/ Doheny Road intersection.

#### **4.8.7 Level of Significance After Mitigation**

Impacts associated with significance **Threshold F** would be less than significant after implementation of Mitigation Measures **TRANS-1** and **TRANS-2**.

## 4.9 Hydrology and Water Quality

### 4.9.1 Introduction

Impacts to groundwater (groundwater supply, recharge, and groundwater quality), erosion, and flood hazards were determined to be less than significant in the Initial Study included as **Appendix A** to this DEIR. This Section focuses on impacts to surface water quality, runoff, and storm drainage capacity.

The information in this Section is based on the 9176 Sunset Boulevard Water Resources Technical Report by Psomas dated February 1, 2021; a complete copy of this Report is included as **Appendix K** to this DEIR.

### 4.9.2 Regulatory Framework

#### Federal

##### Clean Water Act

The Clean Water Act was first introduced in 1948 as the Water Pollution Control Act. The Clean Water Act authorizes federal, state, and local entities to cooperatively create comprehensive programs for eliminating or reducing the pollution of state waters and tributaries. The primary goals of the Clean Water Act are to restore and maintain the chemical, physical, and biological integrity of the nation's waters and to make all surface waters fishable and swimmable. As such, the Clean Water Act forms the basic national framework for the management of water quality and the control of pollutant discharges. The Clean Water Act sets forth several objectives to achieve the above-mentioned goals. These objectives include: regulating pollutant and toxic pollutant discharges; providing for water quality that protects and fosters the propagation of fish, shellfish and wildlife; developing waste treatment management plans; and developing and implementing programs for the control of non-point sources of pollution. The State Water Resources Control Board (SWRCB) and the nine Regional Water Quality Control Boards (RWQCBs) are the primary state agencies responsible for implementing the Clean Water Act and regulating the activities and factors that affect or have the potential to affect water quality in the state.

The Clean Water Act provides the legal framework for several water quality regulations including the National Pollutant Discharge Elimination System (NPDES), effluent limitations, water quality standards, pretreatment standards, anti-degradation policy, non-point source discharge programs, and wetlands protection. An NPDES permit is required for all discharges of pollutants to waters of the United States from any point source.

In addition to regulating non-stormwater discharges, the Clean Water Act sets forth water quality standards based on a water body's designated beneficial uses (e.g., wildlife habitat, agricultural supply, fishing etc.), along with water quality criteria necessary to support those uses. Water quality criteria are either prescribed concentrations or levels of constituents such as lead, suspended sediment, and fecal coliform bacteria, or narrative statements which represent the quality of water that support a particular use.

When designated beneficial uses of a particular receiving water body are being compromised by water quality, § 303(d) of the Clean Water Act requires identifying and listing that water body as "impaired." Once a water body has been deemed impaired, a Total Maximum Daily Load (TMDL) must



be established for the pollutant(s) or flows causing the impairment. A Total Maximum Daily Load is an estimate of the total load of pollutants from point, non-point, and natural sources that a water body may receive without exceeding applicable water quality standards. Those facilities and activities that are discharging into the water body, collectively, must not exceed the Total Maximum Daily Load. The United States Environmental Protection Agency (USEPA) oversees the 303(d) program and either the USEPA or the SWRCB establishes the Total Maximum Daily Load schedule for individual constituents.

In addition to trash and debris, common pollutants of concern that have the potential to affect water quality generally fall into one of the following seven categories: sediments; nutrients; bacteria/viruses; oil/grease; metals; organic compounds; and pesticides.

## State

### **Porter-Cologne Water Quality Control Act**

The Porter-Cologne Water Quality Control Act (Porter-Cologne) defines “water quality objectives” as the allowable “limits or levels of water quality constituents or characteristics which are established for the reasonable protection of beneficial uses of water or the prevention of nuisances within a specific area.” Thus, water quality objectives are intended to protect the public health and welfare, and to maintain or enhance water quality in relation to the existing and/or potential beneficial uses of the water. Water quality objectives apply to both waters of the U.S. and waters of the State. In the State of California, the Porter-Cologne Water Quality Control Act is administered in concurrence with the § 401 CWA Water Quality Certification. As with § 401 CWA, the Los Angeles RWQCB would provide review and water quality certification for Porter-Cologne.

### **State Water Resources Control Board Resolution No. 2019-0015 and Resolution No. 2021-0012**

On April 2, 2019, the SWRCB adopted **Resolution No. 2019-0015**, *Amendment to the Water Quality Control Plan for Ocean Waters of California and the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California to Establish a State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* (Procedures). for inclusion in the forthcoming Water Quality Control Plan for Inland Surface Waters and Enclosed Bays and Estuaries and Ocean Waters of California.

When a discharge of dredge or fill material is proposed to waters outside of federal jurisdiction, the SWRCB and the RWQCBs regulate the discharge under Porter-Cologne through the issuance of Waste Discharge Requirements (WDRs). CWA § 401 Water Quality Certifications, WDRs, and waivers of WDRs are referred to as orders or permits.

On April 6, 2021, the SWRCB issued **Resolution No. 2021-0012** confirming that the “State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State” (1) are in effect as state policy for water quality control for all waters of the State and (2) shall be applied via the inland surface waters and enclosed bays and estuaries plan to only waters of the United States.

### **National Pollutant Discharge Elimination System**

The SWRCB and its nine RWQCBs implement water quality regulations under the federal CWA and California Porter Cologne Water Quality Control Act. Existing water quality regulations require

compliance with the NPDES for discharges of storm water runoff associated with construction activity.

The LARWQCB issues combined NPDES permits under the Clean Water Act and Waste Discharge Requirements (under the California Water Code) to point dischargers of waste to surface waters. To ensure protection of water quality, NPDES permits may contain effluent limitations for pollutants of concern, pollutant monitoring frequencies, reporting requirements, schedules of compliance (when appropriate), operating conditions, BMPs, and administrative requirements. NPDES permits apply to: publicly-owned treatment works discharges; industrial wastewater discharges; and municipal, industrial, and construction site stormwater discharges. Further discussion of the LARWQCB stormwater discharge permitting activities is provided below.

### **California Green Building Standards Code**

The California Green Building Standards Code (CALGreen Code), Part 11 of the California Building Standards Code (Title 24) is designed to improve public health, safety, and general welfare by utilizing design and construction methods that reduce the negative environmental impact of development and encourage sustainable construction practices.

The CALGreen Code provides mandatory direction to developers of all new construction and renovations of residential and non-residential structures regarding all aspects of design and construction, including but not limited to site drainage design, stormwater management, and water use efficiency. Required measures are accompanied by a set of voluntary standards designed to encourage developers and cities to aim for a higher standard of development.

### **Regional and Local**

#### **County of Los Angeles Hydrology Manual**

The Los Angeles County Department of Public Works' Hydrology Manual (Hydrology Manual) requires that a storm drain conveyance system be designed for a 25-year storm event and that the combined capacity of a storm drain and street flow system accommodate flow from a 50-year storm event. Areas with sump conditions are required to have a storm drain conveyance system capable of conveying flow from a 50-year storm event. The County also limits the allowable discharge into existing storm drain facilities based on the municipal separate stormwater sewer systems permit and is enforced on all new developments that discharge directly into the County's storm drain system. Any proposed drainage improvements of County-owned storm drain facilities such as catch basins and storm drain lines require the approval/review from the County Flood Control District department. The City of Los Angeles has also adopted the Hydrology Manual as its basis of design for storm drain facilities.

#### **County of Los Angeles Stormwater Quality Management Program**

The Los Angeles County NPDES Permit contains provisions for implementation of the Stormwater Quality Management Program by the Co-Permittees (collectively, the 84 Los Angeles County cities, including the City of Los Angeles, and Los Angeles County). The Stormwater Quality Management Program states that Permittees are required to implement the most effective combination of BMPs for stormwater/urban runoff pollution control. The objective of the Stormwater Quality Management Program is to reduce pollutants in urban stormwater discharges to the maximum extent practicable

to attain water quality objectives and to protect the beneficial uses of receiving waters in Los Angeles County.

### **Standard Urban Stormwater Mitigation Plan (SUSMP)**

In accordance with § 402(p) of the Clean Water Act, municipal NPDES permits prohibit the discharge of non-stormwater pollutants except under certain conditions and require controls to reduce pollutants in discharges to the maximum extent practicable. Such controls include BMPs, as well as system, design, and engineering methods. Under the municipal NPDES permit, permittees are required to implement a development planning program to address stormwater pollution.

Under the Los Angeles County Municipal NPDES Permit, permittees are required to implement a development planning program to address storm water pollution. These programs require project applicants for certain types of projects to implement Standard Urban Stormwater Mitigation Plans (SUSMP) throughout the operational life of their projects. The purpose of SUSMP is to reduce the discharge of pollutants in storm water by outlining BMPs which must be incorporated into the design plans of new development and redevelopment. A project is subject to SUSMP if it falls under one of the categories listed below:

- Single-family hillside homes
- Ten or more unit homes (including single family homes, multifamily homes, condominiums, and apartments).
- Automotive service facilities
- Restaurants
- 100,000 or more square feet of impervious surface in industrial/commercial development.
- Retail gasoline outlet
- Parking lots with 5,000 square feet or more of surface area or with 25 or more parking spaces
- Redevelopment projects in subject categories that meet redevelopment thresholds
- Location within or directly adjacent to or discharging directly to an environmentally sensitive area if the discharge is likely to impact a sensitive biological species or habitat and the development creates 2,500 square feet or more of impervious surface.

Permittees are required to adopt the requirements set herein in their own SUSMP. Additional BMPs may be required by ordinance or code adopted by the Permittee and applied in a general way to all projects or on a case-by-case basis.

### **City of West Hollywood Stormwater Program**

The City of West Hollywood supports the requirements of the Los Angeles County Municipal NPDES permit through the City of West Hollywood's Urban Runoff Management Program, which the City of

West Hollywood Department of Public Works adopted in 2015. The Urban Runoff Management Program provides guidance for developers in complying with the requirements of the Development Planning Program regulations of the City's Stormwater Program. Compliance with the requirements of this program is required by City of West Hollywood Ordinance No. 15.56.060.

The City of West Hollywood implements the requirement to incorporate stormwater BMPs into the SUSMP through the City's plan review and approval process which includes review of project plans for compliance with the City's General Plans, zoning ordinances, and other applicable local ordinances and codes, including storm water requirements. Plans and specifications are reviewed to ensure that the appropriate BMPs are incorporated to address storm water pollution prevention goals. The SUSMP provisions that are applicable to new residential and commercial developments include, but are not limited to, the following:

- g. Peak Storm Water Runoff Discharge Rate: Post-development peak storm water runoff discharges shall not exceed the estimated pre-development rate for developments where the increased peak storm water discharge rate will result in increased potential for downstream erosion;
- h. Provide storm drain system Stenciling and Signage (only applicable if a catch basin is built on-site);
- i. Properly design outdoor material storage areas to provide secondary containment to prevent spills;
- j. Properly design trash storage areas to prevent off-site transport of trash;
- k. Provide proof of ongoing BMP Maintenance of any structural BMPs installed;
- l. Design Standards for Structural or Treatment control BMPs:
  - Conserve natural and landscaped areas;
  - Provide planter boxes and/or landscaped areas in yard/courtyard spaces;
  - Properly design trash storage areas to provide screens or walls to prevent off-site transport of trash;
  - Provide proof on ongoing BMP maintenance of any structural BMPs installed;
- m. Design Standards for Structural or Treatment Control BMPs:
  - Post-construction treatment control BMPs are required to incorporate, at minimum, either a volumetric or flow-based treatment control design or both, to mitigate (infiltrate, filter or treat) storm water runoff.

### **Low Impact Development**

In June 2015, the City of West Hollywood passed an ordinance (Ordinance No. 15-995) amending City of West Hollywood Municipal Code to expand the applicability of the existing Standard Urban Stormwater Mitigation Plan requirements by imposing rainwater Low Impact Development (LID)

strategies on projects that require building permits. LID is a stormwater management strategy with goals to mitigate the impacts of increased runoff and stormwater pollution as close to its source as possible. LID promotes the use of natural infiltration systems, evapotranspiration, and the reuse of stormwater. The goal of these LID practices is to remove nutrients, bacteria, and metals from stormwater while also reducing the quantity and intensity of stormwater flows. Using various infiltration strategies, LID is aimed at minimizing impervious surface area. Where infiltration is not feasible, the use of bioretention, rain gardens, green roofs, and rain barrels that will store, evaporate, detain, and/or treat runoff may be used.

The intent of the City of West Hollywood LID standards is to:

- n. Require the use of LID practices in future developments and redevelopments to encourage the beneficial use of rainwater and urban runoff;
- o. Reduce stormwater/urban runoff while improving water quality;
- p. Promote rainwater harvesting;
- q. Reduce offsite runoff and provide increased groundwater recharge;
- r. Reduce erosion and hydrologic impacts downstream; and
- s. Enhance the recreational and aesthetic values in our communities.

The City of West Hollywood's LID Ordinance conforms to the regulations outlined in the NPDES Permit and SUSMP.

### **Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties**

As required by the California Water Code, the LARWQCB has adopted a plan entitled Water Quality Control Plan, Los Angeles Region: Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (Basin Plan). Specifically, the Basin Plan designates beneficial uses for surface waters and groundwater, sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state's Antidegradation Policy, and describes implementation programs to protect all waters in the Los Angeles Region. In addition, the Basin Plan incorporates (by reference) all applicable state and RWQCB plans and policies and other pertinent water quality policies and regulations. Those of other agencies are referenced in appropriate sections throughout the Basin Plan. The Basin Plan is a resource for the RWQCB and others who use water and/or discharge wastewater in the Los Angeles Region. Other agencies and organizations involved in environmental permitting and resource management activities also use the Basin Plan. The Basin Plan also provides valuable information to the public about local water quality issues.

#### **4.9.3 Existing Conditions**

##### **Watershed and Regional Drainage**

The proposed project site is 18,608 square feet (approximately 0.43-acre) and is in the northwest part of the Los Angeles Basin, with elevations ranging from approximately 407 feet above mean sea level (amsl) to 420 feet amsl. The project site is in the Los Angeles River Watershed (watershed), which drains 824 square miles of western, central, and southern Los Angeles County and some small



areas of eastern Ventura County. The watershed extends from the San Gabriel Mountains on the northeast, to the Santa Susana Mountains and Santa Monica Mountains on the northwest and west, respectively, and extending south to the mouth of the Los Angeles River in the City of Long Beach. The watershed includes the San Fernando Valley, much of central Los Angeles, and parts of south Los Angeles. The Los Angeles River, the primary stream in the watershed, extends 48 miles from the confluence of Bell Creek and the Arroyo Calabasas in the southwest San Fernando Valley to the Pacific Ocean at the City of Long Beach (LWRWQCB, 2020).

### Local Drainage

The existing project site is 99 percent impervious. The project site is divided into two drainage areas: Area A, 0.29 acres comprising the west and central parts of the site, that drain to Cory Avenue; and Area B, 0.14 acre in the east part of the site draining to Carol Drive. Drainage onsite is by surface flow west to Cory Avenue, and south to the alley next to the south project site boundary. Stormwater in the alley flows east to Carol Drive and then flows south in Carol Drive to a catch basin at the intersection of Phyllis Street and Carol Drive. The nearest catch basins to the project site are in Cory Avenue, and at the intersection of Carol Drive and Phyllis Street. The catch basin in Cory Avenue discharges to a 72-inch reinforced concrete pipe (RCP) storm drain owned by Los Angeles County Flood Control District (Psomas, 2021b, p. 14). The storm drains nearest to the project site are part of a system of storm drains—some owned by the cities of West Hollywood, Los Angeles, and Beverly Hills, and some owned by Los Angeles County Public Works—that discharge to Ballona Creek, located approximately four miles south of the project site (LACPW, 2020). The project site is in the Ballona Creek Watershed, which drains approximately 128 square miles—much of the northwest portion of the Los Angeles Basin—and is part of the larger Los Angeles River Watershed (CDFW, 2020). Ballona Creek, an engineered channel and the main waterway in the Ballona Creek Watershed, extends northeast-southwest approximately nine miles, discharging into the Pacific Ocean next to the south side of Marina Del Rey.

### Surface Water Quality

TMDLs are established for each listed pollutant for each water body listed on the Clean Water Act Section 303(D) List of Water Quality Limited Segments. Ballona Creek is listed for impairments with several contaminants identified below in **Table 4.9-1**. One TMDL is under preparation; completion was estimated in 2005. The remaining TMDLs are approved.

**Table 4.9-1**  
**BALLONA CREEK: POLLUTANTS LISTED ON SECTION 303(D) LIST OF WATER QUALITY LIMITED SEGMENTS**

Pollutant	Total Maximum Daily Load (TMDL) Status
Copper	Approved 2005
Cyanide	Estimated completion 2005
Indicator bacteria	Approved 2007
Lead	Approved 2005
Selenium	Approved 2005
Toxicity	Approved 2005
Trash	Approved 2001
Viruses (enteric)	Approved 2007
Zinc	Approved 2005

Source: SWRCB, 2020

The RWQCB Basin Plan for the Los Angeles Basin has designated the following *potential* beneficial uses for Ballona Creek:

- **Municipal and Domestic Supply (MUN)** - waters which are used for community, military, municipal or individual water supply systems. These uses may include, but are not limited to, drinking water supply.
- **Warm Freshwater Habitat (WARM)** - waters which support warmwater ecosystems that may include, but are not limited to, preservation and enhancement of aquatic habitats, vegetation, fish and wildlife, including invertebrates.
- **Wildlife Habitat (WILD)** - Uses of water that support terrestrial ecosystems including, but not limited to, preservation and enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources.

**Figure 4.9-1**, *Surface Water and Watersheds* further describes existing conditions relevant to the project site.

### Flood Hazards

The project site is flood hazard zone X designated by the Federal Emergency Management Agency, meaning that it is outside of 100-year and 500-year flood zones (Psomas, 2021b, p. 14) (see **Figure 4.9-2**, Flood Hazard Zones).

#### 4.9.4 Methodology

In February 2021, Psomas prepared a Preliminary Hydrology and Hydraulics report (Psomas, 2021) that was reviewed in preparation of the analysis that follows. The full report can be found in **Appendix K**.

Psomas used the following methodologies to prepare their report:

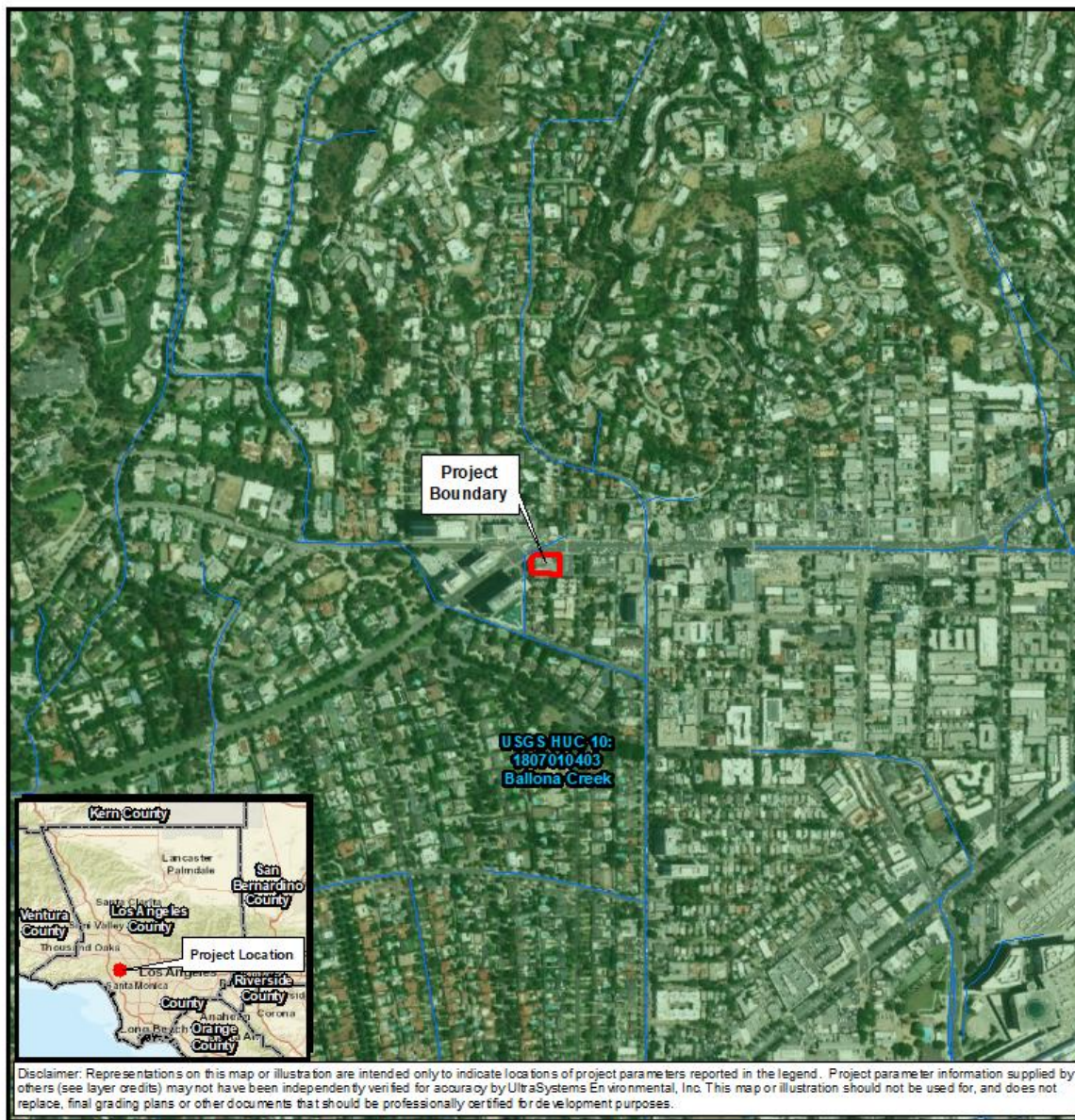
#### Los Angeles County Modified Rational Method (MODRAT)

All hydrologic analyses were performed in accordance with the Los Angeles County Department of Public Works (LACDPW) Hydrology Manual (2006). The Modified Rational Method (MODRAT) was used to calculate storm water runoff. The “peak” (maximum value) runoff for a drainage area is calculated using the formula, **Q=CIA where**

- Q = Volumetric flow rate (cubic feet per second)
- C = Runoff coefficient (dimensionless)
- I = Rainfall Intensity at a given point in time (inches per hour)
- A = Basin area (acres)

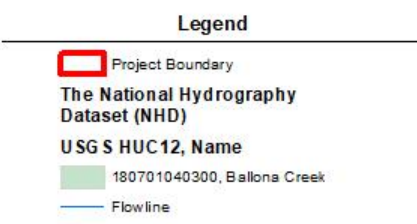
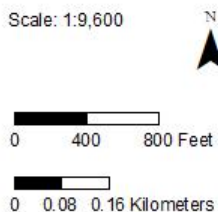
The Los Angeles County Public Works Time of Concentration Calculator (Tc Calculator) was used to calculate concentration times as well as the peak runoff rates and volumes using the Modified Rational Method design criteria as outlined in the Hydrology Manual.

**Figure 4.9-1**  
**SURFACE WATER AND WATERSHEDS**



Path: \\GIS\SRV\proj\Project\7062\_Ori\_Visio\_California\7063\_Water\_4\_18\_Surface\_Water\_2020\_10\_05.mxd  
 Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Source: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, USGS, 2020; UltraSystems Environmental, Inc., 2020

October 05, 2020



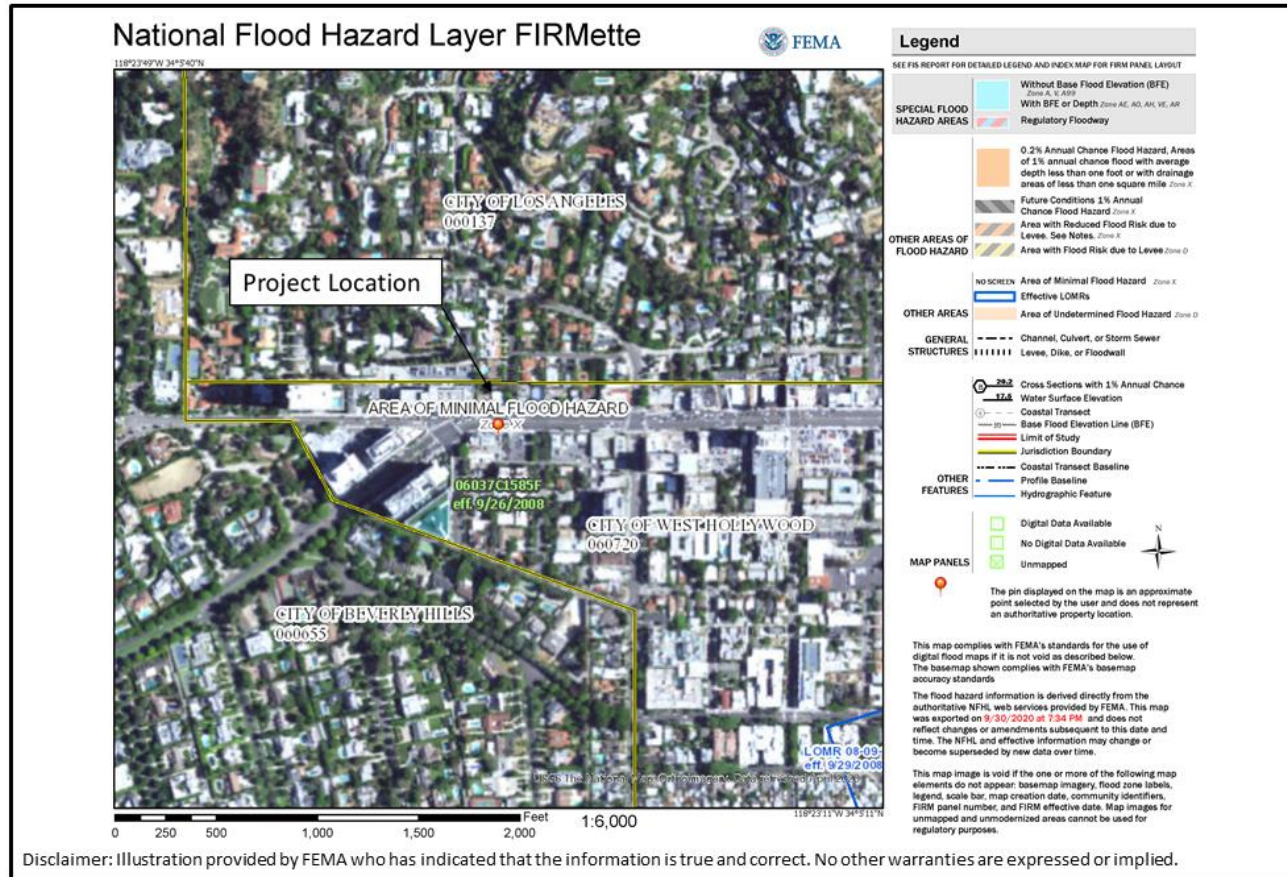
**9160-9176 Sunset Boulevard  
Commercial Project**

USGS  
Surface Waters and Watersheds





**Figure 4.9-2  
FLOOD HAZARD ZONES**



Sources: FEMA, September 30, 2020.



**9160-9176 Sunset Boulevard  
Commercial Project**

FEMA FIRM Map



## 4.9.5 Environmental Impacts

### Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, the project would have a significant impact regarding hydrology and water quality if it would:

- A. **Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; or**
- B. **Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin; or**
- C. **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:**
  - i. **result in substantial erosion or siltation on- or off-site;**
  - ii. **substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;**
  - iii. **create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or**
  - iv. **impede or redirect flood flows; or**
- D. **In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation; or**
- E. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

The Initial Study, included as **Appendix A** to this DEIR, substantiates that impacts associated with the following thresholds would be less than significant: **Thresholds B, C.i, C.iv, D, and E**. Those impacts are not addressed in the impact analyses below.

### Analysis of Project Impacts

***Threshold A: Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?***

#### Less Than Significant Impact

Based on expected construction and operation activities, potential project-related stormwater pollutants may include:





## ❖ SECTION 4.9 - HYDROLOGY AND WATER QUALITY ❖

- **Pathogens** (e.g., viruses, indicator bacteria): Bacteria and viruses are common contaminants of stormwater. For separate storm drain systems, sources of these contaminants include animal excrement and sanitary sewer overflow. High levels of indicator bacteria in stormwater have led to the closure of beaches, lakes, and rivers to contact recreation such as swimming (LARWQCB, 2014, pp. 3-6 – 3-56).
- **Nutrients** (e.g., phosphorus and nitrogen): Nutrients including nitrogen and phosphorous are the major plant nutrients used for fertilizing landscapes, and are often found in stormwater. These nutrients can result in excessive or accelerated growth of vegetation, such as algae, resulting in impaired use of water in lakes and other sources of water supply. For example, nutrients have led to a loss of water clarity in Lake Tahoe. In addition, un-ionized ammonia (one of the nitrogen forms) can be toxic to fish (LARWQCB, 2014, pp. 3-6 – 3-56).
- **Sediment** (causes sediment toxicity, sedimentation, and siltation): Sediment is a common component of stormwater, and can be detrimental to aquatic life (aquatic plants and algae, benthic invertebrates, and fish) by interfering with photosynthesis, respiration, growth, reproduction, and oxygen exchange. Sediment can also transport pollutants that are attached to it including nutrients, trace metals, and hydrocarbons. Sediment is the primary component of total suspended solids (TSS) and turbidity, common water quality analytical parameters. Sediment and turbidity in the water column can lead to increased water temperatures, which in turn depresses the amount of dissolved oxygen that water can hold, causing stress to or death of aquatic animals (LARWQCB, 2014, pp. 3-6 – 3-56).
- **Oil, grease, and hydrocarbons:** Oil, grease, and hydrocarbons include a wide array of hydrocarbon compounds, some of which are toxic to aquatic organisms at low concentrations. Sources of oil, grease, and hydrocarbons include leakage, spills, cleaning, and sloughing associated with vehicle and equipment engines and suspensions, leaking and breaks in hydraulic systems, and waste oil disposal (LARWQCB, 2014, pp. 3-6 – 3-56).
- **Trash and debris:** (e.g., floatables): may introduce heavy metals, pesticides, and bacteria in stormwater. Typically resulting from an urban environment, industrial sites and construction sites, trash and floatables may create an aesthetic “eye sore” in waterways. Gross pollutants also include plant debris (such as leaves and lawn clippings from landscape maintenance), animal excrement, street litter, and other organic matter. Such debris may harbor bacteria, viruses, and other vectors, and depress the dissolved oxygen levels in streams, lakes, and estuaries sometimes causing fish kills (LARWQCB, 2014, pp. 3-6 – 3-56).
- **Pesticides and herbicides** (e.g., chlordane, DDT): Pesticides and herbicides (including fungicides, rodenticides, and insecticides) have been repeatedly detected in stormwater at toxic levels, even when pesticides have been applied in accordance with label instructions. As pesticide use has increased, so too have their presence in stormwater. Accumulation of these compounds in simple aquatic organisms, such as plankton, provides an avenue for biomagnification through the food web, potentially resulting in elevated levels of toxins in organisms that feed on them, such as fish, birds, and humans (LARWQCB, 2014, pp. 3-6 – 3-56).



- **Oxygen demanding substances:** Oxygen-demanding substances are those substances that require oxygen as part of their natural, biological, or chemical processes. The oxygen demand of a substance can lead to depletion of natural oxygen resources in a water body and possibly the development of septic conditions. Proteins, carbohydrates, and fats are examples of oxygen-demanding substances. They can also be referred to as “biodegradable organics.” The presence of oxygen-demanding substances in water is measured as biochemical oxygen demand (BOD) and chemical oxygen demand (COD; City of Los Angeles 2000, p. 5).

Pollutants of concern for Ballona Creek, that is, pollutants that could be generated by the project and for which Ballona Creek is also listed on Section 303(d) List of Water Quality Limited Segments, are sediment/turbidity, organic compounds, trash and debris, bacteria and viruses, and metals (Psomas, 2021b, p. 18).

Development of the proposed project may result in two types of water quality impacts: (1) short-term impacts due to construction-related discharges; and (2) long-term impacts from operation or changes in site runoff characteristics. Runoff during the construction process may carry onsite surface pollutants to groundwater, through insufficient construction stormwater best management practices (BMPs), or to receiving water bodies such as streams, rivers, and channels that ultimately drain to the ocean. Projects that increase urban runoff into local streets or storm drains may indirectly increase erosion as well as local and regional flooding intensity.

### **Construction Pollutants Control**

Construction projects typically expose soil to erosion and may temporarily alter drainage patterns. Stormwater runoff during construction may contain soil amendments such as fertilizers and pesticides, entrained soil, trash, waste oil, paints, solvents, and other substances used during construction.

The project owner would implement construction BMPs in compliance with the requirements of the 2019 California Green Building Code, to reduce or eliminate point and non-point source discharges of pollutants. With implementation of construction BMPs potential violations of water quality standards or waste discharge requirements during project construction would be less than significant impact.

### **Operational Pollutant Controls**

The Los Angeles County NPDES Permit (NPDES No. CA004001) and Waste Discharge Requirements Area-Wide Urban Storm Water Runoff Management Program regulates, through Los Angeles RWQCB Order No. R4-2012-0175-A01, the discharge of pollutants into waters of the U.S. through stormwater and urban runoff conveyance systems, including flood control facilities. These conveyance systems are commonly referred to as municipal separate storm sewer systems (MS4s), or storm drains. The NPDES Permit is also referred to as an MS4 Permit (LARWQCB, 2016).

Pursuant to the MS4 Permit, Principal Permittees and Co-Permittees (the City of West Hollywood is a Co-Permittee) must regulate discharges of pollutants in urban runoff from human-caused sources into storm water conveyance systems within their jurisdiction.

As new development and redevelopment occurs, it can significantly increase pollutant loads in stormwater and urban runoff, because increased population density results in proportionately



higher levels of vehicle emissions, vehicle maintenance wastes, municipal sewage wastes, household hazardous wastes, fertilizers, pet waste, trash, and other human-generated pollutants (LARWQCB, 2016). The Los Angeles County MS4 Permit requires new development and significant redevelopment projects to incorporate post-construction low-impact development (LID) BMPs into project design to comply with the local Low-Impact Development Standards Manual (LID Manual) to reduce or eliminate the quantity, and improve the quality of, stormwater being discharged from the project site.

The proposed project includes a project-specific Water Resources Technical Study, which specifies operational LID BMPs in compliance with the MS4 permit requirements.

### **Site Design BMPs**

Site design BMPs reduce or eliminate post-project runoff. The following site design BMPs are specified for the project:

- Catch basin insert filters would be connected to proposed storm drain catch basins within the Project Site. Runoff from building and pavement, which would comprise most of the site, would be collected via private storm drains and routed into a proposed stormwater harvesting and reuse system. Insert filters remove sediment, trash, oil, and grease before runoff would enter proposed storm drains onsite.
- Permeable pavement is proposed to reduce overall stormwater runoff.

### **Source Control BMPs**

Source control BMPs reduce the potential for pollutants to enter runoff. The following source control BMP is selected for the project:

- Stenciling (“No Dumping/Drains to Ocean”) will be provided for public storm drains near the vicinity of the Project.

### **Treatment Control BMPs**

Treatment control BMPs remove pollutants from contaminated stormwater before the water is discharged offsite. The treatment control BMP selected for the project is stormwater harvesting and reuse through a pre-treatment settlement device, catch basins, private storm drains, and a cistern. Stormwater would be used for landscape irrigation, with some of it pumped up to terraces for that use.

The stormwater capture and reuse system would be sized to treat and store runoff from an 85<sup>th</sup>-percentile, 24-hour storm, that is, 1.1 inches of rainfall in 24 hours. The required stormwater storage volume is 950 cubic feet (cf) in Area A and 459 cf in Area B, for a total of 1,409 cf or 10,539 gallons. The capture and reuse system would include a bypass system directing stormwater exceeding the system’s capacity to Cory Avenue, where an existing catch basin is present.

The project would treat, store, and re-use runoff for landscape irrigation, in accordance with the MS4 permit and Los Angeles County SUSMP and City of West Hollywood LID requirements. Project water quality impacts would be less than significant.



**Threshold C: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:**

- i. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;**
- ii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

Less Than Significant Impact

Existing drainage from the project site is by surface flow west to Cory Avenue, and south to an alley extending east to Carol Drive. The proposed drainage system, including catch basins, catch basin insert filters, private storm drains, and a cistern, would reduce runoff from the project site from a 25-year storm by 11.4 percent in Area A and 14.3 percent in Area B, as shown below in Table 4.9-1.<sup>62</sup> Project development would not cause flooding on- or off-site and would not exceed the capacity of existing public storm drains near the project site. Project impacts on flooding and on storm drainage capacity would be less than significant. Impacts of project construction and operation respecting polluted runoff would be less than significant, as substantiated above in **Section 4.9.5a**.

**Table 4.9-1  
EXISTING AND PROPOSED PEAK RUNOFF FLOWS**

Storm Event	Existing		Proposed <sup>1</sup>		% Reduction	
	Area A QTotal [cfs]	Area B QTotal [cfs]	Area A QTotal [cfs]	Area B QTotal [cfs]	Area A	Area B
5-Yr	0.59	0.28	0.48	0.22	18.6%	21.4%
10-Yr	0.72	0.34	0.61	0.28	15.3%	17.6%
25-Yr	0.88	0.42	0.78	0.36	11.4%	14.3%
50-Yr	1.01	0.48	0.91	0.42	9.9%	12.5%
100-Yr	1.13	0.54	1.03	0.48	8.8%	11.1%

<sup>1</sup> Includes reduction from BMP implementation (subtracting the 85th Percentile storm flow of 0.11 cfs and 0.06 cfs for Areas A and B, respectively)

Source: Psomas, 2021b

**4.9.6 Cumulative Impacts**

The area considered for cumulative impacts on hydrology and water quality is the Ballona Creek Watershed (Watershed), which spans approximately 128 square miles in the northwest part of the Los Angeles Basin. Most of the Watershed is in the City of Los Angeles; the balance is within the cities

<sup>62</sup> Runoff from a 25-year storm is addressed in the text because Los Angeles County requires protection from the Urban Flood, that is, a 25-year storm falling on a saturated watershed (Psomas, 2021b, p. 13).



of West Hollywood, Santa Monica, Beverly Hills, and Culver City; and unincorporated areas of Los Angeles County.

### **Surface Water and Drainage**

Other projects in the Watershed would add impervious surfaces and thus could increase runoff from the respective project sites. Other projects within the City of Los Angeles, would be required to comply with the City's LID Handbook; and projects within the cities of West Hollywood, Santa Monica, Beverly Hills, and Culver City, and unincorporated areas of Los Angeles County, with the Los Angeles County SUSMP. Projects must limit post-project runoff rates to no greater than existing rates, pursuant to the SUSMP or LID Handbook. Compliance with existing drainage requirements would reduce cumulative impacts on surface water and drainage to less than significant, and project impacts would not be cumulatively considerable.

### **Water Quality**

Other projects in the Watershed would generate pollutants that could contaminate stormwater. Other projects would be required to implement BMPs to minimize stormwater pollution pursuant to the SUSMP or LID Handbook. Other projects each disturbing one acre or more of land would be required to prepare and implement SWPPPs specifying construction BMPs those projects would be required to implement to minimize stormwater pollution. Compliance with existing water quality requirements would reduce cumulative impacts on water quality to a less than significant level, and project impacts would not be cumulatively considerable.

#### **4.9.7 Mitigation Measures**

Impacts would be less than significant, and no mitigation measures are required.

#### **4.9.8 Level of Significance after Mitigation**

Impacts would be less than significant without mitigation.



## **4.10 Land Use and Planning**

### **4.10.1 Introduction**

The following discussion focuses on project consistency with applicable land use plans, policies, or regulations.

### **4.10.2 Regulatory Framework**

#### **Federal**

There are no federal regulations that pertain to this issue area.

#### **State**

##### **Southern California Association of Governments**

The Southern California Association of Governments (SCAG) is the designated regional planning agency for six counties in Southern California: Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. SCAG is a Joint Powers Authority under California state law, established as an association of local governments that voluntarily convene to address regional issues. Under federal law, SCAG is designated as a Metropolitan Planning Organization and under state law it is a Regional Transportation Planning Agency and a Council of Government (SCAG, 2021).

##### ***SCAG Regional Comprehensive Plan (RCP)***

The RCP is a major advisory plan that addresses important regional issues such as housing, traffic/transportation, water, and air quality. The RCP serves as an advisory document to local agencies in the Southern California region for their information and voluntary use for preparing local plans and handling local issues of regional significance (SCAG, 2008).

##### ***Connect SoCal - 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)***

In September 2020, SCAG's Regional Council adopted the Connect SoCal – 2020-2045 RTP/SCS, which is a long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. It charts a path toward a more mobile, sustainable and prosperous region by making connections between transportation networks, between planning strategies and between the people whose collaboration can improve the quality of life for Southern Californians (SCAG, 2020b).

Connect SoCal outlines more than \$638 billion in transportation system investments through 2045. It was prepared through a collaborative, continuous, and comprehensive process with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura (SCAG, 2020b).

### **Air Quality Management Plan**

The South Coast Air Quality Management District’s Air Quality Management Plan (AQMP) is a regional blueprint for achieving air quality standards and healthful air. The 2016 AQMP (most recent available) represents a comprehensive analysis of emissions, meteorology, atmospheric chemistry, and regional growth projections (SCAQMD, 2017).

### **Metro Congestion Management Program**

As the Congestion Management Agency for Los Angeles County, the Los Angeles County Metropolitan Transportation Authority (Metro) is responsible for implementing the Congestion Management Program (CMP). State statute requires that a congestion management program be developed, adopted and updated biennially for every county that includes an urbanized area and shall include every city and the county government within that county. The Metro Board adopted the 2010 CMP for Los Angeles County in October of 2010. CMP implementation guidelines for local jurisdictions are contained in the 2010 CMP (Metro, 2010).

### **Local**

#### **City of West Hollywood General Plan**

The City of West Hollywood 2035 General Plan, adopted in 2011, provides a roadmap for the city to continue building on its success. It is intended to provide guidance for the next 25 years, with long-term strategies that address the unique characteristics and needs of West Hollywood. The General Plan includes 10 elements, including a Land Use & Urban Form Element (Rami + Associates, Inc., 2011).

#### **City of West Hollywood Municipal Code**

The City of West Hollywood Municipal Code implements the community’s long-standing stated policies aimed at retaining its entertainment, arts and design scene and eclectic urban character as expressed in the General Plan Land Use Element (West Hollywood, 2020).

### 4.10.3 Existing Conditions

#### Existing and Adjacent Land Uses

The project site is currently developed with an automotive dealership and a surface parking lot, located at 9160, 9166 and 9174 Sunset Boulevard (APNs 4340-028-001, -002 and -010). Land uses in the vicinity of the project site include medical office, commercial, multi-family residential uses opposite Sunset Boulevard to the north; commercial uses to the west opposite Cory Avenue; a Southern California Edison (SCE) utility yard, single family residential and multi-family residential developments to the south; and a surface parking lot for a nearby office building to the east (Google Earth Pro, 2021).

#### Project Site General Plan Land Use and Zoning Designations

**Figure 4.10-1** identifies the General Plan Land Use designations for the project site and vicinity. The project site has the land use designation of “Sunset Specific Plan (SSP)” (City of West Hollywood, 2010). **Figure 4.10-2** identifies the zoning designations for the project site and vicinity. The project site is zoned “Sunset Specific Plan (SSP)” (City of West Hollywood, 2018a).

### 4.10.4 Methodology

This analysis compares the characteristics of the proposed project to determine its consistency with the city’s General Plan, Sunset Specific Plan, and Municipal Code. This analysis also evaluates the compatibility of the project improvements with surrounding land uses.

### 4.10.5 Environmental Impact Analysis

#### Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, the project would have a significant impact regarding land use if it would:

- **Physically divide an established community; or**
- **Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.**


Thresholds of Significance from CEQA Appendix G were used to evaluate the potential level of initial impact and the potential level of impact after implementation of mitigation measures. The Initial Study, included as **Appendix A**, substantiates that there would be no land use impacts related to **Threshold A** noted above. Therefore, this section focuses on impacts related to conflict with applicable land use plans, policies and regulations.

**Figure 4.10-1  
GENERAL PLAN LAND USE DESIGNATIONS**



Path: \\Gissvr\gis\Projects\7072\_CityOfCommerce\_TransitMaintenanceFacility\_IS\_MND\_CE\MXDs\BIO\7063\_WeHo\_General\_Plan\_2021\_02\_26.mxd  
 Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community; SCAG, 2012; 2012; UltraSystems Environmental, Inc., 2020  
 February 26, 2021

Scale: 1:1,440






**Legend**

-  Project Boundary
-  City Boundary

**City Of West Hollywood Land Use**

-  R3A - Residential, Multi-Family Medium Density
-  R4B - Residential, Multi-Family High Density
-  SSP - Sunset Specific Plan

**9160-9176 Sunset Boulevard Commercial Project**

General Plan  
Land Use Designation





**Figure 4.10-2  
ZONING DESIGNATIONS**



Path: \\GIS\vr\gis\Projects\7072\_CityOfCommerce\_TransitMaintenanceFacility\_IS\_MND\_CEMXD\BIO\7063\_WeHo\_2\_0\_Zoning\_2021\_02\_26.mxd  
 Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, SCAG, 2012, 2012; UltraSystems Environmental, Inc., 2021

February 26, 2021







Scale: 1:1,440



0 60 120 Feet

0 15 30 Meters

**Legend**

-  Project Boundary
-  City Boundary
- City Of West Hollywood Zoning**
-  PK - Parking Overlay
-  R3A - Residential, Multi-Family Medium Density
-  R4 - Residential, Multi-Family High Density
-  SSP - Sunset Specific Plan

**9160-9176 Sunset Boulevard  
Commercial Project**

Zoning Designation





### Analysis of Project Impacts

**Threshold B:** *Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

### Less than Significant Impact

The proposed project would construct and operate a five-story mixed-use building with a three-story underground parking lot on an approximately 0.43-acre project site. The approximately 52,999 square-foot, five-story, mixed-use building would consist of office and high turnover restaurant uses on the first floor, and exclusively office uses on the remaining four floors. The proposed three-story underground parking lot would provide approximately 86 vehicle spaces plus two loading spaces, and ten bicycle parking spaces, in addition to the six bicycle parking spaces on the ground level.

The project site has a General Plan land use designation of Sunset Specific Plan (SSP), and a zoning designation of SSP. **Table 4.10-1** provides details for the project site and surrounding area's land use, zoning designations, and existing development.

**Table 4.10-1**  
**EXISTING LAND USE, ZONING, AND DEVELOPMENT FOR THE PROJECT SITE AND PROJECT AREA**

Location	General Plan Designation	Zoning Designation	Existing Development
Project Site	Sunset Specific Plan (SSP)	Sunset Specific Plan (SSP)	Car dealership and surface parking lot
<b>Surrounding Area</b>			
North	Sunset Specific Plan (SSP)	Sunset Specific Plan (SSP)	Commercial, multi-family residential and dining/restaurant
South	Residential, Multi-Family Medium Residential (R3A)	Residential, Multi-Family Medium Residential (R3A)	Single-family residential, multi-family residential and Southern California Edison (SCE) utility yard.
East	Sunset Specific Plan (SSP)	Sunset Specific Plan (SSP)	Surface parking lot
West	Sunset Specific Plan (SSP)	Sunset Specific Plan (SSP)	Commercial, multi-family residential and dining/restaurant

**Source:** City of West Hollywood, 2010; West Hollywood, 2018a; Google Earth Pro, 2021.

## City of West Hollywood Sunset Specific Plan (SSP)

The SSP is a framework to achieve the following goals (City of West Hollywood, 2019, p. 9):

- Preserve the eclectic character of Sunset Boulevard
- Manage and direct growth
- Promote responsible development

### Sunset Boulevard

Sunset Boulevard, also known as “The Strip,” extends for approximately 1.2 miles, bordered by the city of Beverly Hills to the west and the city of Los Angeles to the east. It is a major traffic thoroughfare for the Los Angeles region, so the landscape is dominated by the automobile. As a result, billboards have become a major urban design feature of Sunset Boulevard. With their extra-large scale, unique designs, and symbolic reference to movie glamour, billboards are a significant part of the street’s visual character (City of West Hollywood, 2019, p. 9).

### A Gathering Place for the City

Sunset Boulevard serves as a major focus for urban life in West Hollywood as well as an attractive destination for visitors. Implementing the SSP will create a vital and varied streetscape, both through physical design and as a result of the mix of businesses and uses on the street. The Plan will promote a human-scale atmosphere that accommodates the “bright lights” of the Boulevard’s entertainment image and will create a sense of community for local residents. The Sunset Specific Plan will improve the livability of Sunset Boulevard by providing more places for people to gather, talk, sit, and live. The SSP seeks to integrate Sunset Boulevard into the greater community, balancing commercial needs and neighborhood concerns (City of West Hollywood, 2019, p. 11).

### A Good Place to Do Business

The goal of the Sunset Plan is to foster a healthy economic and employment corridor that is a desirable address for entertainment, hotel, specialty retail, restaurant, office, and related uses. The city staff will recruit desirable uses to locate on Sunset, and the Sunset Specific Plan will encourage appropriate new construction and the upgrading of existing structures to current market standards. The SSP’s goals are to facilitate development which will generate employment, encourage a high standard of property management, and create an overall increase in economic activity (City of West Hollywood, 2019, p. 12)

While the City has experienced substantial growth in economic activity since its incorporation in 1984, its controlled-growth policies have resulted in a shortage of top-quality office and retail space. As a result, the city, and most notably Sunset Boulevard, have experienced an exodus of entertainment firms looking for larger and less expensive office space. Recognizing that Sunset Boulevard drives business activity, the city began to take steps to encourage business and development. The Sunset Specific Plan represents the most significant product of the city’s growing support for new, quality development (City of West Hollywood, 2019, p. 21).

The proposed project would be consistent with all the applicable goals of the Sunset Specific Plan because the proposed project would develop a restaurant and office building that would help balance the City’s shortage of office and retail space, create a place for gathering, and increase economic activity compared to existing conditions. Additionally, the proposed project would replace the

existing automotive dealer building with a modern curvilinear landmark building that has a digital billboard, which would be consistent with the eclectic “bright lights” character of Sunset Boulevard.

### Area 8 – West End

The project site is located within Area 8 - West End of the Sunset Specific Plan; more specifically, the project site is located within Area 8D. Area 8 – West End extends from Doheny to the Beverly Hills border and has largest concentration of office buildings on the Sunset Strip. The goal of the Area 8 – West End is to accommodate additional office buildings within this area and provide space for “creative” industries and anchor businesses (City of West Hollywood, 2019, p. 241).

### Area 8 – West End Objectives

**Table 4.10-2** lists the applicable SSP Area 8 – West End objectives within the SSP, and how the proposed project would adhere to them.

**Table 4.10-2**  
**SUNSET SPECIFIC PLAN AREA 8 – OBJECTIVES**

Objectives	Consistency
Develop a building of landmark quality at the southeast corner of Sunset and Cory that dramatically marks the entrance to West Hollywood and acts as a “hinge” at the bend in the street (City of West Hollywood, 2019, p. 242).	The project proposes a landmark building at the southeast corner of Sunset Boulevard and Cory Avenue with its modern curvilinear design and large digital billboard that wraps the eastern, northern and western portions of the proposed building, which would act as a “hinge” at the bend in the street. Therefore, the proposed project would adhere to this objective.
Preserve important historic buildings by allowing substantial additional height and density elsewhere on the same property (City of West Hollywood, 2019, p. 242).	The only historic resources within the Sunset Specific Plan are the buildings located at 9118-9134 and 9165-9169 Sunset Boulevard (City of West Hollywood, 2019, p. 248). A Historic Resources Memorandum (included in this DEIR as <b>Appendix G</b> ) was created for the project site by GPA Consulting on February 13, 2020. Results found the project site was historically developed with numerous restaurants, offices and retail developments until it was developed into the current automobile dealership in 1987. In the 2016 Commercial Historic Resources Survey, the project site was deemed ineligible for the National Register, California Register, or local designation through survey evaluation (GPA Consulting, 2021, p. 1). Therefore, the proposed project would have no impact on historic resources within the city and the proposed project would adhere to this objective.
Encourage infill development on small sites and remodeling of existing buildings not likely to be	The proposed project would be an infill development to replace the existing automotive dealership

Objectives	Consistency
<p>replaced in the near future to make them more pedestrian-oriented, visually distinctive, and more marketable to office tenants (City of West Hollywood, 2019, p. 242).</p>	<p>building with a building comprised of office and restaurant uses that would create more opportunities for office tenants within the city. The proposed restaurant spaces and outdoor plaza with seating would encourage pedestrian-oriented use of the area. The modern curvilinear building with digital billboard would create a landmark development that would be visually distinctive. Therefore, the proposed project would adhere to this objective.</p>
<p>Implement streetscape improvements and, in particular, dramatize the western end of Sunset Boulevard in West Hollywood with special streetscape improvements west of Doheny Road (City of West Hollywood, 2019, p. 242).</p>	<p>The most prominent streetscape improvement of the proposed project would be the digital billboard that would dramatize the western end of Sunset Boulevard. Additionally, the proposed project would include an approximate 2,800 square-foot outdoor plaza extending the sidewalk along Sunset Boulevard inward, underneath a cantilevered ceiling, surrounded by landscaping and planting that would improve the streetscape compared to existing conditions. While the digital billboard addresses the scale and speed of automobiles, the hanging garden is purposefully scaled and designed for pedestrians as an intimate and memorable public space with cafes, seating and lush landscaping. The landscaped terraces on the eastern and southern portions of the building would serve as key architectural elements that would radically soften and step down to meet the adjacent residential scale (Gensler, 2020, A0.08). Therefore, the proposed project would improve the current streetscape compared to existing conditions and would adhere to this objective.</p>
<p>Encourage ground-floor uses, like restaurants and retail, that cater to the needs of area office workers (City of West Hollywood, 2019, p. 242).</p>	<p>The project proposes a ground-floor restaurant space that would accommodate the area office workers. Therefore, the proposed project would adhere to this objective.</p>

Source: City of West Hollywood, 2019, p. 242

### Area 8 – West End Requirements

**Table 4.10-3** lists the applicable SSP Area 8 – West End requirements and describes how the proposed project would be consistent.

**Table 4.10-3  
SUNSET SPECIFIC PLAN AREA 8 – WEST END REQUIREMENTS**

Requirements	Consistency
<p>Density and Height: Development within Area 8 should adhere to the site’s density and height regulations (City of West Hollywood, 2019, p. 243).</p>	<p><b>Density</b></p> <p>The base floor area ratio (FAR) for Area 8-D is 2.75. The proposed project would have a FAR of 2.85. However, the City offers a 0.1 FAR bonus for creating a landmark designed development at the project site (City of West Hollywood, 2019, p. 243). The proposed project would provide a landmark building with a visually distinctive modern curvilinear design, digital billboard, outdoor plaza, and landscaping. Therefore, the proposed project would be applicable for the 0.1 FAR bonus and in doing so would adhere to the project site’s density requirements.</p> <p><b>Height</b></p> <p>A majority of the project site has a maximum allowable height of 90-110 feet, while the eastern and southern portion of the project site have a maximum allowable height of 45 feet (City of West Hollywood, 2019, p. 243). The proposed project would have a maximum height of approximately 90 feet; however, the building would be developed in a stepped-down design so that the building portion that is within the 45-foot maximum zone would only be two-stories and have a height of 33.5 feet. Therefore, the project would adhere to the City’s height regulations. Additionally, the project would have a similar height to several surrounding buildings, including the Sunset Medical building directly northwest of the project site, which has a height of 140 feet (City of West Hollywood, 2019, p. 66). Therefore, the proposed project would adhere to this requirement.</p>
<p>Existing pedestrian-friendly uses shall not be removed or replaced with non-pedestrian-friendly uses (City of West Hollywood, 2019, p. 243).</p>	<p>Existing pedestrian friendly uses surrounding the project site consist of sidewalks (Google Earth Pro, 2021). The proposed project would not remove any sidewalks. The proposed restaurant space, outdoor plaza, and landscaping would provide additional pedestrian friendly uses compared to existing conditions. Therefore, the proposed project would adhere to this requirement.</p>
<p>Minor Landmark: On the eastern half of 8-D, height up to 90 feet and 0.1 FAR of additional density for a total of 2.85 FAR is offered for purposes of developing a distinctive landmark pavilion, building</p>	<p>The proposed project would create a modern curvilinear building with a digital billboard that would create a landmark building. Additionally, the outdoor plaza and restaurant uses, landscaped</p>



Requirements	Consistency
entrance, monument, or similar streetscape at the eastern tip of the block. It should serve as a visual termination at the western end of Sunset Boulevard, and night lighting should dramatize the landmark design (City of West Hollywood, 2019, p. 243).	terraces, and hanging gardens would further distinguish the proposed building. The digital billboard would create night lighting that would add distinction to the landmark design and the project area. Therefore, the proposed project would adhere to this requirement.
Streetscape Improvements and Street Trees: Install streetscape improvements and plant street trees along all frontages in compliance with the standards set in the Open Space and Streetscape section of the Sunset Specific Plan (City of West Hollywood, 2019, p. 245).	As detailed in <b>Section 4.3</b> of this DEIR, the proposed project would remove one ficus tree on Cory Avenue and one ficus tree on the project site. No protected native trees or heritage/historic trees were observed on or immediately adjacent to the project site.  The proposed project would plant six street trees along Sunset Boulevard and Cory Avenue and an additional six trees in the eastern terrace on the third floor of the building. All trees and landscaping would adhere to all the Open Space and Streetscape regulations of the Sunset Specific Plan, which include but not limited to types of plants to be used, setbacks, and minimum percentage of landscaping (15% of open space). Therefore, this project would adhere to this requirement.
Continuous Street Wall: The building facades along the frontage of all blocks in the west end are encouraged to have a strong and continuous presence (City of West Hollywood, 2019, p. 245).	The proposed modern curvilinear building with a digital billboard that wraps around the eastern, northern and western portion of the proposed building would give the proposed project a strong and continuous presence. Therefore, this project would adhere to this requirement.
Pedestrian Uses: Pedestrian-active uses shall be provided along approximately 30% of each block in the West End (City of West Hollywood, 2019, p. 246).	Existing pedestrian-active uses surrounding the project site consist of sidewalks (Google Earth Pro, 2021). The proposed project would not extend into or block any of the sidewalks. Additionally, the proposed project would develop more pedestrian friendly uses compared to existing conditions with the development of the outdoor plaza, and restaurant uses. Therefore, this project would adhere to this requirement.
Second-Level Retail: Second-level retail uses are prohibited throughout the West End, except for restaurant uses developed in an office building and oriented toward the Sunset Boulevard frontage (City of West Hollywood, 2019, p. 246)	The proposed project would not have retail or restaurant uses on the second level. The entire second floor would exclusively be used for office space. Therefore, this project would adhere to this requirement.
Preservation: 9118-9134 and 9165-9169 Sunset Boulevard will be recommended for designation by the Sunset Specific Plan as Cultural Resources in the	The proposed project is located at 9160, 9166, and 9174 Sunset Boulevard. The only historic resources within the Sunset Specific Plan are the buildings

Requirements	Consistency
<p>City of West Hollywood. These buildings should be respected by any new construction (City of West Hollywood, 2019, p. 248).</p>	<p>located at 9118-9134 and 9165-9169 Sunset Boulevard (City of West Hollywood, 2019, p. 248). A Historic Resources Memorandum was created for the project site by GPA Consulting on February 13, 2020. Results found the project site was historically developed with numerous restaurants, offices and retail uses until it was developed into the current automobile dealership in 1987. In the 2016 Commercial Historic Resources Survey, the project site was deemed ineligible for the National Register, California Register, or local designation through survey evaluation (GPA Consulting, 2021, p. 1). Therefore, the proposed project would have no impact on cultural resources and the proposed project would adhere to this requirement.</p>

Source: City of West Hollywood, 2019, p. 243-248

### Digital Billboard

High quality signage contributes to a pedestrian-friendly urban environment that reflects the values of both the city’s residents and the business community. The City encourages quality signage to promote its image as a creative center. Signage plays an important role in the city’s overall ambition to be on the cutting edge of culture in the region, and has both cultural and economic impacts (Rami + Associates, 2011, p. 3-8). The most iconic signs in West Hollywood are the billboards, large screen videos, and tall walls along Sunset Boulevard. The curving boulevard, varied topography, and landmark architecture combine to create a legendary urban landscape. Located in a thriving center of hospitality and entertainment, the advertising on the Strip continues to evolve with changes in media, culture and technology. Because of the prestige and exposure of these billboards, they also have the capacity to provide public benefits through development agreements, and to make high-quality new development possible (Rami + Associates, 2011, p. 3-8).

The Sunset Specific Plan also allows for creative billboards. Creative billboards are billboards that may incorporate elements such as enlarged size, irregular shape, flashing lights, moving parts, inflated additions, electronic media, participatory attributes, three dimensional or structural projections and or other unusual characteristics that would substantially differ from a traditional flat surface billboard of standardized size (City of West Hollywood, 2019, p. 135). The City also encourages the development of creative billboards which may become symbols of West Hollywood and the Sunset Strip, such as the Marlboro Man billboard. The creative billboard shall be approved through the Creative Billboard process (City of West Hollywood, 2019, p. 135). The SSP’s potential sites for new creative billboards would be within Site 8-D, which is where the project site is located (City of West Hollywood, 2019, p. 138).

The proposed project would construct and operate an approximately 14,000-square-foot digital billboard/creative billboard that would be integrated into the building’s eastern, northern and western walls in the architectural form of a glass façade (Gensler, 2020, p. A0.08). The proposed billboard meets the City’s requirements for a creative billboard because it includes an enlarged curvilinear digital surface and differs from a more traditional flat/standardized billboard. The digital

billboard would provide electronic media where content may be changed as needed including 25 percent of programming time reserved for art or civic announcements. Therefore, the proposed project would adhere to the City’s criteria of a creative billboard.

The City also encourages creative artwork, which is not designated as advertising, to be part of the all-development projects (City of West Hollywood, 2019, p. 139). Additionally, digital billboards must contribute at least 17.5 percent of programming time for art or civic announcements. The proposed project would adhere to the statutory 17.5 percent of programming time for art or civic announcements, and would also include one site-specific artwork featuring local artist(s) or culturally relevant piece each quarter, for an additional 7.5 percent public benefit contribution. Therefore, the total share of art programming would be approximately 25 percent. All art and advertising for the proposed digital billboard shall be submitted to the Director of Community Development to evaluate the materials, location, and structural soundness.

The digital billboard is designed on the eastern, northern and western portion of the proposed building to improve the pedestrian experience along Sunset Boulevard, while also avoiding significant light impacts to the adjacent residences to the south. On the south side, there is no proposed digital lighting, the scale breaks down and landscape is the dominant feature. Additionally, lighting levels would be programmed to an astronomical clock device that tracks daily changes in sunset/sunrise and automatically reduces brightness below 300 nits at sunset and throughout the night to minimize effects of the proposed digital billboard to the nearby residences (Gensler, 2020, p. A0.08).

Therefore, the proposed project would adhere to all applicable regulations of the SSP.

**City of West Hollywood General Plan**

The City of West Hollywood General Plan Land Use and Urban Form Element contains goals and policies for land use and urban form that reflect the values and unique characteristics of West Hollywood (Rami + Associates Inc., 2011, p. 3-25 to 3-49). The project’s consistency with applicable goals and policies is provided in **Table 4.10-5**.

**Table 4.10-5  
CITY OF WEST HOLLYWOOD LAND USE AND URBAN FORM GOALS AND POLICIES**

Policy	Consistency
<b>Goal LU-1: Maintain an urban form and land use pattern that enhances quality of life and meets the community’s vision for its future (Rami + Associates, 2011, p. 3-25).</b>	
<b>LU-1.1</b> Maintain a balanced land use pattern and buildings to support a broad range of housing choices, retail businesses, employment opportunities, cultural institutions, entertainment venues, educational institutions, and other supportive urban uses within the city.	The proposed project would create a new building that would have restaurant and office spaces, that would increase retail business and employment opportunities in the city. Therefore, the project would be consistent with this policy.
<b>LU-1.2</b> Consider the scale of new development within its urban context to avoid abrupt changes in scale and massing.	The proposed project would be approximately 90 feet tall and would be of similar scale to surrounding building such as the Sunset Medical Plaza, which is 140 feet tall, the Nine Two Towers, which are 144

Policy	Consistency
	feet tall; and the 9200 Sunset Boulevard building, which is 195 feet tall (Gensler, 2020, p. A0.04). Therefore, the project would be consistent with this policy.
<b>LU-1.3</b> Encourage new development to enhance the pedestrian experience.	The proposed project would create the City’s desired Sunset Specific Plan landmark building at the southeast corner of Sunset Boulevard and Cory Avenue, which would have a large digital billboard that would reflect the city’s eclectic “bright lights” character. Additionally, the proposed project would develop an outdoor plaza, and restaurant uses, which would improve the pedestrian experience compared to existing conditions. Therefore, the project would be consistent with this policy.
<b>LU-1.5</b> Encourage the retention and success of existing, and the incubation of new, commercial establishments that serve the needs of residents.	The city currently has a shortage of office space within the Sunset Specific Plan area (City of West Hollywood. 2019, p. 21). The project proposes a building with several stories of office space. Therefore, the project would be consistent with this policy.
<b>LU-1.8</b> Promote the establishment, retention, and expansion of businesses that provide employment for West Hollywood’s residents and the surrounding region.	The proposed project would create a commercial building that consists of restaurant and office spaces, which would provide increased employment opportunities for the city’s residents and surrounding region compared to existing conditions. Therefore, the project would be consistent with this policy.
<b>LU-1.10</b> Encourage new non-residential land uses that contribute to a strong and diversified local economy.	The proposed project would create a commercial building that consists of restaurant and office spaces, which would provide employment opportunities that would contribute to a strong and diversified local economy. Therefore, the project would be consistent with this policy.
<b>LU-1.20</b> Allow for the collection of development fees from new development that accurately reflect the cost and impacts to the city’s infrastructure and public facilities.	The project applicant would pay applicable development fees associated with the proposed project. Therefore, the project would be consistent with this policy.
<b>LU-1.21</b> Provide for the expansion and recruitment of commercial uses that provide economic and fiscal benefits for the city, including entertainment businesses, music and entertainment venues, bars and night clubs, hotels and hospitality, and design and creative arts.	The office space could potentially be used for entertainment businesses and the restaurant space serves as a hospitality use. The proposed project would be a landmark building with a digital billboard, which would display public art and benefit the city’s design and creative arts economy. Therefore, the project would be consistent with this policy.

Policy	Consistency
<p><b>Goal LU-2: Maintain a balanced mix and distribution of land uses that encourage strategic development opportunities and mobility choices within the city (Rami + Associates, 2011, p. 3-27).</b></p>	
<p><b>LU-2.2</b> Consider the scale and character of existing neighborhoods and whether new development improves and enhances the neighborhood when approving new infill development.</p>	<p>The proposed project would be approximately 90 feet tall and would be of similar scale to surrounding building such as the Sunset Medical Plaza, which is 140 feet tall, the Nine Two Towers, which are 144 feet tall; and the 9200 Sunset Boulevard building, which is 195 feet tall (Gensler, 2020, p. AO.04). The proposed project would create the desired Sunset Specific Plan landmark building at the southeast corner of Sunset Boulevard and Cory Avenue that would have a large digital billboard that would reflect the city’s eclectic “bright lights” character and enhance the neighborhood. Therefore, the project would be consistent with this policy.</p>
<p><b>LU-2.13</b> Impose limits on the number of discretionary entitlement extensions for development projects that receive bonuses and incentives for height or density.</p>	<p>The proposed project would be allowed a floor-area ratio (FAR) increase to 2.85 because the proposed project would be applicable to a landmark building FAR bonus in the Sunset Specific Plan (City of West Hollywood, 2019, p. 243). Therefore, the project would be consistent with this policy.</p>
<p><b>Goal LU-4: Provide for an urban environment oriented and scaled to the pedestrian (Rami + Associates, 2011, p. 3-31).</b></p>	
<p><b>LU-4.2</b> Continue to improve the pedestrian environment through a coordinated approach to street tree planting, sidewalk maintenance and enhancement, pedestrian amenities, and a focus on human-scale frontage design for building renovations and new development projects.</p>	<p>The proposed project would have an outdoor plaza, and restaurant uses that would feature street trees, landscaping, multiple entrances, signage bands, windows, and display windows that would allow the proposed project to be viewed by pedestrians as more human scaled and improve the pedestrian environment. Therefore, the project would be consistent with this policy.</p>
<p><b>LU-4.3</b> Continue to implement parking strategies and standards that ensure parking areas do not dominate street frontages and are screened from public views whenever possible.</p>	<p>The proposed project would have a three-story underground parking garage to ensure that parking areas do not dominate street frontages and are screened from public views. Therefore, the project would be consistent with this policy.</p>
<p><b>LU-4.4</b> Require development projects along commercial corridors to employ architectural transitions to adjoining residential properties to ensure compatibility of scale and a sense of privacy for the existing residences.</p>	<p>The proposed building’s southern side abuts a multi-family residential building and would be designed so that the southern side would progressively have each story setback further away from the residential building to offer a sense of privacy. Therefore, the project would be consistent with this policy.</p>



Policy	Consistency
<p><b>LU-4.5</b> Require development projects to incorporate landscaping in order to extend and enhance the green space network of the city.</p>	<p>The proposed project would incorporate street trees, landscaping, hanging gardens, and landscaped terraces. The southern side of the proposed building’s most prominent feature would be the landscaped terraces on each floor to enhance the project’s green space. Therefore, the project would be consistent with this policy.</p>
<p><b>LU-4.6</b> Require commercial development projects to provide for enhanced pedestrian activity in commercial areas through the following techniques:</p> <ul style="list-style-type: none"> <li>a. Minimizing vehicle intrusions across the sidewalk.</li> <li>b. Locating the majority of a building’s frontages in close proximity to the sidewalk edge.</li> <li>c. Requiring that the first level of the building occupy a majority of the lot’s frontage, with exceptions for vehicle access.</li> <li>d. Allowing for the development of outdoor plazas and dining areas.</li> <li>e. Requiring that the majority of the linear ground floor frontage be visually and physically “penetrable,” incorporating windows and other design treatments to create an attractive street frontage.</li> <li>f. Requiring that ground floor uses be primarily pedestrian-oriented.</li> <li>g. Discouraging new surface parking lots</li> </ul>	<ul style="list-style-type: none"> <li>a. The proposed project would minimize vehicle intrusion across sidewalks by only having two driveways that lead to the underground parking garage along Cory Avenue and the rear alley off Carol Drive.</li> <li>b. The majority of the building’s frontages would be along the northern and western portions of the building, which are close proximity to the Sunset Boulevard and Cory Avenue sidewalk edges.</li> <li>c. The first level of the building would cover the majority of the project lot’s frontage.</li> <li>d. The project proposes a 2,800-foot outdoor plaza with tables that would serve as dining areas.</li> <li>e. The project would be visually “penetrable” with windows and multiple ground floor entrances.</li> <li>f. Majority of the first floor for the project would include restaurant uses, which are primarily pedestrian-oriented.</li> <li>g. The project does not propose a surface parking lot and instead proposes a three-story underground parking garage.</li> </ul> <p>Therefore, the project would be consistent with this policy.</p>
<p><b>Goal LU-5: Encourage a high level of quality in architecture and site design in all construction and renovation of buildings (Rami + Associates, 2011, p. 3-32).</b></p>	
<p><b>LU-5.1</b> Continue to encourage diverse architectural styles that reflect the City’s diversity and creativity.</p>	<p>The proposed project would develop the desired landmark building, which would be designed to be curvilinear, have a variety of building materials, and have a digital billboard that would reflect the city’s architectural diversity and creativity. Therefore, the project would be consistent with this policy.</p>
<p><b>LU-5.2</b> Review and evaluate development proposals during the design review process for the following:</p>	<ul style="list-style-type: none"> <li>a. The proposed project would be similar in height to the surrounding commercial buildings. Additionally, the southern portion of the building would have</li> </ul>

Policy	Consistency
<p>a. The internal integrity of each proposed building or project and its relationship to adjacent properties.</p> <p>b. The effects that the frontage design of each proposal for a new or renovated building will have upon the experience of the passing or approaching pedestrian.</p> <p>c. How the landscape is coordinated with and contributes to the overall design of the project and the public landscape.</p>	<p>setbacks to provide privacy for adjacent residential land uses.</p> <p>b. The proposed project would have an outdoor plaza, pedestrian-friendly restaurant uses on the ground-floor, and a digital billboard that would enhance the pedestrian experience for those who pass or approach the proposed project</p> <p>c. The hanging garden purposefully is scaled and designed for pedestrians as an intimate and memorable public space with cafes, seating and lush landscaping. The landscaped terraces on the eastern and southern portions of the building would serve as key architectural elements that would radically soften and step down to meet the adjacent residential scale (Gensler, 2020, A0.08). r.</p> <p>Therefore, the project would be consistent with this policy.</p>
<p><b>LU-5.3</b> Require that new development be designed to reflect the natural topography of the city.</p>	<p>The project site is located in an urban portion of the city surrounded by similar sized commercial buildings. Additionally, the proposed project would adhere to applicable regulations of the Sunset Specific Plan and the Municipal Code to ensure the proposed project would reflect the natural topography of the city. Therefore, the project would be consistent with this policy.</p>
<p><b>LU-5.4</b> Encourage the use of high quality, permanent building materials that do not require excessive maintenance and utilize the design review process to evaluate such materials.</p>	<p>The proposed project would be created from high quality materials such as precast concrete panels, aluminum fin, exposed concrete, LED media façade, low-e coated glazing on the windows, terrazzo, plaster, aluminum window wall, and metal siding (Gensler, 2020, p. A6.01). These materials are common building materials and do not require excessive maintenance. Additionally, the project would be subject to the city’s design review process to ensure the building materials would be appropriate. Therefore, the project would be consistent with this policy.</p>
<p><b>Goal LU-6: Create a network of pedestrian-oriented, human-scale and well-landscaped streets and civic spaces throughout the City (Rami + Associates, 2011, p. 3-33).</b></p>	
<p><b>LU-6.1</b> Where appropriate, development projects should incorporate open spaces that are accessible to the public.</p>	<p>The proposed project would incorporate ground-floor restaurant uses, and an outdoor plaza with dining tables that are accessible to the public. Therefore, the project would be consistent with this policy.</p>

Policy	Consistency
<p><b>LU-6.2</b> As practical, incorporate ADA requirements into all streets, with sidewalks, street trees where feasible, and street lighting that provides nighttime visibility for pedestrians.</p>	<p>The proposed project would be developed to adhere to all applicable ADA regulations. The project would incorporate street lighting and well-lit plaza entries that would provide nighttime visibility. Therefore, the project would be consistent with this policy.</p>
<p><b>LU-6.3</b> In commercial areas, strongly encourage attractive and consistent pedestrian amenities including items such as bus stop shelters, benches, trash receptacles, newspaper racks, bicycle racks, planters and other similar amenities.</p>	<p>The proposed project would have pedestrian amenities such as an outdoor plaza with seating areas, a bicycle rack, landscaping and restaurant l spaces. Therefore, the project would be consistent with this policy.</p>
<p><b>LU-6.5</b> Design the streetscape of high-volume corridors, including Sunset Boulevard, Santa Monica Boulevard, San Vicente Boulevard, La Cienega Boulevard, La Brea Avenue, Fountain Avenue, and Fairfax Avenue, to balance regional traffic flow with pedestrian movement and safety and the unique physical environment of the area.</p>	<p>The proposed project’s digital billboard would provide a streetscape that is similar to the high-volume corridor atmosphere of Sunset Boulevard and would have a more human-scaled pedestrian environment with the ground-floor restaurant uses, outdoor plaza, and landscaping. Therefore, the project would be consistent with this policy.</p>
<p><b>Goal LU-7: Seek to expand urban green spaces and sustainable landscapes (Rami + Associates, 2011, p. 3-34).</b></p>	
<p><b>LU-7.1</b> Continue to enhance the network of green, pedestrian-friendly streets that connect parks and major destinations throughout the city in accordance with the city’s Streetscape Master Plan.</p>	<p>The proposed project would include street trees, landscaped terraces and hanging gardens that would be in accordance with the City’s Streetscape Master Plan. Therefore, the project would be consistent with this policy.</p>
<p><b>LU-7.3</b> Require development projects to install street trees consistent with the city’s street tree specifications along public sidewalks adjacent to the project site, as sidewalk width permits, where such street trees do not currently exist or where replacement is needed.</p>	<p>The proposed project would be consistent with the city’s street tree requirements and proposes the planting of six street trees in total along Sunset Boulevard and Cory Avenue. Therefore, the project would be consistent with this policy.</p>
<p><b>LU-7.5</b> Promote the use of drought-tolerant and native plants throughout the city.</p>	<p>Of the 25 species designated in the proposed project planting palette, 22 are low to very low water use and three are medium water use. Therefore, the project would be consistent with this policy.</p>
<p><b>Goal LU-15: Maintain Sunset Boulevard as a regional, national, and international destination for entertainment, and the primary economic engine of the city (Rami + Associates, 2011, p. 3-46).</b></p>	
<p><b>LU-15.1</b> Continue to promote a great diversity of uses on Sunset Boulevard including the following:</p> <p>a. Entertainment and related uses to support the community’s vision of a high quality national and international entertainment destination.</p>	<p>The proposed project would develop a building that would have a majority of office spaces that could cater to entertainment and creative businesses, a restaurant space that would support both daytime and night-time populations, and serve the nearby</p>

Policy	Consistency
<p>b. Offices catering particularly to entertainment and creative businesses.</p> <p>c. Night clubs, music venues, theaters, and other live entertainment venues.</p> <p>d. Restaurants, bars, and cafés that support both the daytime and night-time populations.</p> <p>e. Neighborhood-serving retail businesses that provide goods and services for nearby residents.</p> <p>f. Hotels and other hospitality uses.</p>	<p>residences. Therefore, the project would be consistent with this policy.</p>
<p><b>LU-15.3</b> Maintain the identity of Sunset Boulevard as an eclectic urban environment with varied building heights and architectural styles.</p>	<p>The proposed project would develop the desired landmark building that serves as an entrance to the city in the southeast corner of Sunset Boulevard and Cory Avenue. The modern curvilinear building would serve as a hinge in the streetscape to capture the eclectic “bright lights” character of Sunset Boulevard and to provide a unique architectural style. The proposed building height would be similar but have varied building heights compared to the surrounding commercial buildings. Therefore, the project would be consistent with this policy.</p>
<p><b>LU-15.4</b> Require high density development identified in the Sunset Specific Plan to support the economic development goals of the city.</p>	<p>The proposed project would support the economic development goals of the Sunset Specific Plan by strengthening the city’s economic base and employment opportunity by developing a building that offers office and restaurant employment opportunities (City of West Hollywood, 2019, p. 45).</p>
<p><b>LU-15.5</b> As feasible, locate parking behind buildings or in structures hidden from public view so as not to detract from the pedestrian experience.</p>	<p>The project would locate all parking within the proposed three-story underground parking garage. Therefore, the project would be consistent with this policy.</p>
<p><b>Goal LU-16: Maximize the iconic urban design value and visual creativity of signage in West Hollywood (Rami + Associates, 2011, p. 3-48).</b></p>	
<p><b>LU-16.1</b> Consider aesthetics, size, location, lighting, and siting in the evaluation of offsite signage.</p>	<p>The project’s offsite signage would be composed of the proposed digital billboard. The digital billboard would adhere to the city’s eclectic “bright lights” characters and aesthetic. Additionally, the proposed project would be evaluated under the creative billboard process and the City’s Municipal Code Section 19.34.080, Off-Site Signs, to ensure that the digital billboard would be appropriate with the surrounding developments (City of West Hollywood, 2019, p. 136-137; City of West Hollywood Municipal Code, 2021). Therefore, the project would be consistent with this policy.</p>

Policy	Consistency
<p><b>LU-16.2</b> Design and locate offsite signage to minimize its impact on: adjacent properties, the public right of way, cultural resources, creation of shade and shadow, and potential conflict with the development of adjacent properties.</p>	<p>The lighting for the proposed project would adhere to the City’s Municipal Code Section 19.20.100, Outdoor Lighting, to ensure the project’s lighting would have less than significant lighting impacts to adjacent neighbors. Additionally, the digital billboard would not be located on the southern portion of the building, where the proposed building abuts residential land uses. Shade and shadow impacts have been determined to be less than significant in <b>Section 4.1</b> of this document. Therefore, the project would be consistent with this policy.</p>
<p><b>LU-16.3</b> Consider impacts to surrounding neighborhoods when evaluating off-site signage.</p>	<p>The project is surrounded by commercial development on all sides, except its southern side where there are single-family and multi-family homes. The digital billboard would not be located on the southern portion of the building, where the proposed building abuts residential land uses. Instead, the southern sides’ most dominant feature is landscaping to soften the views to adjacent residential land uses. Therefore, the project would be consistent with this policy.</p>
<p><b>LU-16.4</b> Design offsite signage in new developments in concert with the architectural lighting, landscape, and public art program of the development.</p>	<p>The proposed digital billboard would be part of the building wall as a glass façade and be part of the architectural lighting. The billboard would fit the “bright lights” landscape of the strip and would show the city’s public arts on its sign. The digital billboard would be consistent with the City’s Sunset Arts and Advertising Program, which aims to promote innovative technology for large-scale advertising while honoring the traditions and character of outdoor advertising on the Sunset Strip (City of West Hollywood, 2022).Therefore, the project would be consistent with this policy.</p>
<p><b>LU-16.6</b> As appropriate, consider both the direct economic value of the project and the indirect economic value of the project to the economy as a whole when evaluating the approval of offsite signage as part of a new development project.</p>	<p>The digital billboard would provide direct economic value by creating a landmark building and would provide indirect economic value by advertising the city’s public arts. Therefore, the project would be consistent with this policy.</p>
<p><b>LU-16.7</b> Require new development to be designed to function economically whether or not offsite signage is placed on the building.</p>	<p>The proposed project would include office and restaurant spaces, which would be designed to function economically without any offsite signage. Therefore, the project would be consistent with this policy.</p>



Policy	Consistency
<b>LU-16.8</b> Carefully integrate offsite signage into new development so that the building and not the sign is the primary use of the land.	The digital billboard would be developed within the eastern, northern and western portions of the building. The sign would serve as an interior solar shading latticework during the day and a lit sign during the night, Therefore, the project would be consistent with this policy.
<b>LU-16.9</b> Require an offsetting public benefit when a new development includes an offsite sign.	The proposed digital billboard would have a total share of city art programming of approximately 25 percent of the time during operation. Therefore, the project would be consistent with this policy.
<b>Goal LU-17: Ensure that on-site signs are an asset to the city (Rami + Associates, 2011, p. 3-49).</b>	
<b>LU-17.1</b> Prohibit the use of roof signs, pole signs, and flashing and animated signs, except as part of a Creative Sign Program.	All proposed project on-site signs would not have roof signs, pole signs, and flashing animated signs. On-site signs as part of the proposed project consist of the building address number sign and the company signs of the restaurant uses on the ground-floor. Therefore, the project would be consistent with this policy.
<b>LU-17.2</b> Rely on size, placement, location, and numeric limits for on-site signs that properly integrate into overall site development, avoiding undue proliferation of signage and preventing signs from dominating or overpowering buildings.	On-site signs as part of the proposed project consist of the building address number sign and the company signs of the restaurant uses on the ground-floor, which would not dominate the approximate 90-foot building. Therefore, the project would be consistent with this policy.
<b>LU-17.7</b> Continue to limit the use of signs in residential neighborhoods except those necessary for religious institutions, the naming of residential buildings and facilities, public information, or political campaigns.	The proposed project would not have any signs that face residential neighborhoods. Therefore, the project would be consistent with this policy.
<b>LU-17.8</b> Prohibit all offsite advertising in residential neighborhoods.	The proposed project would not have any signs that face residential neighborhoods. Therefore, the project would be consistent with this policy.
<b>LU-17.10</b> Require that all buildings have an address sign.	The proposed building would have an address sign on the northern portion of the building. Therefore, the project would be consistent with this policy.

Source: Rami + Associates, 2011, p. 3-25 to 3-49

### City of West Hollywood Municipal Code

The City’s municipal code contains regulations that support the goals of the general plan and zoning designations throughout the city. The proposed project would adhere to applicable municipal code regulations, with the exception of Section 19.200.080 Height Measurement and Exceptions; as shown

in **Table 4.10-6**. The project would need a modification to the zoning requirements for this project site for deviation from the rear setback requirement for the site.

**Table 4.10-6**  
**CITY OF WEST HOLLYWOOD MUNICIPAL CODE REGULATIONS**

Regulation	Consistency
<p><b>19.20.080 Height Measurement and Exceptions</b></p> <p>A. <i>Maximum Height of Structures.</i> The height of structures shall not exceed the standard established by the applicable zoning district in Article 19-2 (Zoning Districts and Allowable Land Uses), Tables 2-3 and 2-6.</p> <p>d. Commercial Height Measurement when Adjacent to a Residential Zoning District. The purpose of the following methods of measurement is to require modifications to the height of commercial structures adjacent to a residential zoning district to ensure an appropriate transition in scale and use. These requirements apply where a rear or interior side lot line of a commercially zoned parcel abuts a residential zoning district, either within or outside the city.</p> <p>(1) Rear Lot Line. Any structure on the commercial parcel shall not exceed the maximum height required for the abutting residential zoning district unless the structure, or that portion thereof which exceeds the height, is set back from any required rear yard a minimum horizontal distance of one foot for each two feet by which the structure, or portion thereof, exceeds the maximum height.</p>	<p>A. The proposed project would not need to comply with the city’s height regulations because the project site is considered a target site under the City’s Sunset Specific Plan (SSP). Target sites are intended to accommodate increased height and density limits to provide substantial incentives to developers (City of West Hollywood, 2019, p. 46).</p> <p>The SSP identifies the project site as a landmark design site that allows a 90-foot height limit on the corner of the project site at Sunset Boulevard and Cory Avenue, with a step-down to a 45-foot height limit along the rear and interior of the project site (City of West Hollywood, 2019, p. 243). Additionally, the conceptual drawing and massing of the project site in the SSP shows a building with a three-story podium at the rear, gradually stepping up to a tower at the corner of Sunset Boulevard and Cory Avenue (City of West Hollywood, 2019, 245). The proposed project has been designed to conform to the recommended heights and massing diagrams that are specific to the project site by limiting the building height to 45 feet (and only two stories) at the rear of the project site, and gradually stepping up to a maximum height of approximately 90 feet towards Sunset Boulevard.</p> <p>D. The rear of the project site abuts a portion of residential property zoned R3A, with a maximum permitted height of 25 feet. Applying the zoning ordinance’s transitional height requirement to the project site would limit the project’s maximum building height at the rear lot line to 25 feet, rather than 45 feet, with a one: two step-back to the maximum building height of approximately 90 feet. Similar to the height requirements, the SSP includes more detailed requirements that specifically govern only the project site. It would be impossible to both conform to the SSP’s site specific massing and height diagrams and also comply with generally applicable zoning ordinance transitional height requirement. Moreover, the SSP states that the incorporation of the zoning code transitional height requirement is intended to “create an appropriate transition in scale</p>

Regulation	Consistency
	<p>between commercial and residential <i>projects</i>” (City of West Hollywood, 2019, p. 63), Although the project site abuts a residential zone, it does not abut a residential project. Further, a majority of the rear abuts a utility yard owned by Southern California Edison and is unlikely the utility yard would ever be sold and redeveloped as a residential project in the future.</p> <p>The project includes an application for a zoning modification allowing the proposed deviation from SSP setback requirements. Upon approval of the proposed modification the project would conform with City Municipal Code requirements governing the project site.</p>

Source: West Hollywood, 2020; City of West Hollywood, 2019

### Sunset Specific Plan Off-Site Signage Policy

**Presented below in Table 4.10-7 is an analysis of consistency of the proposed digital billboard with the City’s Off-Site Signage Policy amended in October 2019.**

**Table 4.10-7  
CONSISTENCY ANALYSIS OF PROJECT AND CITY OF WEST HOLLYWOOD OFF-SITE SIGNAGE  
POLICY**

Policy	Consistency
<b>2. Design Principles</b>	
<b>2.1 Design Quality</b>	
<b>A. Design Excellence</b>	
1. Off-site advertising signage that focuses on innovative media formatting thoughtfully integrated with excellent building design.	<p><b>Consistent.</b> The digital billboard would be consistent with the City’s Sunset Arts and Advertising Program, which aims to promote innovative technology for large-scale advertising while honoring the traditions and character of outdoor advertising on the Sunset Strip (City of West Hollywood, 2022). The project was selected as a Top Scoring Project in Round 2 of awards granted by the City (refer to <b>Appendix R</b>).</p>
2. Signage projects that create a timeless design that contributes to the iconic nature of Sunset Boulevard.	
3. Off-site advertising signage that is part of a cohesive design approach, bringing together signage with building architecture and high-quality	

Policy	Consistency
<p>pedestrian spaces or enhancements with the following design elements:</p> <ul style="list-style-type: none"> <li>a. Complementary and integrated design, style, and materials of signage and architecture.</li> <li>b. Signage that complements existing signage where applicable, showing a seamless approach to all signage on site.</li> <li>c. Off-site advertising signage must not hide or obscure the underlying uses, entrances, or open spaces of the building.</li> <li>d. Usage of high-quality and durable materials.</li> </ul>	<p><b>Consistent:</b> the digital billboard would not obscure the building’s underlying uses, entrances, or open spaces.</p>
<b>B. Innovative Design</b>	
<p>1. Integrates with other building features such as architectural lighting elements, green walls, or other innovative design features.</p>	<p><b>Consistent:</b> the digital billboard would integrate with other building features such as hanging gardens.</p>
<p>2. Utilizes innovative billboard formats including vertical orientation, curved or multi-planar surfaces, and/or non-standard proportions.</p>	<p><b>Consistent:</b> The digital billboard would use curved surfaces and vertical orientation.</p>
<p>3. Creatively uses the latest in technology to ensure digital image quality</p>	<p><b>Consistent:</b> All aspects of the digital billboard including design, materials and technology would be reviewed and approved by the City to ensure compliance with this policy.</p>
<p>4. Uses innovative architectural features and materials.</p>	<p><b>Consistent:</b> All aspects of the digital billboard including design, materials and technology would be reviewed and approved by the City to ensure compliance with this policy.</p>
<b>C. Context &amp; Compatibility Design</b>	
<p>1. Enhances adjacent public spaces and the overall experience of pedestrians.</p>	<p><b>Consistent.</b> The project would be an aesthetic improvement compared to the existing closed auto dealership, particularly in relation to the goals for Area 8 of the SSP.</p>
<p>2. Is compatible with surrounding buildings and natural features.</p>	<p><b>Consistent:</b> the digital billboard would be compatible with the urban landscape in the west end of the Sunset Strip.</p>
<p>3. Responds to topography and curves of the street.</p>	<p><b>Consistent:</b> the proposed curved digital billboard would complement the curve in Sunset Boulevard.</p>

Policy	Consistency
4. Provides innovative opportunities for integrated public art.	<b>Consistent:</b> In addition to the statutory 17.5 percent of programming time for art or civic announcements, the project would also include one site-specific artwork featuring local artist(s) or culturally relevant piece each quarter, for an additional 7.5 percent public benefit contribution. Therefore, the total share of art programming would be approximately 25 percent.
5. Builds on and respects the historical and cultural identity and energy of the Strip.	<b>Consistent:</b> see other analyses in Section 2.C of this Table.
6. Acts as a good neighbor to surrounding area by limiting light spill-over and visual intrusion.	<b>Consistent:</b> All modeled light levels from the digital billboard would be below City of West Hollywood and City of Los Angeles thresholds (see Section 4.1 for further discussion).
7. Avoids and reduces the appearance of visual clutter.	<b>Consistent:</b> All aspects of the digital billboard including design, materials and technology would be reviewed and approved by the City to ensure compliance.
8. Does not contribute to an over-concentration of digital signs compared to the distribution allocation in the Digital Billboard Distribution map.	<b>Consistent:</b> The project site is in Zone 1 set forth in the Off-Site Signage Policy (Policy). No existing signs subject to the Policy are within zone 1 on the south side of Sunset Boulevard. Therefore, the project would not contribute to an over-concentration of signs.
<b>2.2 Adaptable &amp; Sustainable Strategies</b>	
<b>A. Adaptability</b>	
1. Creates signs with lasting economic value through use of quality materials.	<b>Consistent:</b> All aspects of the digital billboard including design, materials and technology would be reviewed and approved by the City to ensure compliance.
2. Envisions future technology and provides opportunity for upgrades.	
3. Designed to evolve with future cultural and lifestyle trends.	
<b>B. Sustainable Practice</b>	
1. Uses 100% clean energy and/or generates energy on-site.	<b>Consistent:</b> The project includes PV panels and other energy efficiency measures.
2. Incorporates innovative sustainability features.	<b>Consistent:</b> The project includes PV panels and other energy efficiency measures.
3. Addresses and furthers the City's intent for a sustainable development.	<b>Consistent:</b> All aspects of the digital billboard including design, materials and technology would be



Policy	Consistency
4. Uses durable, natural, and other sustainable materials.	reviewed and approved by the City to ensure compliance.
<b>2.3 Lasting Value</b>	
<b>A. Economic Development</b>	
1. Increases value and visibility of off-site signage that attracts new viewers and resonates with the City's creative identity.	
2. Represents the potential for an iconic sign, based on the combination of design and location that is responsive to the creative identity of West Hollywood and the Sunset Strip.	<b>Consistent:</b> the digital billboard is designed as part of a landmark building in the west end of the Sunset Strip.
3. Is part of a project that maximizes land use development potential, especially at the high-value locations on Sunset Boulevard.	<b>Consistent:</b> the project is designed as a landmark building for creative industry uses.
4. Results in signage that is secondary to the land uses on the lot, unless certain limitations preclude other uses.	<b>Consistent:</b> the billboard would be integrated into the surface of the proposed office building and would not be the primary use on the parcel.
<b>B. Community Benefits</b>	
1. Provides public benefits, uses, or other features that address identified City priorities and community needs as part of development agreements and that meet the vision and intent of the policy.	<b>Consistent:</b> see preceding analysis of public art and public benefit programming.
2. Incentivizes the preservation of significant Cultural Resources through off-site signage revenue.	<b>Consistent:</b> All aspects of the digital billboard including design, materials and technology would be reviewed and approved by the City to ensure compliance.
3. Complements and protects the character-defining features of cultural resources.	<b>Inapplicable:</b> The existing closed auto dealership onsite is not a significant cultural resource.
4. Furthers the City's vision for enhancing public art on the Sunset Strip.	<b>Consistent:</b> the digital billboard is designed as part of a landmark building in the west end of the Sunset Strip.
<b>3. Administrative Procedures</b>	
<b>A. Project Requirements</b>	
<b>I. Development Agreements.</b> New billboard projects, modification of tall wall signs, and alternative projects are subject to the review and approval procedures and requirements of Chapter 19.66 of the Zoning Code. In addition:	<b>Consistent:</b> the project would provide public art programming.  An application for the project development agreement has been submitted to the City.

Policy	Consistency
<ul style="list-style-type: none"> <li>• Each approved project is required to provide public art programming as outlined in Section 3.E.</li> <li>• In addition to the Required Findings of Zoning Code Section 19.66.030, the approval of the Development Agreement shall also require a finding that the project includes public benefits, which include: Physical site improvements or monetary contribution intended for streetscape amenities or publicly accessible open space that enhances the quality and comfort of the pedestrian experience.</li> </ul>	
<p>2. Screening for Design Excellence.</p> <p>a. Applications for new off-site signs shall be screened for design excellence in accordance with a process and procedures established by the City Manager, or designee.</p> <p>b. Design excellence shall be evaluated based on the specific design principles in Section 2.</p> <p>c. Qualifying submissions are granted a concept award, valid for a period of 2 years, and making the applicant eligible to apply for a development agreement.</p> <p>d. The City may choose to limit the number of concept awards/applications for digital billboards under review at one time.</p>	<p><b>Consistent:</b> the project has been granted a concept award dated June 24, 2022 (refer to <b>Appendix R</b>).</p>
<p><b>B. Alternative Projects</b></p>	<p>Inapplicable: the proposed digital billboard is not an alternative project.</p>
<p><b>C. Alternative Sign Area Measurement</b></p>	<p>Inapplicable: the proposed digital billboard complies with the policy respecting sign area measurement.</p>
<p><b>D. Viewshed Analysis</b></p>	<p>Inapplicable: the provisions apply to modifications of existing signs only.</p>
<p><b>E. Public &amp; Arts Programming</b></p>	
<p>1. Digital billboards shall contribute a minimum of 17.5% of programming time for art or civic announcements.</p>	<p><b>Consistent.</b> In addition to the statutory 17.5 percent of programming time for art or civic announcements, the project would also include one site-specific artwork featuring local artist(s) or culturally relevant piece each quarter, for an additional 7.5 percent public benefit contribution. Therefore, the total share of art programming would be approximately 25 percent.</p>

Policy	Consistency
2. New and modified off-site signs (non-digital) shall contribute a minimum of 96 hours per year for art/public programming or provide a financial equivalent.	<b>Consistent:</b> see preceding analysis.
3. The West Hollywood Arts and Cultural Affairs Commission Art on The Outside (AOTO) Subcommittee shall be responsible for the approval of all public arts programming, in accordance with the ACAC's established guidelines for public arts programming.	<b>Consistent:</b> the project's public art programming would comply with this provision.
4. The City shall establish the scheduling and operations of arts programming for digital billboards on an annual basis and may alter programming schedules depending on factors such as the number of participating signs, cultural events, technological updates, City priorities, or sign operator input.	<b>Consistent:</b> the project's public art programming would comply with this provision.
5. Programming time for digital billboards shall include artwork displayed at the top of each hour and once a month during a five-hour event, with precise scheduling to be determined by the City's AOTO Subcommittee on an annual basis.	<b>Consistent:</b> the project's public art programming would comply with this provision.
<b>F. Ground Disturbance</b>	Inapplicable: applies to existing signs only
<b>G. Vegetation</b>	
1. Existing vegetation on public property shall not be removed or trimmed in order to improve views for any sign.	<b>Consistent:</b> no existing trees block views of the proposed digital billboard, and no trees would be removed to improve views of the billboard.
2. Construction activities that involve vegetation trimming or removal and occur between February 1 and August 31 require that a qualified biologist must survey the immediate area for the presence of an active bird nest. If an active bird nest is located within the disturbance area, avoidance measures shall be developed by the biologist to ensure compliance with the Migratory Bird Treaty Act.	Inapplicable. See preceding analysis.
<b>H. Nonconforming Signs</b>	Inapplicable: the proposed digital billboard would comply with the Off-Site Signage Policy.
<b>4. Sign Types and Standards</b>	
<b>A. General Standards</b>	
1. Location a. All off-site signs shall be located no less than 10' above the adjacent sidewalk level unless designed to be part of a pedestrian enhancement.	<b>Consistent:</b> the proposed digital billboard would comply with all four components of this provision.

Policy	Consistency
<ul style="list-style-type: none"> <li>b. The height of each sign shall not exceed the maximum allowable height for each site.</li> <li>c. Signs shall not obscure public sightlines to building entrances or publicly accessible open space and view terraces.</li> <li>d. Space between billboard face and building should be minimized and shall not exceed six feet.</li> </ul>	
<b>B. Design &amp; Operation</b>	
<p>1. Backlighting is encouraged for new and existing traditional billboards through a sign permit process.</p>	<p><b>Consistent:</b> All aspects of the digital billboard including design, materials and technology would be reviewed and approved by the City to ensure compliance.</p>
<p>2. Windows that are partially obscured by signs and architectural lighting shall allow for the transmission of 50% of visible daylight.</p>	<p><b>Consistent:</b> The digital billboard would allow transmission of at least 50% of daylight to windows behind the billboard.</p>
<p>3. Designs may integrate digital advertising displays with the creative use of architectural lighting.</p>	<p><b>Consistent:</b> All aspects of the digital billboard including design, materials and technology would be reviewed and approved by the City to ensure compliance.</p>
<b>C. Billboards</b>	
<p>1. New Development Projects. A new billboard may be approved as part of a new development project.</p> <ul style="list-style-type: none"> <li>a. Development projects that include a billboard application must be developed to at least 75% of the allowed permitted floor area (base density) on the subject property allowed under the Sunset Specific Plan.</li> <li>b. Development project applications deemed complete between June 1, 2012 and May 1, 2019 may be eligible for consideration to include an off-site signage component.</li> </ul>	<p><b>Consistent:</b> The project would be developed to over 75% of the permitted base density for the site.</p>
<p>2. Significant Upgrade Projects</p>	<p>Inapplicable: the project includes a new sign.</p>
<p>3. Sign Area: New Billboards.</p> <ul style="list-style-type: none"> <li>a. The total combined sign area of new billboards on any site shall not exceed 1,500 square feet.</li> <li>b. The total sign area of new digital billboards on a site shall not exceed 1,000 square feet.</li> </ul>	<p><b>Consistent:</b> All aspects of the digital billboard including design, signage area, materials and technology would be reviewed and approved by the City to ensure compliance.</p>

Policy	Consistency
<p>-----</p> <p>The remainder of the provisions under Policy 3, <i>Sign Area</i>, pertain to existing billboards and are thus inapplicable to this project.</p>	
<p><b>D. Tall Wall Sign</b></p>	<p>Inapplicable: the proposed digital billboard is not a tall wall sign.</p>
<p><b>5. Lighting And Operational Standards</b></p>	
<p><b>A. Hours of Operation</b></p>	
<p>All digital billboards shall meet the following limits for time of day and ambient lighting conditions:</p> <p>I. Sign luminance shall change during each day on the following schedule:</p> <ol style="list-style-type: none"> <li>a. Daytime: From sunrise until 20 minutes prior to sunset, luminance shall not exceed 6,000 candelas per meter squared. Any portions of signs that are less than 10' above adjacent side shall not exceed 2,400 candelas.</li> <li>b. Evening: From sunset until 20 minutes prior to sunrise luminance shall not exceed 300 candelas per meter squared.</li> <li>c. After Hours: From 2:00 am until sunrise, no animated content or moving patterns shall be permitted.</li> </ol>	<p><b>Consistent:</b> The proposed digital billboard would comply with the limits on luminance set forth in this provision.</p>
<p><b>B. Illuminance</b></p>	
<p>1. Illuminance from signs or architectural lights shall not exceed 1.4-foot candles at any adjacent residential zoned property line.</p>	<p><b>Consistent:</b> The project would comply with this limit on illuminance.</p>
<p><b>C. Digital Sign Control &amp; Transitions</b></p>	
<p>1. Sign luminance shall transition smoothly between the hours of operation limits above over a time period of no less than 20 minutes. All transitions shall be completed so that the maximum allowable luminance is achieved by the stated time listed above.</p>	<p><b>Consistent:</b> The operation of the digital billboard would comply with this requirement.</p>
<p>2. When ambient sunlight illuminance during daytime is less than 100 foot candles for more than one (1) hour, the digital billboard should transition at a smooth rate of change from the daytime luminance level permitted above to the evening luminance level permitted at a suggested rate of no less than 20 minutes.</p>	<p><b>Consistent:</b> The operation of the digital billboard would comply with this requirement.</p>



Policy	Consistency
3. Each image displayed on a digital billboard shall not be refreshed more often than once every 8 seconds.	<b>Consistent:</b> The operation of the digital billboard would comply with this requirement.
4. Each image displayed on a digital billboard (i.e., each individual advertisement or artwork) shall fade in from the previous image over no less than one (1) second, and shall fade out over no less than one second to the image of the immediately succeeding content.	<b>Consistent:</b> The operation of the digital billboard would comply with this requirement.
<b>D. Visual Comfort &amp; Contrast Control</b>	
1. Digital billboards shall not incorporate driver interaction features.	<b>Consistent:</b> The design and operation of the digital billboard would comply with this requirement.
2. No signs shall use colors or images that replicate or could be confused with traffic safety signage.	<b>Consistent:</b> The operation of the digital billboard would comply with this requirement.
3. No signs shall use scrolling text.	<b>Consistent:</b> The operation of the digital billboard would comply with this requirement.
4. Signs shall not use stroboscopic or flashing images which rapidly change direction, oscillate, flash or reverse in contrast.	<b>Consistent:</b> The operation of the digital billboard would comply with this requirement.
5. Animated content and moving images shall be designed specifically for the size and format of the digital billboard.	<b>Consistent:</b> The operation of the digital billboard would comply with this requirement.
6. Animated content shall <u>not</u> exhibit: <ul style="list-style-type: none"> <li>a. Rapidly changing images without dissolves for transitions between static images, and between static and animated content;</li> <li>b. Sequences that result in visible brightness change over more than ten percent (10%) of the total display area at a greater rate than three (3) changes per second; or</li> <li>c. Edits at a rate of more than three (3) edits every one (1) seconds.</li> </ul>	<b>Consistent:</b> The operation of the digital billboard would comply with this requirement.
<b>E. Renewable Energy Use</b>	
1. All new billboard operations shall utilize the highest available clean energy tier from the City's energy provider to the extent feasible.	<b>Consistent:</b> To offset the electrical load of the proposed digital billboard LED screen, the mechanical and electrical systems have been designed with a streamlined approach to provide efficient loading/use for the tenants of the building while avoiding massive site equipment or excess service to the greatest extent feasible. At the roof level, an array of PV panels and an associated battery storage system would be installed to provide further support for the overall electrical loads. Furthermore, all aspects of the digital billboard
2. The incremental energy usage attributable to digital signs, as defined in 4.c, should be fully offset to the extent feasible through demonstrated improvement in the energy performance for new buildings or major renovations of existing buildings.	

Policy	Consistency
	including energy use would be reviewed and approved by the City to ensure compliance.
<b>F. Audio</b>	
1. On site sound shall be allowed only during special events.	<b>Consistent:</b> The operation of the digital billboard would comply with this requirement.
<b>G. Monitoring</b>	
<p>1. All digital billboard operators shall submit a Lighting Monitoring Report to the Director upon installation, and at three-year intervals thereafter to confirm conformance with the lighting requirements above. The report shall include:</p> <ol style="list-style-type: none"> <li>a. Digital billboard luminance measured in nits (candelas per square meter). Measurements shall be conducted at the property line of the digital billboard site, or in the nearest adjacent public right of way, perpendicular to the digital billboard sign face.</li> <li>b. Digital billboard sign illuminance measured in foot candles. Measurements shall be conducted perpendicular to the digital billboard sign face, at the property line containing the digital billboard, and at adjoining residential use property or properties. The illuminance meter shall be aimed toward the sign face from the measurement location.</li> <li>c. All measurements shall include both luminance and illuminance for three conditions: <ul style="list-style-type: none"> <li>• The sign off</li> <li>• The sign illuminated with an image</li> <li>• The sign illuminated using an all- white display.</li> </ul> </li> </ol>	<b>Consistent:</b> The operation of the digital billboard would comply with this requirement.
2. Complaints about lighting will be investigated by the City, and if determined necessary by the Director, the digital billboard operator shall provide an updated Lighting Monitoring Report within 72 hours of the notice from the City. The City shall reserve the right to conduct digital billboard lighting measurements. If the measured luminance and or illuminance exceed the data presented in operator’s Lighting Monitoring Report, the findings of the City report shall prevail.	<b>Consistent:</b> The operation of the digital billboard would comply with this requirement.

Policy	Consistency
<b>6. Architectural Lighting</b>	
1. Integral large-scale architectural lighting, digital or otherwise, shall contain no commercial logos, images, or messages that may be interpreted as advertising.	<b>Consistent:</b> The design and operation of the digital billboard would comply with this requirement.
2. Architectural lighting shall not be counted towards permitted signage area, either on or off-site, and shall not be considered a billboard.	<b>Consistent:</b> The design of the digital billboard would comply with this requirement.
3. Architectural lighting is subject to maximum allowable lighting levels of Section 5.	<b>Consistent:</b> The project design and operation would comply with this requirement.
4. Architectural lighting shall be designed and operated to minimize impact on adjacent buildings.	<b>Consistent:</b> The project design and operation s would comply with this requirement.
<b>7. Temporary Creative Billboards or Tall Walls</b>	Inapplicable: the proposed digital billboard is not a temporary creative billboard or tall wall sign.

Source: City of West Hollywood, 2019

### Connect SoCal - 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)

As mentioned above in **Section 4.10.2**, Connect SoCal is a long-range visioning plan that aims to increase mobility options and achieve a more sustainable growth pattern for the counties associated within SCAG (SCAG, 2020b). Connect SoCal’s vision for the region incorporates a range of best practices for increasing transportation choices, reducing dependence on personal automobiles, further improving air quality and encouraging growth in walkable, mixed-use communities with ready access to transit infrastructure and employment. More and varied housing types and employment opportunities would be located in and near job centers, transit stations and walkable neighborhoods where goods and services are easily accessible via shorter trips. To support shorter trips, people would have the choice of using neighborhood bike networks, car share or micro-mobility services like shared bicycles or scooters. For longer commutes, people would have expanded regional transit services and more employer incentives to carpool or vanpool. Other longer trips would be supported by on-demand services such as microtransit, carshare and citywide partnerships with ride hailing services. For those that choose to drive, hotspots of congestion would be less difficult to navigate due to cordon pricing, and using an electric vehicle will be easier with the help of an expanded regional charging network (SCAG, 2020b, p. 6-7).

The proposed project would develop a mixed-use building composed of office, and restaurant uses within a high-quality transit area (HQTA). As detailed in **Section 4.12**, the project site is located nearby several public transit routes (Metro, Cityline, Pickup), which offer free or small fee transit services within the city. Additionally, the proposed project would include a TDM program that would include transit subsidies, bikeshare, and carshare programs that would further reduce the dependence of personal automobiles. For those who choose to drive, the project would provide 20 EV parking spaces with charging stations, which would incentivize people to use electric cars and reduce air quality impacts compared to using gas powered automobiles.

The proposed project would introduce more office and restaurant developments in the city. Additionally, the proposed project would be located along the Sunset Strip, where there is large mix of dining, commercial, and office uses that would further the goal of a walkable neighborhood. Therefore, the proposed project would be consistent with applicable Connect SoCal's vision goals.

Therefore, the proposed project would not conflict with any applicable land use plans, policies or regulations which guide development within the city are anticipated and no mitigation measures are required.

#### **4.10.6 Cumulative Impacts**

The City's General Plan, Municipal Code, and the Sunset Specific Plan include goals and regulations for development within the project site; the proposed project would adhere to all applicable goals and regulations of the aforementioned planning documents. Since the project would adhere to all applicable goals and regulations, cumulative impacts in regard to land use and planning would be less than significant.

#### **4.10.7 Impacts of Mitigation Measures**

No mitigation measures are required.

#### **4.10.8 Level of Impact Significance after Mitigation**

Impacts would be less than significant without mitigation.

## 4.11 Noise

This section analyzes the potential impacts from noise and vibration that would result from project construction and operation. It includes a discussion of the characteristics of sound and groundborne vibration. Regulations, standards, and plans for controlling noise exposures are then described. The section identifies sensitive noise receivers surrounding the project site, and presents the results of ambient noise sampling at four nearby noise sensitive receivers. Short-term (construction) noise and vibration exposures estimates are quantified, and a qualitative discussion of operational impacts is presented. The section recommends mitigation measures for construction noise generated onsite, and for vibration caused by loaded trucks entering the project site near a residential building. Finally, cumulative noise impacts are discussed. Ambient noise measurement data are included in **Appendix L** of this DEIR.

### 4.11.1 Noise and Vibration Fundamentals

#### Noise

##### Characteristics of Sound

Sound is a pressure wave transmitted through the air. It is described in terms of loudness or amplitude (measured in decibels), frequency or pitch (measured in hertz [Hz] or cycles per second), and duration (measured in seconds or minutes). The decibel (dB) scale is a logarithmic scale that describes the physical intensity of the pressure vibrations that make up any sound. The pitch of the sound is related to the frequency of the pressure vibration. Because the human ear is not equally sensitive to all frequencies, a special frequency-dependent rating scale is used to relate noise to human sensitivity. The A-weighted decibel scale (dBA) provides this compensation by discriminating against upper and lower frequencies in a manner approximating the sensitivity of the human ear. The scale is based on a reference pressure level of 20 micropascals (zero dBA). The scale ranges from zero (for the average least perceptible sound) to about 130 (for the average human pain level).

##### Noise Measurement Scales

Several rating scales have been developed to analyze adverse effects of community noise on people. Since environmental noise fluctuates over time, these scales consider that the effect of noise on people depends largely upon the total acoustical energy content of the noise, as well as the time of day when the noise occurs. Those that are applicable to this analysis are as follows:

- $L_{eq}$ , the equivalent noise level, is an average of sound level over a defined time period (such as one minute, 15 minutes, one hour, or 24 hours). Thus, the  $L_{eq}$  of a time-varying noise and that of a steady noise are the same if they deliver the same acoustic energy to the ear during exposure.
- $L_{90}$  is a noise level that is exceeded 90 percent of the time at a given location; it is often used as a measure of “background” noise.



- $L_{max}$  is the root mean square (RMS) maximum noise level during the measurement interval. This measurement is calculated by taking the RMS of all peak noise levels within the sampling interval.  $L_{max}$  is distinct from the peak noise level, which only includes the single highest measurement within a measurement interval.
- CNEL, the Community Noise Equivalent Level, is a 24-hour average  $L_{eq}$  with a 4.77-A-weighted decibel (dBA) “penalty” added to noise during the hours of 7:00 p.m. to 10:00 p.m., and a 10-dBA penalty added to noise during the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity in the evening and nighttime (ICF Jones & Stokes, 2009). The logarithmic effect of these additions is that a 60-dBA 24-hour  $L_{eq}$  would result in a calculation of 66.7 dBA CNEL.
- $L_{dn}$ , the day-night average noise, is a 24-hour average  $L_{eq}$  with an additional 10-dBA “penalty” added to noise that occurs between 10:00 p.m. and 7:00 a.m. The  $L_{dn}$  metric yields values within 1 dBA of the CNEL metric. As a matter of practice,  $L_{dn}$  and CNEL values are considered to be equivalent and are treated as such in this assessment.

### **Ground-Borne Vibration**

Vibration is sound radiated through the ground. Ground-borne noise is the rumbling sound caused by the vibration of building interior surfaces. The ground motion caused by vibration is measured in two ways: the peak particle velocity (PPV) and the root-mean-square (RMS) average, expressed as vibration decibels (VdB). The PPV, which is the maximum vibration in inches per second, is an indicator of the potential for damage to structures. The RMS average is the square root of the average of the squares of the measured particle velocities. It is an indicator of the potential for human annoyance. Typical outdoor sources of perceptible ground-borne vibration are construction equipment and traffic on rough roads.

#### **4.11.2 Regulatory Framework**

##### **Federal**

The United States Environmental Protection Agency, under the Authority of the Noise Control Act of 1972, has established noise emission criteria, as detailed in Title 40 of the Code of Federal Regulations (CFR). Title 40 of the CFR, Parts 201 through 205 pertain to various transportation equipment (such as motor carries engaged in interstate commerce) and Part 204, which provides noise emission standards for construction equipment.

Because the project site is surrounded by nearby residences that could be affected by construction noise from the Project, the U.S. Department of Housing and Urban Development’s goal of 45 dBA  $L_{dn}$  as a desirable maximum interior standard for residential units developed under HUD funding (HUD, 2009) is pertinent. While HUD does not specify acceptable exterior noise levels, standard construction of residential dwellings constructed under Title 24 of the California Code of Regulations typically provides 20 dBA of acoustical attenuation with the windows closed and 10 dBA with the windows open. Based on this assumption, the exterior  $L_{dn}$  or CNEL should not exceed 65 dBA under normal conditions.

##### **State**

The California Department of Health Services (DHS) Office of Noise Control has studied the correlation of noise levels with effects on various land uses. (The Office of Noise Control no longer

exists). The most current guidelines prepared by the state noise officer are contained in the “General Plan Guidelines” issued by the Governor’s Office of Planning and Research in 2017 (OPR, 2017). These guidelines were the basis for city-specific guidelines developed by the City of West Hollywood, which are presented below.

**Local**

**City of West Hollywood Regulations and Policies**

***City of West Hollywood General Plan 2035 Safety and Noise Element***

The Safety and Noise Element of the City of West Hollywood General Plan 2035 (Rami + Associates, Inc., 2011) identifies sources of noise in the City and provides objectives and policies that ensure that noise from various sources would not create an unacceptable noise environment. It states that noise impacts can be mitigated in two basic ways; (1) construction of noise barriers and (2) the inclusion of substantial building sound insulation (Rami + Associates Inc., 2011, p. 10-23).

The City of West Hollywood’s General Plan Safety and Noise Element contains a noise/land use compatibility matrix (Rami + Associates Inc., 2011, p. 10-24), which is shown in **Table 4.11-1**. Definitions of the acceptable noise categories are at the bottom of the table.

**Table 4.11-1  
LAND USE COMPATIBILITY FOR COMMUNITY NOISE SOURCES**

Land Use Category	Community Noise Exposure (L <sub>dn</sub> or CNEL)						
	50	55	60	65	70	75	80
Residential	Light Gray	Light Gray	White	White	White	White	White
	White	White	Medium Gray	Medium Gray	White	White	White
	White	White	White	White	Dark Gray	White	White
	White	White	White	White	White	Black	Black
Transient Lodging – Motel, Hotel	Light Gray	Light Gray	White	White	White	White	White
	White	White	Medium Gray	Medium Gray	Medium Gray	White	White
	White	White	White	White	White	Dark Gray	White
	White	White	White	White	White	White	Black
Schools, Libraries, Churches, Hospitals, Nursing Homes	Light Gray	Light Gray	White	White	White	White	White
	White	White	Medium Gray	Medium Gray	White	White	White
	White	White	White	White	Dark Gray	Dark Gray	White
	White	White	White	White	White	White	Black
Auditoriums, Concert Halls, Amphitheaters	Medium Gray	Medium Gray	Medium Gray	Medium Gray	White	White	White
	White	White	White	White	Black	Black	Black
Sports Arena, Outdoor Spectator Sports	Medium Gray	Medium Gray	Medium Gray	Medium Gray	Medium Gray	White	White
	White	White	White	White	White	Black	Black

Land Use Category	Community Noise Exposure (L <sub>dn</sub> or CNEL)						
	50	55	60	65	70	75	80
Playgrounds, Parks	Light Gray						
					Dark Gray		
						Black	
Golf Courses, Riding Stables, Water Recreation, Cemeteries	Light Gray						
					Dark Gray		
							Black
Office Buildings, Business Commercial and Professional	Light Gray						
			Dark Gray	Dark Gray	Dark Gray		
						Dark Gray	Dark Gray
Industrial, Manufacturing, Utilities, Agriculture	Light Gray						
					Dark Gray	Dark Gray	
							Dark Gray
	<b>ZONE A - Normally Acceptable:</b> Specified land use is satisfactory, based upon the assumption that any buildings involved meet conventional Title 24 construction standards. No special noise insulation requirements.						
	<b>ZONE B - Conditionally Acceptable:</b> New construction or development shall be undertaken only after a detailed noise analysis is made and noise reduction measures are identified and included in the project design.						
	<b>ZONE C - Normally Unacceptable:</b> New construction or development is discouraged. If new construction is proposed, a detailed analysis is required, noise reduction measures must be identified, and noise insulation features included in the design.						
	<b>ZONE D - Clearly Unacceptable:</b> New construction or development should not be undertaken.						

Source: Rami + Associates Inc., 2011, p. 10-24.

The General Plan Safety and Noise Element has the following applicable goals and associated policies for addressing noise issues in the community (Rami + Associates, 2011, p. 10-27 to 10-28):

**Goal SN-3: Minimize the impact of point source noise and ambient noise levels throughout the community.**

Policy SN-3.1: As feasible, ensure that construction and occupancy of new development is compatible with and does not exceed thresholds defining the acceptable noise environment in surrounding areas.

Policy SN-3.2: Require the inclusion of noise-reducing design features in development projects to address the impact of noise on residential development.

Policy SN-3.3: Review development proposals to ensure that noise standards and compatibility criteria set forth in the General Plan are met.

Policy SN-3.4: Require all proposed development within the 65 dB L<sub>dn</sub> contour as shown on Figure 10-5 in the Safety and Noise Chapter of the General Plan to comply with Title 24, as amended.

Policy SN-3.6: Require development projects to implement mitigation measures, where necessary, to reduce noise levels to meet the adopted standards and criteria. Such measures may include, but are not limited to, berms, walls, and sound attenuating architectural design and construction methods.

Policy SN-3.7: Require new development to meet adopted noise standards and regulations.

**Goal SN-4: Minimize transportation-related noise.**

Policy SN-4.1: Require new development and/or modifications to existing development to include sound-reducing design measures, where needed, to maintain compatibility with adjacent and surrounding uses.

Policy SN-4.2: Promote alternative transportation technologies that minimize noise impacts.

Policy SN-4.3: Seek to establish and designate a system of truck routes on specified arterial streets to minimize the negative impacts of trucking through the City.

**Goal SN-5: Create a healthy physical environment related to noise.**

Policy SN-5.1: Work to minimize stationary noise impacts on sensitive receptors and noise emanating from construction activities, private developments/residences, landscaping activities, night clubs and bars, and special events.

Policy SN-5.3: Require that entertainment uses, restaurants, and bars engage in responsible management and operation to control the activities of their patrons on-site and within reasonable and legally justifiable proximity to minimize noise impacts on adjacent residences.

Policy SN-5.4: Require mitigation as needed for development of new nightclubs, bars, and other high noise-generating uses adjacent to residences, schools, senior citizen housing, and other noise-sensitive uses.

***City of West Hollywood Municipal Code***

The City of West Hollywood Municipal Code (West Hollywood, 2020) Title 9, Article 2, Chapter 9.08 specifies various types of noise that are not permitted. Sections that are applicable to the proposed project include the following.

***Engines, Motors and Mechanical Devices in or Near Residential District.***<sup>63</sup> The sustained, continuous or repeated operation or use between the hours of 10:00 p.m. and 8:00 a.m. of any motor or engine or the repair, modification, reconstruction, testing or operation of any automobile, motorcycle, machine, contrivance, or mechanical device or other contrivance or facility unless such motor, engine, automobile, motorcycle, machine or mechanical device is

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63 West Hollywood Municipal Code § 9.08.50(b).

enclosed within a sound insulated structure so as to prevent noise and sound from being plainly audible at a distance of fifty feet or more from such structure, or at a distance of ten feet or more from any residence. Racing the engine of any motor vehicle or needlessly bringing to a sudden start or stop of any motor vehicle shall be prohibited at any time at any location.

**Loading and Unloading Waste in or Near Residential District.**<sup>64</sup> Loading, unloading, opening, closing or other handling of boxes, containers, building materials, or similar objects in a residential district or within fifty feet of a residential district, between the hours of 10:00 p.m. and 8:00 a.m., excluding normal handling of solid waste, and recycling containers by a franchised collector pursuant to Title 15.

**Construction.**<sup>65</sup> Construction between the hours of 7:00 p.m. and 8:00 a.m. on weekdays; or at any time on Saturday (except, between the hours of 8:00 a.m. and 7:00 p.m., interior construction is permissible); or at any time on Sunday, New Year’s Day, Martin Luther King Day, President’s Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, the day after Thanksgiving, Christmas Day and observed holidays; all except as provided in subsection (d) of § 9.08.060.<sup>66</sup> If New Year’s Day, Independence Day or Veterans Day falls on a weekend, then the following Monday or preceding Friday is a holiday.

To minimize the disturbance to the surrounding community, the motors and engines for construction related vehicles and equipment shall not be left idling and shall be turned off when not in use.<sup>67</sup>

**Leaf Blowers.**<sup>68</sup> The use or operation or allowing the use or operation of any portable machine powered with a combustion or gasoline engine used to blow leaves, dirt and other debris off sidewalks, driveways, lawns and other surfaces.

**Commercial Establishments Adjacent to Residential Property.**<sup>69</sup> Notwithstanding any provision of this code to the contrary, continuous, repeated or sustained noise from the premises of any commercial establishment which is adjacent to one or more residential dwelling units, including any outdoor area part of or under the control of the establishment, between the hours of 10:00 p.m. and 8:00 a.m. that is plainly audible from the residential dwelling unit’s property line.

The City of West Hollywood Municipal Code (West Hollywood, 2020) Title 19, Article 19-3, Chapter 19.20 has the following provisions regarding noise mitigation requirements for new developments.

**Maximum Noise Level.**<sup>70</sup> Proposed development and land uses shall comply with the requirements of the city’s Noise Control Ordinance in Chapter 9.08 of the Municipal Code.

**Commercial Project Mitigation.**<sup>71</sup> Developers of commercial projects adjacent to residential zoning districts or existing residential uses shall incorporate noise mitigating construction techniques to ensure that noise from the proposed commercial activities is abated to acceptable levels in compliance with Chapter 9.08 of the Municipal Code.

64 West Hollywood Municipal Code § 9.08.50(c).

65 West Hollywood Municipal Code § 9.08.50(d)(1).

66 § 9.08.060 contains exemptions to § 9.08.50(d)(1), none of which would normally apply to the project.

67 West Hollywood Municipal Code § 9.08.50(d)(2).

68 West Hollywood Municipal Code § 9.08.50(h).

69 West Hollywood Municipal Code § 9.08.50(i).

70 West Hollywood Municipal Code § 19.20.090(A).

71 West Hollywood Municipal Code § 19.20.090(C).



***Mechanical Equipment.***<sup>72</sup> Equipment located on the rooftop of a structure shall be enclosed or incorporate other elements to prevent adverse noise that might be heard by persons on adjacent properties.

### 4.11.3 Existing Conditions

#### Noise Sources

The primary noise source in the city is currently vehicular traffic along major arterials, including Sunset Boulevard, Fountain Avenue and Santa Monica Boulevard. Typical urban noise sources (e.g., hospitality businesses, entertainment venues, community events, construction activities, landscape equipment, and emergency vehicle sirens) also contribute to the overall noise environment. Because of the city's distance from airports, noise from aircraft over-flights is audible, but is not considered excessive. The closest airports to West Hollywood are the Burbank-Glendale-Pasadena Airport and Santa Monica Municipal Airport, which are each approximately seven miles from the city limits (Rami + Associates, 2011, p. 10-16).

#### Noise-Sensitive Receptors

The Safety and Noise Element of the City of West Hollywood 2035 General Plan deems the following land uses as “noise-sensitive receptors” (Rami + Associates, 2011, p. 10-16):

- Residences
- Schools
- Hospitals
- Religious facilities
- Theaters
- Concert halls
- Libraries
- Offices
- Parks

The Safety and Noise Element does not identify any houses of worship, schools, senior housing, or parks near the proposed project ((Rami + Associates Inc., 2011, p. 10-25). The existing sensitive receivers that are nearest to the project site are listed in **Table 4.11-2**. These receivers would be exposed to noise during project construction and operations.

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72 West Hollywood Municipal Code § 19.20.090(D).

**Table 4.11-2**  
**NEAREST EXISTING SENSITIVE RECEIVERS**

<b>Sensitive Land Use</b>	<b>Location with Respect to Project</b>	<b>Distance from Proposed Project Boundary<sup>73</sup> (feet)</b>
Multi-family home	South	19
Offices	Southwest	100
Single-family homes	South	103
Offices	Northeast	132
Multi-family home	Southwest	157
Office	East	173
Single-family homes	Southeast	209
Single-family home	Northeast	210

**Source:** Distances measured by *UltraSystems on Google Earth Pro, 2021*.

### Ambient Noise Levels

In order to characterize existing noise levels, UltraSystems conducted ambient noise sampling at five locations in the general project area; these are shown in **Figure 4.11-1**. **Table 4.11-3** lists the measurement points, sampling locations, and measurement results. The purpose of this noise monitoring was to obtain data on background noise in the project area, so that the change in noise exposure due to the project could be evaluated.

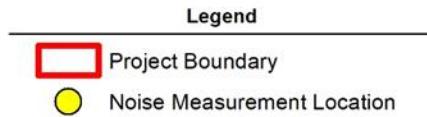
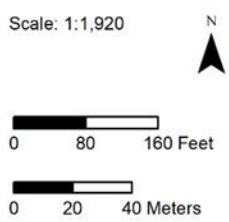
The samples were taken between 7:19 a.m. and 10:34 a.m. on Thursday, December 17, 2020.<sup>74</sup> The 15-minute  $L_{eq}$  values ranged from 55.2 to 69.1 dBA. The lowest of these values was measured at Point 7, which is located on a driveway, just south of the project site. The maximum ambient noise level was located at Point 8, which is located on a sidewalk along Sunset Boulevard, just north of the project site.

A Quest SoundPro Model DL-1-1/3 ANSI Type 1 sound level meter was used in the “slow” mode at each measurement location to obtain a 15-minute average sound level ( $L_{eq}$ ), as well as other metrics. The meter’s microphone was maintained five feet above the ground. Noise meter output records and observations during sampling are provided in **Appendix L**.

73 These distances were **not** used for the noise or vibration exposure calculations. See **Section 4.11.4** and **Section 4.115**. For the main noise calculations, the distances were from centers of construction activity to each sensitive receiver. For the maximum vibration analysis, the distance was from the alley travel lane of incoming trucks to the multifamily residence’s nearest wall.

74 Because these measurements were made during the COVID-19 pandemic, when traffic levels in the Los Angeles area decreased temporarily, the question of whether they represent a baseline case arises. At this writing, no traffic data for the project area in December 2020 are available. However, a study by Du et al. (2021, Figure 6) indicates that by October 2020, traffic in Los Angeles had returned at least to pre-pandemic levels. If traffic levels were actually lower than “normal,” then the changes in noise exposures presented here would be overestimates.

**Figure 4.11-1  
NOISE MONITORING LOCATIONS**



**9160-9176 Sunset Boulevard  
Commercial Project**  
Ambient Noise Measurement Locations



**Table 4.11-3  
MEASURED AMBIENT NOISE LEVELS**

Point	Sampling Location	Measurement Results (dBA)		
		15-Minute Leq	L <sub>max</sub>	L <sub>90</sub>
1	1044 Carol Drive. Approximately 165 feet southeast of the project site, on the sidewalk of a single-family residence across Carol Drive.	57.7	71.5	50.2
2	1033 Carol Drive. Approximately 15 feet south of the project site, on a driveway used to enter the project site and also a multi-family building parking garage.	56.3	69.6	48.3
3	9160 Sunset Boulevard. Approximately five feet north of the project site, on a sidewalk next to the northern driveway of the project site.	69.0	83.6	58.6
4	1020 Cory Avenue. Approximately 102 feet southwest of the project site, on a sidewalk in front of a single-family home.	59.4	74.5	50.1
5	1112 Cory Avenue. Approximately 215 feet northeast of the project site, on a sidewalk in front of a single-family home.	61.0	73.0	52.0
6	Refer to Point 1.	56.5	70.4	48.2
7	Refer to Point 2.	55.2	66.1	48.6
8	Refer to Point 3.	69.1	86.0	57.0
9	Refer to Point 4.	59.1	72.1	51.2
10	Refer to Point 5.	60.1	82.4	50.0

Source: UltraSystems.

### Existing Ground-Borne Vibration Levels

As observed on a visit to the project site, the main source of existing ground-borne vibration in the vicinity of the proposed project are vehicles traveling on local roadways, including but not limited to cars, trucks, and buses.

#### 4.11.4 Methodology

Noise impacts from construction activities are a function of the noise generated by the operation of construction equipment and onroad delivery and worker commuter vehicles, the location of equipment, and the timing and duration of the noise-generating activities. For the purpose of this analysis, it was estimated that project construction would start in early December 2022 and end in August 2024.

Using preliminary design and scheduling information, UltraSystems used the air pollutant emissions estimation model CalEEMod<sup>75</sup> to estimate the number of days to execute the following construction phases:

- Demolition.
- Site preparation.
- Grading.
- New building construction.
- Paving.
- Architectural coating.

The types and numbers of pieces of equipment anticipated in each phase of construction and development were estimated using CalEEMod and UltraSystems’ experience with similar projects. The CalEEMod equipment mix is based on a construction survey performed by the South Coast Air Quality Management District (SCAQMD) (Breeze Software, 2021a). **Table 4.11-4** lists the equipment expected to be used. For each equipment type, the table shows an average noise emission level (in dBA at 50 feet, unless otherwise specified) and a “usage factor,” which is an estimated percentage of operating time that the equipment would be producing noise at the stated level.<sup>76</sup> **Table 4.11-5** shows the assumed deployment of equipment in each construction phase and sub-phase.

**Table 4.11-4**  
**CONSTRUCTION EQUIPMENT NOISE CHARACTERISTICS**

Equipment Type	Horsepower	Usage Factor	Maximum Sound Level (dBA @ 50 feet)
Air Compressor (portable)	78	0.48	81
Cement and Mortar Mixers	9	0.4	85
Concrete/Industrial Saws	81	0.2	90
Crane	231	0.29	83
Excavator	158	0.4	80
Forklift	89	0.2	67
Generator Set	84	0.5	73
Grader	187	0.41	85
Paver	130	0.5	77
Paving Equipment	132	0.5	85
Roller	80	0.2	80

<sup>75</sup> Described in **Section 4.2**.

<sup>76</sup> Equipment noise emissions and usage factors are from Knauer, H. et al., 2006. FHWA Highway Construction Noise Handbook. U.S. Department of Transportation, Research and Innovative Technology, Administration, Cambridge, Massachusetts, FHWA-HEP-06-015 (August 2006), except where otherwise noted.



Equipment Type	Horsepower	Usage Factor	Maximum Sound Level (dBA @ 50 feet)
Rubber-Tired Dozer	247	0.4	79
Tractor/Loader/Backhoe	97	0.37	85
Welder	46	0.45	74

Source: Breeze Software,2021; Knauer, H. et al., 2006.

**Table 4.11-5**  
**ASSUMED DEPLOYMENT OF OFFROAD CONSTRUCTION EQUIPMENT**

Phase	Equipment Type	No. of Pieces
Demolition	Concrete/Industrial Saws	1
	Excavators	1
	Rubber-Tired Dozers	1
	Tractors/Loaders/Backhoes	3
Site Preparation	Graders	1
	Rubber-Tired Dozers	1
	Tractors/Loaders/Backhoes	1
Grading	Excavators	1
	Graders	1
	Rubber-Tired Dozers	1
	Tractors/Loaders/Backhoes	2
Building Construction	Cement and Mortar Mixers	2
	Cranes	1
	Forklifts	1
	Generator Sets	1
	Tractors/Loaders/Backhoes	1
	Welders	3
Paving	Cement and Mortar Mixers	1
	Pavers	1
	Paving Equipment	1
	Rollers	1
	Tractors/Loaders/Backhoes	1
Architectural Coating	Air Compressors	1

For the noise exposure calculations, the distances used were, for each subphase, the shortest distance between source and receiver. Because the construction equipment is used throughout the project site, the noise sources were assumed to be roughly in the middle of the construction activity. The calculation assumes spherical spreading, which is used for analysis of stationary sources (as opposed to traffic) and minimal ground absorption. The formula is (Hendriks et al., 2013):

$$dBA_2 = dBA_1 + 20 \log_{10} (D_1/D_2)$$

where

- dBA<sub>1</sub> = Reference sound level (dBA)
- dBA<sub>2</sub> = Sound level at receiver (dBA)
- D<sub>1</sub> = Distance from reference source to receiver
- D<sub>2</sub> = Distance from actual source to receiver

As seen in Table 4.11-4, the reference distance for all equipment types was 50 feet.

As discussed in detail in the noise technical study for this project (**Appendix L**), a six-foot-high brick wall lies between the project site and the nearest sensitive receiver. The wall was estimated to provide approximately 5 dBA of attenuation. This was taken into account in the construction noise exposure estimates.

For a standard reference distance of 25 feet, peak particle velocity is found from (Andrews et al., 2020, p. 37):

$$PPV = PPV_{ref} \times (25/D)^{1.1}$$

where

$$\begin{aligned} PPV_{ref} &= \text{Reference source vibration at 25 feet} \\ D &= \text{Distance from source to receiver} \end{aligned}$$

The vibration level (VdB) for a standard reference distance of 25 feet is found from (FTA, 2018, p.185):

$$VdB = L_{vref} - 30 \log(D/25)$$

where

$$\begin{aligned} L_{vref} &= \text{Reference source vibration level at 25 feet} \\ D &= \text{Distance from source to receiver} \end{aligned}$$

#### 4.11.5 Environmental Impact Analysis

##### Thresholds of Significance

In accordance with the State CEQA Guidelines Appendix G, the project would have a significant impact related to noise if it would result in the:

- A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or**
- B. Generation of excessive groundborne vibration or groundborne noise levels; or**
- C. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels.**

The Initial Study (refer to **Appendix A**) determined that there would be no impact for **Threshold C**. This analysis therefore evaluated impacts only for Appendix G **Thresholds A** and **B**. For the analysis under **Threshold A**, it was assumed that, during construction, the project will comply with all noise-related provisions of the Municipal Code, including limits on hours of construction activities and

prohibition of engine idling when devices are not in use.<sup>77</sup> Because the City has no “bright line” limits for construction noise exposure, the metric used in assessing the significance of the construction noise impact was the increase in exposure over ambient levels. Human exposure studies have established that a 5-dBA increase is perceived as about a 41% change and is “readily perceptible” (Hendriks et al., 2013, p. 2-18). However, the City of West Hollywood’s criterion for significance is an increase exceeding 10 dBA  $L_{eq}$ . For long-term exposures, the increase criterion was 5 dBA CNEL.

For vibration impacts, a wide range of structural damage thresholds has been reported. The magnitudes of the thresholds depend upon the type and age of the structure, and whether the vibration is continuous or intermittent. Our review of data published by Caltrans (Andrews et al., 2020, pp. 23-26) indicates that a threshold of 0.5 to 1.0 inch per second PPV is appropriate for the residential structures nearest to the project site. The FTA’s threshold for human annoyance is 75 VdB for occasional exposure.

### Analysis of Project Impacts

*Threshold A: Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

### Construction Impacts

#### Significant and Unavoidable Impact

Noise impacts associated with project demolition and construction include short-term impacts. Noise impacts associated with project operations would be long-term impacts. Construction activities, especially heavy equipment operation, would create noise effects on and adjacent to the construction site.<sup>78</sup> Long-term noise impacts include project-generated onsite and offsite operational noise sources. Onsite (stationary) noise sources would include operation of mechanical equipment such as air conditioners, landscape and building maintenance. Offsite noise would be attributable to project-induced traffic, which would cause an incremental increase in noise levels within and near the project vicinity.

The combinations of pieces of equipment (see **Table 4.11-5**) in all phases of construction would result in short-term increases in exposures of the nearest sensitive receiver of more than 10 dBA. These increases for the nearest sensitive receiver are shown in **Table 4.11-6**. The increase over ambient would range from 11.5 to 20.0 dBA  $L_{eq}$ . These changes would be perceived as about a 100% to 300% increase, or two to four times as loud as ambient levels (Hendriks et al., 2013, loc. cit.). The CNEL value of total exposure (ambient plus construction) would be about 72.5 dBA, which is in the “normally unacceptable” zone according to the City’s Noise/Land Use Compatibility Matrix.”

<sup>77</sup> Prohibition of idling is already taken into account at least partially through the “usage factor” in the exposure calculations; see **Table 4.11-4**.

<sup>78</sup> Noise from trucks used to haul construction materials to the site and waste materials away from the site was considered to be of minor importance. There would be an average of four truck trips per day. Their passage by a sensitive receiver would be a little blip that contributes almost nothing to the hourly  $L_{eq}$  values.

**Table 4.11-6**  
**SHORT-TERM NOISE EXPOSURES DURING CONSTRUCTION**

Construction Phase	Ambient dBA Leq	One-Hour Noise Exposure <sup>a</sup> dBA Leq	New Total Noise Exposure <sup>b</sup> dBA Leq	Increase Over Ambient dBA Leq
Demolition	55.8	75.8	75.8	20.0
Site Preparation	55.8	73.6	73.7	17.9
Grading	55.8	75.5	75.5	19.7
Building Construction	55.8	75.5	75.5	19.7
Paving	55.8	75.7	75.7	19.9
Architectural Coating	55.8	67.0	67.3	11.5

<sup>a</sup>Construction noise, taking wall attenuation into account.  
<sup>b</sup>Ambient plus contribution from construction.

Mitigation measures **N-1** through **N-4**, described in **Section 4.11.7**, would result in an appreciable decrease in exposures, but these short-term exposures at the nearest sensitive receiver would still be significant sometimes during construction. Therefore, project impacts related to increased noise levels during construction would be significant and unavoidable after mitigation.

### Operational Impacts

#### **Less Than Significant Impact**

Onsite noise sources associated with the proposed project will include rooftop equipment, such as air conditioners; trash collection; and cars entering and exiting the parking levels. Rooftop equipment usually emits about 50 to 55 dB at 50 feet, and would not be heard above normal traffic. Trash pickup may be loud but it is for only a few minutes or so, and does not contribute to the hourly Leq. Most of the parking noise will be inside the building. The neighborhood already has office buildings, restaurants, clubs, and parking lots. Therefore, onsite noise sources would not cause a change in exposure to the community and the impact would be less than significant.

In a mixed commercial and residential area, traffic noise predominates. For offsite, onroad noise impacts to be significant, it is generally necessary for traffic to double (Hendriks et al., 2013, p. 2-12). Current and projected traffic volumes for the immediate neighborhood of the project were unavailable. The nearest road segments for which the City has published traffic count data online are 8300-8400 Sunset Boulevard and 8500-8700 Sunset Boulevard; these are 51,462 and 52,231 ADT, respectively.<sup>79</sup> A traffic generation study for the project estimates that ADT will be approximately 1,245 vehicles (refer to **Appendix O**). This represents an increase of about 2.4%, far below 100%. The noise level increase due to the project would be less than significant.

<sup>79</sup> <https://data.weho.org/Traffic/Citywide-Traffic-Volumes/g47c-h4yt/data>. Accessed September 24, 2021.

***Threshold B: Would the project result in generation of excessive groundborne vibration or groundborne noise levels?***

**Less Than Significant Impact With Mitigation**

It is expected that ground-borne vibration from project construction activities would cause only intermittent, localized intrusion. The project’s construction activities most likely to cause vibration impacts are:

- **Heavy Construction Equipment:** Although all heavy, mobile construction equipment has the potential of causing at least some perceptible vibration while operating close to buildings, the vibration is usually short-term and is not of sufficient magnitude to cause building damage. It is not expected that heavy equipment such as large bulldozers would operate closely enough to any sensitive receivers to cause vibration impact.
- **Trucks:** Trucks hauling building materials to construction sites can be sources of vibration intrusion if the haul routes pass through residential neighborhoods on streets with bumps or potholes. Repairing the bumps and potholes almost always eliminates the problem.

The FTA (2018) has published standard vibration levels for construction equipment operations, at a reference distance of 25 feet. The smallest distance from a sensitive receiver and construction activity for this project is 17 feet. The calculated vibration levels expressed in VdB and PPV for typical construction equipment at their distances during construction are listed in **Table 4.11-7**.<sup>80</sup>

**Table 4.11-7  
VIBRATION LEVELS OF TYPICAL CONSTRUCTION EQUIPMENT**

Equipment	PPV at 25 feet (in/sec)	Vibration Decibels at 25 feet (VdB)	PPV at 17 feet (in/sec)	Vibration Decibels at 98 feet (VdB)	PPV at 98 feet (in/sec)	Vibration Decibels at 98 feet (VdB)	PPV at 111 feet (in/sec)	Vibration Decibels at 111 feet (VdB)
Loaded trucks	0.076	86	0.1162	91				
Jack hammer	0.035	79					0.0068	60
Small bulldozer	0.003	58			0.00067	40		

The FTA’s annoyance thresholds for vibration depend upon the type of sensitive receiver and the frequency of vibration events (FTA, 2018, p. 8-3). The CalEEMod analysis presented in **Section 4.2** estimated 3,125 truck trips during grading. It was assumed that trucks would arrive at the project site unloaded and leave loaded. Thus, there would be 3,125 loaded truck trips in 60 days, or about 52 per day. The FTA defines this frequency as “occasional.” For residential exposure, the significance threshold for annoyance is 75 VdB.

As shown in **Table 4.11-7**, the vibration level of construction equipment at the nearest sensitive receiver (a multifamily residential building at 17 feet) is at most 0.1162 inch per second, which is less than Caltrans’ damage threshold range of 0.5 - 1.0 inch per second PPV for relatively new residential

<sup>80</sup> As seen in Table 4.9-3, the nearest sensitive vibration receivers would be offsite residents.



structures. The maximum vibration exposures from loaded trucks would be 91 VdB, which exceeds the FTA threshold for human annoyance of 75 VdB for occasional exposure. However, with implementation of mitigation measure **N-4**, the loaded truck vibration would be less than significant. For a small bulldozer, the exposure would be about 40 VdB, and jackhammers, if they are used on the project, would be about 60 VdB. The impacts would therefore be less than significant with mitigation incorporated.

Neither the office building nor the restaurant uses proposed for the project involve sources that cause substantial ground-borne vibration. Therefore, the project would not result in long-term significant impacts due to ground-borne vibration or noise levels. No mitigation is necessary for operational vibration impacts.

#### 4.11.6 Cumulative Impacts

Cumulative construction impacts could occur if other construction projects were active concurrently with development of the proposed project, and near enough so that noise from two or more projects were perceived by the same sensitive receivers. However, the area surrounding the project site is almost completely built out, and there is limited space for new development. Currently, there are no planned or reasonably foreseeable future projects that would be under construction at the same time as the proposed project and could generate additional construction noise in the immediate project vicinity. Therefore, cumulative construction noise impacts would be less than significant.

#### 4.11.7 Mitigation Measures

##### Construction Noise

As analyzed above in **Threshold A**, use of onsite construction equipment during project construction would have the potential to result in significant noise impacts. Therefore, the following measures are provided to reduce the construction-related noise impacts:

- N-1:** The construction contractor will use the following source controls:
- Use of noise producing equipment will be limited to the interval from 8:00 a.m. to 5:00 p.m., Monday through Friday.
  - For all noise producing equipment, use types and models that have the lowest horsepower and the lowest noise generating potential practical for their intended use.
  - The construction contractor will ensure that all construction equipment, fixed or mobile, is properly operating (tuned up) and lubricated, and that mufflers are working adequately.
  - Have only necessary equipment on site.
  - Use manually adjustable or ambient sensitive backup alarms.<sup>81</sup>

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<sup>81</sup> These are backup alarms that focus their noise on a specific area and/or automatically adjust the volume of the noise to be only slightly above that of the ambient level at the worksite.

- N-2:** The contractor will use the following path controls, except where not physically feasible:
- Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers. A typical noise barrier in a construction setting can absorb about 85% of the noise along the path from source to receiver.<sup>82</sup> If these are used for the cases shown in **Table 4.11-6**, the increase in exposure due to the project would, except for the architectural coating phase, range from about 10 to 12 dBA.
  - Temporarily enclose localized and stationary noise sources. Enclosures can attenuate 10 to 20 dBA (AASHTO, 2007).
  - Store and maintain equipment, building materials and waste materials as far as practical from as many sensitive receivers as practical.
- N-3:** Advance notice of the start of construction shall be delivered to all noise-sensitive receivers adjacent to the Project area. The notice shall state specifically where and when construction activities will occur, and provide contact information for filing noise complaints with the contractor and the City.
- N-4:** The applicant shall repave with a smooth surface the alleyway through which loaded trucks will enter the project construction site. According to Caltrans (Andrews et al. 2020), because vibration from vehicle operations is almost always the result of pavement discontinuities, the solution is to smooth the pavement to eliminate the discontinuities. This step will eliminate perceptible vibration from vehicle operations in virtually all cases.

#### 4.11.8 Level of Significance After Mitigation

Mitigation measures **N-1** through **N-3** would result in at least a 10-dBA decrease in exposures, but these short-term exposures would still be significant sometimes during construction. Therefore, project impacts related to increased noise levels during construction would be significant and unavoidable after mitigation. Mitigation measure **N-4** would reduce vibration impacts from loaded trucks to a less than significant level.

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<sup>82</sup> The 85% reduction value is from AASHTI (2007); the effect on the increase of exposure was calculated by UltraSystems,



## 4.12 Transportation

### 4.12.1 Introduction

This section analyzes the proposed project’s potential impacts regarding transportation. Information in this section, including potential cumulative impacts, is based on findings from the Transportation Study (traffic study) prepared for the proposed project by Omar Sarsour in September 2022, and included in **Appendix O** of this document. The traffic study evaluates the thresholds of vehicle miles traveled (VMT) per the implementation of California Senate Bill 743 (SB 743) for CEQA significant impacts and the City of West Hollywood Traffic Impact Analysis Guidelines – April 2021 (City Guidelines). The traffic study also performs a site plan review and analysis, and driveway and circulation analysis. Finally, the traffic study qualitatively investigates the proposed project’s potential effects on the surrounding transportation network (Sarsour, 2022, p. 1).

California Senate Bill (SB) 743, which went into effect in January 2014, requires the Governor’s Office of Planning and Research (OPR) to change the way public agencies evaluate transportation impacts of projects under CEQA. Under SB 743, the focus of transportation analysis will shift from driver delay, which is typically measured by traffic level of service (LOS), to a new measurement, vehicle miles traveled (VMT), that better addresses the state’s goals regarding reduction of greenhouse gas (GHG) emissions, creation of multi-modal transportation networks, and promotion of mixed-use developments. VMT replaced LOS as the main assessment of transportation system operation in the CEQA Guidelines Update finalized in December 2018. By July 1, 2020, cities had to establish a VMT analysis methodology.

### 4.12.2 Regulatory Framework

#### Federal

No federal regulations pertain to this issue area.

#### State

##### **Congestion Management Program (CMP)**

The Los Angeles County Metropolitan Transportation Authority (Metro) formerly issued Congestion Management Program (CMP) documents in compliance with Proposition 111 (Traffic Congestion Relief and Spending Limitation Act Of 1990). Metro announced in August 2019 that Los Angeles County had exempted itself from CMP requirements (SCAG, 2020).

#### Regional and Local

##### **Southern California Association of Governments (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) (Connect SoCal)**

In 2020, SCAG adopted the 2020-2045 RTP/SCS – a plan now called Connect SoCal, which presents a vision for the region in 2045. Connect SoCal is a major planning document for our regional transportation and land use network. It balances the region’s future mobility and housing needs with economic, environmental and public health goals. The 2020-2045 Connect SoCal has goals that would build more than 20 miles of light rail, creating a rail backbone to serve the entire region; accommodate 51% of all future housing near major transit stations and corridors; and would replace



gas taxes with mileage-based user fees to ensure a long-term sustainable funding mechanism that isn't eroded by rising fuel efficiency and construction costs. (SCAG, 2020b, p. 2).

### **City of West Hollywood General Plan 2035 Mobility Element**

The City of West Hollywood's mobility strategy is to create a balanced and multi-modal transportation system that meets the needs of the community, and to improve the quality of life within West Hollywood while also serving as an active participant in regional strategies to address regional transportation issues. The City's Mobility Element includes strategies for many different components of the multi-modal transportation system: enhancements to the pedestrian and bicycle network, improvements to public transit, land use strategies to improve transit use, transportation demand management, and innovative parking solutions. Together, these strategies are intended to reduce traffic congestion by discouraging the use of single occupancy vehicles on city streets while creating a more efficient and healthy transportation system (Rami + Associates, Inc., 2011, p. 6-2).

Since incorporation in 1984, the City has had a primary goal of creating a pedestrian community. Specific strategies have included creating pedestrian-friendly storefronts, limiting ground-floor uses to pedestrian-friendly uses, widening sidewalks, encouraging outdoor dining, and encouraging neighborhood-serving uses (Rami + Associates, Inc., 2011, p. 6-3).

Due to the City's regional context, it is anticipated that auto congestion may continue to increase because of growth in other places in the Los Angeles region, even if no new growth occurs within West Hollywood. This is partly because new housing development many miles from the City will continue to attract more individuals interested in spending time or seeking employment in West Hollywood, or who simply pass through the City to reach other destinations (Rami + Associates, Inc., 2011, p. 6-4).

There are four primary strategies that the City implements to help reduce travel demand and enhance the multi-modal transportation system by encouraging people to walk, bike and take transit instead of driving. These are sometimes referred to as the 4D's of travel—density, diversity, design, and destinations. The 4D's encompass both improvements to the physical form of the transportation network and policies, programs, and services that sustainably and equitably meet the travel needs of all users and support a multi-modal transportation system (Rami + Associates, Inc., 2011, p. 6-7).

### **Street Network**

The City of West Hollywood has the following three classification of streets.

- Local Street: a roadway that primarily serves the residential neighborhood. These include most of the City's residential streets.
- Secondary/Collector Street: a roadway that generally carries vehicular traffic to and from the residential neighborhood. In West Hollywood these also often carry regional and local traffic seeking alternative routes to avoid congestion.
- Arterial Street: a roadway that primarily serves regional as well as local vehicular traffic along commercial corridors.



### **City of West Hollywood Sunset Specific Plan**

In order for Sunset Boulevard to be an attractive place to visit and an economically vital location to do business, people must be able to walk, drive, and park conveniently. Addressing the needs of people walking, bicycling, and traveling by public transit, is as critical to the ability to reduce congestion on the street as are physical traffic improvements (City of West Hollywood, 2019, p. 113).

The Sunset Specific Plan has the following transportation goals (City of West Hollywood, 2019, p. 113):

1. Facilitate walking, and enhance the safety and comfort of people who walk to, from, and along Sunset Boulevard.
2. Facilitate demand by bicyclists who want to ride to, from, and along Sunset Boulevard.
3. Support the use of public transit by improving service and increasing safety and comfort on transit lines and at waiting areas.
4. Promote a decrease in automobile use among employees of Sunset Boulevard workplaces.
5. Reduce congestion caused by inefficient use of existing parking and poorly distributed parking locations, and make public parking available and accessible.
6. Maximize the efficiency of Sunset Boulevard's capacity to carry vehicular traffic.
7. Improve visibility and safety of crosswalks.

### **City Programs**

The City of West Hollywood has the following transportation programs (City of West Hollywood, 2019, p. 114-116):

1. **City of West Hollywood General Plan** Mobility Element, described above.
2. **Air Quality Management Plan (AQMP)** – The AQMP is a plan devised by the South Coast Air Quality Management District (SCAQMD) to reduce emissions from on-road motor vehicles by establishing more stringent tail-pipe emission standards, using less-polluting fuels, and reducing vehicle use (e.g. vehicle trips and vehicle miles traveled). A Transportation Demand Management (TDM) program that consists of AQMP-recommended Transportation Control Measures (TCM) will reduce vehicle use. Many of these state and federally mandated TCMs are being pursued as recommendations as well as requirements for new development on Sunset Boulevard via the Sunset Specific Plan. For example, the Sunset Specific Plan requires that the design and facility improvement of new developments promote bicycle and pedestrian transportation through the development of bikeways, bicycle parking, lockers, and pedestrian facilities.
3. **Transportation Management Organization (TMO)** – With participation from the Chamber of Commerce, the City of West Hollywood is in the process of organizing the West Hollywood Area Transportation Management Organization (WHATMO). WHATMO is a multifaceted organization that enlists the participation of employers in West Hollywood, developers,





residents, and public agencies with the aim of establishing policies, programs, and services that address the City's transportation problems, including those on the Sunset Strip. Services that WHATMO will provide to the community of Sunset Boulevard include:

- a. The promotion of employer-based programs that encourage employees to come to work by carpooling, riding transit, walking, or bicycling.
  - b. Assistance to large employers (100+) in complying with California State Regulation XV, which requires them to prepare Transportation Demand Managements (TDMs).
  - c. Establishing a stronger pedestrian and bicycle orientation throughout the area, thus reducing parking congestion and traffic demand.
  - d. Providing a lunchtime shuttle service on Sunset Boulevard between Crescent Heights and Doheny. The shuttle will be coordinated with the West Hollywood City Line Shuttle service.
- 4. Transportation Demand Management (TDM) Ordinance** – In 1993, the City adopted a TDM ordinance applying to all employers of five or more employees at a work site that is 10,000 square feet or more, whether newly constructed or a new use. This ordinance establishes a program of transportation demand management tools that reduce travel demand and manage the movement of people and vehicles within the City. These tools are created to change the way people travel to work, reduce congestion, and improve air quality in the City.

### **Transportation Requirements of the Sunset Specific Plan**

The City of West Hollywood has the following applicable transportation requirements (City of West Hollywood, 2019, p. 116-122):

1. The developer shall comply with requirements of the City's Transportation Demand Management (TDM) ordinance and participate in the programs of the Sunset Transportation Management Organization (TMO).
  - a. The TDM ordinance should be consulted by developers and business owners prior to receiving project approvals.
  - b. All businesses will be required to cooperate with the City's efforts and requirements that result from the CMP, TMO, and TDM.
  - c. The City will permit and encourage nonrequired members to join the TMO and will develop a prototype rideshare program.
  - d. The City will reduce parking requirements for developments that agree to join the TMO.
7. Operate traffic control devices and employ engineering and transportation systems management to provide optimal vehicular circulation.
  - c. When possible, driveways shall be located on signalized secondary streets.

- d. Medians shall be used to prevent left turns onto Sunset from new projects.
  - e. All circulation, other than exit and entry, shall take place on the building site.
8. Prevent intrusive valet parking.
- a. Parking operations shall conform to Transportation Department guidelines for on-site queuing and circulation in parking areas.
  - b. Valet operators shall not park on residential streets.
9. Shared Parking:
- Shared parking is defined as parking spaces that can be used to serve two or more individual land uses. It may be on-site or off-site in private, public, or jointly developed parking structures.
11. Guidelines for parking structures:
- c. Developers will be permitted to construct up to 120% of the City's requirements.
  - d. Developers may construct more than 120% of the required parking spaces only if the additional spaces are made available to the public.
  - e. The City will encourage the use of the latest parking technology, such as I.D. cards, electric gates, and individual timers.
  - f. All parking structures should be constructed to allow for convenient retrofitting of the building for the recharging of electric vehicles, in accordance with the West Hollywood Zoning Ordinance.
12. Transportation Commission review is required for all projects of 20,000 square feet or more.
13. A joint meeting of the Transportation Subcommittee and the Planning Commission, or their representatives, will decide on the specific access requirements for each site.

### **City of West Hollywood Municipal Code (WHMC)**

The city's municipal code contains regulations that support the goals of the general plan and zoning designations throughout the city. The city's transportation municipal code regulations in regard to the proposed project includes Transportation Demand Management (TDM) plans, required amount of parking spaces, and required transportation infrastructure guidelines to ensure adequate project operation.

#### **4.12.3 Existing Conditions**

The project traffic study area consists of segments of Sunset Boulevard, Cory Avenue, Carol Drive, Doheny Road, and Phyllis Street near the project site.

## Traffic Study Intersections

A total of seven study intersections were selected for analysis; one intersection is signalized and the remaining six are unsignalized intersections. The seven study intersections are listed below, and the locations of these intersections are identified in **Figure 4.12-1 (Sarsour, 2022, p. 4)**. All intersections are in the city of West Hollywood.

- (1) Cory Avenue / Sunset Boulevard / Doheny Road (signal)
- (2) Carol Drive / Sunset Boulevard (unsignalized)
- (3) Carol Drive / Alley (unsignalized)
- (4) Cory Avenue / Phyllis Street (unsignalized)
- (5) Carol Drive / Phyllis Street (unsignalized)
- (6) Cory Avenue / Project Driveway 1 (unsignalized)
- (7) Project Driveway 2 / Alley (unsignalized)

The key roadways that traverse the study intersections and serve the project site are discussed below. Classifications are based on the City of West Hollywood 2035 General Plan Mobility Element (Rami + Associates, Inc., 2011, p. 6-7).

- **Sunset Boulevard is a designated major arterial roadway that runs east-west and abuts the north side of the project site. It provides regional access to the project site, with four travel lanes, two in each direction, and left-turn pockets in each direction. Metered two-hour parking, prohibited on weekdays between 4:00 a.m. and 7:00 a.m., is generally provided on both sides of the street within the project vicinity.**
- **Doheny Road is a designated minor arterial roadway that has two segments within the project vicinity and provides local and sub-regional access to the project site. It begins in the east-west direction just west of the Cory Avenue / Sunset Boulevard / Doheny Road intersection just northwest of the project site and then continues south of Sunset Boulevard. The roadway segment generally includes two travel lanes, one in each direction. Unmetered daytime parking (parking permits exempt) is generally available on both sides of the street further west of the intersection.**

**Figure 4.12-1**  
**TRAFFIC STUDY INTERSECTIONS**



Disclaimer: Illustration provided by City of West Hollywood, who has indicated that the information is true and correct. No other warranties are expressed or implied.

Sources: City of West Hollywood, October 2021.

9160-9176 Sunset Boulevard Commercial Project

Traffic Study Intersections





- **Cory Avenue is a designated local/residential roadway that runs in the north-south direction and abuts the project site to the west of it. It provides local access to the project site, with two travel lanes, one in each direction. Unmetered daytime parking (parking permits exempt) is generally available on the east side of the street while metered parking is available for portions of the west side of the street.**
- **Phyllis Street is a designated local/residential roadway that runs in the northwest-southeast direction approximately 0.1 miles south of the project site. It provides local access to the project site, with two travel lanes, one in each direction. Unmetered daytime parking (parking permits exempt) is generally available on both sides of the street.**
- **Carol Drive is a designated local/residential roadway that runs in the north-south direction and provides access to the alley way on the east side of the project site. It provides local access to the project site, with two travel lanes, one in each direction. Unmetered daytime parking (parking permits exempt) is generally available on both sides of the street.**

## **Existing Transportation**

### **Bus Transit**

The project area is well served by public transit and is located in an area defined as a “transit priority area” under SB 743. Bus transit service in the vicinity of the project site is available along Sunset Boulevard via Metro Local Line 2, which includes stops at the intersection of Cory Avenue / Sunset Boulevard / Doheny Rd (Sarsour, 2022, p. 4). The city also provides a trolley transit program called WeHo Pickup, which provides free transit within the City along Santa Monica Boulevard between Robertson Boulevard and North La Brea Avenue (WeHo Pickup, 2021); the closest stop to the project site is bus stop 17, located at the intersection of Santa Monica Boulevard and Ramage Street, approximately 0.6 mile southeast of the project site (Google Earth Pro, 2021). Additionally, the city provides a free bus transit service called Cityline, which is comprised of Cityline Local that provides transit services every 30 minutes, and the Cityline Commuter that provides rush hour and Saturday evening service (until eight pm) to and from Hollywood and Highland and the Metro B line every 15 minutes (City of West Hollywood, 2021a); the closest Cityline bus stop to the project site is bus stop three, located at the intersection of Palm Avenue and Nellis Street, approximately 0.5 mile east of the project site (City of West Hollywood, 2021b); Google Earth Pro).

### **Bicycle Routes**

Bicycling is permitted along Sunset Boulevard and the surrounding local roadways but are not denoted with pavement markings or striping such as bicycle sharrows, lanes, or signed routes within the project site vicinity (Sarsour, 2022, p. 4).

### **Existing Pedestrian Facilities**

Pedestrian access to and from the project site includes the sidewalk on the northern portion of the project site along Sunset Boulevard and the alley on the eastern portion of the project site that is along Carol Drive.



#### 4.12.4 Environmental Impact Analysis

##### Thresholds of Significance

In accordance with the State CEQA Guidelines Appendix G, the project would have a significant impact related to public services if it would:

**Threshold (a):** Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; or

**Threshold (b):** Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b); or

**Threshold (c):** Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or

**Threshold (d):** Result in inadequate emergency access.

##### Project Design Features

The following project design features (PDFs) would be implemented by the proposed project.

**TRANS-PDF-1** The project would comply with the City's Transportation Demand and Management (TDM) Program and implement the following TDM program requirements for commercial projects:

- **TDM Marketing.** Implement the requirements for TDM marketing, as outlined in WHMC Section 10.16.070;
- **TDM Plan and Required Trip Reduction Strategies.** Submit a TDM plan with the contents outlined in WHMC Section 10.16.060(a), that provides a minimum of eight trip reduction strategies for commercial or mixed use structures with a total of more than 10,000 square feet of floor area;
- **Average Vehicle Ridership (AVR) Goal.** Employ best efforts to implement TDM strategies determined in the TDM plan to achieve the commercial only AVR goal of 1.5;
- **TDM Survey.** Conduct the annual TDM survey, as outlined in WHMC Section 10.16.080, provided by and submitted to the Director, which calculates estimated AV;
- Submit a Commercial and Mixed Use Development Annual Report, as further outlined in WHMC Section 10.16.080
- Maintain TDM records in accordance with WHMC Section 10.16.110.

## Analysis of Project Impacts

***Threshold A: Would the Project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?***

### **Less Than Significant Impact with Mitigation**

#### **Applicable Plans, Ordinances, and Policies**

##### Senate Bill 743

As detailed below in threshold 4.12 b), the proposed project would adhere to SB 743.

##### Statewide Transportation Improvement Program (STIP)

The Statewide Transportation Improvement Program (STIP) is a multi-year capital improvement program of transportation projects on and off the State Highway System, funded with revenues from the State Highway Account and other funding sources. The proposed project development is not a transportation project and would not conflict with the STIP.

##### City of West Hollywood 2035 General Plan – Mobility Element

**Table 4.12-3** details all the applicable goals and policies the Mobility Element has in regards to the proposed project and how the proposed project would adhere to them.

**Table 4.12-3**  
**CITY OF WEST HOLLYWOOD 2035 GENERAL PLAN – MOBILITY ELEMENT**

Policy	Consistency
<b>Goal M-1: Develop a world-class transit system in West Hollywood.</b>	
<b>M-1.3</b> Consider requiring development projects to include transit amenities and transit incentive programs.	The proposed project would include transit amenities such as bike racks and would include transit incentive programs as part of the TDM program. Therefore, the proposed project would be consistent with this policy.
<b>M-1.10</b> Seek ways to reduce the emissions of greenhouse gases by transit vehicles.	The proposed project would include 20 EV charging spaces as part of the proposed 86 parking spaces, which would incentivize people to use electric cars for transportation and would reduce greenhouse gas emissions compared to cars that use gasoline. Therefore, the proposed project would be consistent with this policy.
<b>Goal M-2: Collaborate on regional transportation solutions that improve mobility, quality of life, and environmental outcomes.</b>	
<b>M-2.5</b> Develop programs and strategies that work to achieve greenhouse gas or VMT reduction standards established by regional, state, and/or federal agencies.	The proposed project would include 20 EV charging spaces as part of the proposed 86 parking spaces. The proposed project is a commercial mixed-use development that includes office and restaurant uses on the ground floor with open space for outdoor dining, which would incentivize proposed office workers to walk in the project area, rather than using cars. Additionally, the project site is

Policy	Consistency
	located in a transit-priority area, which would incentivize workers to take public transit rather than using individual cars. Therefore, the proposed project would be consistent with this policy.
<b>Goal M-3: Maintain and enhance a pedestrian-oriented City.</b>	
<b>M-3.1</b> Encourage and provide incentives and programs for people to walk more and drive less.	The proposed project is a mixed-use development that contains office and restaurant uses on the ground floor with open space for outdoor dining, which would incentivize proposed office workers to walk in the project area, rather than using cars. Additionally, the proposed project would include 16 bicycle parking spaces that would incentivize pedestrian transit in the project area. Therefore, the proposed project would be consistent with this policy.
<b>M-3.2</b> Seek to prioritize space for pedestrians and bicycles in the design and improvement of public rights of way.	The proposed project is a mixed-use development that contains office and restaurant uses on the ground floor with open space for outdoor dining, and bicycle parking spaces that would prioritize space for pedestrians and bicycles. Therefore, the proposed project would be consistent with this policy.
<b>M-3.4</b> Where feasible, provide the following pedestrian amenities throughout the street network, consistent with the desired urban form and land use in this General Plan: <ul style="list-style-type: none"> <li>• Wider sidewalks</li> <li>• Street trees and landscaping</li> <li>• Bulb-outs</li> <li>• Seating areas</li> <li>• Pedestrian-oriented lighting</li> </ul>	The proposed project would include street trees and landscaping, outdoor seating areas on the ground floor, and pedestrian-oriented lighting for safety purposes. Therefore, the proposed project would be consistent with this policy.
<b>M-3.6</b> Continue to work with businesses and business groups to improve walkability on major corridors and support private investment into pedestrian-oriented amenities.	The proposed project would be located in a high quality transit area (HQTA), which would improve walkability on major corridors such as Sunset Boulevard. Additionally, the proposed project would support pedestrian-oriented amenities by constructing ground floor restaurant and outdoor dining space and providing bicycle parking spaces. Therefore, the proposed project would be consistent with this policy.
<b>M-3.9</b> Require new commercial development to provide for the construction of pedestrian rights of way to allow convenient and unimpeded circulation to, through, and within the property being developed.	The proposed project would not expand its project boundaries into existing Rights-of-Way (ROW) that would impede circulation within or around the project area. Therefore, the proposed project would be consistent with this policy.
<b>M-3.10</b> Require design measures as appropriate to accommodate access by pedestrians, bicycles, and transit within new development and to provide connections to adjacent development.	The proposed project would not expand its project boundaries into existing ROW that would impede circulation within or around the project area. Additionally, the proposed project would be located in a HQTA and include bicycle parking spaces that would allow the connections to the project site and adjacent developments. Therefore, the proposed project would be consistent with this policy.

Policy	Consistency
<b>Goal M-4: Create a comprehensive bicycle network throughout the City</b>	
<b>M-4.2</b> As feasible, ensure that new development of commercial and multi-family residential uses enhance the City’s bicycle network and facilities.	The proposed project would provide bicycle parking spaces that would enhance the city’s bicycle facilities. Therefore, the proposed project would be consistent with this policy.
<b>M-4.3</b> Where feasible, install bicycle amenities including parking, storage, dedicated bicycle lanes, and bicycle way-finding/signage along planned bicycle routes, throughout commercial areas, and at public facilities.	The proposed project would provide bicycle parking spaces. Therefore, the proposed project would be consistent with this policy.
<b>M-4.4</b> Explore the development of bicycle stations throughout the City and at major transit stops. The bicycle stations should consider amenities such as the following: <ul style="list-style-type: none"> <li>• Lockers</li> <li>• Showers</li> <li>• Bicycle repair</li> <li>• Bicycle sharing facilities</li> </ul>	The proposed project would provide 16 bicycle parking spaces. Therefore, the proposed project would be consistent with this policy.
<b>M-4.6</b> Require major employers to provide covered and secure bicycle parking and shower and locker facilities for their bicycle commuters, or to assist in funding bicycle-transit centers in nearby locations.	
<b>Goal M-5: Create an environmentally and financially sustainable transportation network that provides for the mobility and livability needs of West Hollywood residents, businesses, and visitors.</b>	
<b>M-5.8</b> Allow for the collection of fees from developers to undertake the following infrastructure projects to support new development: <ul style="list-style-type: none"> <li>• Sidewalk improvements</li> <li>• Landscaping</li> <li>• Bicycle infrastructure</li> <li>• Traffic calming devices</li> <li>• Traffic signals</li> <li>• Other improvements that promote/maintain the pedestrian-oriented character of the community (i.e. traffic calming devices and TDM programs).</li> </ul>	The Project Applicant would pay all applicable fees in regard to the proposed project. Therefore, the proposed project would be consistent with this policy.
<b>M-5.9</b> Require new development to pay its share of transportation improvements necessitated by that development.	The Project Applicant would pay all applicable fees in regard to the proposed project. Therefore, the proposed project would be consistent with this policy.
<b>M-5.11</b> Ensure that emergency vehicles have secure and convenient access to the City’s street network.	The proposed project would ensure that emergency vehicles have convenient access to the project site and project area during the construction phase by implementing <b>MM TRANS-1</b> , which would implement a Construction Management Plan that would provide adequate circulation within and around the project site during construction. During the operational phase, there would be no impediment to access to the project area because the proposed project would adhere to all applicable city guidelines in regard to site access. Therefore, the proposed project would be consistent with this policy.

Policy	Consistency
<b>Goal M-6: Utilize Transportation Demand Management strategies to reduce auto travel.</b>	
<b>M-6.2</b> Require new projects to provide an estimate of new trips generated and/or additional VMT. The degree of specificity required will be reasonably proportional to the project size.	The City of West Hollywood prepared a Transportation Study for the proposed project, which provided an estimate of new trips generated and a VMT analysis. Therefore, the proposed project would be consistent with this policy.
<b>M-6.4</b> Consider requiring new residential and commercial development to provide a partial transit subsidy for employees and/or residents of the new development.	The proposed project would provide partial transit subsidies as part of the project's TDM program. Therefore, the proposed project would be consistent with this policy.
<b>M-6.7</b> Support carpool, rideshare, and telecommuting programs in partnership with the City's business community, and strive for increased participation rates.	The proposed project would provide carpool, rideshare, and telecommuting programs as part of the project's TDM program. Therefore, the proposed project would be consistent with this policy.
<b>M-6.9</b> Respond to changes in demand by replacing auto infrastructure with other types of transportation infrastructure. For example, the City may replace some auto parking with bicycle parking as bicycle use grows, or designate auto lanes for public transit only.	The proposed project would provide 16 bicycle parking spaces on the project site, which do not currently exist to respond to growing bicycle and transportation infrastructure. Therefore, the proposed project would be consistent with this policy.
<b>Goal M-8: Manage parking supply to serve residents, businesses and visitors.</b>	
<b>M-8.9</b> Require all new development to provide adequate parking whether on-site, offsite, through shared parking or park-once strategies, or other methods.	The proposed project would provide adequate parking comprising 86 parking spaces, plus two loading spaces, and 16 bicycle spaces in compliance with the requirements of the City's Municipal code for the proposed land use composition and building area. Therefore, the proposed project would be consistent with this policy.
<b>M-8.15</b> Require private parking operators in commercial areas to post information about parking prices, time restrictions, and availability in a consistent manner for all commercial parking.	The project would comply with all applicable requirements pertaining to posting of information in the parking garage. Therefore, the proposed project would be consistent with this policy.
<b>Goal M-9: Facilitate sustainable, effective, and safe movement of goods and commercial vehicles.</b>	
<b>M-9.3</b> Utilize alleys for access to parking, delivery loading/unloading and trash collection and, where possible, provide additional green space and pedestrian amenities.	The proposed project would utilize an alleyway on the southern boundary of the project site, along Carol Drive, for access to parking, and loading and unloading. Therefore, the proposed project would be consistent with this policy.
<b>M-9.5</b> Prohibit commercial vehicles from excessive idling during deliveries and while parked.	The Project Applicant would comply with applicable requirements pertaining to loading and prohibit commercial vehicles from excessive idling during deliveries and while parked. Therefore, the proposed project would be consistent with this policy.

Source: Rami + Associates Inc., 2011, p. 6-22 to 6-30



**City of West Hollywood Sunset Specific Plan (SSP)**

**Table 4.12-4** details all the applicable transportation goals the SSP has in regards to the proposed project and how the proposed project would adhere to them.

**Table 4.12-4**  
**CITY OF WEST HOLLYWOOD SUNSET SPECIFIC PLAN – TRANSPORTATION GOALS**

Goals	Consistency
Facilitate walking, and enhance the safety and comfort of people who walk to, from, and along Sunset Boulevard	The proposed project would provide restaurant and outdoor plaza/dining uses on the ground-floor; uses that facilitate walking. Additionally, the proposed project would introduce lighting for visibility and safety purposes. Therefore, the proposed project would adhere to this goal.
Facilitate demand by bicyclists who want to ride to, from, and along Sunset Boulevard	The proposed project would provide bicycle parking spaces to facilitate demand from bicyclists who would want to ride to, from, and along Sunset Boulevard. Therefore, the proposed project would adhere to this goal.
Promote a decrease in automobile use among employees of Sunset Boulevard workplaces.	The proposed site would be located within a High-Quality Transit Area, which has several public transit routes within the vicinity that would promote proposed employees of the project to use public transportation and decrease the use of automobiles. Therefore, the proposed project would adhere to this goal.

**Source:** City of West Hollywood, 2019, p. 113

**City of West Hollywood Municipal Code**

The City’s municipal code contains regulations that support the goals of the general plan and zoning designations throughout the city. The proposed project would adhere to applicable municipal code regulations. Implementation of project design feature TRANS-PDF-1, described above, would ensure compliance with the requirements of the City’s TDM Ordinance (WHMC Section 10.16, Transportation Demand Management).

The proposed project could potentially cause significant impacts to one of the city’s policies regarding emergency access during the construction phase of the project. However, the proposed project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities with implementation of **MM TRANS-1** set forth below in **Section 4.12-5**.

***Threshold B: Would the Project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?***

**Less Than Significant Impact**

Section 15064.3, Determining the Significance of Transportation Impacts, of the CEQA Guidelines describes specific considerations for evaluating a project’s transportation impacts. Section 15064.3, subdivision (b) includes criteria for analyzing transportation impacts. For land use projects, “Vehicle

miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within 0.5 mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact” (CEQA Guidelines § 15064.3).

There are several bus stops that are within a 0.5 mile radius from the project site that are considered high-quality transit corridors. The Sunset Boulevard/Cory Avenue and Sunset Boulevard/Doheny Drive bus stops, both part of the Metro Local Line 2, are approximately 60 feet west and 160 northwest of the project site, respectively, and both are high-quality transit corridors with buses stopping within 15 minute increments during peak commute hours. Additionally, the San Vicente/Sunset Boulevard bus stop along the 105 Metro Local Line is approximately 0.35 mile east of the project site and is also a high-quality transit corridor (Metro, 2021). Therefore, the proposed project would be consistent with CEQA Guidelines section 15064.3, subdivision (b), and there would be less than significant impacts.

Additionally, the City of West Hollywood vehicle miles traveled (VMT) guidelines reflect the VMT guidelines created by the California Office of Planning and Research (OPR) and CEQA Guidelines section 15064.3 and considers a development project to not have a significant impact on transportation if said project is located within a high-quality transit area and is **NOT** subject to any of the exclusionary criteria:

- a. *A project with a floor area ratio (FAR) of less than 0.75;*

The proposed project has a FAR of 2.85. Therefore, the proposed project is not subject to this criteria.

- b. *A project with more than the required number of parking spaces;*

- The proposed project would adhere to Section 19.28.040, Number of Spaces Required, and Section 19.28.160, Off-Street Loading Space Requirement, of the City’s Municipal Code. Refer to the discussion below which lists the number of required minimum parking spaces based on project land use and how the proposed project would adhere to the City’s parking requirements.
- Offices: two spaces per 1,000 sq. ft. for the first 25,000 sq. ft. plus one space for each additional 1,000 square feet. Additionally, one loading space per 40,000 sq. ft. of office use area.
  - The proposed project would have approximately 36,920 sq. ft. of office space and approximately 8,112 sq. ft. of back of house/ mechanical electrical plumbing (BOH/MEP) space for office use, including a total of 45,032 sq. ft. of office use space. Therefore, the project would be required to have a minimum of 70 parking spaces and two loading spaces. The proposed project would provide 70 parking spaces, plus two loading spaces for office use,
- Restaurants: 3.5 spaces per 1,000 sq. ft. Outdoor dining: 3.5 spaces per 1,000 sq. ft. if outdoor dining area is 251 sq. ft. or more; none required otherwise.

- The project would have approximately 7,967 sq. ft. of restaurant space including BOH/MEP space for restaurant use and approximately 350 sq. ft. of outdoor seating for restaurant. Therefore, the project would be required to have a minimum of 29 parking spaces for the proposed 8,317 square feet of restaurant and BOH/MEP use space. The proposed project would provide 15 parking spaces for restaurant use allowed through a voluntary 50% reduction in minimum parking requirement for secondary use spaces including restaurant/retail use, permitted under WHMC Section 19.28.060, Reduction of Off-street Parking Requirements.

As described above, the proposed project is required to provide a total of 99 parking spaces (70 for Office + 29 for restaurant), plus 2 loading spaces. The proposed project would provide a total of 86 parking spaces, plus 2 loading spaces. Therefore, the project would not develop more than the required minimum number of parking spaces and is not subject to this criteria.

*c. A project that is inconsistent with the applicable Sustainable Communities Strategy;*

Developed in accordance with California Senate Bill 375 (SB 375), the Sustainable Communities Strategy (SCS) is an element of the SCAG (Southern California Association of Governments) 2020-2045 Regional Transportation Plan (RTP)/Sustainable Communities Strategy. The legislation requires Metropolitan Planning Organizations (MPO) to prepare a SCS as part of their RTPs, along with the traditional policy, action, and financial requirements.

The SCS details how, through coordination of transportation investments and a regional development pattern, the region can achieve the GHG reduction targets set forth by California Air Resources Board (ARB). SCAG’s SCS current target is to reduce greenhouse gas (GHG) emissions from automobiles and light duty trucks by eight percent per capita by 2020 and 19 percent by 2035 from 2005 emissions levels (SCAG, 2020b, p.1).

The SCS does not have specific regulations for projects to adhere to, rather, SCAG engages one-on-one with local jurisdictions early in the planning process to identify on-the-ground conditions related to land use, resource areas, transportation infrastructure and locally anticipated growth that are specific to each jurisdiction. Since then, a large majority of jurisdictions have adopted SCS strategies into their General Plan and Zoning Codes (SCAG, 2020b, p. 9). Therefore, since there are no specific regulations to adhere by, the analysis shown below in **Table 4.12-5** lists the SCS strategies and goals that are applicable to the proposed project and how the project would adhere to them.

**Table 4.12-5  
SUSTAINABLE COMMUNITY STRATEGIES**

Goals	Compliance
<b>Strategy: Focus growth near destinations and mobility options</b>	
Emphasize land use patterns that facilitate multimodal access to work, educational and other destinations.	The proposed project would develop an office and restaurant use building in a high-quality transit area, which has frequent multimodal access options to the project site and other nearby destinations.

Goals	Compliance
	Therefore, the proposed project would adhere to this goal.
Focus on a regional jobs-housing balance to reduce commute times and distances, and expand job opportunities near transit and along center-focused main streets.	While the City has experienced substantial growth in economic activity since its incorporation in 1984, its controlled-growth policies have resulted in a shortage of top-quality office and retail space (City of West Hollywood, 2019, p. 21). The proposed project would build office and retail/restaurant spaces that would balance the shortage of office and retail spaces in the city. Additionally, the project site is located in a high-quality transit area and along Sunset Boulevard, a center-focused main street. Therefore, the proposed project would adhere to this goal.
Plan for growth near transit investments and support implementation of first/last mile strategies.	The project site is located within a high-quality transit area that has several high-quality transit stops within a mile of its location. Therefore, the proposed project would adhere to this goal.
Prioritize infill and redevelopment of underutilized land to accommodate new growth, increase amenities and connectivity in existing neighborhoods.	The proposed project would be an infill development that would replace a closed car dealership with a commercial development providing office, and retail/restaurant uses that would accommodate new office and retail growth, which the city currently has a shortage of, and offer amenities such as restaurants to the surrounding community. Therefore, the proposed project would adhere to this goal.
Encourage design and transportation options that reduce the reliance on and number of solo car trips (this could include mixed uses or locating and orienting close to existing destinations).	The proposed project would be designed to have retail/restaurant uses on the ground floor to encourage future office workers and surrounding workers to walk and lessen the reliance of solo car trips to other areas. Also, the project site is adjacent to many other mixed-use areas that would encourage pedestrian use and lessen the reliance of solo car trips. Therefore, the proposed project would adhere to this goal.
<b>Strategy: Leverage Technology Innovations</b>	
Goals	Compliance
Promote low emission technologies such as neighborhood electric vehicles, shared ride hailing, car sharing, bike sharing and scooters by providing supportive and safe infrastructure such as dedicated lanes, charging and parking/drop-off space.	The proposed project would provide 20 electric vehicle charging spaces in the proposed underground parking garage. Therefore, the proposed project would adhere to this goal.

Goals	Compliance
<b>Strategy: Promote a Green Region</b>	
Goals	Compliance
Reduce consumption of resource areas, including agricultural land.	The proposed project is an infill development that would replace a closed car dealership. Therefore, the proposed project would not be developed on agricultural land and would adhere to this goal.
<b>Strategy: GHG Reduction Approach</b>	
Goals	Compliance
Improved bike infrastructure.	The current project site does not have any bike infrastructure. The proposed project would provide 16 bicycle parking spaces. Therefore, the proposed project would adhere to this goal.
Infill development and increased density near transit infrastructure.	The proposed project would be an infill development that would replace a closed car dealership, and is located in a high-quality transit area with several bus stops within a 0.5 mile radius from the project site. Therefore, the proposed project would adhere to this goal.
Shorter trips through land use strategies such as jobs/housing balance.	The city is experiencing a shortage of office and retail spaces and the proposed project would increase the jobs/housing balance by developing office, retail/restaurant uses within the city (City of West Hollywood, 2019, p. 21). Therefore, the proposed project would adhere to this goal.
Transportation Demand Management (TDM).	The proposed project is required to adhere to the city's Municipal Code section 10.16, TDM Requirements, and would create a TDM plan that consists of at least eight traffic trip reduction strategies. Therefore, the proposed project would adhere to this goal.
Bike share and micromobility	The proposed project would provide a bikeshare program as part of the project's TDM program. Therefore, the proposed project would be consistent with this policy.
Carshare	The proposed project would provide a carshare program as part of the project's TDM program. Therefore, the proposed project would be consistent with this policy.
Increased electric vehicle charging.	The current project site does not have any electric vehicle charging infrastructure. The proposed



Goals	Compliance
	project would adhere to WHMC Section 19.28.170, Electric Vehicle Charging Readiness, and provide 20 EV charging spaces as part of the 86 proposed parking spaces. Therefore, the proposed project would adhere to this goal.

**Source:** SCAG, 2020b; Ultrasystems, 2021.

All of SCAG’s SCS strategies, measures and policies collectively result in approximately 14 percent per-capita GHG reductions using the Activity Based Model, and 5 percent reductions using off-model methodologies (SCAG, 2020b). The proposed project would adhere to all applicable SCS strategies and would be consistent with the SCS. Therefore, the proposed project is not subject to this criteria.

*d. A project that replaces affordable residential units with fewer, moderate- or high-income residential units.*

- The proposed project would not replace affordable housing units with fewer, moderate- or high-income residential units. The proposed project would replace a closed automobile dealership with a commercial building comprised of restaurant and office uses. Therefore, the proposed project would not replace affordable housing units with fewer, moderate- or high-income residential units, and is not subject to this criteria.

*e. A project with the potential for significant regional draw.*

- A project that may have the potential for regional draw is a development that offers a specialized service such as an amusement park or specialized hospital. However, the proposed project would be develop a commercial building with office and restaurant uses that are common of every city, and would not cause for regional significant draw. Additionally, the city has a shortage of office and retail space in the city (City of West Hollywood, 2019, p. 21). The proposed project would allow for a better jobs/housing balance within the city and allow residents to find work closer to their homes. Therefore, the proposed project is not subject to this criteria.

***Threshold C: Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?***

**Less Than Significant Impact with Mitigation**

**Construction**

During the construction phase of the project, there may be temporary sidewalk and lane closures that could possibly increase hazards due to geometric design features or incompatible uses. However, preparation of a construction management plan, as detailed in mitigation measure **TRANS-1**, would reduce the potential for hazards due to geometric design features and incompatible uses to less than significant during the project construction phase.

## Operation

The proposed project would not alter the surrounding roadways. Vehicular access to the project site during project operation would occur on a driveway from Cory Avenue and an alleyway from Carol Drive. The proposed project would comply with all applicable requirements of the City of West Hollywood regarding traffic-related design features and would be designed to provide adequate lines of sight, proper emergency access, and vehicle flow within the project site. Therefore, the proposed project would not increase hazards due to a design feature, and no impact would occur.

*Threshold D: Would the Project result in inadequate emergency access?*

### Less Than Significant Impact with Mitigation

#### Construction

During the construction phase of the project, there may be temporary sidewalk and lane closures that could possibly result in inadequate emergency access. However, preparation of a construction management plan, as detailed in mitigation measure **TRANS-1**, would result in less than significant impacts in regard inadequate emergency access to the project site during the project construction phase.

#### Operation

During operation, two driveways would provide ingress and egress from the project site; one from Cory Avenue, and one along a driveway connected to Carol Drive. The traffic study found both driveways to have no issues with access; however, the traffic study recommends a keep-clear sign at the Cory Avenue driveway due to the close proximity to the Cory Avenue/ Sunset Boulevard/ Doheny Road intersection (Sarsour, 2022, p. 20). Therefore, the project would implement **MM TRANS-2**, set forth below in **Section 4.12.6**, and would reduce emergency access impacts during operation to less than significant. Additionally, the project site plan would be reviewed by the Los Angeles County Fire Department and the project would comply with all emergency access and sight line requirements. Therefore, the proposed project would not result in inadequate emergency access during operation and no impacts would occur.

### 4.12.5 Cumulative Impacts

#### Construction

The proposed project would have less than significant transportation impacts during the construction phase with implementation of **MM TRANS-1**. Other projects proposed in the City of West Hollywood would be required to implement mitigation measures (as warranted) for potential short-term construction impacts regarding potential conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Cumulative projects would be required to reduce potential construction-phase impacts regarding conflict with plans/programs. Therefore, project impacts would be less than cumulatively considerable.

## Operation

The proposed project would have less than significant transportation impacts during the operation phase with implementation of **MM TRANS-2**. Other projects proposed in the City of West Hollywood would be required to implement mitigation measures (as warranted) for potential long-term construction impacts regarding conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Cumulative projects would be required to reduce potential operational impacts regarding conflict with plans/programs. Therefore, project impacts would be less than cumulatively considerable.

## Emergency Access

The proposed project would have less than significant impacts in regard to emergency access with implementation of **MM TRANS-1** and **MM TRANS-2**. The proposed project as well as other projects proposed in the City of West Hollywood would be required to implement mitigation measures (as warranted) for potential short-term and long-term impacts from projects. It is anticipated that cumulative projects, just as with the proposed project, would be required to provide adequate emergency vehicle access to project sites both during the short-term construction period and long-term operational phases. Therefore, project impacts would not be cumulatively considerable.

### 4.12.6 Mitigation Measures

Impacts associated with significance thresholds A, C and D would be potentially significant without mitigation. Therefore, the following mitigation measures would be required to minimize potential impacts related to traffic and transportation.

**MM TRANS-1** Prior to construction, the General Contractor shall submit a detailed Construction Management Plan to be reviewed and approved by the City of West Hollywood. The Construction Management Plan shall specify that the Construction Manager will schedule truck traffic and employee shifts to avoid creating trips during the peak traffic periods, as is feasible for construction operations. All measures, including identified truck routes and designated employee parking areas, shall be included in the Construction Management Plan. The Plan shall include but is not limited to the following provisions:

- To handle street traffic affected by at-grade construction work on Sunset Boulevard, Cory Avenue, and Carol Drive, the Construction Management Plan shall specify how traffic will be routed and controlled during the construction phase, including which lane(s) of traffic will be temporarily blocked off for construction work.
- Specification of permitted hours for construction-related deliveries and removal of heavy equipment and material.
- Specification of where construction workers would park their personal vehicles during project construction with a requirement that at no time shall construction worker vehicles block any driveways. If complaints are received by the project applicant regarding issues with construction worker vehicle parking, the project applicant shall identify alternative parking options for construction workers so as not to interfere with any commercial and residential parking availability.

- Identification of how emergency access to and around the project site will be maintained during project construction.
- Specification of haul routes for delivery or removal of heavy and/or oversized equipment or material loads. Where feasible, delivery or removal of oversized equipment or material loads shall be conducted during off-peak traffic periods.
- Maintain pedestrian and bicycle connections around the project site designate safe crossing locations for all pedestrian detours.
- Maintain the security of the project site by erecting temporary fencing during the construction phase of the project. Any onsite night lighting used during the construction phase of the project shall be in compliance with lighting requirements of the City of West Hollywood.
- If temporary lane closures are necessary for the installation of utilities, that emergency access should be maintained at all times.
- Flag persons and/or detours shall be provided as needed to ensure safe traffic operations.
- Construction signs shall be posted to advise of reduced construction zone speed limits.
- The project design shall include entry/exit gates for first responders' vehicles to gain access to the project site.

**MM TRANS-2** A keep clear sign shall be located at the proposed Cory Avenue driveway to ensure there would be less than significant traffic congestion near the Cory Avenue/ Sunset Boulevard/ Doheny Road intersection.

#### **4.12.7 Level of Significance After Mitigation**

Impacts associated with significance thresholds A and C would be less than significant after implementation of Mitigation Measure **TRANS-1**.

Impacts associated with significance threshold D would be less than significant after implementation of Mitigation Measure **TRANS-2**.

## 4.13 Tribal Cultural Resources

### 4.13.1 Introduction

This section addresses potential impacts to tribal cultural resources (TCRs) and provides an analysis of the project's potential impacts on TCRs. The evaluation of potential impacts to TCRs is based on both consultation and coordination with Native American tribes traditionally and culturally affiliated with the proposed project site as well as a Sacred Lands Files (SLF) records search conducted by the Native American Heritage Commission (NAHC). Information in this section is also based in part on the Phase I Cultural Resources Survey for the 9160-9176 Sunset Boulevard Mixed Commercial project, City of West Hollywood, Los Angeles County, California, prepared by UltraSystems Environmental Inc. (UltraSystems, 2021), included as **Appendix F** of this document.

Tribal cultural resources are defined by the Public Resources Code (PRC) Section 21074 as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either included or determined to be eligible for inclusion in the California Register of Historical Resources (CRHR) or included in a local register of historical resources, or a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant. A cultural landscape that meets these criteria is a TCR to the extent that the landscape is geographically defined in terms of the size and scope of the landscape. Historical resources, unique archaeological resources, or non-unique archaeological resources may also be TCRs if they meet these criteria.

### 4.13.2 Regulatory Framework

The treatment of TCRs is governed by state laws and guidelines. There are specific criteria for determining whether prehistoric sites or objects associated with TCRs are significant and thus protected by law. Some resources that do not meet archaeological cultural significance criteria may be considered significant by state criteria for TCRs. The laws and regulations seek to mitigate project impacts on significant TCRs.

#### **Federal**

There are no federal laws that pertain to this issue area.

#### **State**

#### **Unique Archaeological Resources under CEQA**

CEQA requires the lead agency to consider whether the project will have a significant effect on unique archaeological resources and to avoid unique archaeological resources when feasible or mitigate any effects to less than significant levels per California Public Resources Code (PRC) § 21083.2. CEQA (PRC § 21083.2(g)) defines a unique archaeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- 1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information;



- 2) Has a special and particular quality such as being the oldest of its type or the best available example of its type;
- 3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

### **California Assembly Bill 52 (Native American Consultation and Tribal Resources)**

AB 52 creates a new category of environmental resources that must be considered under CEQA: “tribal cultural resources” (TCRs). The legislation imposes requirements on local agencies for consultation with California Native American tribes regarding projects that may have potential impacts on TCRs.

As detailed in Public Resources Code Section 21074:

*(a) “Tribal cultural resources” are either of the following:*

*(1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:*

*(A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.*

*(B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.*

*(2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.*

*(b) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.*

*(c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “nonunique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).*

Under Public Resources Code Section 21080.3.1, prior to release of an EIR the Lead Agency is required to begin consultation with a California Native American Tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if:

- 1) *the tribe requested to the lead agency, in writing, to be informed by the lead agency through formal notification of proposed projects in that geographic area that is traditionally and culturally affiliated with the tribe; and*
- 2) *the tribe responds, in writing, within 30 days of receipt of the formal notification, and requests the consultation.*

The lead agency shall begin the consultation process within 30 days of receiving a California Native American tribe's request for consultation. Public Resources Code § 65352.4 defines consultation as "the meaningful and timely process of seeking, discussing, and considering carefully the views of others, in a manner that is cognizant of all parties' cultural values and, where feasible, seeking agreement. Consultation between government agencies and Native American tribes shall be conducted in a way that is mutually respectful of each party's sovereignty. Consultation shall also recognize the tribes' potential needs for confidentiality with respect to places that have traditional tribal cultural significance."

Public Resources Code Section 21080.3.2(a) states: "As a part of the consultation pursuant to Section 21080.3.1, the parties may propose mitigation measures, including, but not limited to, those recommended in Section 21084.3, capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural resource." Public Resources Code Section 21084.3 states: "Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource." Consultation is considered concluded when the parties agree to measures to mitigate or avoid a significant effect on a TCR, or a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.

### **Human Remains**

Section 15064.5 of the State CEQA Guidelines specifies procedures to be used when Native American remains are discovered. These procedures are discussed within PRC § 5097, as well as in the California Health and Safety Code § 7050.5.

### **California Public Resources Code 5097.98**

Public Resources Code Section 5097.98 addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the NAHC to resolve disputes regarding the disposition of such remains. It has been incorporated into § 15064.5(e) of the State CEQA Guidelines.

### **California Health and Safety Code**

The California Health and Safety Code § 7050.5 states that if human remains are discovered during construction on a project site, no further disturbance shall occur until a county coroner makes a determination of origin and disposition of the remains. If the county coroner determines the remains are not subject to his or her authority and recognizes the remains to be those of Native American, the county coroner must contact the NAHC within 24 hours.

### **Local**

There are no local regulations that pertain to the issue of Native American involvement.

### **4.13.3 Existing Conditions**

West Hollywood is situated in the northwest portion of the Los Angeles Basin. This area of the Basin is surrounded by Santa Monica Mountains to the north, the Pacific Ocean to the southwest, and plains to the east and southeast within the Los Angeles Basin. Several small creeks out of the Santa Monica

Mountains cross through the community, making this a well-watered plain in the recent past. Prior to the Euro-American incursion the L.A. Basin was a verdant grassland with patches of chaparral and dotted with oaks spilling out from large groves in the surrounding hills. The geology underlying the project area is noted as Qyf, described as young alluvial fan deposits (Yerks and Campbell 2005), coming from canyons of the Santa Monica Mountains immediately to the north. These were deposited in the Late Pleistocene (126,000 to 11,650 years before present [ybp]) and Holocene (dating from the termination of the Pleistocene to present) epochs.

The project site is located in the City of West Hollywood, a community in Los Angeles County west of downtown Los Angeles, which is shown on the *Beverly Hills, California*, 1995 USGS quadrangle map. West Hollywood is bordered by Beverly Hills to the west, and the City of Los Angeles' communities of Hollywood Hills to the north, the Fairfax District to the southeast, and Beverly Grove to the southwest. The project site is at an elevation ranging from 400 to 420 feet above sea level, sloping gradually to the south-southeast. The City of West Hollywood has an area of approximately 1.9 square miles (5 square kilometers). The city is served by U.S. Highway 101 / Hollywood Freeway on the east and U.S. Highway 66/Santa Monica Boulevard along the south.

#### 4.13.4 Methodology

##### **Ethnographic Record Review**

This material presented below is the result of ethnographic research prepared for the Phase I Cultural Resources Survey conducted for the proposed project (refer to **Appendix F** to this Draft EIR).

The project area lies within the area of the Gabrielino/Tongva ethnolinguistic group (Bean and Smith 1978:538), who speak a language classified as a member of the Uto-Aztecan language stock family. Gabrielino is specifically identified as an element of the Northern Takic Branch of that linguistic group.

The Gabrielino were considered the most populous, wealthiest, and therefore most powerful ethnic nationality in aboriginal southern California (Bean and Smith 1978:538). Unfortunately, most Gabrielino cultural practices had declined long before systematic ethnographic studies were instituted. Today, the leading sources on traditional Gabrielino culture are Bean and Smith (1978), and McCawley (1996).

At the time of European contact, Gabrielino territory included the southern Channel Islands and the Los Angeles Basin reaching east into the present-day San Bernardino-Riverside area, north along the coast to Malibu, and south to Newport Bay in central Orange County.

The intricacies of Gabrielino social organization are not well known. There appeared to have been at least three hierarchically ordered social classes, topped with an elite class consisting of the chiefs, their immediate families, and the wealthy (Bean and Smith 1978). Some clans owned land, and property boundaries were marked by the owner's personal symbol. Villages were politically autonomous, composed of non-localized lineages, each with its own leader. The dominant lineage's leader was usually the village chief, whose office was generally hereditary through the male line. Often several villages were allied under the leadership of a single chief. The villages were frequently engaged in warfare against one another, resulting in what some consider to be a state of constant enmity between coastal and inland Gabrielino groups.

As early as A.D. 1542, the Gabrielino were in contact with the Spanish during the historic maritime expedition of Juan Rodríguez Cabrillo, but it was not until 1769 that the Spaniards took steps to colonize Gabrielino territory. The first Franciscan establishment in Gabrielino territory and the broader region was Mission San Gabriel, founded in 1772. Priests from here proselytized the Tongva throughout the Los Angeles Basin region. Over the following four decades most of the Gabrielino people were incorporated into Mission San Gabriel and other missions, San Fernando Rey and San Juan Capistrano, in southern California (Engelhardt 1931). Due to introduced diseases, dietary deficiencies, and forced *reduccion* (compelling the non-agrarian Native populations to the mission compound), the Gabrielino population dwindled rapidly. By 1900, the Gabrielino Native community had almost ceased to exist as a culturally identifiable group. In the late 20<sup>th</sup> century, however, a renaissance of Native American activism and cultural revitalization among a number of groups of Gabrielino descendants took place. Among the results of this movement has been a return to a traditional name for the tribe, the Tongva, which is employed by several of the bands and organizations representing tribal members, while some others use the native term *Kizh*. Many of the bands focus on maintaining and teaching traditional knowledge, with special focus on language, place names and natural resources.

The West Hollywood area, situated in the northwest Los Angeles Basin and adjacent to the Santa Monica Mountains but with no rivers nearby, was not a prime location for prehistoric settlement. Villages did surround the region, starting with *Yaangna* to the southeast near downtown Los Angeles (McCawley 1996:57) and possibly a smaller settlement named *Maaw'nga* in-between (Sutimiv-Pa'alat 2021, McCawley 1996: Map 8). Also inland of the project site was the village of *Kaweenga* (still recalled in the topographic name Cahuena Peak to the east) (McCawley 1996:40) directly north of West Hollywood but on the northern edge of the Santa Monica Mountains. The equally well-known village of *Kuruvunga* (Sutimiv-Pa'alat 2021), to the southwest, visited by the Portolá Expedition in September 1769, was set in inland Santa Monica at the springs of the same name. These were all situated approximately five to seven miles from the project area in all directions. While not well-suited for habitation by a permanent village, the natural resources of the plains at the edge of mountain canyons with several small streams flowing from one to the other would have made the region very attractive for hunting and gathering of animals and plants by the inhabitants of the surrounding communities.

### **Phase I Cultural Resources Survey for Project**

Information in this section is drawn from the Phase I Cultural Resources Survey conducted for the proposed project (refer to **Appendix F** to this Draft EIR). The cultural resources survey and related archival research included a background archaeological records check (archival research) at the South Central Coastal Information Center (SCCIC), located at California State University, Fullerton, a SLF search request to the NAHC, and the list of local Native American entities to contact from the NAHC. The field survey conducted for this project observed no prehistoric or historic artifacts or features. The potential for subsurface cultural and or historical deposits is minimal based on the findings from these sources.

### **Records Review**

### **Sacred Lands File Review**

The NAHC maintains a confidential SLF that contains sites of traditional, cultural, or religious value to the Native American community. On March 2, 2021, Mr. O'Neil submitted a request to the NAHC via email and mail for a SLF search within the 0.5-mile project buffer. The results of the search request

were received March 9, 2021, at the office of UltraSystems from Mr. Andrew Green, Associate Governmental Analyst. The NAHC letter stated that “A record search of the NAHC *Sacred Lands File* was completed for the area of potential effect (APE) referenced above with negative results [emphasis in the original].”

### **California Historical Resources Information System Review**

The cultural resources records search, conducted by SCCIC staff, was received March 9, 2021 (refer to **Attachment D** in **Appendix F**). The purpose of the records search was to identify previously recorded cultural resources (prehistoric and historic archaeological sites, historic buildings, structures, objects, or districts) within the project area and a half-mile radius. The records search included a review of previously recorded prehistoric and historic archaeological sites within the project area and a 0.5-mile buffer, and a review of prior cultural resource surveys and/or excavation reports within that same geographical area.

The CHRIS record search indicated there were no prehistoric archaeological sites or isolates or historic cultural resources identified within the project site or within the half-mile buffer zone.

### **Previously Conducted Cultural Resources Studies**

Eleven previous cultural resources surveys identified in the CHRIS records search included a portion within the half-mile buffer zone. One of these included the project area. This was a Historic Resources Survey for the City of West Hollywood (LA-19568) conducted by Johnson Heumann Research Associates in 1987. The study project involved a city-wide survey documenting architectural and historical resources. Resources were identified that were listed in the National Register as well as resources that have the potential for listing in the National Register. No structures within the project boundary were among those recorded as historic resources in this historic resources study.

### **Pedestrian Survey**

On March 11, 2021, an intensive pedestrian cultural resources survey was undertaken by Stephen O’Neil, M.A., RPA, who qualifies as a Principal Prehistoric Archaeologist and Historic Archaeologist per United States Secretary of the Interior Standards, with Ms. Katherine Gendron, B.A. Survey transects were conducted in an opportunistic manner in conformity with the available exposed ground surface and layout of the landscaping. The pedestrian survey observed no prehistoric or historic artifacts or features.

### **Native American Outreach**

In relation to the Phase I Cultural Resources Evaluation Report, on March 2, 2021, Mr. O’Neil contacted the NAHC via email notifying them of the project, requesting a search of their SLF and asking for a list of local tribal organizations and individuals to contact for project outreach. The results of the search request were received February 23, 2021 from Mr. Andrew Greene, Associate Governmental Planner with tribal contacts for outreach purposes (refer to **Attachment C** in **Appendix F**)

On March 10, 2021, UEI sent letters and emails to each of the eight tribal contacts describing the project and a map showing the project’s location, requesting a reply if they have knowledge of cultural resources in the area, and asking if they had any questions or concerns regarding the project.



There were two responses to the letters and emails. Joseph Ontiveros, Tribal Historic Preservation Officer for the Soboba Band of Luiseño Indians responded via email on March 10, 2021 that the tribe will defer the project to Mr. Anthony Morales, Chairman of the San Gabriel Band of Mission Indians. The Administration Specialist of the Gabrieleno Band of Mission Indians - Kizh Nation responded through email on March 30, 2021 asking for the lead agency's contact information. Ms. Doukakis responded via email with this information on March 31, 2021.

Following the 30-day period when replies could be made by the tribes, telephone calls were conducted by Ms. Doukakis on April 9, 2021, to complete the outreach process. These calls were to the five tribal contacts who had not already responded to UEI mailing and email. During the telephone call with Chairperson Robert Dorame of the Gabrielino Tongva Indians of California Tribal Council, he stated he would recommend tribal monitoring for all ground disturbance for this project due to the sensitive location and its proximity to water sources like the Franklin Canyon Reservoir. Chairperson Anthony Morales of the San Gabriel Band indicated that the area is culturally sensitive due to the natural resources in the area that his people would have used; he recommended both archaeological and Native American monitoring for the proposed construction, noting that the San Gabriel Band is available to conduct tribal monitoring.

#### **4.13.5 Tribal Consultation under AB 52**

In compliance with AB 52, notice regarding this project was mailed by the lead agency, the City of West Hollywood (City) on September 1, 2021 to the tribes on the NAHC provided AB 52 contact list (refer to **Appendix P**). These were the Gabrielino/Tongva San Gabriel Band of Mission Indians, the Gabrieleño Band of Mission Indians – Kizh Nation, the Gabrielino - Tongva Tribe, the Gabrielino/Tongva Nation, the Gabrielino Tongva Indians of California Tribal Council, the Santa Rosa Band of Cahuilla Indians and the Soboba Band of Luiseño Indians. Mr. Andrew Salas, the Chairman of the Gabrieleno Band of Mission Indians-Kizh Nation, responded to the City of West Hollywood by email on September 8, 2021. Chairman Salas stated that the “proposed project location is within our Ancestral Tribal Territory; therefore, our Tribal Government requests to schedule a consultation with you as the lead agency, to discuss the project and the surrounding location in further detail” (refer to **Appendix P**).

The remaining six tribes did not respond. The thirty-day period to request consultation ended on October 1, 2021.

#### **Consultation with Gabrieleño Band of Mission Indians – Kizh Nation**

Initial consultation between the City and the Gabrieleño Band of Mission Indians – Kizh Nation was conducted by a telephone call on October 26, 2021. This meeting was conducted by Chairperson Andrew Salas and Mr. John Torres on behalf of the Gabrielino–Kizh Nation, and Mr. Dereck Purificacion, Associate Planner, Planning & Development Services, City of West Hollywood, to discuss the project and potential tribal concerns (Purificacion personal communication; January 6, 2022). An email from the Gabrielino–Kizh Nation's Admin Specialist to Mr. Purificacion on October 29, 2021 provided information of the traditional use of the project's region for gathering natural resources, for trade, and for habitation, with supporting material in the form of several attached maps and ethnographic references, with the statement that the project area is located within “sacred communities ... [and] watercourses ...” The tribe requested available information on soils at the project site. A letter, also dated October 29, 2021 was included with the email containing three suggested mitigation measures, each with five to six elements, regarding tribal monitoring, protocols

for the unintended discovery of human remains and associated funerary objects, and the disposition of any potential TCR finds.

The City was in the process of reviewing the tribe's suggested mitigation measures and requests for information and planned to contact the Gabrielino–Kizh Nation for further consultation (Purificacion personal communication; January 6, 2022). Following this review, the City agreed to the Gabrielino – Kizh Nation's proposed mitigation measures (MM) (Purificacion personal communication: March 3, 2022). These are incorporated as **MM-TCR-1**, **MM-TCR-2** and **MM-TCR-3** below.

This concluded the AB 52 consultation process.

#### 4.13.6 Environmental Impact Analysis

##### Thresholds of Significance

Pursuant to State CEQA Guidelines Appendix G, the project is assessed under the following significance thresholds:

- A. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
  - (i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code § 5020.1(k); or
  - (ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.

#### 4.13.7 Analysis of Project Impacts

**Threshold A: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:**

- (i) **Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code § 5020.1(k); or**
- (ii) **A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code § 5024.1.**

**In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.**

### **Less Than Significant Impact with Mitigation**

Previous cultural resources surveys within the half-mile buffer zone resulted in no archaeological sites or isolates or tribal cultural resources being recorded and no prehistoric or historic archaeological resources or tribal cultural resources were observed during the pedestrian field survey (refer to **Sections 4.1** and **4.3** in **Appendix F**). No traditional cultural sites were documented in the NAHC's SLF search (refer to **Attachment C** in **Appendix F**). The fully-built environment of the project site and elevation relative to adjacent roads suggests that ground here has been significantly cut and filled, with no original surface soil remaining. There were no cultural resources identified, as defined by PRC § 21074. Additionally, the site has not been recommended for historic designation for prehistoric and TCRs.

Based on the Phase 1 Cultural Resources Survey report (**Appendix F**) which includes a records search at the CHRIS South Central Coastal Information Center of survey reports and site records, the pedestrian site survey, the results of an SLF search by the NAHC, information provided by the Gabrielino Tongva Indians of California Tribal Council and the San Gabriel Band of Mission Indians, about the project area being potentially sensitive due to the proximity to natural resources accessed in the traditional past as well as the observation that ground here has been significantly cut and filled for past construction with potentially no original surface soil remaining, it was determined that the probability for significant impacts to TCRs is low at the project site.

Outreach to local tribal organizations for the Cultural Resources Survey report resulted in requests from both the Gabrielino Tongva Indians of California Tribal Council and the San Gabriel Band of Mission Indians to have a tribal monitor supplement an archeological monitor during ground disturbing construction activity. Both believe the project lies in a sensitive location due to its proximity to water sources (refer to **Section 4.2** and **Attachment C** in **Appendix F**). During AB52 Consultation with the City, the Gabrieleno Band of Mission Indians-Kizh Nation stated that the proposed project location is within their Ancestral Tribal Territory and suggested implementation of mitigation measures **MM-TCR-1**, **MM-TCR-2** and **MM-TCR-3** (described in **Section 4.13.8** below). The proposed project would implement the mitigation measures suggested by the the Gabrieleno Band of Mission Indians-Kizh Nation during project construction. Implementation of these mitigation measures, in addition to adherence with applicable federal, state, and county regulations would ensure that previously unknown tribal cultural resources and archaeological or historical artifacts are protected, evaluated, and recovered as determined by the qualified Native American representative and cultural resources expert. Therefore, potential project impacts on tribal cultural resources would be less than significant with the implementation of mitigation measures.

#### **4.13.8 Cumulative Impacts**

No TCRs have been identified within the project Site or within the vicinity of the project site. The project and related projects are located within an urbanized area of the City of West Hollywood that have been disturbed and developed over the decades. Should tribal cultural resources be uncovered during construction of these projects, each related project would be required to comply with the applicable laws and regulations regarding TCRs, as detailed in the Regulatory Framework in **Section 4.4.2**. Additionally, related projects would be required to comply with the consultation requirements of AB 52 to determine and mitigate any potential impacts to TCRs. Thus, cumulative impacts to tribal

cultural resources would be less than significant and would not be cumulatively considerable. No cumulative tribal cultural resource impacts would occur with the implementation of the project.

#### 4.13.9 Mitigation Measures

##### **MM-TCR-1:** Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities

A. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.

C. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.

D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh Nation from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh Nation to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh/Gabrielino TCRs.

E. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh Nation will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe’s sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

##### **MM-TCR-2:** Unanticipated Discovery of Human Remains and Associated Funerary Objects

A. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.

B. If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the Los Angeles County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed. C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).

D. Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Kizh Nation determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the tribal monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f).)

E. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

F. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

**MM-TCR-3: Procedures for Burials and Funerary Remains:**

A. As the Most Likely Descendant (“MLD”), and as determined by the Native American Heritage Commission, the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains.

B. If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.

C. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial



purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.

D. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.

E. In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. F. Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

F. The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

#### **4.13.10 Level of Significance after Mitigation**

Compliance with **MM-TCR-1**, **MM-TCR-2** and **MM-TCR-3** would ensure that previously unknown tribal cultural resources and archaeological or historical artifacts are protected, evaluated, and recovered as determined by the appropriately qualified Native American representative and cultural resources expert. Implementation of these mitigation measures, in addition to adherence with applicable federal, state, and county regulations would reduce potential project impacts on tribal cultural resources to less than significant level after mitigation.

## 4.14 Utilities and Service Systems

### 4.14.1 Introduction

This Section addresses the environmental setting, project impacts and cumulative impacts on water supplies, water infrastructure, wastewater treatment facilities, storm drainage, solid waste, and telephone infrastructure. Impacts on electricity, and natural gas supplies and consumption are addressed in **Section 4.5** of this DEIR.

The information in this Section is based on the following technical reports:

- 9176 Sunset Blvd Project Utilities Technical Memorandum prepared by Psomas dated October 14, 2022; a complete copy of this Memorandum is included as **Appendix M** to this DEIR.
- 9176 Sunset Blvd Water Resources Technical Report prepared by Psomas dated April 1, 2021; a complete copy of this Report is included as **Appendix K** to this DEIR.

### 4.14.2 Regulatory Framework

#### Water Supplies

##### State

##### *Senate Bill 610 (California Water Code Sections 10910 et seq.)*

Senate Bill (SB) 610, codified in the California Water Code, Sections 10910 et seq., became effective January 1, 2002. SB 610 requires counties and cities to consider the availability of adequate water supplies for certain new large development projects as part of the California Environmental Quality Act (CEQA) process. Specifically, SB 610 requires that for certain projects subject to CEQA, the urban water supplier must prepare a WSA that determines whether the projected water demand associated with a project is included as part of the most recently adopted urban water management plan.

Specifically, a WSA shall identify existing water supply entitlements, water rights, or water service contracts held by the public water system, and prior years' water deliveries received by the public water system. In addition, it must address water supplies over a 20-year future period and consider average, single-dry, and multiple-dry years. In accordance with Section 10912 of the California Water Code, projects subject to CEQA requiring submittal of a WSA include the following:

- Residential developments of more than 500 dwelling units;
- Shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space;
- Commercial office buildings employing more than 1,000 persons or having more than 250,000 square feet of floor space;
- Hotels, motels, or both, having more than 500 rooms;

- Industrial, manufacturing, or processing plant, or industrial park of more than 40 acres of land, more than 650,000 square feet of floor area, or employing more than 1,000 persons;
- Mixed-use projects that include one or more of the above-identified categories; or
- A project that would demand an amount of water equivalent to or greater than the amount of water required by a 500-dwelling unit project.

The WSA must be approved by the public water system at a regular or special meeting and must be incorporated into the CEQA document. The lead agency must then make certain findings related to water supply based on the WSA.

### ***Senate Bill X7-7 (Water Conservation Act of 2009)***

Senate Bill X7-7 (Water Conservation Act of 2009), codified in California Water Code Section 10608, requires all water suppliers to increase water use efficiency. Enacted in 2009, this legislation sets an overall goal of reducing per capita urban water use, compared to 2009 use, by 20 percent by December 31, 2020. The State was required to make incremental progress toward this goal by reducing per capita water use by at least 10 percent on or before December 31, 2015. Monthly statewide potable water savings reached 14.9 percent in September 2017 as compared to production in September 2013. Cumulative statewide savings from June 2015 through February 2017 resulted in a 22.5-percent decrease in per capita urban water use (SWRCB, 2017).<sup>2</sup>

### ***California Urban Water Management Plan Act (California Water Code Sections 10610-10656)***

The California Urban Water Management Planning Act (California Water Code, Sections 10610-10656) addresses several State policies regarding water conservation and development of water management plans to ensure the efficient use of available supplies. The California Urban Water Management Planning Act also requires water suppliers to develop water management plans every five years to identify short-term and long-term demand management measures to meet growing water demands during normal, single- dry, and multiple-dry years. Specifically, municipal water suppliers that serve more than 3,000 customers or provide more than 3,000 acre-feet per year of water must adopt an urban water management plan.

A number of recent requirements regarding the preparation of water management plans have been added to the Urban Water Management Planning Act. These additional requirements include: (i) a narrative description of water demand measures implemented over the past five years and future measures planned to meet 20-percent demand reduction targets by 2020; (ii) a standard methodology for calculating system water loss; (iii) a voluntary reporting of passive conservation savings, energy intensity, and climate change; and (iv) an analysis of water features that are artificially supplied with water.

### ***Sustainable Groundwater Management Act of 2014***

The Sustainable Groundwater Management Act of 2014, passed in September 2014, is a comprehensive three-bill package that provides a framework for the sustainable management of groundwater supplies by local authorities. The Sustainable Groundwater Management Act requires the formation of local groundwater sustainability agencies to assess local water basin conditions and

adopt locally-based management plans. Local groundwater sustainability agencies were required to be formed by June 30, 2017. The Sustainable Groundwater Management Act provides 20 years for groundwater sustainability agencies to implement plans and achieve long-term groundwater sustainability, and protect existing surface water and groundwater rights. The Sustainable Groundwater Management Act provides local groundwater sustainability agencies the authority to require registration of groundwater wells, measure and manage extractions, require reports and assess fees, and request revisions of basin boundaries, including establishing new subbasins.

As required by the Sustainable Groundwater Management Act, in December 2016, the California Department of Water Resources published on its website the best management practices (BMPs):

- BMP 1. Monitoring Protocols, Standards, and Sites;
- BMP 2. Monitoring Networks and Identification of Data Gaps;
- BMP 3. Hydrogeologic Conceptual Model;
- BMP 4. Water Budget; and
- BMP 5. Modeling

In November 2017, BMP 6 for Sustainable Management Criteria was released for public comments to be received by January 8, 2018. Furthermore, under Section 10720.7 of the Sustainable Groundwater Management Act, groundwater sustainability agencies responsible for high- and medium-priority basins must adopt groundwater sustainability plans by January 31, 2020 or January 31, 2022, depending on whether the basin is in critical overdraft.

***Article 22.5 Drought Emergency Water Conservation, California Code of Regulations (Emergency Declaration and Executive Orders B-29-15, B 36-15, B-37-16, and B-40-17)***

In response to California's drought conditions, in January 2014, Governor Edmund G. Brown, Jr. (Governor Brown) proclaimed a State of Emergency and directed State officials to take all necessary action to make water available. In addition, Governor Brown issued numerous Executive Orders regarding water conservation commencing in 2014. Executive Order B-37-16, which was issued in May 2016, extends the mandatory water reduction measures outlined in a previous Executive Order B-29-15 and further directs the Department of Water Resources and the State Water Resources Control Board to develop long term efficiency targets that go beyond the 20-percent reductions mandated by Senate Bill X7-7, discussed above. The executive order also establishes longer-term water conservation measures that include permanent monthly water use reporting, new urban water use targets, reducing system leaks and eliminating wasteful practices, strengthening urban drought contingency plans and improving agricultural water management and drought plans.

In addition, on May 18, 2016, the State Water Resources Control Board further revised emergency regulations in consideration of improved hydrologic conditions. The prior percentage reduction-based water conservation standard was replaced by a localized "stress-test" approach, which requires local water agencies to ensure a three-year supply under three more dry years like the State experienced from 2012-2015. Water agencies that would face shortages under three additional dry years are required to meet a conservation standard equal to the amount of shortage. On November 30, 2016, State agencies, including the State Water Resources Control Board released a public draft of Making Water Conservation A California Way of Life, which addresses elements of Executive Order

B-37-16 that require State agencies to develop a framework for using water more wisely, eliminating water waste, strengthening local drought resilience, and improving agricultural water use efficiency and drought planning.

Due to improved hydrologic conditions statewide, on April 7, 2017, Governor Brown issued Executive Order B-40-17 lifting the drought emergency in all but four California counties. Executive Order B-40-17 also rescinds the Drought Emergency Proclamations issued in January and April 2014 as well as four drought-related Executive Orders issued in 2014 and 2015. However, Executive Order B-40-17 also directs the State Water Resources Control Board to maintain urban water use reporting requirements and prohibitions on wasteful practices. Water agencies will continue to strengthen drought readiness and water use efficiency. The regulatory requirements resulting from the existing Executive Orders have been codified in Article 22.5, Drought Emergency Water Conservation, of the California Code of Regulations.

### ***California Water Plan***

Required by the California Water Code Section 10005(a), the California Water Plan<sup>11</sup> (Water Plan) is the State's strategic plan for managing and developing water resources statewide for current and future generations. The Water Plan provides a collaborative planning framework for elected officials, agencies, tribes, water and resource managers, businesses, academia, stakeholders, and the public to develop findings and recommendations and make informed decisions for California's water future.

The Water Plan, updated every five years, presents the status and trends of California's water-dependent natural resources; water supplies; and agricultural, urban, and environmental water demands for a range of plausible future scenarios. The Water Plan also evaluates different combinations of regional and statewide resource management strategies to reduce water demand, increase water supply, reduce flood risk, improve water quality, and enhance environmental and resource stewardship. The evaluations and assessments performed for the Water Plan help identify effective actions and policies for meeting California's resource management objectives in the near term and for several decades to come. While the California Water Plan cannot mandate actions or authorize itemized spending, policy-makers and lawmakers have the ability to authorize specific actions and appropriate necessary funding. In addition, while the California Water Plan Update 2013 represents the latest complete update, the California Water Plan Update 2018 is in development and will work in tandem with Governor Jerry Brown's California Water Action Plan, as discussed further below.

### ***Governor's California Water Action Plan***

The first California Water Action Plan (Action Plan) was published in January 2014 to provide a roadmap for the State's path toward sustainable water management. <sup>12</sup> The Action Plan discusses the challenges for managing the State's water resources supply, scarcity, and quality, and also considers the effects of ecosystems, flooding, population growth, and climate change and floods. The following ten actions were presented:

- Make conservation a California way of life;
- Increase regional self-reliance and integrated water management across all levels of government;
- Achieve the co-equal goals for the Delta;



- Protect and restore important ecosystems;
- Manage and prepare for dry periods;
- Expand water storage capacity and improve groundwater management;
- Provide safe water for all communities;
- Increase flood protection;
- Increase operational and regulatory efficiency; and
- Identify sustainable and integrated financing opportunities.

In complementing local efforts, the Action Plan emphasizes collaboration between different levels of government, water agencies, conservationists, tribes, farmers, and other stakeholders. Since the Action Plan Update for 2016 has been released, its implementation progress has also been documented with focuses on policy, funding, and coordinated projects. The Action Plan will continue to be implemented simultaneously with the California Water Plan Update 2018 as it is completed.

### **Regional**

As discussed in detail below, the Metropolitan Water District of Southern California (MWD) is a primary source of water supply within Southern California. Based on the water supply planning requirements imposed on its member agencies and ultimate customers, MWD has adopted a series of official reports on the state of its water supplies. As described in further detail below, in response to recent developments in the Sacramento Delta, the MWD has developed plans intended to provide solutions that, when combined with the rest of its supply portfolio, will ensure a reliable long-term water supply for its member agencies.

### ***MWD's Integrated Water Resources Plan***

The Integrated Water Resources Plan is the long-term water resources strategy for the MWD in Southern California. First adopted in 1996, the goal of the Integrated Water Resources Plan has been to ensure that a reliable water system will extend into the future. The 2020 Integrated Water Resources Plan Update, adopted in January 2016, provides MWD's strategy for water resource reliability through the year 2040 and establishes targets for a diversified portfolio of water supply investments. The 2015 Integrated Water Resources Plan Update calls for stabilizing and maintaining imported water supplies; meeting future growth through increased water conservation and sustaining and developing new local supplies; pursuing a comprehensive transfers and exchanges strategy; building storage in wet and normal years to manage risks and drought; and preparing for uncertainty with Future Supply Actions. Overall, the strategies presented in the 2015 Integrated Water Resources Plan Update include investments to maintain the reliability of imported water supplies, expansion of local water supplies and reduction in water demand through a variety of conservation and water use efficiency initiatives.

### ***MWD's 2020 Urban Water Management Plan***

MWD's 2020 Urban Water Management Plan addresses the future of MWD's water supplies and demand through the year 2045. Based on its 2020 Urban Water Management Plan, MWD has supply

capabilities that would be sufficient to meet expected demands from 2025 through 2045 under single dry-year and multiple dry-year hydrologic conditions (MWDSC 2021, pp. 2-15 – 2-20). MWD has comprehensive plans for stages of actions it would undertake to address up to a 50-percent reduction in its water supplies and a catastrophic interruption in water supplies through its Water Surplus and Drought Management and Water Supply Allocation Plans (MWDSC, 2021, pp. 2-26 – 2-42). MWD has also developed an Emergency Storage Requirement to mitigate against potential interruption in water supplies resulting from catastrophic occurrences within the Southern California region and is working with the State to implement a comprehensive improvement plan to address catastrophic occurrences that could occur outside of the Southern California region. MWD is also working with the State on the Delta Risk Management Strategy to reduce the impacts of a seismic event in the Delta that would cause levee failure and disruption of State Water Project deliveries. In addition, MWD has plans for supply implementation and continued development of a diversified resource mix including programs in the Colorado River Aqueduct, State Water Project, Central Valley transfers, local resource projects, and in-region storage that enables the region to meet its water supply needs (MWDSC, 2021, p. ES-7).

### ***MWD's Water Surplus and Drought Management Plan***

In 1999, MWD incorporated the water shortage contingency analysis that is required as part of any urban water management plan into a separate, more detailed plan, called the Water Surplus and Drought Management Plan. The overall objective of the Water Surplus and Drought Management Plan is to ensure that shortage allocation of MWD's imported water supplies is not required. The Water Surplus and Drought Management Plan provides policy guidance to manage MWD's supplies and achieve the goals laid out in the agency's Integrated Water Resources Plan. The Water Surplus and Drought Management Plan separates resource actions into two major categories: Surplus Actions and Shortage Actions. The Water Surplus and Drought Management Plan considers the region to be in surplus only after MWD has met all demands for water, including replenishment deliveries. The Surplus Actions store surplus water, first inside and then outside of the region. The Shortage Actions of the Water Surplus and Drought Management Plan are separated into three subcategories: Shortage, Severe Shortage, and Extreme Shortage. Each category has associated actions that could be taken as a part of the response to prevailing shortage conditions. Conservation and water efficiency programs are part of MWD's resource management strategy through all categories (MWDSC, 2021, p. 2-31).

### ***MWD's Water Supply Allocation Plan***

While the Water Surplus and Drought Management Plan included a set of general actions and considerations for MWD staff to address during shortage conditions, it did not include a detailed water supply allocation plan or implementation approach. Therefore, MWD adopted a water supply plan called the Water Supply Allocation Plan in February 2008, that has since been implemented three times, the latest in April 2015.<sup>17</sup> The Water Supply Allocation Plan includes a formula for determining reductions of water deliveries to member agencies during extreme water shortages in MWD's service area conditions (i.e., drought conditions or unforeseen cuts in water supplies). The formula allocates shortages of MWD supplies and seeks to balance the impacts of a shortage at the retail level while maintaining equity on the wholesale level, and takes into account growth, local investments, changes in supply conditions and the demand hardening aspects of non-- potable recycled water use and the implementation of conservation savings programs. The allocation period covers 12 months from July of a given year through the following June (MWDSC, 2021, p. 2-33).

## Wastewater

### State

The California Green Building Standards Code, commonly referred to as the CALGreen Code, is set forth in California Code of Regulations Title 24, Part 11, and establishes voluntary and mandatory standards pertaining to the planning and design of sustainable site development and water conservation, among other issues. Under the CALGreen Code, all water closets (i.e., flush toilets) are limited to 1.28 gallons per flush, and urinals are limited to 0.5 gallon per flush. In addition, maximum flow rates for faucets are established at: 2.0 gallons per minute (gpm) at 80 pounds per square inch (psi) for showerheads; 1.2 gpm at 60 psi for residential lavatory faucets; and 1.8 gpm at 60 psi for kitchen faucets.

### Storm Drainage

The regulatory background regarding storm drainage is provided in **Section 4.9, Hydrology and Water Quality**, of this DEIR.

## Solid Waste Disposal and Diversion

### State

#### ***Assembly Bill 939, Integrated Solid Waste Management Act of 1989***

Assembly Bill 939 (AB 939; Integrated Solid Waste Management Act of 1989; Public Resources Code 40050 et seq.) established an integrated waste-management system that focused on source reduction, recycling, composting, and land disposal of waste. AB 939 required every California city and county to divert 50 percent of its waste from landfills by the year 2000. Compliance with AB 939 is measured in part by comparing solid waste disposal rates for a jurisdiction with target disposal rates; actual rates at or below target rates are consistent with AB 939. AB 939 also requires California counties to show 15 years disposal capacity for all jurisdictions within the county; or show a plan to transform or divert its waste.

#### ***Assembly Bill 341 (Chapter 476, Statutes of 2011)***

**Assembly Bill 341** (AB 341; Chapter 476, Statutes of 2011) increases the statewide waste diversion goal to 75 percent by 2020, and mandates recycling for commercial and multi-family residential land uses.

#### ***Assembly Bill 1826 (California Public Resources Code Sections 42649.8 et seq.)***

**Assembly Bill 1826** (AB 1826) requires recycling of organic matter by businesses, and multifamily residences of five or more units, generating such wastes in amounts over certain thresholds. Organic waste means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. Multifamily residences are not required to have a food waste diversion program.

***Senate Bill 1383 (California Health and Safety Code Sections 39730.5 et seq.)***

**Senate Bill 1383** (SB 1383) set targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The law is intended to reduce emissions of methane, a short-lived climate pollutant, from decomposition of organic waste in landfills, for the protection of people in at-risk communities as well as to reduce GHG emissions.

***California Green Building Standards Code Section 5.408***

Section 5.408 (Construction Waste Reduction, Disposal, and Recycling) of the 2019 California Green Building Standards Code (CALGreen; Title 24, California Code of Regulations, Part 11) requires that at least 65 percent of the nonhazardous construction and demolition waste from nonresidential construction operations be recycled and/or salvaged for reuse.

**4.14.3 Existing Conditions**

**Water Supplies**

The city of Los Angeles Department of Water and Power (LADWP) provides domestic water to the project site. The City of Beverly Hills Public Works Department supplies fire water to three of the four fire hydrants near the project site, and LADWP supplies the fourth (Psomias, 2022, p. 8). As fire water is used only rarely, City of Beverly Hills water supplies are briefly summarized below.

**City of Los Angeles Department of Water and Power (LADWP)**

LADWP obtains imported water from the eastern Sierra Nevada via the Los Angeles Aqueducts; and from northern California and the Colorado River purchased from the Metropolitan Water District of Southern California; local groundwater from several groundwater basins; and recycled water.

***Los Angeles Aqueducts***

The Los Angeles Aqueducts (LAA) convey snowmelt runoff from the Eastern Sierra Nevada to the City. The first Los Angeles Aqueduct was completed in 1913, and a second aqueduct was completed in 1970. The Los Angeles Aqueducts' supplies are mostly from snowmelt and secondarily from groundwater pumping and varies yearly due to snowfall amounts.<sup>83</sup>

The city holds water rights, from both streams and groundwater, in the Eastern Sierra Nevada where the Los Angeles Aqueducts' water supplies originate. Average annual deliveries from the Los Angeles Aqueducts system from 2011 through 2016 were approximately 111,293 acre- feet of water. In recent years, Los Angeles Aqueducts supplies have been less than the historical average due to environmental restoration obligations in Mono and Inyo Counties. Deliveries were also reduced from 2011 through 2016 due to the extraordinary drought affecting all of California during that period.

LAA water supplies available to Los Angeles have been reduced over the last 30 years due to agreements pursuant to lawsuits, and SWRCB decisions, mitigating reductions in water supply in the Mono Basin and Owens Valley and resulting environmental impacts. The 1991 Long Term Water Agreement between Inyo County and LADWP increased water uses and losses in the Owens Valley

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<sup>83</sup> Ibid., LADWP, 2016, p. 5-1.



from an average of 216,000 acre-feet per year (afy) to 278,000 afy. A 1994 SWRCB decision reduced exports from the Mono Basin from an average of 90,000 afy to 16,000 afy.

In addition, in November 2014, an agreement between the City and the Great Basin Unified Air Pollution Control District was reached wherein LADWP will continue to implement measures to address dust emissions at Owens Lake and implement additional water conservation through increasing use of water efficient and waterless dust control measures.

Based on modeling results provided in LADWP's 2020 Urban Water Management Plan, LADWP projects that the average annual long-term Los Angeles Aqueducts delivery between 2020 and 2045 is expected to be approximately 192,000 afy and gradually decline to 184,200 afy due to climate change impacts (LADWP, 2021, pp. 4-12 and 11-8).

### ***Groundwater***

LADWP owns water rights in the San Fernando, Sylmar, Eagle Rock, Central and West Coast Basins. All these basins are adjudicated by judgments of the judicial decisions of the California Superior Court.<sup>84</sup>

LADWP currently has total water rights of approximately 109,809 acre-feet of groundwater per year, of which approximately 87,000 afy are located in the San Fernando Basin, 500 afy in the Eagle Rock Basin, 1,503 afy in the West Coast Basin, 17,236 afy in the Central Basin and 3,570 afy in the Sylmar Basin. LADWP had accumulated nearly 591,460 acre-feet of stored water credits as of October 2018. This water can be withdrawn from the basin during normal and dry years or in an emergency, in addition to LADWP's approximately 87,000 afy entitlement in the basin.<sup>85</sup> Total water supplies from the San Fernando, Sylmar, and Central basins are forecast to gradually decrease to 108,800 afy by 2045. Groundwater extraction is limited by the operating safe yield in each basin—that is, the estimated total recharge rate from natural and artificial sources—as well as by water quality. Water pumping and intentional groundwater recharge into the San Fernando, Sylmar, and Eagle Rock basins are managed by the Upper Los Angeles River Area Watermaster. The Water Replenishment District of Southern California manages pumping and intentional recharge into the Central and West Coast Basins.

### ***Metropolitan Water District of Southern California (MWD)***

MWD wholesales water imported from northern California via the State Water Project (SWP), which is operated by the California Department of Water Resources; and from the Colorado River via the MWD's Colorado River Aqueduct. MWD consists of 26 member agencies in six counties from Ventura County to San Diego County. LADWP, an MWD member agency, purchases water from MWD to supplement LADWP water supplies from the Los Angeles Aqueducts and local groundwater.

Imported water purchased from MWD averaged 42 percent of City water supplies from Fiscal Years 2015-16 to 2019-20.

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<sup>84</sup> Ibid, LADWP 2016, p. 6-2.

<sup>85</sup> Ibid, LADWP 2016, p. 6-7.



### Recycled Water

LADWP obtains recycled water from four City of Los Angeles Bureau of Sanitation facilities and from the West Basin Municipal Water District (WBWMD)'s Edward Little Water Recycling Facility in the City of El Segundo. Recycled water supply deliveries from four other wastewater treatment facilities—the Carson Regional Water Recycling Facility, Burbank Water Reclamation Plant, Tapia Water Reclamation Facility, and Joint Water Pollution Control Plant—are pending completion of current water recycling projects (see **Table 4.14-1**, *LADWP Recycled Water Sources, AFY, Fiscal Year 2014/15*, below).

**Table 4.14-1**  
**LADWP RECYCLED WATER SOURCES, AFY, FISCAL YEAR 2019/20**

Supply Source: City/Community	Water Treatment Agency	Recycled Water Deliveries	
		City of Los Angeles	Outside City of Los Angeles
<b>City of Los Angeles Bureau of Sanitation</b>			
Donald Tillman Water Reclamation Plant: Van Nuys, San Fernando Valley		3,029	unspecified
Los Angeles – Glendale Water Reclamation Plant: Atwater Village, San Fernando Valley		2,687	1,570
Terminal Island Water Reclamation Plant: Terminal Island		3,121	0
Hyperion Water Reclamation Plant: Playa Del Rey <sup>1</sup>		0	40,500
<b>Subtotal</b>		<b>8,837</b>	<b>42,070</b>
<b>Outside City of Los Angeles</b>			
Edward Little Water Recycling Facility: El Segundo	West Basin Municipal Water District (WBMWD)	1,433	29,456
Carson Regional Water Recycling Facility: Carson <sup>2</sup>	WBWMD	0	4,014
Burbank Water Reclamation Plant: Burbank <sup>2</sup>	City of Burbank Department of Public Works	0	6,222
Joint Water Pollution Control Plant: Carson <sup>2</sup>	Los Angeles County Sanitation Districts	0	0
<b>Subtotal</b>		<b>1,433</b>	<b>39,692</b>
<b>Total</b>		<b>10,270</b>	<b>81,762</b>

<sup>1</sup> Some of the treated wastewater from the Hyperion Water Reclamation Plant is treated further at West Basin Municipal Water District's Edward Little Water Recycling Facility in the City of El Segundo and then supplied to LADWP customers.

<sup>2</sup> Recycled water deliveries to LADWP customers from the Carson Facility, Burbank Water Reclamation Plant, and Joint Water Pollution Control Plant are pending completion of current water recycling projects.

Source: LADWP, 2021

LADWP water supplies and demands in average water conditions over the 2020-2040 period are summarized below in **Table 4.14-2**.

**Table 4.14-2**  
**LADWP WATER SUPPLIES AND DEMANDS, AVERAGE WATER CONDITIONS, afy**

Source	2025	2030	2035	2040	2045
Total Demands	<b>642,600</b>	<b>660,200</b>	<b>678,800</b>	<b>697,800</b>	<b>710,500</b>
Post-Conservation Demands	509,500	526,700	536,100	554,500	565,800
Water Conservation	133,100	133,500	142,700	143,300	144,700
Los Angeles Aqueduct	190,400	188,900	187,300	185,800	184,200
Groundwater Entitlements	109,400	109,400	109,400	108,800	108,800
Groundwater Replenishment	7,000	11,000	11,000	11,000	11,000
Stormwater Recharge	4,000	8,000	15,000	15,000	15,000
Recycled Water	17,300	29,200	29,700	29,800	30,000
MWD Water Purchases	181,400	180,200	183,700	204,100	216,800
<b>Total Supplies</b>	<b>642,600</b>	<b>660,200</b>	<b>678,800</b>	<b>697,800</b>	<b>710,500</b>

Source: LADWP, 2021

**Table 4.14-3**  
**LADWP WATER SUPPLIES AND DEMANDS, SINGLE DRY YEAR CONDITIONS, afy**

Source	2025	2030	2035	2040	2045
Total Demands	<b>674,700</b>	<b>693,200</b>	<b>712,700</b>	<b>732,700</b>	<b>746,000</b>
Post-Conservation Demands	509,500	526,700	536,100	554,500	565,800
Water Conservation	162,500	166,500	176,600	178,200	180,200
Los Angeles Aqueduct	70,800	70,200	69,600	69,000	68,500
Groundwater Entitlements	121,300	121,300	121,300	120,700	120,700
Groundwater Replenishment	7,000	11,000	11,000	11,000	11,000
Stormwater Recharge	4,000	8,000	15,000	15,000	15,000
Recycled Water	17,300	29,200	29,700	29,800	30,000
MWD Water Purchases	289,100	287,000	289,500	309,000	320,600
<b>Total Supplies</b>	<b>674,700</b>	<b>693,200</b>	<b>712,700</b>	<b>732,700</b>	<b>746,000</b>

Source: LADWP, 2021

LADWP forecast water supplies and demands in multiple dry-year conditions are the same as for single-dry-year conditions.



## City of Beverly Hills Department of Public Works

The City of Beverly Hills' water supply consists of imported water from northern California and the Colorado River purchased from the Metropolitan Water District of Southern California (MWD). Water is imported from the San Joaquin River in northern California via the State Water Project, which is managed by the California Department of Water Resources. MWD also imports water from the Colorado River via the Colorado River Aqueduct, which MWD owns and maintains. The City of Beverly Hills' Tier 1 rate allocation is 13,380 afy, or approximately 4.4 billion gallons per year (Psomas, 2021a, pp. 6-1 and 6-4).

The City historically obtained water from the Hollywood Groundwater Basin (GWB), but has not obtained water from the Hollywood GWB since 2016 due to a City-owned Foothill Water Treatment Plant (WTP) has been under renovation. The Foothill WTP is anticipated to return to service in the 4<sup>th</sup> quarter of 2021, and groundwater production from the HGWB is forecast to resume shortly after that. The City anticipates beginning groundwater production from the La Brea Subarea of the Central GWB from a new well in early 2022 (Psomas, 2021a, pp. 6-8, 6-9).

In 2020 City water supplies amounted to 9,565 acre-feet, or approximately 3.1 billion gallons (Psomas, 2021a, p. 6-2). The City forecasts that it will have sufficient water to meet demands in normal water years, single-dry-years, and multiple-dry-year conditions over the 2025-2045 period (Psomas, 2021a, p. 7-9 – 7-10).

### **Water Treatment**

LADWP water from the Los Angeles Aqueduct is treated at the LADWP Los Angeles Aqueduct Filtration Plant, which has 600 million gallons per day (mgd) capacity (LADWP, 2021). LADWP water purchased from MWD is treated at MWD's Jensen, Weymouth, and Diemer treatment plants; those three facilities have total capacities of approximately 1.8 billion gallons per day (MWDSC, 2021). BHPW water is treated at MWD's Jensen Treatment Plant in the Community of Granada Hills in the City of Los Angeles before entering Beverly Hills' distribution system. The Jensen Treatment Plant has capacity of 750 million gallons per day (mgd) (MWDSC, 2021).

### **Water Conveyance**

#### **Domestic Water**

LADWP owns and operates an 8-inch water main in the North side of Sunset Blvd, and an 8-inch water main in the West side of Cory Ave (Psomas, 2022, p. 8).

#### **Fire Water**

The City of Beverly Hills Public Works Department (BHPW) owns and operates a 10" water main in the West side of Cory Avenue, two 8-inch water mains in the East side of Cory Avenue, and an 8-inch water main on the South side of Sunset Boulevard. Four existing fire hydrants are near the Project site. BHPW owns and operates three hydrants at the following locations: the southeast corner of Sunset Boulevard and Corey Avenue, the southeast corner of Sunset Boulevard and Carol Drive, and on the east side of Carol Drive about 250 feet south of Sunset Boulevard. LADWP owns and operates a fire hydrant on the southwest corner of Sunset Boulevard and Carol Drive (Psomas, 2022, p. 8). A 2014 fire flow test by BHPW on the hydrant at the southeast corner of Sunset Boulevard and Corey Avenue, conducted while water was flowing out of two other BHPW hydrants nearby, found that the

tested hydrant supplied 6,740 gallons per minute at 20 pounds per square inch pressure, meeting Los Angeles County Fire Department requirements (Psomas, 2022, p. 11).

### **Wastewater Treatment**

The City of West Hollywood is in Los Angeles County Sanitation Districts (LACSD) District 4. City sewer system connects to regional sewer lines which transport sewage to the City of Los Angeles Bureau of Sanitation (LABoS) Hyperion Treatment Plant for treatment (Psomas, 2022, p. 6). The existing design capacity of the Hyperion Service Area is approximately 450 million gallons per day (mgd). Two other LABoS wastewater treatment plants serve the Hyperion Service Area: the Donald Tillman Water Reclamation Plant in Van Nuys and the Los Angeles – Glendale Water Reclamation Plant in the Community of Atwater Village in the City of Los Angeles. The two latter facilities have capacities of 80 and 20 mgd, respectively; thus, the three facilities in the Hyperion Service Area have total wastewater treatment capacity of about 550 mgd (Psomas, 2022, p. 12).

The City of West Hollywood's Sewer System Management Plan (SSMP) defers to the State Water Resources Control Board's Statewide General Waste Discharge Requirements (WDR) For Sanitary Sewer Systems which described the Hyperion Sanitary Sewer System in accordance with WDRs adopted by the State Water Resources Control Board (SWRCB) on May 2, 2006. Section 8 – System Evaluation and Capacity Assurance Plan states that the City's collection system has enough capacity to handle peak dry-weather flows. This report cites that Hyperion treatment facility has gone from 350 million gallons of water per day (MGD) to 260 MGD within this 10-year period due to water conservation measures in conjunction with an ongoing drought condition in the State (Psomas, 2022, p. 6).

### **Wastewater Conveyance**

The city's sanitary sewer system involves 39 miles of sewer lines ranging in size from 8 to 18 inches in diameter (West Hollywood, June2022). An existing 8-inch public sewer main is present in Carol Drive, and an 8-inch public sewer main is in Cory Avenue. Two 8-inch public sewer mains and one 10-inch sewer public main are in Sunset Avenue (Psomas, 2022, p. 12).

### **Storm Drainage**

#### **Watershed and Regional Drainage**

The proposed project site is in the northwest part of the Los Angeles Basin, with elevations ranging from approximately 407 feet above mean sea level (amsl) to 420 feet amsl. The project site is in the Los Angeles River Watershed (watershed), which spans 824 square miles of western, central, and southern Los Angeles County and some small areas of eastern Ventura County. The watershed extends from the San Gabriel Mountains on the northeast, to the Santa Susana Mountains and Santa Monica Mountains on the northwest and west, respectively, and extending south to the mouth of the Los Angeles River in the City of Long Beach. The watershed includes all the San Fernando Valley, much of central Los Angeles, and parts of south Los Angeles. The Los Angeles River, the primary stream in the watershed, extends 48 miles from the confluence of Bell Creek and the Arroyo Calabasas in the southwest San Fernando Valley to the Pacific Ocean at the City of Long Beach (LARWQCB, 2020).

## **Local Drainage**

Stormwater runoff currently flows out of the Project Site and west on Sunset Boulevard, and south on Corey Avenue and the public alley to the south. A catch basin located on the west side of Corey Avenue collects much of the stormwater runoff from the Project site; that catch basin is connected to a 72-inch reinforced concrete storm drain main line owned by Los Angeles County Flood Control District. The remaining stormwater flows South to the public alley which conveys runoff to Carol Drive. This breaks the Project’s hydrology area into two zones (Psomas, 2021b, p. 14).

The storm drains nearest to the project site are part of a system of storm drains—some owned by the cities of West Hollywood, Los Angeles, and Beverly Hills, and some owned by Los Angeles County Public Works—that discharge to Ballona Creek, located approximately four miles south of the project site. The project site is in the Ballona Creek Watershed, which spans approximately 130 square miles—much of the northwest portion of the Los Angeles Basin—and is part of the larger Los Angeles River Watershed (LACPW, 2021). Ballona Creek, an engineered channel and the main waterway in the Ballona Creek Watershed, extends northeast-southwest approximately nine miles, discharging into the Pacific Ocean next to the south side of Marina Del Rey.

## **Solid Waste Disposal and Diversion**

Athens Services collects solid waste in West Hollywood. In 2018, the latest year for which data are available, approximately 96 percent of the solid waste landfilled from the City of West Hollywood was disposed of at the five facilities described below in **Table 4.14-4**.

**Table 4.14-4**  
**LANDFILLS SERVING WEST HOLLYWOOD**

<b>Facility and Nearest City/Community</b>	<b>Remaining Capacity, cubic yards</b>	<b>Daily Permitted Disposal Capacity, tons</b>	<b>Actual Daily Disposal, tons<sup>1</sup></b>	<b>Residual Daily Disposal Capacity, tons</b>	<b>Estimated Closing Date</b>
Azusa Land Reclamation Co. Landfill, Azusa	51,512,201	8,000	976	7,024	2045
Chiquita Canyon Sanitary Landfill, Sylmar	60,408,000	12,000	5,653	6,347	2047
Mid-Valley Sanitary Landfill, Rialto, San Bernardino County	61,219,377	7,500	2,754	4,746	2045
San Timoteo Sanitary Landfill, Redlands, San Bernardino County	12,360,396	2,000	922	1,078	2039
Victorville Sanitary Landfill, Victorville, San Bernardino County	81,510,000	3,000	1,130	1,870	2047
<b>Total</b>	<b>267,009,974</b>	<b>32,500</b>	<b>11,435</b>	<b>21,065</b>	<b>Not applicable</b>

<sup>1</sup> Daily disposal calculated based on annual disposal tonnage assuming 300 operating days per year: that is, six days per week less certain holidays.

Sources: CalRecycle. 2020a. Jurisdiction Disposal by Facility; CalRecycle. 2020[b, c, d, e, and f]. Solid Waste Information System (SWIS): SWIS Facility/Site Search; CalRecycle. 2020g. 2019 Landfill Summary Tonnage Report.



## Telecommunications

The existing telecommunications services in the vicinity of the project site are supplied by various utilities providers such as AT&T Distribution, Spectrum, Extent, and Crown Castle. Spectrum is the only one of those four companies that confirmed that it owns and operate utilities in the project site.

### 4.14.4 Environmental Impact Analysis

#### Thresholds of Significance

Appendix G of the State CEQA Guidelines identifies the following thresholds of significance for the assessment of impacts on utilities and service systems:

- A. **Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or**
- B. **Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years; or**
- C. **Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; or**
- D. **Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or**
- E. **Comply with federal, state, and local management and reduction statutes and regulations related to solid waste; or**

The Initial Study for the proposed project, included as **Appendix A** to this DEIR, substantiates that project impacts associated with **Significance Threshold E** would be less than significant and this threshold was screened out from further analysis in the DEIR. Therefore, the impact analysis in this section focuses on **Significance Thresholds A, B, C, and D** only.

#### Analysis of Project Impacts

*Threshold A: Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

#### Less Than Significant Impact

#### Water Treatment

Project operation is estimated to generate peak day water demand of 42,806 gallons per day (gpd), based on wastewater generation factors from the Los Angeles County Sanitation Districts and a

peaking factor of 2.5 (Psomas, 2022, p.12). Estimated net increase in average day water demand (less existing demand onsite) is 16,386 gpd, as shown below in **Table 4.14-5**. LADWP water supplies are treated at four facilities with total capacities of approximately 2.4 billion gpd (Psomas, 2021a). Sufficient water treatment capacity is available in the region for estimated project water demands, and project development would not require construction of new or expanded water treatment facilities. Impacts would be less than significant.

**Table 4.14-5**  
**ESTIMATED PROJECT WATER DEMAND**

Proposed Use	Square Feet	Water Demand, gallons per day	
		Per unit	Total
<b>Proposed Project</b>			
Retail/High turnover restaurant	7,967	1	7,967
Office/ Back of House/ Mechanical/Electrical/ Plumbing	45,032	0.2	9,006
Irrigation	See Utilities Report, <b>Appendix M</b> to this document		149
Subtotal	Not applicable	Not applicable	<b>17,122</b>
Peaking Factor (2.5)	Not applicable	Not applicable	<b>42,806</b>
<b>Existing Uses</b>			
Auto Dealership	7,539	0.1	754
<b>Net Increase</b>			
Not applicable	Not applicable	Not applicable	<b>16,386</b>

<sup>1</sup> Source: Psomas, 2022, p. 9.

## Water Conveyance

### Domestic Water

The LADWP stated in a letter dated March 2, 2021 that it can supply water to the proposed project (the letter is included in **Appendix M** of this DEIR). Project development would not require construction of new or expanded water mains.

### Fire Water

A 2014 fire flow test by BHPW on the hydrant at the southeast corner of Sunset Boulevard and Corey Avenue, conducted while water was flowing out of two other BHPW hydrants nearby, found that the tested hydrant supplied 6,740 gallons per minute at 20 pounds per square inch pressure, meeting Los Angeles County Fire Department requirements (Psomas, 2022, p. 11). Project construction would include installation of fire water laterals to the existing main in Cory Avenue which has sufficient flow for the project. Project development would not require construction of new or expanded water mains. Impacts related to construction of fire water laterals would be less than significant.

## Wastewater Treatment

Estimated peak day wastewater generation by project operation is 42,433 gpd. Estimated net average daily wastewater generation (that is, less existing wastewater generation) is 16,219 gpd, as shown below in **Table 4.14-6**. As discussed above, the existing capacity of the Hyperion Service Area

is approximately 550 million gallons per day (consisting of 450 MGD at the Hyperion Water Reclamation Plant, 80 MGD at the Donald C. Tillman Water Reclamation Plant, and 20 MGD at the Los Angeles– Glendale Water Reclamation Plant). The project’s estimated wastewater generation is less than one percent of the Hyperion Water Reclamation Plant’s capacity where the project’s wastewater would be treated. Project development would not require construction of new or expanded water treatment facilities, and impacts would be less than significant.

**Table 4.14-6  
ESTIMATED PROJECT WASTEWATER GENERATION**

Proposed Use	Square Feet	Water Demand, gallons per day	
		Per unit	Total
<b>Proposed Project</b>			
Retail/High turnover restaurant	7,967	1	7,967
Office/ Back of House/Mechanical/Electrical/Plumbing	45,032	0.2	9,006
Subtotal	Not applicable	Not applicable	<b>16,973</b>
Peaking Factor (2.5)	Not applicable	Not applicable	<b>42,433</b>
<b>Existing Uses</b>			
Auto Dealership	7,539	0.1	754
<b>Net Increase</b>			
Not applicable	Not applicable	Not applicable	<b>16,219</b>

<sup>1</sup> Source: Psomas, 2022, p. 9.

### Wastewater Conveyance

An existing 8-inch public sewer main is located in Carol Drive, and an 8-inch public sewer main is located in Cory Avenue. Two 8-inch public sewer mains and one 10-inch sewer public mains are in Sunset Avenue (Psomas, 2022, p. 12). A sewer area study of all sewer mains adjacent to the project site, extending to a Los Angeles County Sanitation Districts (LACSD) trunk sewer line has confirmed that project development would not require system upgrades. The Los Angeles County Sanitation Districts has issued a will serve letter stating that the trunk sewer line has sufficient capacity for the proposed project (Psomas, 2022, p. 13). Project development would not require construction of new or expanded sewer mains, and impacts would be less than significant. Project construction would include construction of new sewer laterals connecting to existing sewer mains in roadways abutting the project site. Impacts of construction of sewer laterals would be less than significant.

### Storm Water Drainage

Stormwater runoff currently flows out of the Project Site and west on Sunset Boulevard, and south on Corey Avenue and the public alley to the south. A catch basin is located on the west side of Corey Avenue that collects much of the stormwater runoff from the Project site; that catch basin is connected to a 72-inch reinforced concrete storm drain main line owned by Los Angeles County Flood Control District (LACFCD). The remaining stormwater flows South to the public alley which conveys runoff to Carol Drive. This breaks the Project’s hydrology area into two zones (Psomas, 2021b, p. 14).

Project development would include construction of a new drainage system consisting of catch basins, planter drains, and roof downspouts. Catch basins would be equipped with catch basin insert filters to remove sediment, trash, and oil and grease. Runoff would continue into a network of storm drains onsite discharging to a stormwater harvesting system including cisterns. The stormwater harvesting system would have total capacity of 1,409 cubic feet or approximately 10,568 gallons, that is, the volume of stormwater from the project site from a storm event consisting of 1.1 inches of rainfall in 24 hours (that is, the 85<sup>th</sup> percentile storm). Stormwater from a 24-hour storm exceeding the capacity of the stormwater harvesting system would be directed through an internal bypass overflow system that would discharge to an existing storm drain in Cory Avenue. Proposed runoff flows from the site, excluding the volume that would be collected in onsite storm drains and the stormwater harvesting system, would be less than existing volumes (see **Section 4.9, Hydrology and Water Quality**, for additional information). Impacts related to construction and operation of the proposed onsite drainage and stormwater harvesting systems would be less than significant. Project development would not require construction of new or expanded off-site stormwater drainage systems, and impacts would be less than significant.

### **Electricity**

Southern California Edison provides electricity to residents and businesses in West Hollywood. Total electricity consumption in SCE's service area is forecast to be 97,503 GWh in 2020 and 99,414 GWh in 2030 (CEC 2020); one GWh is equivalent to one million kilowatt-hours. Sources of SCE electricity in 2019, the latest year for which data are available, were 35 percent renewable including 16 percent solar and 12 percent wind; 8 percent large hydroelectric; 16 percent natural gas; 8 percent nuclear; and 33 percent unspecified (SCE, 2020). SCE will provide electricity to the project site from existing electrical service lines.

Project operation is estimated to use approximately 1.956 million kilowatt-hours per year; see **Section 4.5, Energy**. The project's estimated electricity requirement is considered part of the total growth forecast for the City and is assumed to be part of the planned growth of the power system. The connection would be constructed by Southern California Edison and follow all appropriate regulatory requirements of such a connection. New service point connections to electrical services to the new buildings would be provided in conformance with all applicable federal, state, and County requirements. A will serve letter dated March 19, 2021 has been received by Southern California Edison and provided in **Appendix M** (Psomas 2022, p.16). SCE has adequate forecast electricity supplies to meet estimated project electricity demand, and project operation would not require construction or relocation of electric facilities. Impacts would be less than significant.

### **Natural Gas**

The Southern California Gas Company (SCGC) provides natural gas to the project site. The proposed building would be all-electric; project construction and operation would not require construction or relocation of natural gas facilities, and no impact would occur.

### **Telecommunications**

Spectrum owns and operates telecommunications facilities onsite; AT&T Distribution, Spectrum, Extent, and Crown Castle also own and operate facilities nearby. Project construction would include installation of telecommunications facilities onsite connecting to existing facilities on and near the site. Project development would not require construction of new or upgraded telecommunications facilities offsite, and impacts would be less than significant.

***Threshold B: Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?***

Less Than Significant Impact

Project development would increase water demands onsite by an average of approximately 16,386 gpd. LADWP forecasts that it will have sufficient water supplies to meet water demands in its service area over the 2025-2045 period in normal, single-dry-year, and multiple-dry-year conditions. LADWP water supplies and demands over the 2025-2045 period in normal and single-dry-year conditions are shown above in **Tables 4.14-2** and **4.14-3**, respectively (LADWP, 2021). Project development would not require the LADWP to obtain new or expanded water supplies. Impacts would be less than significant.

***Threshold C: Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?***

Less Than Significant Impact

Project development would increase wastewater generation onsite by an average of approximately 16,219 gpd. Sufficient wastewater treatment capacity is available in the region for project wastewater generation, as substantiated above in impact analysis for **Threshold A**, and impacts would be less than significant.

***Threshold D: Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?***

Less Than Significant Impact

Development would increase solid waste generation by an estimated 266 pounds per day, as shown below in **Table 4.14-7, Estimated Project Solid Waste Generation**. Sufficient solid waste disposal capacity is available in the region for project solid waste generation. The 5 landfills serving the City of West Hollywood have total remaining capacity of approximately 21,000 tons per day (see **Table 4.14-4** above).

Compliance with AB 939 is measured in part by comparing solid waste disposal rates for a jurisdiction with target disposal rates; actual rates at or below target rates are consistent with AB 939. Target disposal rates for the City of West Hollywood are 5.8 pounds per day for residents and 7.7 ppd for employees. Actual disposal rates in 2019, the latest year for which data are available, were 3.8 ppd per resident and 4.3 ppd per employee (CalRecycle, 2021a), that is, consistent with AB 939.

Section 5.408 of the 2019 CALGreen requires that at least 65 percent of the nonhazardous construction and demolition waste from nonresidential construction operations be recycled and/or salvaged for reuse. Project construction would involve recycling and/or salvaging construction and demolition waste in accordance with the 2019 CALGreen. Based on the analysis above project impacts regarding solid waste disposal would be less than significant.



**Table 4.14-7  
ESTIMATED PROJECT SOLID WASTE GENERATION**

Land Use	Square Footage	Solid Waste Generation, pounds per day	
		Per square foot <sup>1</sup>	Total
<b>Proposed Project</b>			
Office, back-of-house, and mechanical/electrical/plumbing	45,032	0.006	271
Retail/High turnover restaurant	7,967	0.005	40
<b>Total</b>	52,999	Not applicable	<b>311</b>
<b>Existing Use</b>			
Retail	7,539	0.006	45
<b>Net Increase</b>			
	Not applicable	Not applicable	<b>266</b>

<sup>1</sup> Source: CalRecycle. 2020h. Estimated Solid Waste Generation Rates.  
<https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates>.

#### 4.14.5 Cumulative Impacts

##### Water

The area considered for cumulative impacts on water supplies is the LADWP service area consisting of the City of Los Angeles, portions of West Hollywood, Culver City, Universal City, and small parts of the County of Los Angeles. Water supplies and demands in LADWP's service area are addressed above in **Section 4.14.2**. LADWP forecasts that the population in its service area will increase from 4.041 million in 2020 to 4.670 million in 2040, and that employment will increase from 1.995 million to 2.185 million during the same period (LADWP, 2021, pp. 1-4, 1-5 and 1-6).

Other projects in LADWP's service area would increase water demands. LADWP forecasts that it will have sufficient water supplies to meet water demands in its service area over the 2020-2040 period in normal, single-dry-year, and multiple-dry-year conditions. Cumulative impacts would be less than significant, and project impacts would not be cumulatively considerable.

##### Wastewater

The area considered for cumulative impacts to wastewater treatment is the Los Angeles Bureau of Sanitation (LABoS) service area consisting of the City of Los Angeles and 29 non-City agencies including Los Angeles County Sanitation District No. 4 serving part of the City of West Hollywood. Other projects in LADWP's service area would increase water demands. Other projects in LABoS's service area would increase wastewater generation. The four LABoS wastewater treatment facilities have total current capacity of 580 mgd (LASAN, 2021); LADWP estimates that total wastewater flows through the four facilities in fiscal year 2045 will be 366,000 afy, which is approximately 327 mgd (LADWP, 2021, pp. 7-11 and 7-12). Sufficient wastewater treatment capacity is available for forecast growth in LABoS' service area. Cumulative impacts would be less than significant and project impacts would not be cumulatively considerable.

### **Stormwater Drainage**

Other projects in the Watershed would add impervious surfaces and thus could increase runoff from the respective project sites. Other projects within the City of Los Angeles, would be required to comply with the City's LID Handbook; and projects within the cities of West Hollywood, Santa Monica, Beverly Hills, and Culver City, and unincorporated areas of Los Angeles County, with the Los Angeles County SUSMP. Projects must limit post-project runoff rates to no greater than existing rates, pursuant to the SUSMP or LID Handbook. Compliance with existing drainage requirements would reduce cumulative impacts on surface water and drainage to less than significant, and project impacts would not be cumulatively considerable.

### **Solid Waste Disposal**

The area considered for cumulative solid waste disposal impacts is the City of West Hollywood. The description of existing conditions above in Section 4.14.2.2 is citywide in scope. In 2019 25,287 tons of solid waste were landfilled from the City of West Hollywood (CalRecycle, 2020a). The Southern California Association of Governments (SCAG) forecasts that between 2016 and 2045 the population of West Hollywood will increase by 5,900, or 16 percent, and employment in the City will increase by 16,400 or approximately 76 percent (SCAG, 2020). Taking the larger of those two proportional increases for a conservative estimate, solid waste disposal from the City is estimated to increase to approximately 44,397 tons per year or approximately 122 tons per day. The five landfills serving West Hollywood have total remaining capacity of approximately 21,000 tons per day. Cumulative impacts would be less than significant, and project impacts would not be cumulatively considerable.

#### **4.14.6 Mitigation Measures**

The analysis of potential impacts on utilities and service systems determined that any potential project or cumulative impacts would be less than significant. Therefore, no mitigation measures are required.

#### **4.14.7 Level of Significance after Mitigation**

Potential impacts on utilities and service systems were determined to be less than significant. Since no mitigation measures are required, impacts on utilities and service systems would remain less than significant.



## **4.15 Fire Protection Services and Wildfire Hazards**

### **4.15.1 Introduction**

This section of the Draft EIR provides an analysis of the project’s potential impacts with regards to wildfire risks, including factors that could expose people or structures to fire or post-fire flooding or landslides, impair emergency response, or require installation of infrastructure that could exacerbate fire risk. The analysis in this section is based on the California Department of Forestry and Fire Protection (CalFire) fire hazard information. This section also analyzes consistency of the project with applicable county and city emergency response plans, evacuation plans, and designated disaster routes.

### **4.15.2 Regulatory Framework**

#### **Federal**

##### **National Cohesive Wildland Fire Management Strategy**

The National Cohesive Wildland Fire Management Strategy (Cohesive Strategy) was created in response to requirements of the Federal Land Assistance, Management, and Enhancement (FLAME) Act of 2009. The Cohesive Strategy is a collaborative process with all levels of government and nongovernmental organizations, as well as the public, to seek solutions to wildland fire management issues (Forest and Rangelands, 2014). Three primary factors are identified in addressing the wildland fire problems:

1. Restoring and maintaining resilient landscapes. The strategy must recognize the current ecosystem health and variability of resilient landscapes from geographic area to geographic area, including climate change. Because landscape conditions and needs vary depending on local climate and fuel conditions, among other elements, the strategy will address landscapes on a regional and sub-regional scale.
2. Creating fire-adapted communities. The strategy will offer options and opportunities to engage communities and work with them to become more resistant to wildfire threats, and respond in the event of a wildfire emergency.
3. Responding to wildfires. This element considers the full spectrum of fire management activities and recognizes the differences in missions among local, state, tribal and federal agencies. The strategy offers collaboratively developed methodologies to move forward (Forest and Rangelands, 2014).

#### **State**

##### **California Environmental Quality Act (CEQA)**

The California Environmental Quality Act (CEQA) of 1970 (CEQA; Public Resources Code, §§ 21000-21178), applies to discretionary projects proposed to be carried out by public agencies. In 2018, the State CEQA guidelines Appendix G checklist was updated with questions related to wildfire, pursuant to Senate Bill 743 (California Legislative Information, 2013), and Senate Bill 1241 (California Legislative Information, 2012). It was determined that hazards associated with wildfire require special consideration and that lead agencies must “discuss any inconsistencies between the



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proposed project and applicable general plans” related to a project’s potential environmental impacts in a project’s environmental review (State CEQA Guidelines § 15125[d].) The questions in wildfire CEQA Guidelines Appendix G focus on the effects of new projects in creating or exacerbating wildfire risks (California Natural Resources Agency, 2018).

### **Senate Bill 1241 (Kehoe, 2012)**

In 2012, Senate Bill 1241 (SB 1241) passed, requiring that all future general plans address fire risk in state responsibility areas and very high fire hazard severity zones in their safety element. In addition, the bill requires cities and counties to make certain findings regarding available fire protection and suppression services before approving a tentative map or parcel map (Kehoe, 2012). Senate Bill 1241 also required the Office of Planning and Research, the Natural Resources Agency, and CalFire to develop “amendments to the initial study checklist of the [CEQA Guidelines] for the inclusion of questions related to fire hazard impacts for projects located on lands classified as state responsibility areas, as defined in section 4102, and on lands classified as very high fire hazard severity zones, as defined in subdivision (i) of section 51177 of the Government Code.” (Pub. Resources Code, § 21083.01) (California Natural Resources Agency, 2018).

### **Senate Bill 901**

Senate Bill 901 (SB 901) is a comprehensive wildfire management, prevention, and monitoring act. It includes provisions for CEQA exemptions for projects that reduce risk of wildfires in designated high-severity areas and creates a Wildfire Resilience Program led by CalFire. Additionally, the bill sets aside funding for wildfire research and establishes the Commission on Catastrophic Wildfire Cost and Recovery. The commission is tasked with examining issues related to catastrophic wildfires that are associated with utility infrastructure. By reviewing numerous criteria including nature and severity of the corporation’s conduct in wildfire prevention and monitoring practices, the commission will determine whether electric corporations may recover wildfire costs by charging consumers (California Legislative Information, 2018a).

### **Assembly Bill 2551**

Assembly Bill 2251 (AB 2251) authorizes Cal Fire to collaborate with private landowners on prescribed burns in order to prevent high-intensity wildland fires and achieve additional land management goals. The bill also provides the director with the authority to make loans to cover the landowner’s cost for the work. Finally, the bill authorizes the Natural Resources Agency (NRA) and California Environmental Protection Agency (CalEPA) to jointly develop a specific plan for forest and watershed restoration activities (California Legislative Information, 2018b).

### **2017 State of California General Plan Guidelines**

The 2017 edition of the General Plan Guidelines (GPG) (OPR, 2017) is a resource to help planners accomplish their respective community’s priorities and vision while meeting larger state goals, increasing community collaboration, and improving competitiveness for funding opportunities. The GPG policy recommendations focus on four key themes; climate change, economics, healthy communities, and equitable opportunities. The GPG includes development goals and public policy relative to the distribution of future land uses, both public and private, and it provides tools for communities to utilize in updating their general plans. The GPG requires the safety element of county and city plans to include identification of policies and mitigation for the protection of the community from any unreasonable risks associated with wildland and urban fires (OPR, 2017).



### **California State Hazard Mitigation Plan**

The California State Hazard Mitigation Plan (SHMP) represents the state’s primary hazard mitigation guidance document - providing an updated analysis of the state’s historical and current hazards, hazard mitigation goals and objectives, and hazard mitigation strategies and actions. Chapter 8 of the 2018 SHMP (CalOES, 2018) addresses wildfire hazards. According to the SHMP, wildfire, and particularly wildland-urban interface (WUI) fire, has represented the third greatest source of hazard to California, both in terms of recent state history as well as the probability of future destruction of greater magnitudes than previously recorded (CalOES, 2018).

### **2019 Strategic Fire Plan for California**

The 2019 Strategic Fire Plan for California (California Fire Plan) (CalFire, 2019) is the state’s road map for reducing the risk of wildfire. The Fire Plan is a cooperative effort between the State Board of Forestry and Fire Protection and the California Department of Forestry and Fire Protection. The purpose of the Strategic Fire Plan is to provide CalFire with appropriate guidance for adequate statewide fire protection of state responsibility areas.

The 2019 Plan focuses on (1) fire prevention and suppression activities to protect lives, property, and ecosystem services, and (2) natural resource management to maintain the state’s forests as a resilient carbon sink to meet California’s climate change goals and to serve as important habitat for adaptation and mitigation. The goals of the 2019 Strategic Fire Plan’s vision revolve around fire prevention, natural resource management, and fire suppression efforts (CalFire, 2019). Major components of the plan are:

- Improve the availability and use of consistent, shared information on hazard and risk assessment;
- Promote the role of local planning processes, including general plans, new development, and existing developments, and recognize individual landowner/homeowner responsibilities;
- Foster a shared vision among communities and the multiple fire protection jurisdictions, including county-based plans and community-based plans such as Community Wildfire Protection Plans (CWPP);
- Increase awareness and actions to improve fire resistance of man-made assets at risk and fire resilience of wildland environments through natural resource management;
- Integrate implementation of fire and vegetative fuels management practices consistent with the priorities of landowners or managers;
- Determine and seek the needed level of resources for fire prevention, natural resource management, fire suppression, and related services; and
- Implement needed assessments and actions for post-fire protection and recovery.

### **Public Resources Code 4201-4204 (Fire Hazard Severity Zones)**

Public Resources Code 4201-4204 provides for the classification of lands within state responsibility areas in accordance with the severity of fire hazard present for the purpose of identifying measures to be taken to reduce the rate of spreading and to decrease the potential intensity of uncontrolled fires that threaten to destroy resources, life, or property. This code directs the Director of the California Department of Forestry and Fire Protection (CalFire) to designate fire hazard severity zones within state responsibility, and assign to each zone a rating reflecting the degree of severity of





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fire hazard that is expected to prevail in the zone. Local agencies are directed to designate, by ordinance, very high fire hazard severity zones in its jurisdiction (California Legislative Information, 2021a).

### **Government Code 51175-51189 (Very High Fire Hazard Severity Zones)**

Government Code 51175-51189 classifies lands in the state in accordance with whether a very high fire hazard is present so that public officials are able to identify measures that will retard the rate of spread, and reduce the potential intensity of, uncontrolled fires that threaten to destroy resources, life, or property, and to require that those measures be taken. It gives direction to local agencies regarding designation of very high fire hazard severity zones in its jurisdiction. It allows local agencies to include areas as very high fire hazard severity zones within their jurisdiction that were not identified as very high fire hazard severity zones by CalFire. It establishes various mitigation strategies to reduce risk associated with wildland fire, such as building standards that provide for comprehensive space and structure defensibility to protect structures from fires spreading from adjacent structures or vegetation and vegetation from fires spreading from adjacent structures (California Legislative Information, 2021b).

### **California Code of Regulations, Title 24, Part 9, California Fire Code**

Requirements in the California Fire Code (CFC) are for building and equipment design, such as fire-rated construction, alarm systems, sprinkler systems, and means of egress; requirements for specific land uses, including airports, dry cleaners, gas stations, and automotive service businesses; hazardous materials; fire flow requirements; and fire hydrant spacing. The CFC is updated on a three-year cycle, and the 2019 CFC took effect on January 1, 2020 (DGS, 2020).

### **California Code of Regulations, Title 24, Part 2, California Building Code**

Current law states that every local agency enforcing building regulations, such as cities and counties, must adopt the provisions of the California Building Code (CBC) within 180 days of its publication date, which is established by the California Building Standards Commission. The most recent building standard adopted by the legislature and used throughout the state is the 2019 version of the CBC, often with local, more restrictive amendments that are based on local geographic, topographic, or climatic conditions. The CBC is updated on a three-year cycle, and the 2019 CBC took effect on January 1, 2020 (DGS, 2020).

Requirements for structures in Fire Hazard Severity Zones are in Chapter 7A of the California Building Code, “Materials and Construction Methods for Exterior Wildfire Exposure,” and Chapter 49 of the California Fire Code, “Requirements for Wildland-Urban Interface Fire Areas.” Requirements in these two chapters cover roofing; attic ventilation; exterior walls; exterior windows and glazing; exterior doors; decking; protection of underfloor, appendages, and floor projections; and ancillary structures (DGS, 2020).



## Local

### **County of Los Angeles Operational Area Emergency Response Plan**

The Los Angeles County Office of Emergency Management (OEM) is the day-to-day Los Angeles County Operational Area coordinator for the entire geographic area of the county. This broad responsibility includes maintaining an approved Operational Area Emergency Response Plan (ERP) (Los Angeles County Office of Emergency Management, 2012). The ERP addresses the Los Angeles County Operational Area's planned response to extraordinary emergency situations associated with natural and man-made disasters and technological incidents. The operational concepts in this plan focus on potential large-scale disasters which can generate unique situations requiring an unusual or extraordinary emergency response.

### **Los Angeles County Fire Department 2018-2020 Strategic Fire Plan**

The Los Angeles County Fire Department 2018-2020 Strategic Fire Plan (Los Angeles County Fire Department, 2018) identifies and prioritizes pre-fire and post-fire management strategies and tactics meant to reduce the loss of values at risk within the county. The plan states that addressing wildfire potential continues to be a top priority and a thorough understanding of the wildfire environment is essential in understanding fire severity potential in Los Angeles County. A major element of the California Strategic Fire Plan is an intensive assessment process graphically depicting fuels, weather, and assets at risk in a Geographic Information System (GIS) program. The GIS layers are continually field-validated and used to identify areas within or adjacent to the WUI most at risk. The WUI areas are the geographical intersection of two disparate systems, wildland and structures. At this interface, structures and vegetation are close enough that a wildland fire could spread to structures or fire could spread from structures to ignite vegetation.

### **City of West Hollywood General Plan Safety Element**

The Safety Element of the General Plan identifies, prevents, mitigates, and manages reasonably anticipated hazards to the City, such as seismic hazards, fires, flooding and exposure to hazardous materials (Rami + Associates, Inc., 2011, p. 10-2). The Safety Element contains goals and objectives related to the prevention of fires and maintenance of public safety. As discussed in the City's Safety Element, "West Hollywood sits at the base of the Hollywood Hills, where roads can be difficult to navigate and significant vegetation and brush cover the undeveloped areas between homes and neighborhoods. A fire in the Hollywood Hills could easily spread to the northern region of the City of West Hollywood. In addition, urban fires are possible from careless human activity, or in the event of an earthquake, subsurface gas explosion, or hazardous material combustion. In the event of an urban fire, fire growth is related to type of building construction, water supply, fire department response time and resources, and building density and fire breaks" (Rami + Associates, Inc., 2011, p. 10-4). Figure 10-1 (Wildland Fire Hazards) of the Safety Element depicts the broad scope of potential fire hazards. The City's fire safety program addresses the broad scope of fire prevention and suppression and emergency response operations.

### **City of West Hollywood Emergency Response Plan**

The City of West Hollywood Emergency Response Plan (City of West Hollywood) is an all-hazards preparedness, emergency evacuation, response and recovery plan. It addresses hazards including, but not limited to fires, earthquakes, flooding, terrorism, transportation accidents, public health



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emergencies, and hazardous materials accidents. Sunset Boulevard and Cory Avenue are part of the City's evacuation routes (City of West Hollywood, 2017, p. 69).

### **City of West Hollywood Hazard Mitigation Plan**

The City of West Hollywood Hazard Mitigation Plan (HMP) (City of West Hollywood, 2018b) was developed to establish and promote a comprehensive mitigation policy and program to reduce risks from disasters to the people, property, economy and environment within the City. The City's HMP includes a hazard risk assessment and mitigation strategies and goals. The HMP considers the Hollywood Hills to be a significant fire hazard area because it is a densely populated area, with difficult to navigate roads and large amounts of vegetation (City of West Hollywood, 2018b, p. 41).

### **City of West Hollywood Municipal Code**

The City of West Hollywood Municipal Code § 14.04.010 Adoption of Fire Code, establishes that the City has adopted the latest regulations in regard to fire hazards protection and development standards from the California Fire Code and the Los Angeles County Fire Code (City of West Hollywood, 2021).

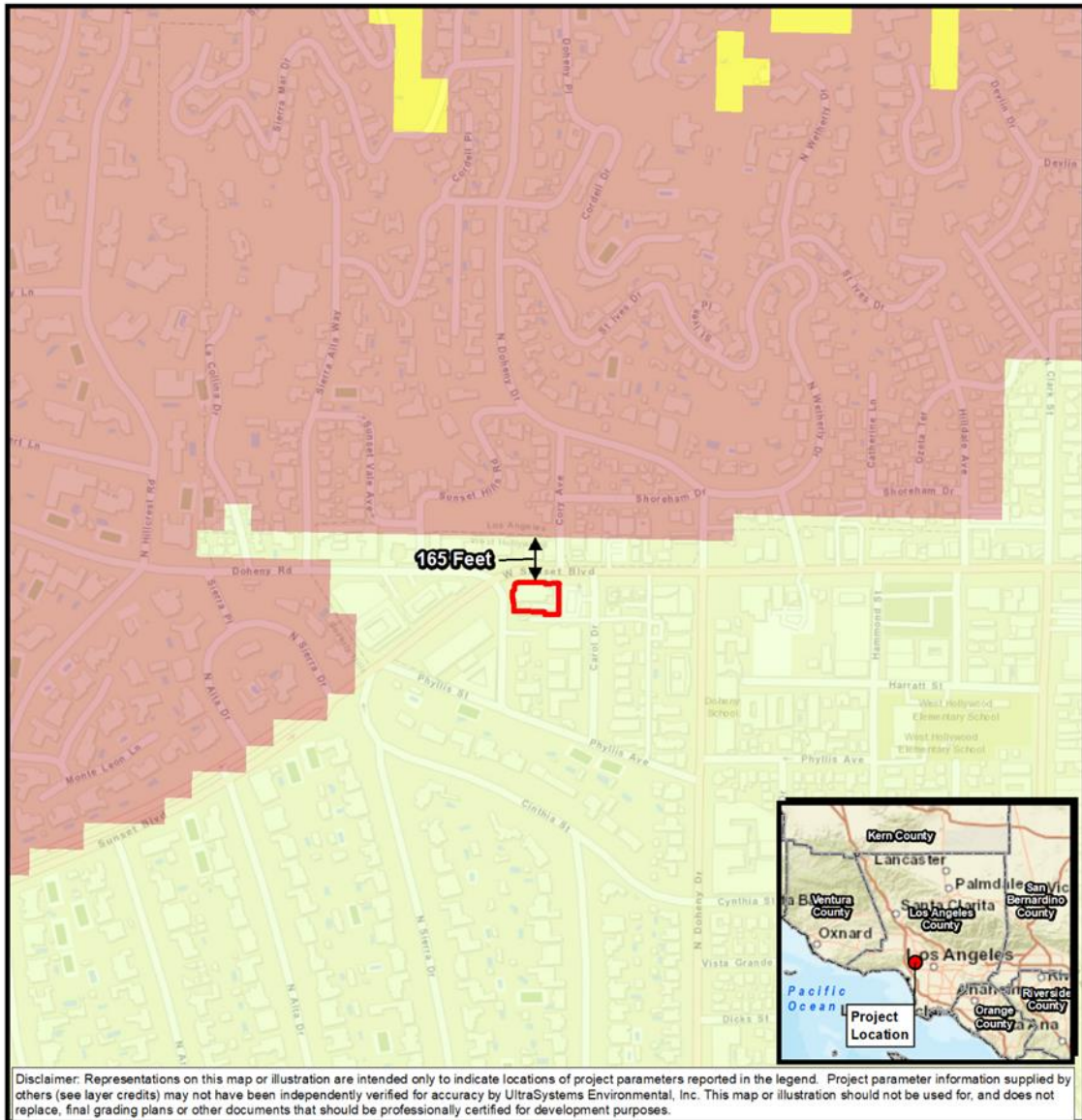
#### **4.15.3 Existing Conditions**

The project site is located within an urban portion of the city and currently consists of an automotive dealership and a surface parking lot, with ornamental trees and shrubs. Land uses surrounding the project site include commercial, multi-family residential and dining establishments to the north and west, a Southern California Edison (SCE) utility yard, single family residential and multi-family residential developments to the south, and a surface parking lot to the east (Google Earth Pro, 2021).

According to the U.S. Forest Service (USFS) mapped wildland urban interface (WUI) areas, the project site is not located within a WUI area (refer to **Figure 4.15-1**).

CalFire is legally mandated to periodically map Fire Hazard Severity Zones on State Responsibility Areas (SRAs), as well as recommend Very High Fire Hazard Severity Zones in Local Responsibility Areas (LRAs). CalFire established the Fire and Resource Assessment Program (FRAP) to develop a statewide, consistent logic and science-based model for Fire Hazard Zoning to meet the needs of the adoption of new building standards. CalFire's mapped Fire Hazard Severity Zones (FHSZ) for State Responsibility Areas (SRAs) and Very High FHSV in Local Responsibility Areas (LRAs) are shown on **Figure 4.15-2** and **Figure 4.15.3**. As depicted in these figures, the project site is not located within a SRA or LRA Very High FHSZ (CAL FIRE, 2020).

**Figure 4.15-1  
WILDLAND URBAN INTERFACE**



Disclaimer: Representations on this map or illustration are intended only to indicate locations of project parameters reported in the legend. Project parameter information supplied by others (see layer credits) may not have been independently verified for accuracy by UltraSystems Environmental, Inc. This map or illustration should not be used for, and does not replace, final grading plans or other documents that should be professionally certified for development purposes.

Path: I:\GIS\Projects\7063\_WeHo\_Sunset Blvd\_EIR\MXD\7063\_WeHo\_WUI\_2021\_03\_23a.mxd  
 Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, California Department of Forestry and Fire Protection, Fire and Resource Assessment Program (FRAP), 2015; UltraSystems Environmental, Inc., 2021  
 March 24, 2021

Scale: 1:6,000



0 250 500 Feet

0 60 120 Meters

**Legend**

Project Boundary

**Wildland Urban Interface (WUI) Designations 2015**

Not WUI

Interface

Influence Zone

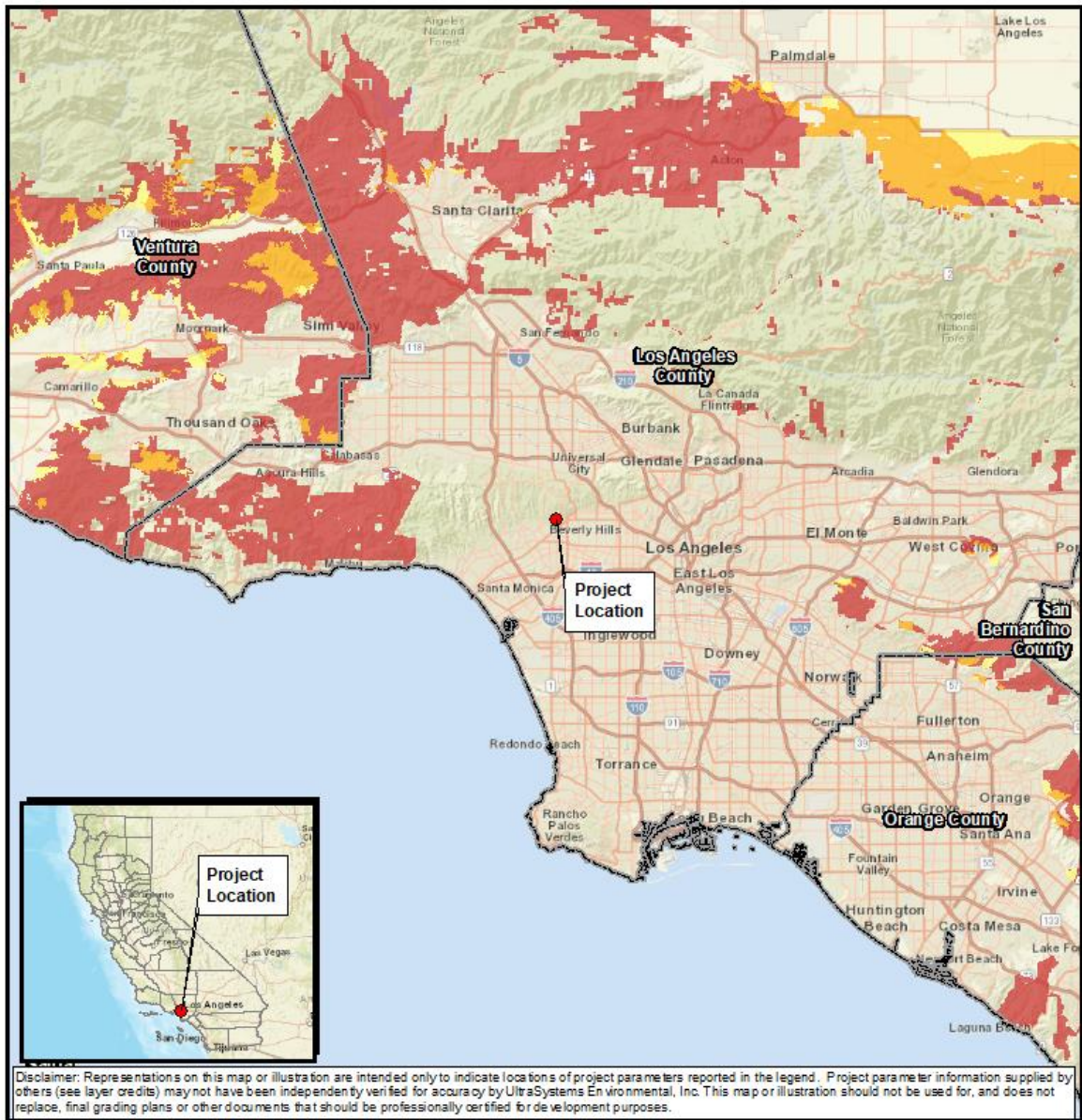
**9160-9176 Sunset Boulevard Commercial Project**

Wildland Urban Interface





**Figure 4.15-2**  
**FIRE HAZARD SEVERITY ZONE - STATE RESPONSIBILITY AREA**



Path: \\GIS\SVR\GIS\Projects\7063\_WelHo\_Sunset Blvd\_EIR\MXDs\Initial Study\7063\_WelHo\_Fire\_Hazards\_SRA\_2020\_09\_29.mxd  
 Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC,  
 (c) OpenStreetMap contributors, and the GIS User Community, CAL FIRE, 2019; UltraSystems Environmental, Inc., 2020

September 29, 2020

Scale 1:633,600

0 5 10 Miles

0 5 10 Kilometers

**Legend**


- Project Location
- County Boundary

**Fire Hazard Severity Zones in SRA**

- Moderate
- High
- Very High

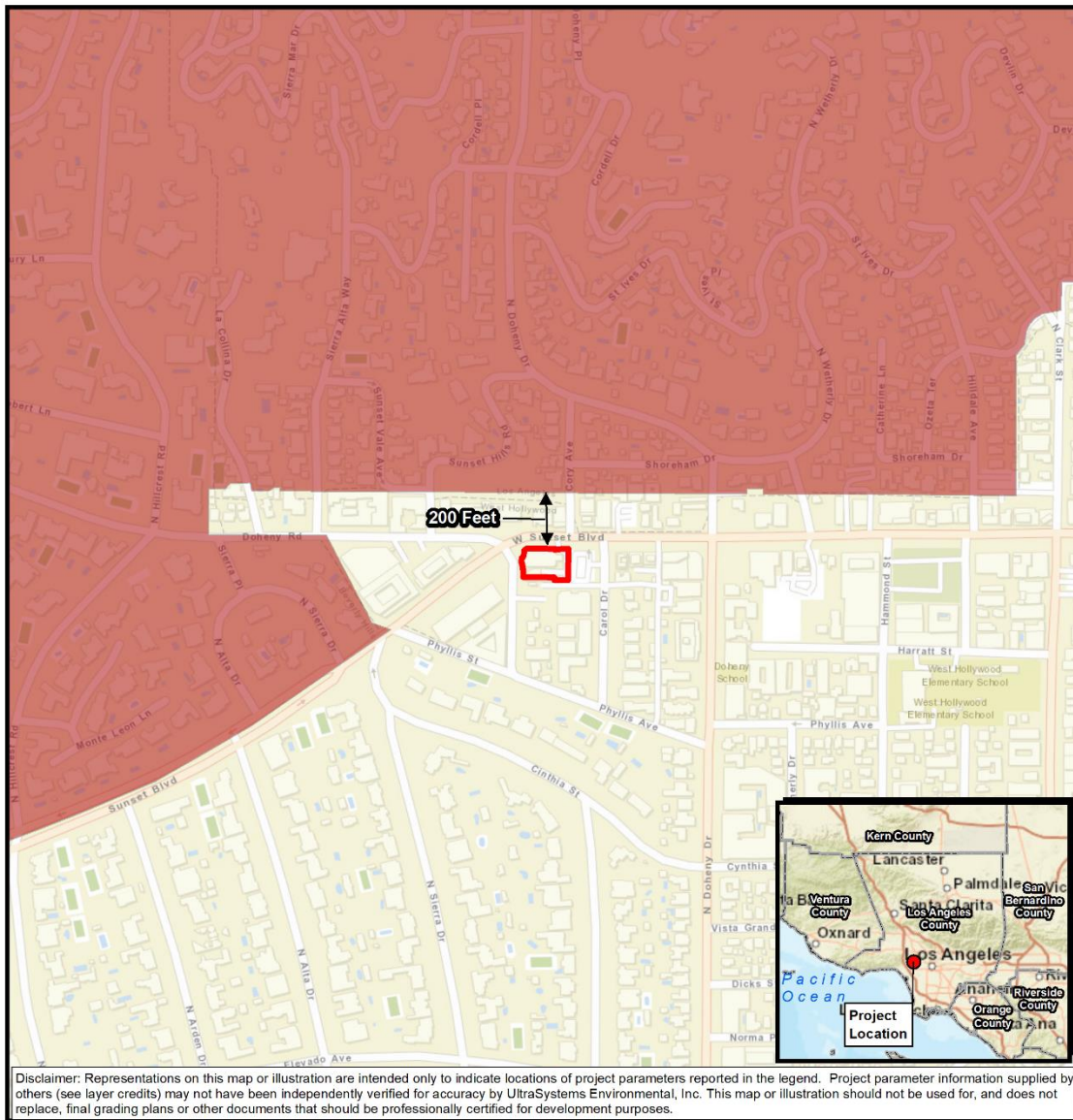
**9160-9176 Sunset Boulevard Commercial Project**

Fire Hazard Severity Zone State Responsibility Area (SRA)

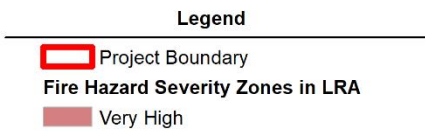
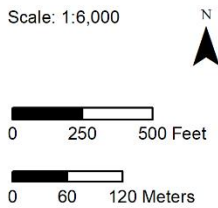




**Figure 4.15-3**  
**FIRE HAZARD SEVERITY ZONE - LOCAL RESPONSIBILITY AREA**



Path: \\Gissv\gis\Projects\7063\_WeHo\_Sunset Blvd\_EIR\MXDs\Initial Study\7063\_WeHo\_Fire\_Hazards\_LRA\_2021\_03\_24.mxd  
 Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC,  
 (c) OpenStreetMap contributors, and the GIS User Community; Cal Fire, 2019; UltraSystems Environmental, Inc., 2021



**9160-9176 Sunset Boulevard  
Commercial Project**

Fire Hazard Severity Zone  
Local Responsibility Area (LRA)



**Very High fire hazard designation refers to either (CalFire, 2020):**

Wildland areas supporting high-to-extreme fire behavior resulting from climax fuels typified by well-developed surface fuel profiles (e.g., mature chaparral) or forested systems where crown fire is likely. Additional site elements include steep and mixed topography and climate/fire weather patterns that include seasonal extreme weather conditions of strong winds and dry fuel moistures. Burn frequency is typically high and should be evidenced by numerous historical large fires in the area. Firebrands from both short- (<200 yards) and long-range sources are often abundant.

OR

Developed/urban areas typically with high vegetation density (>70 percent cover) and associated high fuel continuity, allowing for frontal flame spread over much of the area to progress impeded by only isolated non-burnable fractions. Often where tree cover is abundant, these areas look very similar to adjacent wildland areas. Developed areas may have less vegetation cover and still be in this class when in the immediate vicinity (0.25 mile) of wildland areas zoned as Very High.

#### **4.15.4 Methodology**

This analysis includes a review of adopted emergency response plans and emergency evacuation plans relevant to the project site; review and summary of prior environmental documents pertaining to the project site; an evaluation of standard environmental record sources contained within federal, state and local environmental databases within specific search distances; an evaluation of additional environmental record sources obtained from local regulatory departments/agencies; and a qualitative evaluation of the physical characteristics of the project site and adjacent properties through a review of project site photos and satellite maps.

#### **4.15.5 Environmental Impact Analysis**

##### **Thresholds of Significance**

In accordance with Appendix G of the State CEQA Guidelines, the Project would have a significant impact related to Wildfire if it would:

- f) Substantially impair an adopted emergency response plan or emergency evacuation plan; or**
  - Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; or**
- g) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may**

exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or

- **Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.**

Thresholds of Significance from CEQA Appendix G were used to evaluate the potential level of initial impact and the potential level of impact after implementation of mitigation measures. The Initial Study, included as **Appendix A**, substantiates that the project site is not located within a SRA or LRA VHFHSV and would have no impacts related to **Thresholds B, C, and D**. Therefore, this section focuses on impacts related to emergency response planning.

### **Analysis of Project Impacts**

***Threshold A: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?***

#### **Less than Significant Impact with Mitigation**

Emergency response plans relevant to the project site include the City's Emergency Response Plan and the County's Emergency Response Plan.

### **Construction**

The project site is located on the southeast intersection of Sunset Boulevard and Cory Avenue; both streets are part of the City's evacuation routes (City of West Hollywood, 2017, p. 69). During the construction phase, the proposed project would generate temporary construction-related truck and automobile traffic. Traffic during the construction phase would include construction workers traveling to and from the project site, trucks hauling construction materials to the site and transporting material away from the site on public roadways. Construction activities for the project would be primarily confined to the project site and would only include minor offsite improvements in the public right-of-way in the streets surrounding the project site: Sunset Boulevard, Cory Avenue, and Carol Drive. Offsite improvements include the installation of utilities in the street such as water, sewer, and electricity.

Mitigation measure **TRANS-1** (described in **Section 4.15.7**), which requires preparation and implementation of a Construction Traffic Management Plan during construction of the project would be implemented to ensure that adequate and safe access remains available within and near the project site during construction activities. The Construction Traffic Management Plan would detail how parking would be managed during project construction. The parking management plan would specify where onsite and offsite parking would be available during project construction. The Construction Traffic Management Plan would also include a street closure plan that details how vehicle traffic (including bus traffic), pedestrian traffic, and bicycle traffic would flow during temporary street closures during project construction.

The project would also comply with all applicable codes and ordinances for emergency access. Therefore, with adherence to regulatory requirements and implementation of a Construction Traffic Management Plan as required by mitigation measure **TRANS-1**, construction of the project would

not impair implementation of, or physically interfere with, any adopted or onsite emergency response or evacuation plans and project impacts related to an adopted emergency response plan or emergency evacuation plan during construction would be less than significant with mitigation.

## Operation

During operation, the proposed project would not involve activities that would impede public access or travel along the public right-of-way or interfere with an adopted emergency response or evacuation plan. The increase in traffic generated by the project would not significantly impact emergency vehicle response to the project site and surrounding uses, including along City-designated disaster routes, since the drivers of emergency vehicles are able to avoid traffic by using sirens to clear a path of travel or by driving in the lanes of opposing traffic. The proposed project would continue to adhere to the City's and County's emergency response plans and policies.

As discussed in **Section 4.12**, Transportation, of this Draft EIR, during operation, two driveways would provide ingress and egress from the project site; one from Cory Avenue, and one along a driveway connected to Carol Drive. The traffic study found both driveways to have no issues with access; however, the traffic study recommends a keep-clear sign at the Cory Avenue driveway due to the close proximity to the Cory Avenue/ Sunset Boulevard/ Doheny Road intersection (Sarsour, 2021, p. 20). Therefore, the project would implement **MM TRANS-2** (described in **Section 4.15.7**), which would help in reducing emergency access impacts during operation to less than significant. Furthermore, the project site plan will be reviewed by the Los Angeles County Fire Department and the project would comply with all emergency access requirements. Therefore, the project would not impair implementation of or physically interfere with adopted emergency response and emergency evacuation plans and project impacts related to inadequate emergency access during operation would be less than significant with implementation of mitigation measure **TRANS-2**.

### 4.15.6 Cumulative Impacts

The project site is not located in or near a LRA or SRA VHFHSV, or a WUI area. The project would not require the installation or maintenance of infrastructure that may exacerbate fire risk because it is an infill development project in an already urban and developed portion of the City of West Hollywood, and therefore would not require installation of infrastructure that would exacerbate fire risks. The project would be required to comply with City of West Hollywood Building Code and safety regulations pertaining to development in a very high fire hazard severity zone. The proposed project would construct a new building that would have the latest fire prevention designs that would adhere to the City's building and fire codes. With compliance with all applicable regulations, the project would have less than significant impacts related to risk of loss, injury or death involving wildland fires. Furthermore, cumulative impacts on emergency response plans would be less than significant with the implementation of mitigation measures **TRANS-1** and **TRANS-2**. Therefore, cumulative impacts regarding wildfire as a result of the project would be less than significant and would not be cumulatively considerable.

### 4.15.7 Mitigation Measures

Impacts associated with significance **Threshold A** would be less than significant with the implementation of the following mitigation measure related to the management of traffic and circulation during project construction.

**MM TRANS-1** Prior to construction, the General Contractor shall submit a detailed Construction Management Plan to be reviewed and approved by the City of West Hollywood. The Construction Management Plan shall specify that the Construction Manager will schedule truck traffic and employee shifts to avoid creating trips during the peak traffic periods, as is feasible for construction operations. All measures, including identified truck routes and designated employee parking areas, shall be included in the Construction Management Plan. The Plan shall include but is not limited to the following provisions:

- To handle street traffic affected by at-grade construction work on Sunset Boulevard, Cory Avenue, and Carol Drive, the Construction Management Plan shall specify how traffic will be routed and controlled during the construction phase, including which lane(s) of traffic will be temporarily blocked off for construction work.
- Specification of permitted hours for construction-related deliveries and removal of heavy equipment and material.
- Specification of where construction workers would park their personal vehicles during project construction with a requirement that at no time shall construction worker vehicles block any driveways. If complaints are received by the project applicant regarding issues with construction worker vehicle parking, the project applicant shall identify alternative parking options for construction workers so as not to interfere with any commercial and residential parking availability.
- Identification of how emergency access to and around the project site will be maintained during project construction.
- Specification of haul routes for delivery or removal of heavy and/or oversized equipment or material loads. Where feasible, delivery or removal of oversized equipment or material loads shall be conducted during off-peak traffic periods.
- Maintain pedestrian and bicycle connections around the project site designate safe crossing locations for all pedestrian detours.
- Maintain the security of the project site by erecting temporary fencing during the construction phase of the project. Any onsite night lighting used during the construction phase of the project shall be in compliance with lighting requirements of the City of West Hollywood.
- If temporary lane closures are necessary for the installation of utilities, that emergency access should be maintained at all times.
- Flag persons and/or detours shall be provided as needed to ensure safe traffic operations.
- Construction signs shall be posted to advise of reduced construction zone speed limits.
- The project design shall include entry/exit gates for first responders' vehicles to gain access to the project site.





**MM TRANS-2** A keep clear sign shall be located at the proposed Cory Avenue driveway to ensure there would be less than significant traffic congestion near the Cory Avenue/ Sunset Boulevard/ Doheny Road intersection.

**4.15.8 Level of Significance after Mitigation**

Impacts associated with significance **Threshold F** would be less than significant after implementation of Mitigation Measures **TRANS-1** and **TRANS-2**.

## **SECTION 5.0 - ALTERNATIVES**

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## 5.0 ALTERNATIVES

### 5.1 Introduction

An essential aspect of the environmental review process under CEQA is the identification and analysis of alternatives to a proposed project. Specifically, Public Resources Code (PRC) § 21001 states that the environmental review process is intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives which will avoid or substantially lessen such significant effects. In addition, PRC § 21002.1 (a) states, in part, that the purpose of an environmental impact report is to identify the significant effects on the environment of a project, identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided.

Section 15126.6 of CEQA provides guidance regarding the consideration and discussion of project alternatives in an EIR. More specifically, CEQA Guidelines § 15126.6(a) states the following:

*An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible.*

Furthermore, the CEQA Guidelines advise that project alternatives be selected primarily based on the ability to avoid or substantially lessen significant impacts relative to those of the proposed project, even if the alternatives would impede, to some extent, the attainment of the project objectives, or would even be more costly. The CEQA Guidelines further instruct that the identification of alternatives be guided by a "rule of reason," so that only those alternatives necessary to permit a reasoned choice are addressed. In selecting project alternatives for analysis, potential alternatives must be feasible. CEQA Guidelines § 15126.6(f)(1) states that:

*Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries [...], and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site [...]*

In addition, the CEQA Guidelines § 15126.6(e) requires analysis of a "no project" alternative and § 15126.6(f)(2) requires an evaluation, if feasible, of alternative location(s) for the project. Based on the alternatives analysis, an environmentally superior alternative is then designated. If the No project/No Build Alternative ends up as the "environmentally superior alternative", then the EIR shall identify an environmentally superior alternative among the other alternatives.

Under CEQA, the goal of identifying the environmentally superior alternative is to assist decision-makers in considering project approval. However, CEQA does not require an agency to select the environmentally superior alternative (CEQA Guidelines § 15042-15043). Specifically, CEQA Guidelines § 15043 states that a public agency may approve a project even though the project would

cause a significant effect on the environment if the agency makes a fully informed and publicly disclosed decision that:

- (a) There is no feasible way to lessen or avoid the significant effect (see CEQA Guidelines § 15091); and
- (b) Specifically identified expected benefits from the project outweigh the policy of reducing or avoiding significant environmental impacts of the project (see CEQA Guidelines §15093).

As stated in CEQA Guidelines § 15093(a):

*CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”*

In accordance with CEQA Guidelines §15126.6, the following section discusses a reasonable range of alternatives that would “feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen potential significant impacts of the project, and evaluate the comparative merits of the alternatives.”

## 5.2 Overview of Selected Alternatives

As discussed above, alternatives are identified to reduce the significant impacts of a proposed project. Based on the analyses provided in **Section 4.0**, Environmental Impact Analysis, of this Draft EIR, implementation of the project would result in significant impacts that cannot be feasibly mitigated with respect to construction noise (**Section 4.11**).

After implementation of mitigation measures, the project would still have significant environmental effects, which would necessitate the adoption of a Statement of Overriding Considerations for impacts regarding construction noise.

Therefore, the alternatives to the project, listed below, were selected for evaluation based on the significant environmental impacts of the project, the basic objectives established for the project as presented in **Section 2.0** of this Draft EIR, and the feasibility of the alternatives considered. Each of these alternatives is described in the sections that follow.

- **Alternative 1: No Project Alternative**
- **Alternative 2: No Digital Billboard Alternative**
- **Alternative 3: Modified Land Use Alternative**
- **Alternative 4: Aboveground Parking Alternative**

In addition, CEQA Guidelines § 15126.6(c) requires that an EIR identify any alternatives that were considered for analysis but rejected as infeasible. Such potential alternatives are described below.

### 5.3 Alternatives Considered and Rejected as Infeasible

According to CEQA Guidelines § 15126.6(c), an EIR should identify any alternatives that were considered for analysis but rejected as infeasible and briefly explain the reasons for their rejection. The factors that may be used to eliminate an alternative from detailed consideration may include the alternative's failure to meet most of the basic project objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts. Alternatives to the project that have been considered and rejected as infeasible include the following:

- **Alternative Project Site:** The project site is in Area 8, West End, of the Sunset Specific Plan (SSP) area. Area 8 spans four blocks south of Sunset Boulevard and parts of two blocks north of Sunset Boulevard and extends from Doheny Drive on the east to the intersection of Phyllis Street and Sunset Boulevard on the west. The goals of the SSP in the West End area include accommodating additional office buildings and providing space for "creative" industries and anchor businesses. Area 8 is entirely built out and no other project sites are available for development of the proposed project. Therefore, this alternative was rejected from further consideration.
- **Reuse of Existing Car Dealership:** The City considered reusing the buildings onsite for car dealership use by another tenant (the previous dealership closed permanently in May 2021). The City rejected this alternative, as it would not have achieved any of the objectives of the proposed project, including development of a landmark building on the site and development of office space for anchor businesses and creative industries.
- **Reduced Intensity Alternative:** In an effort to reduce project VMT impacts, an alternative was considered that involved replacing the high turnover restaurant use on the first floor with apparel retail use; and removing the 5th floor of the building, consisting mostly of office use. Trip generation by this alternative is shown below in **Table 5.3-1**. The City rejected this alternative for the following reasons:
  - This alternative reduced trip generation by only six percent more (35 percent of proposed project trip generation) compared to the Modified Land Use Alternative (29 percent).
  - The Sunset Specific Plan prescribes vibrant land use, including a landmark building at one of the main west entrances to the city, on the project site.

**Table 5.3-1**  
**REMOVING 5TH FLOOR TRIP GENERATION**

Scenario/Land Use	Square Feet	Trip Generation/KSF	Trip Generation
Proposed project	52,999	See <b>Appendix O</b> , Traffic Study	1,245
Less High Turnover Restaurant	-7,892	112.18	-885
Plus Retail	+7,892	66.4	524
Remove 5th Floor	-7,638 <sup>1</sup>	9.74	-74



Scenario/Land Use	Square Feet	Trip Generation/KSF	Trip Generation
<b>Total</b> , Reduced Intensity Alternative	45,361	Not applicable	<b>810</b>
Net Reduction	7,638	Not applicable	435
Percent Net Reduction	14.4%	Not applicable	35%

<sup>1</sup> Trip generation estimate based on office use on 5th floor only; the other uses on 5th floor—restrooms, mechanical, electrical, and plumbing—do not generate trips.

Source: Sarsour, 2022

## 5.4 Alternatives Analysis Format

Consistent with the CEQA Guidelines § 15126.6(d), each alternative was assessed at a level of detail necessary to determine if the overall environmental impacts would be less, similar, or greater than the corresponding impacts of the proposed project. Furthermore, each alternative was evaluated to determine whether the project's basic objectives, identified in **Section 2.0** of this Draft EIR, would be significantly attained by the alternative. The evaluation of each of the alternatives follows the process described below:

1. An alternative's net environmental impact for each environmental issue area (analyzed in **Section 4.0** of this Draft EIR) was determined assuming that the alternative would implement the same project design features and mitigation measures identified in **Section 4.0**.
2. The post-mitigation significant and non-significant environmental impacts of an alternative and the project were compared for each environmental issue area as follows:
  - Less: If the net impact of an alternative would be clearly less adverse or more beneficial than the impact of the project, the comparative impact was determined to be "less."
  - Greater: If the net impact of an alternative would clearly be more adverse or less beneficial than the project, the comparative impact was determined to be "greater."
  - Similar: Where the impact of an alternative and project would be roughly equivalent, the comparative impact was determined to be "similar."
3. The comparison of the impacts is followed by a general discussion of whether the underlying purpose and basic project objectives are feasibly and substantially attained by the alternative.

**Table 5.4-1** on the following page provides a summary of the description of alternatives and a comparison of the different project components. **Table 5.4-2** provides a summary comparison, by environmental topic, of the project impacts and the impacts of each of the alternatives. **Table 5.4-3** provides a summary comparison of each of the alternatives' ability to meet the goals and objectives of the project.

**Table 5.4-1**  
**Summary of Alternatives**

	<b>Proposed Project</b>	<b>Alternative 1: No Project Alternative</b>	<b>Alternative 2: No Digital Billboard Alternative</b>	<b>Alternative 3: Modified Land Use Alternative</b>	<b>Alternative 4: Aboveground Parking Alternative</b>
<b>Brief Description</b>	The proposed project includes: the demolition of the automotive dealership onsite and development of a five-story office building that would include office and restaurant uses; 86 vehicle parking spaces in three underground parking levels; and a digital billboard on the north, west, and northeast sides of the building.	This alternative would involve the continuation of existing conditions on the site; therefore, buildings would remain on the project site and no new buildings or uses would be constructed or demolished. The automotive dealership closed in May 2021, and the buildings from the former dealership are vacant.	This alternative would omit the digital billboard on the building exterior; otherwise the design, construction, and operation of this alternative would be the same as the proposed project.	This alternative would convert the 7,892 square-foot high turnover restaurant use on the first floor of the proposed project to retail use. Otherwise, the design, construction, and operation of this alternative—including the digital billboard—would be the same as for the proposed project.	This alternative would omit the underground parking in the proposed project and replace the first two aboveground levels of the proposed project (restaurant and office uses) with two levels of aboveground parking.
<b>Existing Uses to Remain</b>	None: the automotive dealership buildings would be demolished.	The automotive dealership buildings would remain.	The automotive dealership buildings would be demolished.	The automotive dealership buildings would be demolished.	The automotive dealership buildings would be demolished.
<b>Proposed Land Uses and Square Feet</b>	Office: 36,920 square feet on 2nd through 5th floors High Turnover Restaurant: 7,892 square feet on 1st floor Restrooms and back of house/mechanical, electrical, and plumbing: 8,187 square feet total on all floors.	The buildings onsite are vacant.	Same as proposed project.	Office: 36,920 square feet on 2nd through 5th floors Retail: 7,892 square feet on 1st floor Restrooms and back of house/mechanical, electrical, and plumbing: 8,187 square feet total on all floors.	Office: on 3 <sup>rd</sup> through 5 <sup>th</sup> floors. Restrooms and BOH/MEP: on all floors
<b>Number of parking spaces</b>	86 plus two additional loading spaces.	The site consists of vacant buildings: not applicable .	86 plus two additional loading spaces.	86 plus two additional loading spaces.	50

**Table 5.4-2  
COMPARISON SUMMARY OF PROJECT IMPACTS AND ALTERNATIVES IMPACTS**

<b>Environmental Topic</b>	<b>Proposed project</b>	<b>Alternative 1: No project/ No Action Alternative</b>	<b>Alternative 2: No Digital Billboard Alternative</b>	<b>Alternative 3: Modified Land Use Alternative</b>	<b>Alternative 4: Aboveground Parking Alternative</b>
<b>Aesthetics</b>					
<i>Construction</i>					
<i>Scenic Vistas</i>	No Impact	Similar (no impact)	Similar (no impact)	Similar (no impact)	Similar (no impact)
<i>Visual Character</i>	LTS	Less (no impact)	Similar	Similar	Similar
<i>Shading</i>	LTS	Less (no impact)	Similar	Similar	Similar
<i>Light and Glare</i>	LTS	Less (no impact)	Similar	Similar	Similar
<i>Operation</i>					
<i>Scenic Vistas</i>	No Impact	Similar (no impact)	Similar (no impact)	Similar (no impact)	Similar (no impact)
<i>Visual Character</i>	LTS	Less (no impact)	Less (LTS)	Similar	Similar
<i>Shading</i>	LTS	Less (no impact)	Similar	Similar	Similar
<i>Light and Glare</i>	LTS	Less (no impact)	Less (LTS)	Similar	Similar
<b>Air Quality</b>					
<i>Construction</i>					
<i>Regional Emissions</i>	LTS	Less (no impact)	Similar	Similar	Less
<i>Localized Emissions</i>	LTS	Less (no impact)	Similar	Similar	Less
<i>Toxic Air Contaminates</i>	LTS	Less (no impact)	Less (LTS)	Less	Less
<i>Operation</i>					
<i>Regional Emissions</i>	LTS	Less (no impact)	Similar	Less	Less
<i>Toxic Air Contaminates</i>	LTS	Less (no impact)	Similar	Less	Less
<b>Biological Resources</b>					
<i>Construction</i>	LTS w/Mitigation	Less (no impact)	Similar	Similar	Similar
<i>Operation</i>	No Impact	Similar (no impact)	Similar	Similar	Similar
<b>Cultural Resources</b>					
<i>Archaeological Resources</i>	LTS w/Mitigation	Less (no impact)	Similar	Similar	Less
<i>Historic Resources</i>	No impact	Similar (no impact)	Similar (no impact)	Similar	Similar
<b>Energy</b>					
<i>Construction</i>	LTS	Less (no impact)	Less	Similar	Less
<i>Operation</i>	LTS	Less (no impact)	Less	Less	Less
<b>Geology and Soils</b>					
<i>Geology and Soils</i>	LTS	Less (no impact)	Similar	Similar	Similar
<i>Paleontological Resources</i>	LTS w/Mitigation	Less (no impact)	Similar	Similar	Less
<b>Greenhouse Gas Emissions</b>					
<i>Construction</i>	LTS	Less (no impact)	Less	Similar	Less
<i>Operation</i>	LTS	Less (no impact)	Less	Less	Less
<b>Hazards and Hazardous Materials</b>					
<i>Construction</i>	LTS w/Mitigation	Less (no impact)	Similar	Similar	Similar
<i>Operation</i>	LTS w/Mitigation	Less (no impact)	Similar	Similar	Similar
<b>Hydrology and Water Quality</b>					
<i>Construction</i>	LTS	Less (no impact)	Similar	Similar	Less
<i>Operation</i>	LTS	Less (no impact)	Similar	Similar	Less
<b>Land Use and Planning</b>					
<i>Land Use Consistency</i>	LTS	Less (no impact)	Similar	Similar	Similar

Environmental Topic	Proposed project	Alternative 1: No project/ No Action Alternative	Alternative 2: No Digital Billboard Alternative	Alternative 3: Modified Land Use Alternative	Alternative 4: Aboveground Parking Alternative
<b>Noise</b>					
<i>Construction</i>					
<i>Onsite Noise</i>	SU w/Mitigation	Less (no impact)	Similar	Similar	Less
<i>Offsite Noise</i>	SU w/Mitigation	Less (no impact)	Similar	Similar	Less
<i>Onsite Vibration (Building Damage)</i>	LTS	Less (no impact)	Similar	Similar	Less
<i>Onsite Vibration (Human Annoyance)</i>	LTS w/Mitigation	Less (no impact)	Similar	Similar	Less
<i>Offsite Vibration (Building Damage)</i>	LTS	Less (no impact)	Similar	Similar	Less
<i>Offsite Vibration (Human Annoyance)</i>	LTS w/Mitigation	Less (no impact)	Similar	Similar	Less
<i>Operation</i>					
<i>Onsite Noise</i>	LTS	Less	Similar	Similar	Similar
<i>Offsite Noise</i>	LTS	Less	Similar	Similar	Less
<b>Transportation/Traffic</b>					
<i>Construction</i>	LTS w/Mitigation	Less (no impact)	Similar	Similar	Less
<i>Operation</i>					
<i>Vehicle Miles Traveled</i>	LTS	Less (no impact)	Similar	Less	Less
<i>Bicycle, Pedestrian, and Vehicular Safety</i>	LTS	Less (no impact)	Similar	Similar	Similar
<b>Tribal Cultural Resources</b>					
<i>Construction</i>	LTS	Less (no impact)	Similar	Similar	Less
<i>Operation</i>	No Impact	Less (no impact)	Similar	Similar	Similar
<b>Utilities and Service Systems</b>					
Water Supply	LTS	Less	Similar	Less	Less
Wastewater Treatment	LTS	Less	Similar	Less	Less
Stormwater Drainage	LTS	Less	Similar	Similar	Similar
Electric Power	LTS	Less	Less	Similar	Similar
Natural Gas	No Impact	Similar	Similar	Similar	Similar
Telecommunications	LTS	Less	Similar	Similar	Less
Solid Waste	LTS	Less	Similar	Similar	Less
<b>Wildfire</b>					
<i>Construction</i>	LTS w/Mitigation	Less (no impact)	Similar	Similar	Similar
<i>Operation</i>	LTS w/Mitigation	Less (no impact)	Similar	Similar	Similar

Source: UltraSystems, 2021.

Table Notes:

Similar= the alternative would have similar impacts as the project

Less= the alternative would have a lesser impact than the project

Greater= the alternative would have more of an impact than the project

SU= Significant and Unavoidable Impact

LTS= Less than significant

LTS w/ Mit= Less than significant with mitigation

**Table 5.4-3  
COMPARISON OF ALTERNATIVES AND THEIR ABILITY TO MEET PROJECT OBJECTIVES**

<b>Project Objective</b>	<b>Proposed Project</b>	<b>No Project Alternative</b>	<b>No Digital Billboard Alternative</b>	<b>Modified Land Use Alternative</b>	<b>Aboveground Parking Alternative</b>
1. Redevelop the project site in accordance with goals of the Sunset Specific Plan (SSP) for SSP Area 8, that is, accommodating additional office buildings and providing space for "creative" industries and anchor businesses.	Objective Fully Met	Objective Not Met	Objective Fully Met	Objective Fully Met	Objective Fully Met
2. Redevelop the project site with land uses encouraged for the site by the SSP: (a) development of a mixed-use building of landmark quality at the southeast corner of Sunset and Cory that dramatically marks the entrance to West Hollywood and acts as a "hinge" at the bend in the street; and (b) with ground-floor uses catering to the needs of area office workers.	Objective Fully Met	Objective Not Met	Objective Partially Met	Objective Partially Met	Objective Partially Met
3. Use landscaping on the ground level and on terraces on levels 2 through 5, including hanging plants from terraces, providing green screening and helping to soften the building's edges.	Objective Fully Met	Objective Not Met	Objective Fully Met	Objective Fully Met	Objective Fully Met
4. Develop a 14,000-square-foot "digital billboard" on the west, north, and east sides of the building exterior that would be displayed 24 hours per day. One-quarter of the programming time for the sign would consist of civic announcements and artwork. The digital billboard would also function as solar shading latticework during the daytime. The digital billboard would contribute to the landmark quality of the building at the entrance to the city.	Objective Fully Met	Objective Not Met	Objective Not Met	Objective Fully Met	Objective Fully Met
5. Incorporate numerous sustainability features including site location; natural heating and cooling features; use of recycled foundation materials; construction of an all-electric building; water-efficient plumbing fixtures; improved insulation; installation of PV panels and other energy efficiency measures; improvements to indoor air quality; use of efficient and durable roofing materials and exterior finishes; and use of efficient interior finishes.	Objective Fully Met	Objective Not Met	Objective Fully Met	Objective Fully Met	Objective Fully Met

Source: UltraSystems, 2021.



## 5.5 Analysis of Alternative 1 – No Project Alternative

### 5.5.1 Description of the Alternative

In accordance with the CEQA Guidelines, the No Project Alternative for a development project on an identifiable property consists of the circumstances under which the project does not proceed. Section 15126.6(e)(3)(B) of the CEQA Guidelines states in part that, “in certain circumstances, the No project Alternative mean ‘no build’ wherein the existing environmental; setting is maintained.” Accordingly, for the purposes of this analysis, Alternative 1, the No project Alternative, assumes that the project would not be approved. The former automotive dealership onsite closed in May 2021. In this alternative the vacant auto dealership buildings would remain onsite and the site would not be redeveloped.

### 5.5.2 Environmental Impacts

#### 5.5.2.1 Aesthetics

##### Scenic Vistas

Under Alternative 1, the existing buildings would remain on the project site and the project would not be developed. Thus, Alternative 1 would not result in an increase in height or massing of onsite structures, and existing views of, and across, the project site would remain the same. Therefore, Alternative 1 would not have the potential to obstruct a scenic vista, and no impacts to scenic vistas would occur. Thus, impacts related to scenic vistas would be similar to those of the project, which would have no impacts to scenic vistas.

##### Visual Character and Scenic Resources

###### Construction

Under the No Project Alternative, no construction activities would occur; therefore, no changes in the visual character of the project site would result. Therefore, there would be no potential for the construction activities to affect the visual character of the area on a short-term or long-term basis under Alternative 1. Impacts of the proposed project to zoning and other regulations governing scenic quality would be less than significant. Impacts to such regulations would be reduced under Alternative 1 compared to those of the proposed project.

###### Operation

The No Project Alternative would not replace the existing building and surface parking on the project site. Therefore, this alternative would have no impact to the existing visual character or quality of the site and its surroundings and impacts to visual character during operation would be less when compared to the less than significant impacts of the project.

###### Shading

The No Project Alternative would not create or cast new shadows on surrounding sensitive uses since new buildings would not be constructed on the project site. Existing shadows from the existing multi-family residential buildings and street trees currently do not generate shadows on surrounding sensitive uses. Therefore, no shading impacts would occur under Alternative 1. Thus, shading

impacts under Alternative 1 would be less when compared to the less-than-significant impacts of the project.

## **Light and Glare**

### **Construction**

The No Project Alternative would not involve any demolition or construction activities. Therefore, Alternative 1 would not introduce light sources associated with construction equipment or construction-related equipment and the materials with the potential to cause glare. Artificial lighting is currently utilized onsite and in the surrounding area for security, parking, signage, architectural highlighting, and landscaping/decorative purposes. Streetlights and traffic on local streets also contribute to the ambient light levels in the area. No office building with additional windows and lighting would be constructed under this alternative; therefore, no impacts to lighting and glare would occur under the No Project Alternative. Thus, light and glare impacts during construction would be less when compared to the less-than-significant impacts of the project.

### **Operation**

The No Project Alternative would not alter the existing uses on the project site, introduce any new sources of light or glare on the project site, or otherwise increase the amount of activity occurring onsite. Alternative 1 would not introduce a digital billboard on a six-story building onto the site, as the proposed project would. Therefore, the No Project Alternative would not change the existing lighting environment on the project site. No operation-related light and glare impacts would occur under Alternative 1. Thus, impacts related to operational light and glare under Alternative 1 would be less in comparison to the less-than-significant impacts of the project.

## **5.5.2.2 Air Quality**

### **Construction**

#### **Regional Emissions**

The No Project Alternative would not involve demolition of the existing car dealership or construction of the proposed office building. Therefore, this alternative would not result in any construction emissions from construction worker and construction truck traffic, fugitive dust from demolition and excavation, or the use of heavy-duty construction equipment, and construction-related regional air quality impacts would not occur. Thus, the No Project Alternative would eliminate the less-than-significant regional emissions impacts of the project. Therefore, no construction-related air quality impacts would occur under Alternative 1, and impacts would be less than the less-than-significant impacts of the project.

#### **Localized Emissions**

The No Project Alternative would not result in any construction emissions and construction-related localized air quality impacts would not occur. Thus, the No Project Alternative would eliminate the less-than-significant impacts of the project associated with localized emissions. Impacts of Alternative 1 would be less than the less-than-significant impacts of the project.

## **Toxic Air Contaminants**

Since construction activities would not occur on the project site, the No Project Alternative would not generate diesel particulate emissions during construction that could contain substantial toxic air contaminants (TACs). Therefore, no impacts associated with the release of TACs would occur under Alternative 1. Thus, TAC impacts under Alternative 1 would be less when compared to the less-than-significant impacts of the project.

## **Operation**

### **Regional Emissions**

The No Project Alternative would not result in new development or increased operations that could generate additional operational emissions related to vehicular traffic or the consumption of electricity and natural gas beyond what is currently generated by the existing auto dealership on the project site. Therefore, no operational impacts on regional air quality emissions would occur under Alternative 1. The No Project Alternative would avoid the less-than-significant regional emissions impacts of the project. Thus, such impacts under Alternative 1 would be less than those of the project.

### **Toxic Air Contaminants**

As analyzed in Section 4.2, Air Quality, the project would result in some TAC emissions, primarily from mobile sources. Since Alternative 1 would not result in new development or increase the intensity of the existing uses on the project site, no new increase in mobile source emissions would occur. No operational TAC emissions impacts would occur under Alternative 1, and such impacts would be less when compared to the less-than-significant impacts of the project.

### **5.5.2.3 Biological Resources**

The No Project Alternative would not remove any vegetation, including existing shrubs and trees, or existing buildings on the project site. No new buildings would be constructed that may impact plant and/or wildlife species. The No Project Alternative would not cause indirect impacts on nesting birds from increased noise, vibration, and dust during construction and would not impact migratory non-game breeding birds. Therefore, this alternative would have no impact on biological resources and impacts would be less when compared to the project, which would be less-than-significant after mitigation.

### **5.5.2.4 Cultural Resources**

#### **Archaeological Resources**

Under the No Project Alternative, no demolition, grading, or other earthwork activities that could potentially affect subsurface archaeological resources would occur. Therefore, impacts to archaeological resources would not occur under Alternative 1, and impacts would be less compared to the less-than-significant impacts of the project.

#### **Historical Resources**

Since this alternative would include no demolition or new construction and the auto dealership would have no change in operations, there would be no impact on historical resources. Therefore,

impacts to historical resources would not occur under Alternative 1, and impacts would be similar to those of the proposed project, which would not adversely impact historical resources.

#### **5.5.2.5 Energy**

##### **Energy Use**

##### **Construction**

Construction activities would not occur under the No Project Alternative. Therefore, Alternative 1 would not generate short-term energy demand during construction, and construction-related impacts to energy would not occur. Thus, short-term construction impacts under the No Project Alternative would be less when compared to the less-than-significant impacts of the project.

##### **Operation**

The No Project Alternative would not alter the existing land uses or operations on the project site. It would not develop an office building onsite. Therefore, the No project Alternative would not increase the long-term energy demand on the project site. Therefore, long-term operational impacts under the No Project Alternative would be less when compared to the less-than-significant impacts of the project.

#### **5.5.2.6 Geology and Soils**

##### **Geology and Soils**

The No Project Alternative would not involve soil disturbance or grading on the existing project site, and would not cause any degree of soil loss greater than under existing conditions. The potential for seismically-induced ground settlement, liquefaction, lateral spreading, expansive soils, and landslides would remain as they are described under Existing Conditions in **Section 4.6, *Geology and Soils***, and in the Geotechnical Investigation (**Appendix N**) because those are the baseline conditions of the proposed project site. Therefore, the No project Alternative would not cause or accelerate geologic hazards related to fault rupture, strong seismic shaking, liquefaction, seismically induced settlement, soil stability, subsidence, or expansive soils, which would result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury. No impacts related to geology and soils would occur under Alternative 1, and thus impacts would be less when compared to the less-than-significant impacts of the project.

##### **Paleontological Resources**

The No Project Alternative would not require demolition, construction or soil disturbance on the project site, and therefore it would not cause potential impacts to paleontological resources due to construction. Alternative 1 would have a lesser impact to paleontological resources than the project, which would have less-than-significant impacts after mitigation.

#### **5.5.2.7 Greenhouse Gas Emissions**

Since the No Project Alternative would include no demolition or new construction and existing onsite buildings would remain closed, this alternative would have no impact. The No Project Alternative would not develop new uses on the project site. Therefore, no new greenhouse gas (GHG) emissions

would be generated and new impacts beyond existing conditions associated with global climate change would not occur. The No Project Alternative would avoid the less-than-significant GHG impacts of the project. Therefore, impacts associated with GHG emissions under the No project Alternative would be less when compared to the less-than-significant impacts of the project.

#### **5.5.2.8 Hazards and Hazardous Materials**

This alternative would involve the continuation of the automotive dealership use on the site. The No Project Alternative would not involve demolition, grading, or other construction activities. Therefore, this alternative would not have the potential to uncover subsurface hazards. This alternative would not use or release hazardous materials, or generate hazardous waste, during construction. Construction impacts of this alternative would be less than those of the proposed project.

This alternative would involve continuing operation of the existing automotive dealership involving use, storage, and disposal of hazardous materials. While the future tenants of the proposed office building are unknown, it is expected that the office uses in the proposed project would use less hazardous materials than the existing automotive dealership use does. Since Alternative 1 would not result in any changes to the current operation or configuration of the project site, no impacts would occur to the current emergency response or evacuation plans for the site. Even though the existing project site buildings would not be demolished, ACMs and LBP could still be disturbed during continuing operation of this alternative. Therefore, impacts under the No Project Alternative would be similar to the less-than-significant impacts of the project.

#### **5.5.2.9 Land Use and Planning**

The No Project Alternative would involve no development on the project site. However, with this alternative there would be no office building constructed on site. This alternative would have no land use or planning impacts. Under the No Project Alternative, there would be no changes to the physical or operational characteristics of the existing auto dealership. No land use approvals or permits would be required. Therefore, Alternative 1 would not cause any conflicts with existing land use plans and policies that govern the project site. Impacts would be less than the less-than-significant impacts of the project. However, it should be noted that, unlike the project, Alternative 1 would not advance local planning objectives that promote the development of an office building of landmark quality at the west entrance to the City.

#### **5.5.2.10 Noise**

##### **Construction**

No new construction activities would occur under the No Project Alternative. Therefore, no construction-related noise or vibration would be generated onsite or offsite. Therefore, no onsite or offsite noise or vibration impacts would occur during construction under Alternative 1, and impacts would be less when compared to the short-term impacts of the proposed project, which would be significant and unavoidable for onsite construction noise after mitigation, and less than significant for onsite and offsite construction vibration.

##### **Operation**

The No Project Alternative would not develop new uses on the project site, and no changes to existing site operations would occur. Therefore, no new stationary or mobile noise sources would be



introduced to the project site or the project vicinity. Therefore, no impacts associated with operational noise would occur under No Project Alternative, and long-term impacts would be less when compared to the less-than-significant impacts of the project.

### **5.5.2.11 Transportation**

#### **Construction**

The No Project Alternative would not include demolition or the development of any new buildings onsite. Therefore, Alternative 1 would not generate vehicle trips associated with heavy-duty construction equipment, haul trucks, or construction worker vehicles. Thus, no construction-related traffic impacts would occur under the No project Alternative, and the project 's less-than-significant project-level construction traffic impacts would be eliminated. In addition, since construction activities would not occur under Alternative 1, there would be no potential for access and safety, bus/transit, and on-street parking impacts during construction. Therefore, the No Project Alternative would also avoid the project 's less-than-significant construction-related impacts to access and safety, bus/transit, and on-street parking. Overall, no short-term construction-related traffic impacts would occur under Alternative 1, and such impacts would be less when compared to those of the proposed project, which would be less than significant after mitigation.

#### **Operation**

Since the No project Alternative would not develop new or additional land uses on the project site, operation of Alternative 1 would not generate any additional vehicle trips or alter existing access or circulation within the project site. Therefore, no impacts would occur with respect to operational traffic, including vehicle miles traveled; intersection levels of service; the regional transportation system; neighborhood intrusion; access and circulation; and bicycle, pedestrian, and vehicular safety. Therefore, Alternative 1 would eliminate the project 's less-than-significant operational traffic impacts after mitigation. Impacts under the No project Alternative would be less when compared to those of the project.

### **5.5.2.12 Tribal Cultural Resources**

Grading and other earthwork activities would not occur under the No Project Alternative. Therefore, there would be no potential for Alternative 1 to uncover subsurface tribal cultural resources. No impacts to tribal cultural resources would occur, and impacts would be less than those of the proposed project, which would have less than significant impacts.

### **5.5.2.13 Utilities and Service Systems**

#### **Water Supply**

The No Project Alternative would not alter the existing land uses or operations on the project site. It would not develop an office building onsite. Therefore, the No project Alternative would not increase the water supply demand on the project site. Therefore, impacts related to water supply under the No Project Alternative would be less when compared to the less-than-significant impacts of the project.

## **Wastewater**

The No Project Alternative would not alter the existing land uses or operations on the project site. It would not develop an office building onsite. Therefore, the No project Alternative would not increase the wastewater on the project site. Therefore, impacts related to wastewater treatment under the No Project Alternative would be less when compared to the less-than-significant impacts of the project.

## **Stormwater Drainage**

The project site is currently fully developed. There would be no change in the impervious area on site as compared to the proposed project. Therefore, impacts related to stormwater drainage under the No Project Alternative would be similar when compared to the less-than-significant impacts of the project.

## **Electric Power**

The No Project Alternative would not alter the existing land uses or operations on the project site. It would not develop an office building and a digital billboard onsite. Therefore, the No project Alternative would not increase the demand for electric power on the project site. Therefore, impacts related to electricity under the No Project Alternative would be less when compared to the less-than-significant impacts of the project.

## **Natural Gas**

The proposed project is an all-electric building and would have no impact related to natural gas. Therefore, impacts related to natural gas under the No Project Alternative would be similar when compared to the no impacts of the project as the existing car dealership building on site is currently vacant.

## **Telecommunications**

The No Project Alternative would not alter the existing land uses or operations on the project site. It would not develop an office building onsite. Therefore, the No project Alternative would not increase the demand for telecommunication services on the project site. Therefore, impacts related to telecommunications under the No Project Alternative would be less when compared to the less-than-significant impacts of the project.

## **Solid Waste Disposal**

The No Project Alternative would not alter the existing land uses or operations on the project site. It would not develop an office building onsite. Therefore, the No project Alternative would not increase the demand for solid waste disposal services on the project site. Therefore, impacts related to solid waste disposal under the No Project Alternative would be less when compared to the less-than-significant impacts of the project.

### 5.5.2.14 Wildfire

#### Construction

Under the No project Alternative, no demolition or construction activities would occur at the site. Therefore, Alternative 1 would not have the potential to impair an adopted emergency response plan or emergency evacuation plan due to construction traffic. Therefore, this alternative would have no impact on emergency response plans or routes and is similar to the project, which also would have no impact to emergency response plans or routes.

Under the No Project Alternative, no demolition or construction activities would occur at the site. Therefore, Alternative 1 would not have the potential to create fire hazards, use or release potentially flammable materials, or generate flammable waste, or the use and storage of hazardous and flammable materials during construction that could potentially become a fire hazard. There would be no construction equipment or vehicles that could create flammable gas or heavy-duty equipment that could potentially ignite a fire. Therefore, the No Project Alternative would have less short-term construction wildfire impacts when compared to the less-than-significant with mitigation impacts of the project.

#### Operation

This alternative would involve continuing of the existing automotive dealership use onsite; therefore, Alternative 1 would not have the potential to impair an adopted emergency response plan or emergency evacuation plan during operation. Therefore, this alternative would have no impact to emergency response plans or routes and is similar to the project, which also would have no impact to emergency response plans or routes during operation.

Under Alternative 1 existing buildings would remain at the project site and no new buildings or uses would be constructed.

The No Project Alternative is anticipated to have a greater impact than the project because the project would construct a new building with new materials and features to current codes and provide the highest level of fire protection. The project would include required fire suppression design features (i.e., fire-resistant building materials, where appropriate, smoke detection and fire alarm systems, automatic sprinkler systems, portable fire extinguishers, and emergency signage) required by the City of West Hollywood Fire Code. Therefore, the No Project Alternative would have a greater risk of loss, injury or death involving wildland fires due to the aging buildings, utilities, and infrastructure. Therefore, this alternative would have greater operational impacts than the less-than-significant with mitigation project impacts regarding wildfire.

### 5.5.3 Comparison of Impacts

The No Project Alternative would eliminate the project's significant and unavoidable construction noise impacts. The No Project Alternative would have similar impacts as the project during operation for biological resources and scenic vistas. Impacts associated with the remaining environmental issues would be less than those of the project. No impacts of this alternative would be considerably greater than those of the project.

#### 5.5.4 Relationship of the Alternative to project Objectives

Under the No Project Alternative, no new development would occur. Therefore, this alternative would not meet any of the project's objectives. Specifically, this alternative would not:

6. Redevelop the project site in accordance with goals of the Sunset Specific Plan (SSP) for SSP Area 8, that is, accommodating additional office buildings and providing space for "creative" industries and anchor businesses.
7. Redevelop the project site with land uses encouraged for the site by the SSP: (a) development of a mixed-use building of landmark quality at the southeast corner of Sunset and Cory that dramatically marks the entrance to West Hollywood and acts as a "hinge" at the bend in the street; and (b) with ground-floor uses catering to the needs of area office workers.
8. Use landscaping on the ground level and on terraces on levels 2 through 5, including hanging plants from terraces, providing green screening and helping to soften the building's edges.
9. Develop a 14,000-square-foot "digital billboard" on the west, north, and east sides of the building exterior that would be displayed 24 hours per day. One-quarter of the programming time for the sign would consist of civic announcements and artwork. The digital billboard would also function as solar shading latticework during the daytime. The digital billboard would contribute to the landmark quality of the building at the entrance to the city.
10. Incorporate numerous sustainability features including site location;<sup>86</sup> natural heating and cooling features; use of recycled foundation materials; construction of an all-electric building; water-efficient plumbing fixtures; improved insulation; installation of PV panels and other energy efficiency measures; improvements to indoor air quality; use of efficient and durable roofing materials and exterior finishes; and use of efficient interior finishes.

**Overall, the No project Alternative would not meet the project's objectives of developing a landmark-quality office building with a digital billboard and numerous sustainability features on the project site.**

### 5.6 Analysis of Alternative 2 – No Digital Billboard Alternative

#### 5.6.1 Description of the Alternative

This alternative is identical to the proposed project except that it omits the digital billboard on the exterior of the proposed building to reduce light and glare impacts.

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<sup>86</sup> The site location contributes to the sustainability of the Project due to being in an intensely urbanized area and in a high quality transit area.

## 5.6.2 Environmental Impacts

### 5.6.2.1 Aesthetics

#### Visual Character

##### Construction

Under the No Digital Billboard Alternative, there would be potential for short-term impacts to aesthetic and visual resources during construction. Alternative 2 would involve construction of the same size building with the same uses that the proposed project would. The proposed project might involve some testing of the digital billboard that would not happen under this Alternative. Impacts related to visual character during construction would be similar when compared to the project, which would be less than significant.

##### Operation

The No Digital Billboard Alternative would lack the digital billboard of the proposed project. Thus, impacts to existing visual character of the project site and surroundings would be reduced compared to those of the proposed project, which would be less than significant. However, the no digital billboard alternative would not be in line with the City's vision of transforming the project area into a more vibrant active area.

##### **Shading**

Alternative 2 would have the same shade and shadow impacts that the proposed project would, which would be less than significant. The digital billboard included in the proposed project would not extend higher than the rest of the building and thus would not cast longer shadows than the rest of the building.

##### **Light and Glare**

Alternative 2 would include all of the types and numbers of lights included in the proposed project, except for the digital billboard.

##### Construction

Alternative 2 would involve the same construction effort and duration that the proposed project would. In both scenarios all construction would be conducted during the hours allowed by the City of West Hollywood. Exterior construction is allowed only between the hours of 8:00 a.m. and 7:00 p.m. on weekdays except certain holidays; interior construction is also allowed between 8:00 a.m. and 7:00 p.m. on Saturdays (City of West Hollywood Municipal Code Section 9.08.050). In both scenarios most construction would be conducted during the daytime. The proposed project might involve some testing of the digital billboard that would not happen under this Alternative. Light and glare impacts of this alternative would be similar to those of the proposed project, which would be less than significant.



## **Operation**

Alternative 2 would omit the digital billboard included in the proposed project and thus would reduce light and glare impacts compared with those of the proposed project, which would be less than significant.

### **5.6.2.2 Air Quality**

## **Construction**

### **Regional Emissions**

Under Alternative 2, the digital billboard would not be built. This would eliminate emissions from the equipment used for building the billboard. From a CEQA standpoint, however, this emissions reduction would represent a minimal change, given that the South Coast Air Quality Management District's significance criteria for construction activities are in terms of maximum daily emissions. As seen in **Table 4.2-10**, emissions of all criteria pollutants would be below the maximum daily values for each respective pollutant. The construction related impacts under this alternative would be the same as the less-than-significant construction air quality impacts associated with the project.

### **Localized Emissions**

As discussed previously, not building the digital billboard would eliminate emissions from the equipment used for building the billboard. From a CEQA standpoint, however, this emissions reduction would represent a minimal change, given what the South Coast Air Quality Management District's localized significance criteria for construction activities are in terms of maximum onsite daily emissions. As seen in **Table 4.2-10**, no criteria pollutant's maximum daily value would be reached during the building construction phase. The construction related localized impacts under this alternative would be the same as the less-than-significant localized construction air quality impacts associated with the project.

### **Toxic Air Contaminants**

Not building the digital billboard would result in a slight decrease in diesel particulate emissions (chiefly from use of cranes) during construction, when compared with the proposed project. Therefore, TAC impacts under Alternative 2 would be less when compared to the less-than-significant impacts of the project.

## **Operation**

### **Regional Emissions**

The digital billboard is not expected to directly generate any air pollutant emissions; although it will consume a large amount of electricity (see **Table 4.5-2**), Emissions from generating that electricity are all offsite and are not normally considered in a CEQA analysis of criteria pollutant emissions, Under Alternative 2, therefore, project operations would have the same less-than-significant air quality impacts as would the proposed project.

### **Toxic Air Contaminants**

The digital billboard is not expected to directly generate any toxic air contaminant emissions. Under Alternative 2, therefore, project operations would have the same less-than-significant TAC impacts as would the proposed project.

#### **5.6.2.3 Biological Resources**

Alternative 2 would involve the same ground disturbance, vegetation clearance, and demolition that the proposed project would. Thus, impacts of Alternative 2 on biological resources would be the same as those of the proposed project, which would be less than significant after mitigation.

#### **5.6.2.4 Cultural Resources**

##### **Archaeological Resources**

Alternative 2 would involve the same ground disturbance that the proposed project would, and thus would have similar potential impacts on archaeological resources, which would be less than significant after mitigation.

##### **Historical Resources**

No historical resources were identified on the project site. Alternative 2 and the proposed project each would have no impact on historical resources.

#### **5.6.2.5 Energy**

##### **Energy Use**

##### **Construction**

Construction energy requirements were not estimated specifically for the digital billboard. Nevertheless, elimination of the digital billboard under Alternative 2 would reduce the use of fuel for construction equipment, and the total construction energy requirement would be less than that for the proposed project. Therefore, short-term impacts from construction under Alternative 2 would be less when compared to the less-than-significant impacts of the project.

##### **Operation**

As seen in **Table 4.5-2**, the digital billboard is estimated to require 1,073,000 kilowatt-hours of electricity per year under the proposed project. Elimination of the digital billboard under Alternative 2 would decrease project electrical energy consumption by 55% approximately. Therefore, long-term impacts associated with increased energy demand under Alternative 2 would be less than significant and much less when compared with the less-than-significant operational impacts of the project.

### 5.6.2.6 Geology and Soils

#### Geology and Soils

Alternative 2 would include the same ground disturbance and construction as the proposed project would. Therefore, impacts of Alternative 2 regarding seismic hazards and hazards arising from unstable soils would be the same as for the proposed project, which would be less than significant.

#### Paleontological Resources

Alternative 2 would include the same ground disturbance that the proposed project would. Therefore, impacts of Alternative 2 on fossil resources would be the same as for the proposed project, which would be less than significant after mitigation.

### 5.6.2.7 Greenhouse Gas Emissions

GHG emissions from building the digital billboard were not specifically calculated. Eliminating the digital billboard under Alternative 2 would decrease the associated GHG emissions to an unknown, but likely minor extent, given that the emissions are amortized over 30 years. For project operations, the digital billboard was estimated to emit 337.9 metric tons of carbon dioxide equivalent (CO<sub>2</sub>e) emissions per year (see **Table 4.7-3**). Therefore, eliminating the digital billboard would reduce annual CO<sub>2</sub>e emissions by about 22% when compared to the proposed project. Nevertheless, GHG emissions impacts would remain less than significant.

### 5.6.2.8 Hazards and Hazardous Materials

Alternative 2 would consist of the same demolition, construction, and building operation as the proposed project would, except construction and operation of the digital billboard. Construction activities for each scenario would be primarily confined to the project site and would only include minor offsite improvements in the streets surrounding the project site. Each of the two scenarios would include preparation and implementation of a construction traffic management plan (CTMP) including a street closure plan detailing how vehicle traffic (including bus traffic), pedestrian traffic, and bicycle traffic would flow during temporary street closures during project construction. The CTMP would also specify the locations of on- and off-street parking during construction. Neither Alternative 2 nor the proposed project would adversely impact emergency response planning or emergency evacuation.

Alternative 2 would involve the same demolition, ground disturbance, and construction effort that the proposed project would, except for construction of the digital billboard. Fluorescent lights, which may contain polychlorinated biphenyls, were observed in the auto dealership onsite during the Phase I Environmental Site Assessment. The auto dealership building, due to its age, may contain asbestos-containing materials and lead-based paint. Impacts of Alternative 2 regarding hazardous materials would be similar to those of the proposed project, which would be less than significant with mitigation.

### 5.6.2.9 Hydrology and Water Quality

Alternative 2 would involve the same development footprint and construction of the same amount of impervious area as would the proposed project. Therefore, impacts of this alternative on runoff and storm drainage capacity would be the same as for the proposed project. Operation of this alternative

likewise would generate the same pollutants as the proposed project operation would. Impacts of this alternative on hydrology and water quality would be less than significant, as would impacts of the proposed project.

#### **5.6.2.10 Land Use and Planning**

##### **Land Use Consistency**

Alternative 2 would develop an office building with the same size and uses as the proposed project would. Therefore, impacts of the two scenarios respecting land use regulation would be the same, and less than significant.

#### **5.6.2.11 Noise**

##### **Construction**

Construction noise impacts were not estimated specifically for the digital billboard. However, under the proposed project, construction impacts during all construction phases were estimated to have a significant short-term impact that cannot be completely mitigated. Therefore, eliminating the digital billboard under Alternative 2 would not change the finding that noise impacts would be significant after mitigation.

##### **Operation**

The digital billboard would not have any noise impacts. Its elimination under Alternative 2 would therefore not change the conclusion for the proposed project that operational noise impacts would be less than significant.

#### **5.6.2.12 Transportation**

##### **Construction**

Alternative 2 would consist of the same demolition, construction, and building operation as the proposed project would, except construction and operation of the digital billboard. Construction activities for each scenario would be primarily confined to the project site and would only include minor offsite improvements in the streets surrounding the project site. Each of the two scenarios would include preparation and implementation of a construction traffic management plan (CTMP) including a street closure plan detailing how vehicle traffic (including bus traffic), pedestrian traffic, and bicycle traffic would flow during temporary street closures during project construction. The CTMP would also specify the locations of on- and off-street parking during construction. Construction traffic impacts of Alternative 2 would be the same as those of the proposed project, which would be less than significant.

##### **Operation**

Operation of Alternative 2 respecting trip generation would be the same as that of the proposed project. The City of West Hollywood considers development projects within high quality transit areas, and to which none of five exclusionary criteria apply, to have less than significant impacts on vehicle miles traveled (VMT). None of the five criteria apply to the proposed project, as substantiated

in **Section 4.12** of this DEIR. Therefore, VMT impacts of the proposed project would be less than significant, as would impacts of Alternative 2.

### **5.6.2.13 Tribal Cultural Resources**

Alternative 2 would involve the same ground disturbance that the proposed project would, and thus would have similar potential impacts on tribal cultural resources, which would be less than significant after mitigation.

### **5.6.2.14 Utilities and Service Systems**

#### **Water Supply**

Alternative 2 would consist of the same demolition, construction, and building operation as the proposed project would, except construction and operation of the digital billboard. Therefore, the No Digital Billboard Alternative would have same water supply demand as the proposed project. Therefore, impacts related to water supply under the No Digital Billboard Alternative would be similar when compared to the less-than-significant impacts of the project.

#### **Wastewater**

Alternative 2 would consist of the same demolition, construction, and building operation as the proposed project would, except construction and operation of the digital billboard. Therefore, the No Digital Billboard Alternative would generate the same amount of wastewater as the proposed project. Therefore, impacts related to wastewater treatment under the No Digital Billboard Alternative would be similar when compared to the less-than-significant impacts of the project.

#### **Stormwater Drainage**

Alternative 2 would consist of the same demolition, construction, and building operation as the proposed project would, except construction and operation of the digital billboard. There would be no change in the impervious area on site as compared to the proposed project. Therefore, the No Digital Billboard Alternative would generate the same amount of stormwater as the proposed project. Therefore, impacts related to stormwater drainage under the No Digital Billboard Alternative would be similar when compared to the less-than-significant impacts of the project.

#### **Electric Power**

As seen in **Table 4.5-2**, the digital billboard is estimated to require 1,073,000 kilowatt-hours of electricity per year under the proposed project. Elimination of the digital billboard under Alternative 2 would decrease project electrical energy consumption by 55% approximately. Therefore, project impacts associated with increased electric power demand under Alternative 2 would be less than significant and much less when compared with the less-than-significant electric power impacts of the project.

#### **Natural Gas**

Alternative 2 would consist of the same demolition, construction, and building operation as the proposed project would, except construction and operation of the digital billboard. The building



under Alternative 2 would also be an all-electric building. Therefore, impacts related to natural gas under the Alternative 2 would be similar when compared to the no impacts of the project.

### **Telecommunications**

Alternative 2 would consist of the same demolition, construction, and building operation as the proposed project would, except construction and operation of the digital billboard. Therefore, the No Digital Billboard Alternative would generate the same demand for telecommunication services as the proposed project. Therefore, impacts related to telecommunications under the No Digital Billboard Alternative would be similar when compared to the less-than-significant impacts of the project.

### **Solid Waste Disposal**

Alternative 2 would consist of the same demolition, construction, and building operation as the proposed project would, except construction and operation of the digital billboard. Therefore, the No Digital Billboard Alternative would generate the same demand for solid waste disposal services as the proposed project. Therefore, impacts related to solid waste disposal under the No Digital Billboard Alternative would be similar when compared to the less-than-significant impacts of the project.

#### **5.6.2.15 Wildfire**

##### **Construction**

Alternative 2 would consist of the same demolition and construction as the proposed project would, except construction of the digital billboard. Construction activities for each scenario would be primarily confined to the project site and would only include minor offsite improvements in surrounding streets. Each of the two scenarios would include preparation and implementation of a construction traffic management plan (CTMP) including a street closure plan detailing how vehicle traffic (including bus traffic), pedestrian traffic, and bicycle traffic would flow during temporary street closures during project construction. The CTMP would also specify the locations of on- and off-street parking during construction. Neither Alternative 2 nor the proposed project would adversely impact emergency response planning or emergency evacuation.

The project site is not in a fire hazard severity zone, and neither Alternative 2 nor the proposed project would substantially exacerbate wildfire risks. Wildfire impacts would be similar, and less than significant with mitigation, for each of the two scenarios.

##### **Operation**

The project site is not in a fire hazard severity zone, and neither Alternative 2 nor the proposed project would substantially exacerbate wildfire risks. Wildfire impacts would be similar, and less than significant with mitigation, for each of the two scenarios.

#### **5.6.3 Comparison of Alternative 2 to the Proposed project**

The No Digital Billboard Alternative would reduce impacts of the project on visual character, light and glare, energy, and greenhouse gas emissions; all other impacts of this alternative would be similar to those of the proposed project. No impacts of this alternative would be greater than those of the project.

#### 5.6.4 Relationship of the Alternative to project Objectives

Under the No Digital Billboard Alternative, the following three objectives would be fully met:

- Redevelop the project site in accordance with goals of the Sunset Specific Plan (SSP) for SSP Area 8, that is, accommodating additional office buildings and providing space for "creative" industries and anchor businesses.
- Use landscaping on the ground level and on terraces on levels 2 through 5, including hanging plants from terraces, providing green screening and helping to soften the building's edges.
- Incorporate numerous sustainability features including site location; natural heating and cooling features; use of recycled foundation materials; construction of an all-electric building; water-efficient plumbing fixtures; improved insulation; installation of PV panels and other energy efficiency measures; improvements to indoor air quality; use of efficient and durable roofing materials and exterior finishes; and use of efficient interior finishes.

Under this alternative, the following objective would be partially met: deleting the digital billboard would make the building a less dramatic landmark.

- Redevelop the project site with land uses encouraged for the site by the SSP: (a) development of a mixed-use building of landmark quality at the southeast corner of Sunset and Cory that dramatically marks the entrance to West Hollywood and acts as a "hinge" at the bend in the street; and (b) with ground-floor uses catering to the needs of area office workers.

Alternative 2 would not meet the following objective:

- Develop a 14,000-square-foot "digital billboard" on the west, north, and east sides of the building exterior that would be displayed 24 hours per day. One-quarter of the programming time for the sign would consist of civic announcements and artwork. The digital billboard would also function as solar shading latticework during the daytime. The digital billboard would contribute to the landmark quality of the building at the entrance to the city.

### 5.7 Analysis of Alternative 3 – Modified Land Use Alternative

#### 5.7.1 Description of the Alternative

This alternative consists of changing the high turnover restaurant use on the first floor to retail use for the purpose of reducing project trip generation. All other aspects of design, construction, and operation of this alternative would be the same as for the proposed project including land uses, intensity, and the digital billboard. Note that while this alternative would reduce trip generation, vehicle parking in this alternative is the same as for the proposed project: 86 vehicle spaces plus two loading spaces, all in three underground parking levels.

**Table 5.7-1  
MODIFIED LAND USE ALTERNATIVE TRIP GENERATION**

Scenario/Land Use	Square Feet	Trip Generation/KSF	Trip Generation
Proposed project	52,999	See <b>Appendix O</b> , Traffic Study	1,245
Less High Turnover Restaurant	-7,892	112.18	-885
Plus Retail	+7,892	66.4	524
<b>Total</b> , Modified Land Use Alternative	52,999	Not applicable	<b>884</b>
Net Reduction	0	Not applicable	361
Percent Net Reduction	Not applicable	Not applicable	29%

Source: Sarsour, 2022

## 5.7.2 Environmental Impacts

### 5.7.2.1 Aesthetics

The Modified Land Use Alternative would not change the height, massing, or appearance of the building exterior, including the design and operation of the digital billboard. This alternative would involve slight changes to project signage, as the high turnover restaurant use would be replaced by retail use. The changes to signage would not change impacts of this alternative on visual character and light and glare compared to impacts of the proposed project.

Therefore, impacts of this alternative on scenic vistas, visual character of the site and surroundings, and light and glare would all be the same as those of the proposed project and would be less than significant in both scenarios.

### 5.7.2.2 Air Quality

#### Construction

#### Regional Emissions

Alternative 3 would not change the total building construction area, and therefore result in only minor changes to the construction-related emissions of criteria pollutants. Construction impacts on air quality would remain less than significant.

#### Localized Emissions

Because the building construction area would not change under Alternative 3, there would only be minor changes in the emissions of nitrogen oxides, carbon monoxide and particulate matter during

construction. Localized construction impacts on sensitive receptors would remain less than significant.

### **Toxic Air Contaminants**

Because the building construction area would not change under Alternative 3, there would only be minor changes in the types and quantities of TAC emissions during construction. Therefore, TAC impacts under Alternative 3 would be similar to the less-than-significant impacts of the project.

### **Operation**

#### **Regional Emissions**

The only change from the proposed project to Alternative 3 that could affect regional emissions is a 29% decrease in trips generated, and therefore in vehicle miles traveled (VMT). This decrease would also decrease emissions of onroad criteria pollutants by roughly the same percentage. Air quality impacts would therefore also be less than significant and less when compared to the less-than-significant regional operational air quality impacts associated with the project.

#### **Toxic Air Contaminants**

As analyzed in **Section 4.2**, the project would result in some TAC emissions, primarily from mobile sources. Since Alternative 3 would decrease VMT by 29%, operational impacts associated with TACs would also decrease. TAC impacts would be less when compared to the less-than-significant impacts of the project.

#### **5.7.2.3 Biological Resources**

The Modified Land Use alternative would involve the same development footprint, and thus would have the same impacts on biological resources, as the proposed project. Impacts to biological resources would be less than significant in both scenarios.

#### **5.7.2.4 Cultural Resources**

This alternative would involve the same development footprint and excavation depth as would the proposed project. Therefore, impacts of this alternative to historical and archaeological resources and human remains would be the same as for the proposed project, and less than significant after mitigation in both scenarios.

#### **5.7.2.5 Energy**

##### **Energy Use**

##### **Construction**

Development of this alternative would involve essentially the same construction effort as for the proposed project, and therefore would use the same amount and types of energy as would construction of the proposed project.

## **Operation**

Operation of this alternative respecting building energy use and appliances would use the same amount of electricity as would the proposed project except that the high turnover restaurant use under the proposed project would use more energy than the apparel retail use included in Alternative 3. The proposed project and Alternative 3 would both be all-electric buildings; thus natural gas use is omitted from this analysis. This alternative would reduce operational trip generation by approximately 29% compared to the proposed project, thus reducing transportation fuel use compared to the proposed project. Overall, energy use impacts would be slightly reduced by this alternative compared to the proposed project and would be less than significant in both scenarios.

### **Plans for Renewable Energy or Energy Efficiency**

The Modified Land Use Alternative and the proposed project would both comply with plans for renewable energy and/or energy efficiency, including the City of West Hollywood Climate Action Plan. Impacts respecting such plans would be similar, and less than significant, for both scenarios.

#### **5.7.2.6 Geology and Soils**

##### **Geology and Soils**

This alternative would involve the same development footprint and excavation depth as would the proposed project. The Modified Land Use Alternative would also be subject to the same City of West Hollywood building code requirements as would the proposed project. Therefore, impacts of Alternative 3 related to geology and soils would be similar to those of the proposed project, that is, less than significant for both scenarios. Impacts of Alternative 3 on paleontological resources would be similar to those of the proposed project and less than significant after mitigation for both scenarios.

#### **5.7.2.7 Greenhouse Gas Emissions**

Development of Alternative 3 would involve essentially the same construction effort as for the proposed project, and therefore would use the same amount and types of energy as would construction of the proposed project. The change in land use would reduce VMT by approximately 29% during the operational phase. With the reduced VMT, the mobile source GHG emissions would also decrease thereby leading to a decrease in total operational GHG emissions. Therefore, Alternative 3 impacts regarding GHG emissions would be less than the less-than-significant GHG emissions impacts of the proposed project.

#### **5.7.2.8 Hazards and Hazardous Materials**

Sunset Boulevard is designated as an emergency evacuation route in the City of West Hollywood Emergency Operations Plan (City of West Hollywood, 2017). Construction of Alternative 3 would involve preparation and implementation of a Construction Traffic Management Plan, as would the proposed project. Thus, construction of this alternative would not interfere with use of Sunset Boulevard as an evacuation route. The Modified Land Use Alternative would comply with California Fire Code emergency access requirements, as would the proposed project. Impacts would be less than significant with mitigation for each scenario.



### 5.7.2.9 Hydrology and Water Quality

The Modified Land Use Alternative would involve the same development footprint and construction of the same amount of impervious area as would the proposed project. Therefore, impacts of this alternative on runoff and storm drainage capacity would be the same as for the proposed project.

Construction of this alternative would involve the same effort as for the proposed project, and thus would generate the same pollutants as would proposed project construction. Operation of this alternative likewise would generate the same pollutants as the proposed project operation would. This analysis assumes that vegetable oil from the restaurant use in the proposed project would be recycled in accordance with City of West Hollywood Environmental Services Division requirements and would not cause substantial pollution of wastewater or surface water. Impacts of this alternative on hydrology and water quality would be less than significant, as would impacts of the proposed project.

### 5.7.2.10 Land Use and Planning

The Modified Land Use Alternative would conform with City of West Hollywood General Plan, Zoning Code, and Sunset General Plan requirements for the project site, as would the proposed project.<sup>87</sup> impacts would be less than significant in each of the two scenarios.

### 5.7.2.11 Noise

#### Construction

This alternative would involve the same construction effort, including excavation for underground parking, as would the proposed project. Therefore, construction noise and vibration impacts under this alternative would be the same as those of the proposed project, which would be significant and unavoidable.

#### Operation

Operational noise impacts of this alternative would be the same as for the proposed project except that trip generation would be reduced in this alternative by 361 vehicles daily, that is, by 29%, compared to the proposed project. Operational noise impacts would be less than significant in both scenarios.

The nearest road segments for which the City has published traffic count data online are 8300-8400 Sunset Boulevard and 8500-8700 Sunset Boulevard; these are 51,462 and 52,231 ADT, respectively (City of West Hollywood, 2021).<sup>88</sup> Thus, if all trip generation by this alternative used Sunset Boulevard, the reduction in traffic on Sunset Boulevard would be about one percent of existing traffic levels on the roadway. Note that traffic volume must double to cause a significant noise impact (FTA, 2018). Thus, the reduction in project trip generation by this alternative would not substantially reduce operational noise impacts compared to those of the proposed project. Overall, noise impacts would be similar for the two scenarios.

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<sup>87</sup> One exception to this statement applies to each of the two scenarios: a deviation from rear setback requirements discussed in **Section 4.10**, Land Use and Planning.

<sup>88</sup> <https://data.weho.org/Traffic/Citywide-Traffic-Volumes/g47c-h4yt/data>. Accessed September 24, 2021.

### 5.7.2.12 Transportation

#### **Construction**

The Modified Land Use Alternative would involve the same construction effort, and therefore would generate the same construction transportation impacts, as would the proposed project. Each of the two scenarios would involve preparation and implementation of a Construction Traffic Management Plan, thus minimizing impacts on emergency access to the project site and nearby land uses and on traffic and pedestrian hazards.

#### **Operation**

Operation of the Modified Land Use Alternative would generate 29 percent fewer vehicle trips than the proposed project. VMT impacts of the Modified Land Use Alternative would be less than significant, as would be those of the proposed project. VMT impacts of this alternative would be presumed less than significant due to the project site's location along a high-quality transit corridor. None of the exclusionary criteria set forth by the Office of Planning and Research and in CEQA Guidelines Section 15064.3 apply to this alternative, as with the proposed project.

### 5.7.2.13 Tribal Cultural Resources

This alternative would involve the same development footprint and excavation depth as would the proposed project. Therefore, impacts of this alternative to tribal cultural resources would be the similar to those of the proposed project.

### 5.7.2.14 Utilities and Service Systems

#### **Water Supply**

Alternative 3 would consist of the same demolition and construction as the proposed project would, except operation of retail in place of high turnover restaurant. Retail use typically has lower demand for water supply compared to water demand for restaurant use. Therefore, the Modified Land Use Alternative would generate less water supply demand when compared to the proposed project. Therefore, impacts related to water supply under Alternative 3 would be less when compared to the less-than-significant impacts of the project.

#### **Wastewater**

Alternative 3 would consist of the same demolition and construction as the proposed project would, except operation of retail in place of high turnover restaurant. Retail use typically generates less wastewater compared to wastewater generated by restaurant use. Therefore, the Modified Land Use Alternative would generate less demand for wastewater treatment services when compared to the proposed project. Therefore, impacts related to wastewater treatment under Alternative 3 would be less when compared to the less-than-significant impacts of the project.

#### **Stormwater Drainage**

Alternative 3 would consist of the same demolition and construction as the proposed project would, except operation of retail in place of high turnover restaurant. There would be no change in the impervious area on site as compared to the proposed project. Therefore, the Modified Land Use

Alternative would generate the same amount of stormwater as the proposed project. Therefore, impacts related to stormwater drainage under Alternative 3 would be similar when compared to the less-than-significant impacts of the project.

### **Electric Power**

Alternative 3 would consist of the same demolition and construction as the proposed project would, except operation of retail in place of high turnover restaurant. Therefore, the Modified Land Use Alternative would generate similar demand for electric power when compared to the proposed project. Therefore, impacts related to electric power under Alternative 3 would be similar when compared to the less-than-significant impacts of the project.

### **Natural Gas**

Alternative 3 would consist of the same demolition and construction as the proposed project would, except operation of retail in place of high turnover restaurant. The building under Alternative 3 would also be an all-electric building. Therefore, impacts related to natural gas under the Alternative 3 would be similar when compared to the no impacts of the project.

### **Telecommunications**

Alternative 3 would consist of the same demolition and construction as the proposed project would, except operation of retail in place of high turnover restaurant. Therefore, the Modified Land Use Alternative would generate the same demand for telecommunication services as the proposed project. Therefore, impacts related to telecommunications under Alternative 3 would be similar when compared to the less-than-significant impacts of the project.

### **Solid Waste Disposal**

Alternative 3 would consist of the same demolition and construction as the proposed project would, except operation of retail in place of high turnover restaurant. Therefore, the Modified Land Use Alternative would generate similar demand for solid waste services as the proposed project. Therefore, impacts related to solid waste under Alternative 3 would be similar when compared to the less-than-significant impacts of the project.

#### **5.7.2.15 Wildfire**

The project site is not in a very high fire hazard severity zone or in a State Responsibility Area. This alternative would involve development of the project on the same site, and using the same materials and design, as would the proposed project. Therefore, impacts of this alternative on wildfire risks would be similar to those of the proposed project and would be less than significant with mitigation in both scenarios.

#### **5.7.3 Comparison of Alternative to the Proposed project**

The Modified Land Use Alternative, compared to the project, would reduce construction and operational impacts regarding toxic air contaminants; operational regional air pollutant emissions impacts; and transportation (vehicle miles traveled) impacts. All other impacts of Alternative 3 would be similar to those of the proposed project. No impacts of this alternative would be greater than those of the project.

#### 5.7.4 Relationship of the Alternative to Project Objectives

Under the Historic Rehabilitation Alternative, four of the five objectives for the project would be fully met:

- Redevelop the project site in accordance with goals of the Sunset Specific Plan (SSP) for SSP Area 8, that is, accommodating additional office buildings and providing space for "creative" industries and anchor businesses.
- Use landscaping on the ground level and on terraces on levels 2 through 5, including hanging plants from terraces, providing green screening and helping to soften the building's edges.
- Incorporate numerous sustainability features including site location; natural heating and cooling features; use of recycled foundation materials; construction of an all-electric building; water-efficient plumbing fixtures; improved insulation; installation of PV panels and other energy efficiency measures; improvements to indoor air quality; use of efficient and durable roofing materials and exterior finishes; and use of efficient interior finishes.
- Develop a 14,000-square-foot "digital billboard" on the west, north, and east sides of the building exterior that would be displayed 24 hours per day. One-quarter of the programming time for the sign would consist of civic announcements and artwork. The digital billboard would also function as solar shading latticework during the daytime. The digital billboard would contribute to the landmark quality of the building at the entrance to the city.

The following objective would be only partially met, as the high turnover restaurant use under the proposed project would cater to the needs of area office workers more than the apparel retail use under Alternative 3.

- Redevelop the project site with land uses encouraged for the site by the SSP: (a) development of a mixed-use building of landmark quality at the southeast corner of Sunset and Cory that dramatically marks the entrance to West Hollywood and acts as a "hinge" at the bend in the street; and (b) with ground-floor uses catering to the needs of area office workers.

### 5.8 Analysis of Alternative 4 – Aboveground Parking Alternative

#### 2.1.2 Description of the Alternative

This alternative consists of replacing the office, restaurant and BOH/MEP uses on the first and second floors with a two-level parking structure—the lower level would be at grade and the upper level above grade—with a total of approximately 50 parking spaces. In this alternative the underground parking structure in the proposed project would be omitted. Office, restroom, and MEP spaces would be provided on levels 3, 4, 5, and 6 (roof) with a total of 32,652 square feet of office space. This alternative would omit the exterior stairway included in the proposed project on the west side of the building.

**Table 5.8-1  
ABOVEGROUND PARKING ALTERNATIVE TRIP GENERATION**

Scenario/Land Use	Square Feet	Trip Generation/KSF	Trip Generation
Proposed project	52,999	See <b>Appendix O</b> , Traffic Study	1,245
Aboveground Parking Alternative: Office use	32,652	9.74	318
Net Reduction			927
Percent Net Reduction	Not applicable	Not applicable	74%

**Source:** Sarsour, 2022

### 2.1.3 Environmental Impacts

#### 2.1.3.1 Aesthetics

The Aboveground Parking Alternative would not change the height or massing of the building exterior, including the design and operation of the digital billboard. This alternative would change the appearance of the first and second levels of the building exterior, which would be aboveground parking in this alternative compared to mixed uses in the proposed project.

This alternative would involve changes to project signage, as it would omit ground floor restaurant and office uses under the proposed project. The changes to signage would not change impacts of this alternative on visual character and light and glare compared to impacts of the proposed project.

Therefore, impacts of this alternative on scenic vistas, visual character of the site and surroundings, and light and glare would all be the same as those of the proposed project and would be less than significant in both scenarios.

#### 2.1.3.2 Air Quality

##### **Construction**

##### **Regional Emissions**

Alternative 4 would omit construction of the underground parking levels in the proposed project; thus, omitting the construction effort of excavation, building the underground parking levels, and hauling exported soil from the site. Construction impacts on air quality would remain less than significant.

##### **Localized Emissions**

Construction effort would be substantially reduced under this alternative, as explained above. Localized construction impacts on sensitive receptors would remain less than significant.



### **Toxic Air Contaminants**

Construction effort would be considerably reduced under Alternative 4, thus reducing TAC emissions. Therefore, TAC impacts under Alternative 4 would be less than significant, as would be impacts of the proposed project.

### **Operation**

#### **Regional Emissions**

Alternative 4 would reduce trip generation—and, thus, VMT—by about 78 percent compared to the proposed project. Thus, this alternative is expected to reduce emissions of on-road criteria pollutants by roughly the same percentage. Air quality impacts would therefore also be less than significant and less when compared to the less-than-significant regional operational air quality impacts associated with the project.

### **Toxic Air Contaminants**

As analyzed in **Section 4.2**, the project would result in some TAC emissions, primarily from mobile sources. Since Alternative 4 would decrease VMT by 78%, operational impacts associated with TACs would also decrease. TAC impacts would be less when compared to the less-than-significant impacts of the project.

#### **2.1.3.3 Biological Resources**

The Aboveground Parking alternative would involve the same development footprint, and thus would have the same impacts on biological resources, as the proposed project. Impacts to biological resources would be less than significant in both scenarios.

#### **2.1.3.4 Cultural Resources**

This alternative would involve the same development footprint as would the proposed project. However, the excavation depth for this alternative would be substantially reduced, as this alternative would not involve construction of underground parking. Therefore, impacts of this alternative to historical and archaeological resources and human remains that may be buried in site soils would be considerably reduced compared to those of the proposed project. No significant cultural resources were identified on or above the ground surface during the cultural resources investigation of the project site. Impacts to cultural resources would be less than significant after mitigation in both scenarios.

#### **2.1.3.5 Energy**

##### **Energy Use**

#### **Construction**

Development of this alternative would involve less construction effort as would the proposed project, and therefore would use less energy as would construction of the proposed project.

## **Operation**

Operation of this alternative respecting building energy use and appliances would use less electricity as would the proposed project due to the replacement of office uses with parking on level 2 of this alternative. The proposed project and Alternative 4 would both be all-electric buildings; thus, natural gas use is omitted from this analysis. This alternative would reduce operational trip generation by approximately 74% compared to the proposed project, thus reducing transportation fuel use compared to the proposed project. Overall, energy use impacts would be reduced by this alternative compared to the proposed project and would be less than significant in both scenarios.

### **Plans for Renewable Energy or Energy Efficiency**

The Aboveground Parking Alternative and the proposed project would both comply with plans for renewable energy and/or energy efficiency, including the City of West Hollywood Climate Action Plan. Impacts respecting such plans would be similar, and less than significant, for both scenarios.

#### **2.1.3.6 Geology and Soils**

##### **Geology and Soils**

This alternative would involve the same development footprint as would the proposed project; but would involve greatly reduced excavation, as it would omit underground parking. The Aboveground Parking Alternative would also be subject to the same City of West Hollywood building code requirements as would the proposed project. Therefore, impacts of Alternative 4 related to geology and soils would be similar to those of the proposed project, that is, less than significant for both scenarios. Impacts of Alternative 4 on paleontological resources would be less than those of the proposed project—due to reduced excavation—and less than significant after mitigation for both scenarios.

#### **2.1.3.7 Greenhouse Gas Emissions**

Development of Alternative 4 would involve less construction effort than would the proposed project, and therefore would use less energy as would construction of the proposed project. The change in land use would reduce VMT by 74% during the operational phase. With the reduced VMT, the mobile source GHG emissions would also decrease thereby leading to a decrease in total operational GHG emissions. Therefore Alternative 4 impacts regarding GHG emissions would be less than the less-than-significant GHG emissions impacts of the proposed project.

#### **2.1.3.8 Hazards and Hazardous Materials**

Sunset Boulevard is designated as an emergency evacuation route in the City of West Hollywood Emergency Operations Plan (City of West Hollywood, 2017). Construction of Alternative 4 would involve preparation and implementation of a Construction Traffic Management Plan, as would the proposed project. Thus, construction of this alternative would not interfere with use of Sunset Boulevard as an evacuation route. The Aboveground Parking Alternative would comply with California Fire Code emergency access requirements, as would the proposed project. Impacts would be less than significant with mitigation for each scenario.

### 2.1.3.9 Hydrology and Water Quality

The Aboveground Parking Alternative would involve the same development footprint and construction of the same amount of impervious area as would the proposed project. Therefore, impacts of this alternative on runoff and storm drainage capacity would be the same as for the proposed project.

Construction of this alternative would involve less effort than would the proposed project, and thus would generate fewer pollutants as would proposed project construction. Operation of this alternative would generate reduced pollutants as proposed project operation would due to the reduction in land use intensity. Impacts of this alternative on hydrology and water quality would be less than significant, as would impacts of the proposed project.

### 2.1.3.10 Land Use and Planning

The Aboveground Parking Alternative would conform with City of West Hollywood General Plan, Zoning Code, and Sunset General Plan requirements for the project site, as would the proposed project.<sup>89</sup> impacts would be less than significant in each of the two scenarios.

### 2.1.3.11 Noise

#### Construction

This alternative would involve reduced construction effort compared to the proposed project due to the deletion of underground parking. Therefore, construction noise and vibration impacts under this alternative would be less than those of the proposed project. However, construction noise and vibration impacts of this alternative would still be significant and unavoidable, like the proposed project, due to the proximity of residential uses and because the aboveground construction effort would be similar for this alternative as for the proposed project.

#### Operation

Operational noise impacts of this alternative would be reduced for this alternative due to the 74% reduction in trip generation. Operational noise impacts from stationary sources—such as mechanical equipment on the building—is expected to be similar for this alternative as for the proposed project. Operational noise impacts would be less than significant in both scenarios.

The nearest road segments for which the City has published traffic count data online are 8300-8400 Sunset Boulevard and 8500-8700 Sunset Boulevard; these are 51,462 and 52,231 ADT, respectively (City of West Hollywood, 2021).<sup>90</sup> Thus, if all trip generation by this alternative used Sunset Boulevard, the reduction in traffic on Sunset Boulevard would be approximately two percent of existing traffic levels on the roadway. Note that traffic volume must double to cause a significant noise impact (FTA, 2018). Thus, the reduction in project trip generation by this alternative would not substantially reduce operational noise impacts compared to those of the proposed project. Overall, operational noise impacts would be similar for the two scenarios.

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<sup>89</sup> One exception to this statement applies to each of the two scenarios: a deviation from rear setback requirements discussed in **Section 4.10**, Land Use and Planning.

<sup>90</sup> <https://data.weho.org/Traffic/Citywide-Traffic-Volumes/g47c-h4yt/data>. Accessed September 24, 2021.

### **2.1.3.12 Transportation**

#### **Construction**

The Aboveground Parking Alternative would involve the reduced construction effort—including deletion of most of the soil export haul trips—and therefore would generate less construction transportation impacts, as would the proposed project. Each of the two scenarios would involve preparation and implementation of a Construction Traffic Management Plan, thus minimizing impacts on emergency access to the project site and nearby land uses and on traffic and pedestrian hazards.

#### **Operation**

Operation of the Aboveground Parking Alternative would generate 74 percent fewer vehicle trips than the proposed project. VMT impacts of this alternative would be less than significant, as would be those of the proposed project. VMT impacts of this alternative would be presumed less than significant due to the project site's location along a high-quality transit corridor. None of the exclusionary criteria set forth by the Office of Planning and Research and in CEQA Guidelines Section 15064.3 apply to this alternative, as with the proposed project.

### **2.1.3.13 Tribal Cultural Resources**

This alternative would involve the same development footprint but reduced excavation depth as would the proposed project. Therefore, impacts of this alternative to tribal cultural resources would be the somewhat reduced compared to those of the proposed project, and would be less than significant after mitigation for both scenarios.

## **5.8.1.1 Utilities and Service Systems**

### **Water Supply**

Alternative 4 would involve reduced construction effort compared to the proposed project due to the deletion of underground parking. Additionally, the omission of ground and second floor restaurant and office uses would lead to lower demand for water supply when compared to water demand that would be generated by the proposed project. Therefore, impacts related to water supply under Alternative 4 would be less when compared to the less-than-significant impacts of the project.

### **Wastewater**

Alternative 4 would involve reduced construction effort compared to the proposed project due to the deletion of underground parking. Additionally, the omission of ground and second floor restaurant and office uses would lead to less amount of wastewater when compared to wastewater that would be generated by the proposed project. Therefore, impacts related to wastewater treatment under Alternative 4 would be less when compared to the less-than-significant impacts of the project.

### **Stormwater Drainage**

Alternative 4 This alternative would involve reduced construction effort compared to the proposed project due to the deletion of underground parking. However, there would be no change in the impervious area on site as compared to the proposed project. Therefore, the Aboveground Parking

Alternative would generate the same amount of stormwater as the proposed project. Therefore, impacts related to stormwater drainage under Alternative 4 would be similar when compared to the less-than-significant impacts of the project.

### **Electric Power**

Alternative 4 would involve reduced construction effort compared to the proposed project due to the deletion of underground parking. Additionally, the omission of ground and second floor restaurant and office uses would lead to lower demand for electric power when compared to electricity demand that would be generated by the proposed project. Therefore, impacts related to electric power under Alternative 4 would be less when compared to the less-than-significant impacts of the project.

### **Natural Gas**

The building under Alternative 4 would also be an all-electric building. Therefore, impacts related to natural gas under the Alternative 4 would be similar when compared to the no impacts of the project.

### **Telecommunications**

Alternative 4 would involve reduced construction effort compared to the proposed project due to the deletion of underground parking. Additionally, the omission of ground and second floor restaurant and office uses would lead to lower demand for telecommunication services when compared to telecommunication demand that would be generated by the proposed project. Therefore, impacts related to telecommunications under Alternative 4 would be less when compared to the less-than-significant impacts of the project.

### **Solid Waste Disposal**

Alternative 4 would involve reduced construction effort compared to the proposed project due to the deletion of underground parking. Additionally, the omission of ground and second floor restaurant and office uses would lead to less amount of solid waste when compared to solid waste that would be generated by the proposed project. Therefore, impacts related to solid waste disposal under Alternative 4 would be less when compared to the less-than-significant impacts of the project.

#### **2.1.3.14 Wildfire**

The project site is not in a very high fire hazard severity zone or in a State Responsibility Area. This alternative would involve development of the project on the same site, and using largely similar materials, as would the proposed project. Therefore, impacts of this alternative on wildfire risks would be similar to those of the proposed project and would be less than significant with mitigation in both scenarios.

#### **2.1.4 Comparison of Alternative to the Proposed project**

The Aboveground Parking Alternative, compared to the project, would reduce construction and operational impacts regarding toxic air contaminants; operational regional air pollutant emissions impacts; construction noise and vibration impacts; operational noise impacts; and transportation (vehicle miles traveled) impacts; and tribal cultural resources impacts. All other impacts of Alternative 4 would be similar to those of the proposed project. No impacts of this alternative would be greater than those of the project.



### 2.1.5 Relationship of the Alternative to Project Objectives

Under the Aboveground Parking Alternative, four of the five objectives for the project would be fully met:

- Redevelop the project site in accordance with goals of the Sunset Specific Plan (SSP) for SSP Area 8, that is, accommodating additional office buildings and providing space for "creative" industries and anchor businesses.
- Use landscaping on the ground level and on terraces on levels 2 through 5, including hanging plants from terraces, providing green screening and helping to soften the building's edges.
- Incorporate numerous sustainability features including site location; natural heating and cooling features; use of recycled foundation materials; construction of an all-electric building; water-efficient plumbing fixtures; improved insulation; installation of PV panels and other energy efficiency measures; improvements to indoor air quality; use of efficient and durable roofing materials and exterior finishes; and use of efficient interior finishes.
- Develop a 14,000-square-foot "digital billboard" on the west, north, and east sides of the building exterior that would be displayed 24 hours per day. One-quarter of the programming time for the sign would consist of civic announcements and artwork. The digital billboard would also function as solar shading latticework during the daytime. The digital billboard would contribute to the landmark quality of the building at the entrance to the city.

The following objective would be only partially met, as the ground and second floor office and restaurant uses are omitted from this alternative:

- Redevelop the project site with land uses encouraged for the site by the SSP: (a) development of a mixed-use building of landmark quality at the southeast corner of Sunset and Cory that dramatically marks the entrance to West Hollywood and acts as a "hinge" at the bend in the street; and (b) with ground-floor uses catering to the needs of area office workers.

## 5.9 Environmentally Superior Alternative

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives to a project shall identify an Environmentally Superior Alternative among the alternatives evaluated in an EIR. The CEQA Guidelines also state that should it be determined that the No Project/No Build Alternative is the Environmentally Superior Alternative, the EIR shall identify another Environmentally Superior Alternative among the remaining alternatives.

With respect to identifying an Environmentally Superior Alternative among those analyzed in this Draft EIR, the range of feasible alternatives includes the No Project Alternative; the No Digital Billboard Alternative; the Modified Land Use Alternative; and the Aboveground Parking Alternative. **Table 5.4-1** provides a summary of the description of alternatives and a comparison of the different project components. **Table 5.4-2** on provides a summary comparison, by environmental topic, of the project impacts and the impacts of each of the alternatives. **Table 5.4-3** provides a summary comparison of each of the alternatives' ability to meet the objectives of the project. A more detailed description of the potential impacts associated with each alternative is provided above. Pursuant to § 15126.6(c) of the CEQA Guidelines, the analysis below addresses the ability of the alternatives to "avoid or substantially lessen one or more of the significant effects" of the project.

Of the alternatives analyzed in this Draft EIR, Alternative 1, the No Project Alternative would avoid all of the project's significant environmental impacts, including the project's significant and unavoidable construction noise impacts. Although Alternative 1 would reduce most of the project's less-than-significant and less-than-significant-with-mitigation impacts it would not meet any of the project's objectives.

In accordance with the CEQA Guidelines requirement to identify an Environmentally Superior Alternative other than the No Project/No Build Alternative, a comparative evaluation of the remaining alternatives indicates that Alternative 4, the Aboveground Parking Alternative, would be the Environmentally Superior Alternative. The Aboveground Parking Alternative would reduce impacts of the project related to construction and operational toxic air contaminants; operational regional air pollutant emissions; construction noise and vibration; operational noise impacts; transportation (vehicle miles traveled) impacts; and tribal cultural resources impacts. All other impacts of this alternative would be similar to those of the proposed project. Alternative 4 would be the only alternative that would reduce the severity of the proposed project's only significant and unavoidable short-term construction impact related to noise during project construction. No impacts of Alternative 4 would be greater than those of the proposed project.

Alternative 4 would fully meet four of the objectives for the project:

- Redevelop the project site in accordance with goals of the Sunset Specific Plan (SSP) for SSP Area 8, that is, accommodating additional office buildings and providing space for "creative" industries and anchor businesses.
- Use landscaping on the ground level and on terraces on levels 2 through 5, including hanging plants from terraces, providing green screening and helping to soften the building's edges.
- Incorporate numerous sustainability features including site location; natural heating and cooling features; use of recycled foundation materials; construction of an all-electric building; water-efficient plumbing fixtures; improved insulation; installation of PV panels and other energy efficiency measures; improvements to indoor air quality; use of efficient and durable roofing materials and exterior finishes; and use of efficient interior finishes.
- Develop a 14,000-square-foot "digital billboard" on the west, north, and east sides of the building exterior that would be displayed 24 hours per day. One-quarter of the programming time for the sign would consist of civic announcements and artwork. The digital billboard would also function as solar shading latticework during the daytime. The digital billboard would contribute to the landmark quality of the building at the entrance to the city.

Alternative 4 would partially meet the following project objective as the ground and second floor restaurant and office uses are omitted from this alternative:

- Redevelop the project site with land uses encouraged for the site by the SSP: (a) development of a mixed-use building of landmark quality at the southeast corner of Sunset and Cory that dramatically marks the entrance to West Hollywood and acts as a "hinge" at the bend in the street; and (b) with ground-floor uses catering to the needs of area office workers.

## **SECTION 6.0 – OTHER CEQA CONSIDERATIONS**

## 6.0 OTHER CEQA CONSIDERATIONS

### 6.1 Significant Unavoidable Impacts

This section includes a description of the significant and unavoidable impacts of the proposed project. Section 15126.2(b) of the State CEQA Guidelines requires that the EIR describe any significant impacts, including those that can be mitigated but not reduced to less-than-significant levels. Section 15126.2(b) of the State CEQA Guidelines is written as follows:

Significant Environmental Effects Which Cannot Be Avoided if the Proposed Project is Implemented. Describe any significant impacts, including those which can be mitigated but not reduced to a level of insignificance. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, should be described.

Potential environmental effects of the proposed project and proposed mitigation measures are discussed in **Sections 4.1** through **4.15** of this document. This EIR determined that there would be unavoidable significant adverse impacts related to noise (**Section 4.11**) during the temporary construction phase of the project due to onsite construction activities. After implementation of mitigation measures, the proposed project would still have significant environment effects, which would necessitate the adoption of a Statement of Overriding Considerations for impacts regarding noise during project construction.

#### 6.1.1 Noise

As discussed in **Section 4.11** of this Draft EIR, the use of heavy equipment during construction would result in short-term increases in exposures of nearby sensitive receivers. The increase over ambient levels would exceed the significance threshold at all receptors for all phases of project construction. Implementation of mitigation measures **N-1** through **N-4** (**Section 4.11.7**) would result in an appreciable decrease in exposures, but these short-term exposures would still be significant sometimes during construction. Therefore, project impacts related to increased noise levels during construction would be potentially significant. There are no other feasible mitigation measures that could be implemented to reduce the temporary noise impacts from onsite construction to sensitive receptors. As such, construction noise impacts associated with onsite noise sources would remain significant and unavoidable.

With regard to cumulative impacts, as discussed in **Section 4.11.6**, cumulative construction impacts could occur if other construction projects were active concurrently with development of the proposed project, and near enough so that noise from two or more projects were perceived by the same sensitive receivers. However, the area surrounding the project site is almost completely built out, and there is limited space for new development. Currently, there are no planned or reasonably foreseeable future projects that would be constructed at the same time as the proposed project and that could generate additional construction noise in the immediate project vicinity. Therefore, cumulative construction noise impacts would be less than significant.

## 6.2 Reasons Why the Project is Being Proposed, Notwithstanding Significant Unavoidable Impacts

In addition to identification of a project's significant unavoidable impacts, Section 15126.2(c) of the CEQA Guidelines requires that an EIR describe the reasons why a project is being proposed, notwithstanding the effects of the identified significant and unavoidable impacts. The reasons why the proposed project has been proposed are included in **Section 2.0**, of this Draft EIR and are further described below.

The underlying purpose and objectives of the project are closely tied to the City's need to provide additional office and retail space within the City, which the City currently lacks (City of West Hollywood, 2019, p. 21). The project site is located within the City's Sunset Specific Plan (SSP), which has a goal to foster a healthy economic and employment corridor that is a desirable address for entertainment, hotel, specialty retail, restaurant, office, and related uses (City of West Hollywood, 2019, p. 12). More specifically, the project site is located within Area 8 – West End of the SSP, which has specific development guidelines for the project site to be developed as a landmark building that marks the entrance of the city (City of West Hollywood, 2019, p. 242). The proposed project would develop the desired tiered landmark building with a digital billboard that would be consistent with the City's bright lights character. Therefore, the proposed project would take the existing underutilized project site (former car dealership), and develop the desired landmark building with commercial office and restaurant uses that the city desires and needs. Additionally, the only unavoidable impact is construction noise, which would be temporary. During operation, there would be no significant and unavoidable impacts.

Therefore, the benefits of the proposed project would outweigh significant and unavoidable impacts of the project. Additionally, as discussed in the Alternatives section of this document, the No Project/No Action Alternative would not achieve any of the project's objectives. The No digital Billboard Alternative and the Modified Land Use Alternative would partially achieve the project objectives and would also have significant and unavoidable impacts related to noise during construction.

## 6.3 Significant Irreversible Environmental Changes

Section 15126.2(d) of the State CEQA Guidelines requires that an EIR discuss "any significant irreversible environmental changes which would be involved in the proposed project should it be implemented." It defines an irreversible impact as an impact that uses nonrenewable resources during the initial and continued phases of the proposed project. Irreversible impacts can also result from damage caused by environmental accidents associated with the proposed project. Irrecoverable commitments of resources should be evaluated to assure that such consumption is justified. Section 15126.2(d) of the State CEQA Guidelines is written as follows:

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts, and particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irrecoverable commitments of resources should be evaluated to assure that such current consumption is justified.



Construction and implementation of the proposed project would involve the commitment of building materials, human resources (labor) and energy, commensurate with that of other projects of similar nature and magnitude. Construction of the proposed project would require use of water, timber, steel, sand, gravel and other minerals and natural resources. Although this is not an unusual demand for these resources, it nonetheless is an incremental increase in demand for nonrenewable resources. Labor would also be committed to the construction of the proposed five-story commercial building with associated underground parking and landscaping. Nonrenewable energy resources would be used during construction and subsequent operation of the proposed project. This commitment of energy resources would be a long-term obligation, as, once the project site has been developed, it is highly unlikely that the land could be returned to its original condition. However, as discussed in **Section 4.5** of this document regarding energy conservation, impacts resulting from increased energy usage would be less than significant.

### 6.3.1 Building Materials and Solid Waste

Construction of the proposed project would require the use of resources that may be considered non-renewable or not quickly replenished. These resources would include lumber and other forest products, aggregate materials used in concrete and asphalt (e.g., sand, gravel and stone), metals (e.g., steel, copper and lead), and petrochemical construction materials (e.g., plastics). As discussed in **Section 4.10** of this DEIR, the proposed project would use a variety of building materials such as precast concrete panels, aluminum fin, exposed concrete, LED media façade, low-e coated glazing on the windows, terrazzo, plaster, aluminum window wall, and metal siding. However, as discussed in **Section 2.0** of this DEIR, the proposed project would utilize sustainable planning and building strategies including natural heating and cooling features; use of recycled foundation materials; construction of an all-electric building; water-efficient plumbing fixtures; improved insulation; installation of photovoltaic (PV) panels and other energy efficiency measures; improvements to indoor air quality; use of efficient and durable roofing materials and exterior finishes; and use of efficient interior finishes. Thus, although the consumption of non-renewable building materials and resources would occur due to the proposed project, the proposed building would be developed to be energy efficient.

As discussed in **Section 4.14** of this DEIR, non-hazardous recyclable debris generated from construction would be salvaged for diversion from landfills. During operation, the proposed project would generate only a small portion of the city's available solid waste capacity. The proposed project would have a less than significant impact to landfills because it would be required to comply with all applicable solid waste regulations including AB 939 and Section 5.408 of the 2019 CALGreen.

### 6.3.2 Water

Construction of the proposed project would require the typical use of water for activities such as dust control. Water for construction activities would be conveyed using the existing water infrastructure at the project site, and no major offsite infrastructure improvements would be needed for construction activities. Use of water during construction would be temporary and amounts needed for dust control would be considered de minimis.

Additionally, as concluded in the Los Angeles Department of Water and Power (LADWP)'s 2020-2045 Urban Water Management Plan (UWMP), projected water demand for the city would be met by the available supplies during an average year, single-dry year, and multiple-dry year in each year from 2020 through 2045. Project construction is anticipated to be completed by 2024. Therefore, the

project's temporary and intermittent demand for water during construction could be met by the city's available supplies during project construction.

Consumption of water during operation of the project is addressed in **Section 4.14** of this DEIR. The projected increase in water use from the proposed project would result in a de minimis increase of the city's future available water supplies. Additionally, the LADWP issued a water availability will-serve letter stating that the project site can be supplied with water from the municipal system subject to the water system rules of the LADWP. Therefore, the LADWP would provide water to meet the needs of the project.

The proposed project would comply with applicable requirements of the City of West Hollywood Department of Public Works, the City of Beverly Hills Public Works Department, and LACoFD such that the project would provide adequate infrastructure and water flow to the project site. Since there are sufficient water supplies available and the project does not result in an increase in water demand above that projected in UWMP, project implementation would not require construction of new water treatment facilities nor expanded entitlements to water supplies. Therefore, less than significant impacts are anticipated.

Thus, as evaluated in **Section 4.14** of this DEIR, while project construction and operation would result in some irreversible consumption of water, the project would not result in significant water supply impacts.

### 6.3.3 Energy Consumption

During construction of the project, non-renewable fossil fuels would represent the primary energy source, and thus the existing finite supplies of these resources would be incrementally reduced. Fossil fuels, such as diesel, gasoline, and oil, would also be consumed in the use of construction vehicles and equipment. Project consumption of non-renewable fossil fuels for energy use during construction and operation of the project is addressed in **Section 4.5** of this DEIR. As discussed therein, construction activities for the project would not require the consumption of natural gas, but would require the use of electricity and fossil fuels. As the consumption of fossil fuels would occur on a temporary basis during construction, impacts related to the consumption of fossil fuels during construction of the project would be less than significant.

Project operation would use electricity for commercial needs, street lighting, and conveyance and treatment of water; and gasoline for on-road motor vehicles. The project would comply with all applicable regulations and codes that require achievement of various levels of energy efficiency in building operation. These include (1) CCR Title 24, Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24); and (2) the 2019 CalGreen. Project impacts would be less than significant regarding wasteful, inefficient, or unnecessary energy use after compliance with energy efficiency plans.

### 6.3.4 Environmental Hazards

The proposed project's potential use of hazardous materials is evaluated in Section 4.9 of the Initial Study (refer to **Appendix A1**), and **Section 4.8** of this DEIR. As discussed therein, construction and operation of the proposed project would involve the transport, storage, and use of chemical agents, solvents, paints, and other hazardous materials. Chemical transport, storage, and use would comply

with RCRA, CERCLA, OSHA, California hazardous waste control law,<sup>91</sup> Division of OSHA, SCAQMD, and LACoFD requirements. Construction, onsite maintenance, and operation of the project would involve storage and use of small amounts of commercially-available janitorial and landscaping supplies, typical of those materials used in commercial developments. The use, handling, and storage of these materials could increase the potential for hazardous materials releases and, subsequently, the exposure of people and the environment to hazardous materials. However, all potentially hazardous materials are commonly used in households and would be used and stored in accordance with manufacturers' specifications and instructions, thereby reducing the risk of hazardous materials use. In addition, the proposed project would be in full compliance with all applicable federal, state, and local requirements concerning the use, storage, and management of hazardous materials. Therefore, the proposed project would not cause irreversible damage from environmental accidents associated with the use of typical, potentially hazardous materials.

### 6.3.5 Conclusion

Based on **Sections 6.3.1** through **6.3.4** above, construction and operation of the project would require an irretrievable commitment of resources that are limited, slowly renewable, or non-renewable, and consequently limit the availability of these resources, including the project site, for other uses or for future generations. However, the consumption of these resources for the project would not be considered substantial and would be consistent with regional and local growth forecasts and development goals for the area. These resources would not be used in a wasteful manner and would not be depleted much quicker than existing conditions. Therefore, although the project would result in irreversible environmental changes, those changes would be less than significant. Considering that the project would consume an inconsequential amount of natural resources, and it is replacing an existing urban use on a redevelopment site, the limited use of nonrenewable resources is considered justified.

## 6.4 Growth-Inducing Impacts

In compliance with CEQA regulations, this section discusses the growth-inducing impacts of a project. CEQA Guidelines § 15126.2(e) requires a discussion of potential growth-inducing impacts of a project. Growth-inducing impacts are defined by CEQA as the ways in which a project could directly or indirectly foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth. In addition, as discussed in the CEQA Guidelines, increases in the population may tax existing community service facilities, thus requiring construction of new facilities that could cause significant environmental effects. It must not be assumed that growth in an area is necessarily beneficial, detrimental, or of little significance to the environment.

### 6.4.1 Population and Housing

The proposed project would develop a five-story commercial building with retail, dining and office uses. As discussed in **Section 4.14 of the Initial Study (refer to Appendix A1)**, the proposed project would not create housing or increase the population of the city and as such would not increase the city's population or housing availability.

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91 Codified in California Health and Safety Code, Division 20, Chapter 6.5, Hazardous Waste Control.

### 6.4.2 Employment

The proposed project would have the potential to generate indirect population growth as a result of the temporary construction employment opportunities and employment opportunities associated with project operation.

The proposed project would create temporary construction-related jobs. Due to the specialized nature and expertise of their work, construction workers remain at a job site for the time during which their specific skills are utilized to complete a particular phase of project construction. Construction workers are not anticipated to relocate to the project vicinity due to the temporary nature of construction work. Therefore, construction of the project would not be considered growth-inducing from a short-term employment perspective.

As detailed in Section 4.14 of the Initial Study (refer to **Appendix A1**), project operation is estimated to generate approximately 125 jobs.<sup>92</sup> It is anticipated that employees from the local workforce would be hired during the operational phase of the project and that the project would not require workers from outside the region. The project is not of the scope or scale to induce people to move from out of the project area to work at the proposed project. Therefore, the proposed project would be unlikely to create an indirect demand for additional housing or households in the area, and impacts would be less than significant.

### 6.4.3 Utility Infrastructure Improvements

The project site contains infrastructure such as water, sewer, gas, and electrical service to the existing automotive dealership located onsite. As detailed in **Section 4.14** of this DEIR, the proposed project would not require utility improvements to provide water, sewer, gas, and electricity to the project site. Therefore, the proposed project would not require utility infrastructure improvements that would induce growth within the city, and impacts would be less than significant.

### 6.4.4 Conclusion

The proposed project would not cause population growth because the project does not create any housing within the city. Additionally, the project's scale and uses would not create regional draw for job opportunities. The project would not result in major roadway improvements and involves infill development, making use of existing land. Therefore, direct and indirect growth-inducing impacts of the project would be less than significant.

## 6.5 Potential Secondary Effects of Mitigation Measures

Section 15126.4(a)(1)(D) of the CEQA Guidelines states that "if a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure shall be discussed, but in less detail, than the significant effects of the project as proposed." The following provides a discussion of the potential secondary impacts that could occur as a result of the implementation of proposed mitigation measures for each environmental issue area included in this DEIR. Environmental issue areas with no impacts or with impacts less than significant and requiring no mitigation would have no potential secondary impacts

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<sup>92</sup> The job-generation estimate is based upon the project applicant's estimate of 1 employee per 300 square feet of rentable square footage.



## ❖ SECTION 6.0 – OTHER CEQA CONSIDERATIONS ❖

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associated with implementation of mitigation measures and therefore, are not discussed further in this section. The areas in this DEIR requiring mitigation are:

- Biological Resources
- Cultural Resources
- Geology and Soils (Paleontological Resources)
- Noise
- Tribal Cultural resources
- Transportation



The mitigation measures will be implemented by the project applicant in coordination with the City of West Hollywood, as required during different phases of the project.

### 6.5.1 Biological Resources

Mitigation measures **BR-1** and **BR-2** are included in **Section 4.3** of this DEIR, to reduce the project's potential impacts to biological resources during construction. Specifically, mitigation measure **BR-1** would require that a biological monitor be present onsite during construction activities if special-status wildlife species or protected nesting birds are observed and determined present within the project site during the pre-construction breeding bird surveys; mitigation measure **BR-2** would require that the biological monitor conduct preconstruction clearance surveys within the project site and buffer for special-status species including nesting birds if project activities begin during nesting bird season. Additional measures listed in mitigation measure **BR-2** would avoid or minimize direct and indirect effects on migratory non-game nesting birds, and their nests, young, and eggs pursuant the Migratory Bird Treaty Act and California Fish and Game Code. Implementation of these mitigation measures would ensure that special-status wildlife species or protected nesting birds are not impacted during construction activities. Therefore, implementation of these mitigation measures would not result in adverse secondary impacts.

### 6.5.2 Cultural Resources

Mitigation measures **CUL-1** to **CUL-3** are included in **Section 4.4** of this Draft EIR, to reduce the project's potential impacts to cultural (archeological) resources. Specifically, mitigation measure **CUL-1** would require construction to halt if there are any historical or unique archaeological resources discovered during construction activity. The qualified archaeologist (Principal Archaeologist) shall recommend the extent of archaeological monitoring necessary to ensure the protection of any other resources that may be in the area. Construction activities may continue on other parts of the project site while evaluation and treatment of historical or unique archaeological resources takes place. Mitigation measure **CUL-2** would require a tribal monitor and/or a qualified archaeologist monitor construction at the project location if a local Native American tribal organization(s) requests it. At the discretion of the monitoring archaeologist, excavation or other ground-disturbing activities must be halted when an archaeological artifact or feature is observed. Tribal monitors may request the archaeological monitor to halt ground-disturbing activities if they observe potential cultural finds. Native American monitors will be required to complete and submit daily monitoring logs while at the project site to the project proponent's lead archaeologist. Mitigation measure **CUL-3** would require construction to halt if human remains are found during excavation activities for the proposed project. The Coroner will determine whether the remains are recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the Native American Heritage Commission (NAHC). The NAHC will be responsible for designating the Most Likely Descendant (MLD). The MLDS (either an individual or sometimes a committee) will be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD will make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).

Implementation of these mitigation measures would ensure that cultural resources and human remains are not impacted during construction activities. Therefore, implementation of these mitigation measures would not result in adverse secondary impacts.

### 6.5.3 Geology and Soils

Mitigation measure **PAL-1** is included in **Section 4.6** of this Draft EIR, to reduce the project's potential impacts to paleontological resources. Specifically, mitigation measure **PAL-1** would require a qualified paleontologist to be retained prior to excavation and grading activities to determine if fossils may be present at the project site. The paleontologist shall develop a site-specific Paleontological Resources Impact Mitigation Program (PRIMP) to be implemented in support of the Project in order to mitigate potential adverse impacts to paleontological resources. If paleontological materials are encountered, the paleontologist shall temporarily divert or redirect grading and excavation activities in the area of the exposed material to facilitate evaluation and, if necessary, salvage. The authority of the paleontologist to temporarily halt construction in part of the project site shall be included on project grading and construction plans. A copy of the paleontological survey report shall be submitted to the Los Angeles County Natural History Museum. Any fossils recovered during mitigation shall be deposited in an accredited and permanent scientific institution for the benefit of current and future generations. Implementation of mitigation measure **PAL-1** would ensure that paleontological resources are not impacted during construction activities. Therefore, implementation of these mitigation measures would not result in adverse secondary impacts.

### 6.5.4 Noise

Mitigation measures **N-1** through **N-4** are included in **Section 4.11** of this Draft EIR, to reduce the project's potential impacts regarding noise during construction activities. Specifically, mitigation measure **N-1** requires noise source regulations such as specific construction times and equipment restrictions to reduce noise as much as possible while still being able to construct the project. Mitigation measure **N-2** would require noise path controls such as noise barriers, blankets, entrapments, and storage locations, if applicable, to reduce noise impacts to nearby noise sensitive receivers. Mitigation measure **N-3 requires advanced notice to** all noise-sensitive receivers adjacent to the project area prior to start of construction. The notice will include specifically where and when construction activities will occur, and provide contact information for filing noise complaints with the contractor and the City. Mitigation measure **N-4** would repave the alleyway in the project site with a smooth surface to reduce vibration from vehicle operations. The mitigation measures described above would serve to reduce the temporary impacts from noise during construction activities and noise-related impacts to sensitive receivers. Implementation of these mitigation measures would reduce noise impacts during construction. As a result, implementation of these mitigation measures would not result in adverse secondary impacts.

### 6.5.5 Transportation

Mitigation measures **TRANS-1** and **TRANS-2** are included in **Section 4.12** of this Draft EIR, to reduce the project's potential transportation impacts. Mitigation measure **TRANS-1** requires the development of a Construction Management Plan, which would ensure that there would be adequate circulation to and from the project site during the construction phase of the proposed project. Mitigation measure **TRANS-2** requires the installation of a keep-clear sign along the Cory Avenue driveway to ensure that there would be less than significant impacts in regard to emergency access during project operation.

### 6.5.6 Tribal Cultural Resources

Mitigation measures **TCR-1**, **TCR-2** and **TCR-3** (proposed by Gabrielino – Kizh Nation's during the AB52 Consultation process) are included in **Section 4.13** of this Draft EIR, to reduce the project's

potential impacts related to Tribal Cultural Resources. Mitigation measure **TCR-1** requires appointment of a Native American prior to commencement of ground disturbing activities, which would ensure that in the event of any discovery of TCRs, all construction activities in the immediate vicinity of the discovery are ceased until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. Mitigation measures **TCR-2 and TCR-3** would ensure implementation of applicable requirements of Health and Safety Code Section 7050.5 in the case of an unanticipated Discovery of Human Remains and Associated Funerary Objects, and proper procedures are followed for recovery and burial of funerary remains, if discovered.

## 6.6 Effects Not Found to be Significant

Section 15128 of the State CEQA Guidelines requires that an EIR “contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR.” An Initial Study was prepared for the proposed project (refer to **Appendix A1** of this document). Based on the findings of the Initial Study prepared for the project, the following topics were found to have either no impact or a less than significant impact on the environment and therefore did not warrant further analysis in the EIR and thus do not warrant mitigation: agriculture and forestry resources; mineral resources; population and housing, public services, and recreation. Refer to the text below for a brief discussion of each of these environmental topics, which were eliminated from further analysis in the EIR, as detailed in the Initial Study (refer to **Appendix A1**).

### 6.6.1 Agriculture and Forestry Resources

As discussed in Section 4.2 of the Initial Study (**Appendix A1**), the project site is developed with an automotive dealership with a zoning designation of Sunset Specific Plan (SSP). The project site is located in a highly-urbanized setting, and not located within or adjacent to agricultural or forest land. Since the project site is located in an urban setting designated for commercial land use, project-related changes would not conflict with existing zoning for forest land or timberland, and no impacts would occur.

### 6.6.2 Mineral Resources

As discussed in Section 4.11 of the Initial Study (**Appendix A1**), the project site is within Mineral Resource Zone (MRZ)-3, which is an area containing mineral deposits, the significance of which cannot be evaluated from available data. The project site and surrounding developments are within a fully developed portion of the city, and no mining or mineral extraction activities would occur on the project site. Therefore, no impacts are anticipated to: (1) the availability of known mineral resources of value to the region or state residents, or (2) a locally important mineral resource recovery site delineated on a local general, specific, or other land use plan. Therefore, there would be no impacts on mineral resources.

### 6.6.3 Population and Housing

As discussed in Section 4.14 of the Initial Study (**Appendix A1**), the proposed project would develop a commercial building that would consist of retail, dining, and office uses. The proposed project would not develop housing that would increase the population of the city, nor would the project be of scale or nature to create regional draw for job opportunities. Therefore, the project would have less than significant impacts in regard to population growth and housing.

#### **6.6.4 Public Services**

As discussed in Section 4.15 of the Initial Study (**Appendix A1**), the project would be served by Stations seven and eight of the Los Angeles County Fire Department (LACoFD) for fire protection, and the Los Angeles County Sheriff's Department (LASD) for law enforcement. Although fire and law enforcement demand are anticipated to increase, both LACoFD and LASD confirmed that that no additional public facilities would need to be developed to adequately serve the proposed project. Therefore, project impacts to police and fire protection services would be less than significant.

Population growth results in impacts on schools, parks and other public facilities such as libraries. The proposed project would not create housing that would increase the population within the city. Therefore, there would be no impacts to schools, parks, or libraries.

#### **6.6.5 Recreation**

As discussed in Section 4.16 of the Initial Study (**Appendix A1**), recreation impacts would occur if the proposed project would cause population growth within the city. The proposed project would not create housing and therefore there would be no increase the population within the city. Therefore, there would be no impacts in this regard.

## **SECTION 7.0 – REFERENCES**

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## 7.0 REFERENCES

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## **SECTION 8.0 – ACCRONYMS AND ABBREVIATIONS**

## 8.0 ACRONYMS AND ABBREVIATIONS

Acronym/Abbreviation	Term
AB	Assembly Bill
AB 939	California Integrated Waste Management Act
AMSL	Above Mean Sea Level
APE	Area Of Potential Effect
ARB	Air Resources Board
ATP	Active Transportation Plan
BAU	Business As Usual
BMPs	Best Management Practices
CAAQS	California Ambient Air Quality Standards
CAFE	Corporate Average Fuel Economy
CalEEMod	California Emissions Estimator Model
CAL FIRE	California Department Of Forestry And Fire Protection
Caltrans	California Department Of Transportation
CAT	Climate Action Team
CARB	California Air Resources Board
CBC	California Building Code
CCAA	California Clean Air Act
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, And Liability Act
CH4	Methane
CHRIS	California Historic Resources Inventory System
City	City Of West Hollywood
CMP	Congestion Management Program
CNEL	Community Noise Equivalent Level
CO	Carbon Monoxide
CO2	Carbon Dioxide
CO2e	Carbon Dioxide Equivalent
CRC	California Residential Code
CRHR	California Register Of Historical Resources
CUP	Conditional Use Permit
dB	Decibel
dba	A-Weighted Decibel Scale
DIF	Development Impact Fee
DMA	Drainage Management Areas
DOC	California Department Of Conservation
DOSH	California Division Of Safety And Health
DPM	Diesel Particulate Matter
EIR	Environmental Impact Report
EMS	Emergency Medical Service
EO	Executive Order
EV	Electric Vehicle
EPA	Environmental Protection Agency
FCAA	Federal Clean Air Act



Acronym/Abbreviation	Term
FEMA	Federal Emergency Management Agency
FHSZ	Fire Hazard Severity Zone
FRAP	Calfire Fire Resource And Assessment Program
FTA	Federal Transit Administration
GHG	Greenhouse Gas
GPCD	Gallons Per Capita Per Day
GPEIR	General Plan Eir
GWP	Global Warming Potential
HCP	Habitat Conservation Plan
HFCs	Hydrofluorocarbons
HUD	Department Of Housing And Urban Development
Hz	Hertz
IFC	International Fire Code
IPCC	Intergovernmental Panel On Climate Change
IS/MND	Initial Study/Mitigated Negative Declaration
ITE	Institute Of Transportation Engineers
LASD	Los Angeles County Sheriff's Department
LAUSD	Los Angeles County Unified School District
LACM	Los Angeles County Museum of Natural History
L <sub>90</sub>	Noise Level That Is Exceeded 90% Of The Time
L <sub>eq</sub>	Equivalent Noise Level
LID	Low Impact Development
L <sub>max</sub>	Root Mean Square Maximum Noise Level
LOS	Level Of Service
LRA	Local Responsibility Area
LSTs	Localized Significance Thresholds
Map Act	California Subdivision Map Act
MBTA	Migratory Bird Treaty Act
MLD	Most Likely Descendant
MM	Mitigation Measure
MMTCO <sub>2e</sub>	Million Metric Tons Of CO <sub>2e</sub>
MND	Mitigated Negative Declaration
MRZ	Mineral Resource Zone
MSHCP	Multiple Species Habitat Conservation Program
N <sub>2</sub> O	Nitrous Oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCCP	Natural Communities Conservation Plan
ND	Negative Declaration
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NHTSA	National Transportation Safety Administration
NO <sub>x</sub>	Nitrogen Oxides
NOP	Notice of Preparation
NPDES	National Pollutant Discharge Elimination System
O <sub>3</sub>	Ozone



❖ SECTION 8.0 – ACRONYMS AND ABBREVIATIONS ❖

Acronym/Abbreviation	Term
OPR	Governor’s Office Of Planning And Research
OSHA	Occupational Safety And Health Administration
PFCs	Perfluorocarbons
PPB	Parts Per Billion
PPM	Parts Per Million
PM	Particulate Matter
PM <sub>2.5</sub>	Fine Particulate Matter
PM <sub>10</sub>	Respirable Particulate Matter
PPV	Peak Particle Velocity
PRC	Public Resource Code
RCRA	Resource Conservation And Recovery Act
RMS	Root Mean Square
ROG	Reactive Organic Gases
RP	Regional Plant
RPS	Renewables Portfolio Standard
RWQCB	Regional Water Quality Control Board
SCAB	South Coast Air Basin
SCAG	Southern California Association Of Governments
SCAQMD	South Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SCE	Southern California Edison
SF6	Sulfur Hexafluoride
SIP	State Implementation Plan
SLF	Sacred Lands File
SoCalGas	Southern California Gas Company
SRA	State Responsibility Area
SRAs	Source Receptor Areas
SSP	Sunset Specific Plan
STIP	Statewide Transportation Improvement Program
SWMP	Stormwater Management Plan
TACs	Toxic Air Contaminants
TCP	Traffic Control Plan
TCRs	Tribal Cultural Resources
TMP	Traffic Management Plan
USDA	United States Department Of Agricultura
USGS	United States Geological Survey
USEPA	United States Environmental Protection Agency
UWMP	Urban Water Management Plan
VdB	Vibration Decibels
VHFHSZs	Very High Fire Hazard Severity Zones
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compound
WHMC	City Of West Hollywood Municipal Code

## **SECTION 9.0 – LIST OF PREPARERS**

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## 9.0 LIST OF PREPARERS

### 9.1 Lead Agencies

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##### **C/O Jake Stevens**

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## 9.4 Other Firms

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**GENSLER + THE JOHN BUCK COMPANY** (Project Plans and Drawings)

**THE URBAN LUMBERJACK** (Tree Inventory Report)

**Steve Marshall**, ISA Certified Arborist

**GPA CONSULTING** (Historic Resources)

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**PSOMAS** (Water Resources Technical Report)

**David J. Curtis, P.E., ENV SP**

**PSOMAS** (Public Utilities Technical Memorandum)

**David J. Curtis, P.E., ENV SP**

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❖ SECTION 9.0 – LIST OF PREPARERS ❖

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**SECTION 10.0 – CONSULTATION AND COORDINATION**



❖ SECTION 10.0 – CONSULTATION AND COORDINATION ❖

## 10.0 CONSULTATION AND COORDINATION

This section provides a list of federal, state, and local agencies and organizations contacted during preparation of the DEIR.

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Native American Heritage Commission	Debbie Pilas-Treadway	1550 Harbor Blvd Ste 100, West Sacramento, CA 90012	<a href="mailto:nahc@nahc.ca.gov">nahc@nahc.ca.gov</a> (916) 373-3710
Office of Historic Preservation	Julianne Polanco	1725 23rd Street, Suite 100, Sacramento, CA 95816	<a href="mailto:info.calshpo@parks.ca.gov">info.calshpo@parks.ca.gov</a> (916) 445-7000
State Clearinghouse	Mikayla Vaba	1400 Tenth Street, Sacramento, CA 95814	<a href="mailto:mikayla.vaba@opr.ca.gov">mikayla.vaba@opr.ca.gov</a> (916) 445-0613
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<b>Regional Agencies</b>			
Los Angeles Regional Water Quality Control Board (Region 4)		320 West 4th Street, Suite 200, Los Angeles, CA 90013	
SCAQMD, CEQA Inter-Governmental Review	Philip Fine, Executive Officer	21865 Copley Dr. Diamond Bar, CA 91765	
Southern California Association of Governments, Inter-Governmental Review		900 Wilshire Boulevard, Suite 1700, Los Angeles, CA 90017	
<b>Local Agencies</b>			
<b>Los Angeles County</b>			
County Sanitation Districts of Los Angeles County	Grace Robinson Hyde	P.O. Box 4998, Whittier, CA 90607	(562) 699-7411
Los Angeles County Department of Public Works, Land Development Division		900 S Fremont Ave. Alhambra, CA 91803	



❖ SECTION 10.0 – CONSULTATION AND COORDINATION ❖

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Los Angeles County Metropolitan Transportation Authority, Development Review		One Gateway Plaza MS 99-18-3 Los Angeles, CA 90012	
Los Angeles County Sheriff Headquarters, Facilities Planning Bureau	Tracey Jue, Director Attn: Maynora G. Castro, Departmental Facilities Planner II	211 West Temple Street Los Angeles, CA 90012	(213) 893-2472
Los Angeles County Sheriff, West Hollywood Station	Captain Ed Ramirez	780 N San Vicente Blvd West Hollywood, CA 90069	<a href="mailto:ecramire@lasd.org">ecramire@lasd.org</a> <a href="tel:310-855-8850">310-855-8850</a>
<b>Los Angeles Unified School District</b>			
LAUSD - Education Service Center West	Cheryl Hildreth, Superintendent	11380 W. Graham Place Los Angeles, CA 90064	(310) 941-2100
<b>City of Los Angeles</b>			
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Los Angeles Department of Transportation		100 S Main St Fl 9 Los Angeles, CA 90012	
Los Angeles Department of Transportation, Metro Development Review		100 S Main St Fl 9 Los Angeles, CA 90012	
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City of Beverly Hills, Department of Community Development	<b>Ryan Gohlich</b> Director	455 N Rexford Dr Fl 1 Beverly Hills, CA 90210	<a href="mailto:rgohlich@beverlyhills.org">rgohlich@beverlyhills.org</a> (408) 437-5400





❖ SECTION 10.0 – CONSULTATION AND COORDINATION ❖

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<b>City of West Hollywood</b>			
City of West Hollywood Department of City Planning	Doug Vu, Senior Planner	<a href="#">8300 Santa Monica Boulevard West Hollywood, CA 90069</a>	(323) 848-6318
West Hollywood Library	Matt Gill, Library Manager	625 N San Vicente Blvd, West Hollywood, CA 90069	<a href="mailto:MGill@library.lacounty.gov">MGill@library.lacounty.gov</a> <a href="tel:310-652-5340">(310) 652-5340</a>
<b>Utility Companies</b>			
Southern California Edison		1721 22nd St Santa Monica, CA 90404	
Southern California Gas Company	Pedra Reyes, Pipeline Planning Associate	701 N. Bullis Road Compton, CA 90221	
<b>Native American Tribal Organizations</b>			
Fernandeno Tataviam Band of Mission Indians	Rudy Ortega, Tribal President	1019 Second Street, Suite 1 San Fernando, CA 91340	<a href="mailto:president@tataviam-nsn.us">president@tataviam-nsn.us</a>
Gabrieleno Band of Mission Indians – Kizh Nation	Andrew Salas	PO Box 393 Covina, CA 91723	<a href="mailto:gabrielenoindians@yahoo.com">gabrielenoindians@yahoo.com</a> (626) 926-4131
Gabrielino Tongva Nation	Sam Dunlap, Cultural Resources Director	PO Box 86908 Los Angeles, CA 90086	
Gabrieleno/Tongva San Gabriel Band of Mission Indians	Anthony Morales	PO Box 693 San Gabriel, CA 91778	<a href="mailto:gttribalcouncil@aol.com">gttribalcouncil@aol.com</a> (626) 483 - 3564
Gabrielino-Tongva Tribe	Bernie Acuna, Co-Chairperson	PO Box 180 Bonsall, CA 92003	(310) 570-6567
LA City/County Native American Indian Community	Gloria Cuevas, Director	3175 West 6th Street, Room 403 Los Angeles, CA 90020	
San Fernando Band of Mission Indians	Donna Smith Yocum, Chairwoman	PO Box 221838 Newhall, CA 91322	<a href="mailto:dyocum@sfbmi.org">dyocum@sfbmi.org</a> (503) 539-0933
Tongva Ancestral Territorial Tribal Nation	John Tommy Rosas, Tribal Administrator	578 Washington Boulevard, #384 Marina Del Rey, CA 90292	<a href="mailto:itr@tongvanation.org">itr@tongvanation.org</a> (310) 570-6567

**SECTION 11.0 – MITIGATION MONITORING AND  
REPORTING PROGRAM**

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## 11.0 DRAFT MITIGATION MONITORING AND REPORTING PROGRAM

### 11.1 Introduction

Section 21081.6 of the *Public Resources Code* requires all state and local agencies to establish monitoring or reporting programs whenever approval of a project relies upon a mitigated negative declaration or an environmental impact report (EIR). The monitoring or reporting program must ensure implementation of the measures being imposed to mitigate or avoid the significant adverse environmental impacts identified in the mitigated negative declaration or EIR.

The mitigation measures will be implemented by the project applicant, the City of West Hollywood or other agencies at different times during the implementation of the project. Some mitigation will require implementation prior to the issuance of any building permits, while others will be implemented during construction, and others throughout all the phases. The following table lists the potentially significant environmental impacts, the mitigation measures, the level of significance after mitigation, the responsible parties and monitoring parties, and the phase in which mitigation is to be implemented.

The environmental areas requiring mitigation are:

- Biological Resources
- Cultural Resources
- Geology and Soils/Paleontological Resources
- Noise
- Hazards and Hazardous Materials
- Transportation
- Tribal Cultural Resources
- Fire Protection Services and Wildfire Hazards

Those environmental topics for which there would be less than significant impacts without mitigation are discussed in their respective sections included in this document but are not included in the table below because no mitigation is warranted. Those environmental topics include:

- Aesthetics
- Air Quality
- Energy
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Land Use and Planning
- Utilities and Services



**Table 11.0-1  
DRAFT MITIGATION MONITORING AND REPORTING PROGRAM**

Issue Area	Mitigation Measures (MMs)	Level of Significance After Mitigation	Responsible Party/Monitoring Party	Implementation Stage
<b>4.3 Biological Resources</b>				
<p><b>4.3.5 Threshold A:</b> Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.?</p>	<p><b>BR-1: Nesting Bird Surveys</b></p> <p>If project activities begin during nesting bird/raptor season (generally January 1 – August 31), no earlier than one week prior to ground-disturbing activities, a qualified biologist shall conduct preconstruction nesting bird clearance surveys within the project site and within a 100-foot buffer around the project site for nesting birds, and other sensitive species.</p> <p>To maintain compliance with the Migratory Bird Treaty Act and California Fish and Game Code, and to avoid or minimize direct and indirect effects to migratory non-game nesting birds, and their nests, young, and eggs, the following measures shall be implemented.</p> <ul style="list-style-type: none"> <li>• Project activities that will remove or disturb potential nest sites should be scheduled outside the nesting bird season, if feasible. The nesting bird nesting season is typically from February 1 through August 31, but can vary slightly from year to year, usually depending on weather conditions. Raptors are known to begin nesting early in the year and ends late. The raptor nesting bird season begins January 1 to September 15.</li> <li>• If project activities that will remove or disturb potential nest sites cannot be avoided during January 1 through August 31, a qualified biologist shall conduct a pre-construction survey for nesting birds within the limits of</li> </ul>	<p>Less Than Significant</p>	<p>Project Applicant/City of West Hollywood</p>	<p>Prior to commencement of project construction and throughout the duration of construction activities that result in tree or vegetation removal</p>



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	<p>project disturbance up to seven days prior to mobilization, staging and other disturbances. Preconstruction surveys shall be conducted no more than one week prior to vegetation, substrate, and structure removal and/or disturbance.</p> <ul style="list-style-type: none"> <li>• If neither nesting birds nor active nests are observed during the pre-construction survey(s), or if they are observed and will not be affected (i.e., outside the buffer zone described below), then project activities may begin and no further nesting bird monitoring will be required.</li> <li>• If an active bird nest is located during the pre-construction survey and will potentially be affected, a no-activity buffer zone shall be delineated on maps and marked in the field by fencing, stakes, flagging, or other means up to 500 feet for raptors, or 100 feet for non-raptors. Materials used to demarcate the nests will be removed as soon as work is complete or the fledglings have left the nest. The biologist will determine the appropriate size of the buffer zone based on the type of activities planned near the nest and bird species. Buffer zones shall not be disturbed until a qualified biologist determines that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be affected by project activities. Periodic monitoring by a biologist will be performed to determine when nesting is complete. After the nesting cycle is complete,</li> </ul>			



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Issue Area	Mitigation Measures (MMs)	Level of Significance After Mitigation	Responsible Party/Monitoring Party	Implementation Stage
	project activities may begin within the buffer zone.			
<p><b>4.3.5 Threshold A:</b> Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.?</p>	<p><b>BR-2: Biological Monitor</b></p> <p>The applicant shall retain a qualified Biological Monitor to conduct pre-construction surveys and biological monitoring during construction. If special-status wildlife species or protected nesting birds are observed and determined present within the BSA during the pre-construction breeding bird surveys, then the qualified biological monitor shall be onsite to monitor throughout the duration of construction activities that result in tree or vegetation removal, to minimize the likelihood of inadvertent impacts to nesting birds and other wildlife species. Monitoring shall also be conducted periodically during construction activities to ensure no new nests, including raptor nests, occur during vegetation removal or building demolition activities between February 1 through August 31. The biological monitor shall ensure that biological mitigation measures, best management practices, avoidance, and protection measures and mitigation measures described in the relevant project permits and reports are in place and are adhered to.</p> <p>The Biological Monitor shall have the authority to halt all construction activities and all non-emergency actions if sensitive species and/or nesting birds are identified and would be directly impacted. The monitor will notify the appropriate resource agency and consult if needed. If necessary, the monitoring biologist shall relocate the individual outside of the work area where it will not be harmed. Work can continue at the location if the applicant and the consulted resource agency determine that the activity will not result in impacts to the species.</p>	Less Than Significant	Project Applicant/City of West Hollywood	If project activities begin during nesting bird season (generally February 1 – August 31), no later than one week prior to ground-disturbing activities





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Issue Area	Mitigation Measures (MMs)	Level of Significance After Mitigation	Responsible Party/Monitoring Party	Implementation Stage
	The appropriate agencies shall be notified if a dead or injured protected species is located within the project site. Written notification shall be made within 15 days of the date and time of the finding or incident (if known) and must include: location of the carcass, a photograph, cause of death (if known), and other pertinent information.			
<b>4.4 Cultural Resources</b>				
<b>4.4.5 Threshold B:</b> Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<b>CUL-1:</b> If historical or unique archaeological resources are discovered during construction activities, the contractor shall halt construction activities in a 30-foot radius and notify the project proponent. A Secretary of the Interior qualified archaeologist shall be notified and afforded the necessary time to recover, analyze, and curate the find(s). The qualified archaeologist shall recommend the extent of archaeological monitoring necessary to ensure the protection of any other resources that may be in the area. Construction activities may continue on other parts of the project site while evaluation and treatment of historical or unique archaeological resources takes place.	Less Than Significant	Project Construction Contractor/Project Applicant and the City of West Hollywood	Prior to commencement of project construction and throughout the duration of construction activities
<b>4.4.5 Threshold B:</b> Would the project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<b>CUL-2:</b> If a local Native American tribal organization(s) request that a tribal monitor and/or a qualified archaeologist monitor construction at the project location, then the project proponent shall retain and schedule any required monitors during all subsurface excavations into native soil. At the discretion of the monitoring archaeologist, excavation or other ground-disturbing activities must be halted when an archaeological artifact or feature is observed. Tribal monitors may request the archaeological monitor to halt ground disturbing activities if they observe potential cultural finds. Native American monitors will be required to complete and submit daily monitoring	Less Than Significant	Project Applicant /City of West Hollywood	Prior to commencement of project construction and throughout the duration of construction activities



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Issue Area	Mitigation Measures (MMs)	Level of Significance After Mitigation	Responsible Party/Monitoring Party	Implementation Stage
	logs while at the project site to the project proponent’s lead archaeologist.			
<p><b>4.4.5 Threshold C:</b> Would the project disturb human remains, including those interred outside of dedicated cemeteries?</p>	<p>CUL 3: If human remains are encountered during excavations associated with this project, all work shall stop within a 30-foot radius of the discovery and the Los Angeles County Coroner will be notified (§ 5097.98 of the Public Resources Code). The Coroner will determine whether the remains are recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the Native American Heritage Commission (NAHC). The NAHC will be responsible for designating the Most Likely Descendant (MLD). The MLDS (either an individual or sometimes a committee) will be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD will make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).</p>	Less Than Significant	Project Construction Contractor/Project Applicant and City of West Hollywood	Prior to commencement of project construction and throughout the duration of construction activities
<b>4.6 Geology and Soils/Paleontological Resources</b>				
<p><b>4.6.5 Threshold F:</b> Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p>	<p><b>PAL-1:</b> Fossils could be present in native soils onsite. A qualified paleontologist (approved by the County of Los Angeles, as applicable, and the Los Angeles County Natural History Museum Vertebrate Paleontology Department) shall be retained prior to excavation and grading activities at the project site.</p>	Less Than Significant	Project Applicant and Qualified Project Paleontologist/City of West Hollywood	Prior to commencement of project construction and throughout the duration of project grading activities



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Issue Area	Mitigation Measures (MMs)	Level of Significance After Mitigation	Responsible Party/Monitoring Party	Implementation Stage
	<ul style="list-style-type: none"> <li>• Prior to the earth-moving activities, the paleontologist shall develop a site-specific Paleontological Resources Impact Mitigation Program (PRIMP) to be implemented in support of the project in order to mitigate potential adverse impacts to paleontological resources. The PRIMP shall follow guidelines developed by the Society for Vertebrate Paleontology and shall include monitoring of ground disturbance activities in sediments that are likely to include paleontological resources, specimen recovery, and screen washing; preparation of any collected specimens to the point of identification; curation of any collected specimens to a museum repository with permanent, retrievable storage; and preparation of a final paleontological survey report that would provide details of monitoring, fossil identification, and repository arrangements. The project applicant shall then comply with the recommendations of the project paleontologist and requirements of the PRIMP.</li> <li>• Before the mitigation program begins, the paleontologist or monitor shall coordinate with the appropriate construction contractor personnel to provide information regarding City or County of Los Angeles requirements, as applicable, for the protection of paleontological resources. Contractor personnel shall be briefed on procedures to be followed in the event that fossil remains and a previously unrecorded fossil site are encountered by earth-moving activities, particularly when the monitor is not on site.</li> </ul>			



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Issue Area	Mitigation Measures (MMs)	Level of Significance After Mitigation	Responsible Party/Monitoring Party	Implementation Stage
	<ul style="list-style-type: none"> <li>The qualified paleontologist shall perform periodic inspections of excavation and grading activities at the project site to determine the presence of fossiliferous soils. The frequency and location of inspections shall be specified in the PRIMP and shall depend on the depth of excavation and grading activities and the materials being excavated. If paleontological materials are encountered, the paleontologist shall temporarily divert or redirect grading and excavation activities in the area of the exposed material to facilitate evaluation and, if necessary, salvage. The authority of the paleontologist to temporarily halt construction in part of the project site shall be included on project grading and construction plans. A copy of the paleontological survey report shall be submitted to the Los Angeles County Natural History Museum. Any fossils recovered during mitigation shall be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.</li> </ul>			



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Issue Area	Mitigation Measures (MMs)	Level of Significance After Mitigation	Responsible Party/Monitoring Party	Implementation Stage
<b>4.11 Noise</b>				
<p><b>4.11.5. Threshold A:</b> Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</p>	<p><b>N-1:</b> The construction contractor will use the following source controls:</p> <ul style="list-style-type: none"> <li>• Use of noise producing equipment will be limited to the interval from 8:00 a.m. to 5:00 p.m., Monday through Friday.</li> <li>• For all noise producing equipment, use types and models that have the lowest horsepower and the lowest noise generating potential practical for their intended use.</li> <li>• The construction contractor will ensure that all construction equipment, fixed or mobile, is properly operating (tuned up) and lubricated, and that mufflers are working adequately.</li> <li>• Have only necessary equipment on site.</li> <li>• Use manually adjustable or ambient sensitive backup alarms.<sup>93</sup></li> </ul>	<p>Significant and Unavoidable sometimes during project construction</p>	<p>Project Construction Contractor/ Project Applicant and City of West Hollywood</p>	<p>During all project construction activities</p>

<sup>93</sup> These are backup alarms that focus their noise on a specific area and/or automatically adjust the volume of the noise to be only slightly above that of the ambient level at the worksite.



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Issue Area	Mitigation Measures (MMs)	Level of Significance After Mitigation	Responsible Party/Monitoring Party	Implementation Stage
<p><b>4.11.5. Threshold A:</b> Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</p>	<p><b>N-2:</b> The contractor will use the following path controls, except where not physically feasible:</p> <ul style="list-style-type: none"> <li>• Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers. A typical noise barrier in a construction setting can absorb about 85% of the noise along the path from source to receiver.<sup>94</sup> If these are used for the cases shown in Table 4.11-6 of the DEIR, the increase in exposure due to the project would, except for the architectural coating phase, range from about 10 to 12 dBA.</li> <li>• Temporarily enclose localized and stationary noise sources. Enclosures can attenuate 10 to 20 dBA.</li> <li>• Store and maintain equipment, building materials and waste materials as far as practical from as many sensitive receivers as practical.</li> </ul>	<p>Significant and Unavoidable sometimes during project construction</p>	<p>Project Construction Contractor/ Project Applicant and City of West Hollywood</p>	<p>During all project construction activities</p>

<sup>94</sup> The 85% reduction value is from AASHTI (2007); the effect on the increase of exposure was calculated by UltraSystems,





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Issue Area	Mitigation Measures (MMs)	Level of Significance After Mitigation	Responsible Party/Monitoring Party	Implementation Stage
<p><b>4.11.5. Threshold A:</b> Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</p>	<p><b>N-3:</b> Advance notice of the start of construction shall be delivered to all noise-sensitive receivers adjacent to the Project area. The notice shall state specifically where and when construction activities will occur, and provide contact information for filing noise complaints with the contractor and the City.</p>	<p>Significant and Unavoidable sometimes during project construction</p>	<p>Project Construction Contractor/ Project Applicant and City of West Hollywood</p>	<p>Prior to commencement of project construction</p>
<p><b>4.11.5. Threshold B:</b> Would the project result in generation of excessive groundborne vibration or groundborne noise levels?</p>	<p><b>N-4:</b> The applicant shall repave with a smooth surface the alleyway through which loaded trucks will enter the project construction site. According to Caltrans (Andrews et al. 2020), because vibration from vehicle operations is almost always the result of pavement discontinuities, the solution is to smooth the pavement to eliminate the discontinuities. This step will eliminate perceptible vibration from vehicle operations in virtually all cases.</p>	<p>Less Than Significant</p>	<p>Project Construction Contractor/ Project Applicant and City of West Hollywood</p>	<p>Prior to commencement of project construction and during all project construction activities</p>
<p><b>4.8 Hazards and Hazardous Materials/4.12 Transportation/4.15 Fire Protection Services and Wildfire Hazards</b></p>				



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<p><b>4.8.4 Threshold F:</b> Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</p> <p><b>4.12.4 Threshold A:</b> Would the Project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?</p> <p><b>4.12.4 Threshold C:</b> Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</p> <p><b>4.12.4 Threshold D:</b> Would the Project result in inadequate emergency access?</p> <p><b>4.15.5 Threshold A:</b> If located in or near state responsibility areas or lands classified as very</p>	<p><b>MM TRANS-1:</b> Prior to construction, the General Contractor shall submit a detailed Construction Management Plan to be reviewed and approved by the City of West Hollywood. The Construction Management Plan shall specify that the Construction Manager will schedule truck traffic and employee shifts to avoid creating trips during the peak traffic periods, as is feasible for construction operations. All measures, including identified truck routes and designated employee parking areas, shall be included in the Construction Management Plan. The Plan shall include but is not limited to the following provisions:</p> <ul style="list-style-type: none"> <li>• To handle street traffic affected by at-grade construction work on Sunset Boulevard, Cory Avenue, and Carol Drive, the Construction Management Plan shall specify how traffic will be routed and controlled during the construction phase, including which lane(s) of traffic will be temporarily blocked off for construction work.</li> <li>• Specification of permitted hours for construction-related deliveries and removal of heavy equipment and material.</li> <li>• Specification of where construction workers would park their personal vehicles during project construction with a requirement that at no time shall construction worker vehicles block any driveways. If complaints are received by the project applicant regarding issues with construction worker vehicle parking, the project applicant shall identify alternative parking options for construction workers so as not to interfere with any commercial and residential parking availability.</li> </ul>	<p>Less Than Significant</p>	<p>Project Construction Contractor/ Project Applicant and City of West Hollywood</p>	<p>Prior to commencement of project construction and throughout the duration of all project construction activities</p>
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<p>high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?</p>	<ul style="list-style-type: none"> <li>● Identification of how emergency access to and around the project site will be maintained during project construction.</li> <li>● Specification of haul routes for delivery or removal of heavy and/or oversized equipment or material loads. Where feasible, delivery or removal of oversized equipment or material loads shall be conducted during off-peak traffic periods.</li> <li>● Maintain pedestrian and bicycle connections around the project site designate safe crossing locations for all pedestrian detours.</li> <li>● Maintain the security of the project site by erecting temporary fencing during the construction phase of the project. Any onsite night lighting used during the construction phase of the project shall be in compliance with lighting requirements of the City of West Hollywood.</li> <li>● If temporary lane closures are necessary for the installation of utilities, that emergency access should be maintained at all times.</li> <li>● Flag persons and/or detours shall be provided as needed to ensure safe traffic operations.</li> <li>● Construction signs shall be posted to advise of reduced construction zone speed limits.</li> <li>● The project design shall include entry/exit gates for first responders' vehicles to gain access to the project site.</li> </ul>			



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Issue Area	Mitigation Measures (MMs)	Level of Significance After Mitigation	Responsible Party/Monitoring Party	Implementation Stage
<p><b>4.8.4 Threshold F:</b> Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</p> <p><b>4.12.4 Threshold D:</b> Would the Project result in inadequate emergency access?</p> <p><b>4.15.5 Threshold A:</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?</p>	<p><b>MM TRANS-2:</b> A keep clear sign shall be located at the proposed Cory Avenue driveway to ensure there would be less than significant traffic congestion near the Cory Avenue/ Sunset Boulevard/ Doheny Road intersection.</p>	<p>Less Than Significant</p>	<p>Project Construction Contractor/ Project Applicant and City of West Hollywood</p>	<p>Prior to the opening of the proposed project and during the life of the project</p>
<p><b>4.13 Tribal Cultural Resources</b></p>				
<p><b>4.13.6 Threshold A:</b> Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section</p>	<p><b>MM-TCR-1:</b> Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities</p> <p>A. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing</p>	<p>Less Than Significant</p>	<p>Project Construction Contractor/ Project Applicant and City of West Hollywood</p>	<p>Prior to commencement of project construction and throughout the duration of project excavation and grading activities</p>



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<p>21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p> <p>(iii) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code § 5020.1(k); or</p> <p>(iv) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency</p>	<p>activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.</p> <p>B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.</p> <p>C. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.</p>			



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<p>shall consider the significance of the resource to a California Native American Tribe.</p>	<p>D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh Nation from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh Nation to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh/Gabrielino TCRs.</p> <p>E. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh Nation will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.</p>			





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	<p><b>MM-TCR-2:</b> Unanticipated Discovery of Human Remains and Associated Funerary Objects</p> <p>A. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.</p> <p>B. If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the Los Angeles County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed. C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).</p> <p>D. Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Kizh Nation determines in its</p>	Less Than Significant	Project Construction Contractor/ Project Applicant and City of West Hollywood	During project construction and throughout the duration of project excavation and grading activities



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	<p>sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the tribal monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f).)</p> <p>E. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.</p> <p>F. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.</p>			
	<p><b>MM-TCR-3:</b> Procedures for Burials and Funerary Remains:</p> <p>A. As the Most Likely Descendant (“MLD”), and as determined by the Native American Heritage Commission, the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal</p>	Less Than Significant	Project Construction Contractor/ Project Applicant and City of West Hollywood	During project construction and throughout the duration of project excavation and grading activities



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	<p>Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains.</p> <p>B. If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.</p> <p>C. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.</p> <p>D. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be</p>			



❖ SECTION 11.0 – MITIGATION MONITORING AND REPORTING PROGRAM ❖

Issue Area	Mitigation Measures (MMs)	Level of Significance After Mitigation	Responsible Party/Monitoring Party	Implementation Stage
	<p>diverted, it may be determined that burials will be removed.</p> <p>E. In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. F. Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.</p> <p>F. The Tribe will work closely with the project’s qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted</p>			



❖ SECTION 11.0 – MITIGATION MONITORING AND REPORTING PROGRAM ❖

Issue Area	Mitigation Measures (MMs)	Level of Significance After Mitigation	Responsible Party/Monitoring Party	Implementation Stage
	to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.			

**SECTION 12.0 – RECEIPIENTS OF THE DRAFT EIR**



## 12.0 RECIPIENTS OF THE DRAFT EIR

This section includes a list of agencies, organizations, and individuals to whom notification of preparation (NOP) of the Draft EIR was sent. A copy of the NOP and agency distribution list is provided in **Appendix A3** to this DEIR.

### 12.1 Agencies and Organizations

- Adrian Scott Fine, Dir. of Advocacy, Los Angeles Conservancy
- Amy Kronson, SWRCB, Storm Water Section
- Andrew Salas, Chairperson, Gabrieleno Band of Mission Indians - Kizh Nation
- Anthony Morales, Chairperson, Gabrieleno/Tongva San Gabriel Band of Mission Indians
- Bernie Acuna, Co-Chairperson Gabrieleno-Tongva Tribe
- Captain Ed Ramirez, Los Angeles County Sheriff, West Hollywood Station
- Cheryl Hildreth, Superintendent LAUSD - Education Service Center West
- Debbie Pilas-Treadway, Native American Heritage Commission
- Doug Vu, City of West Hollywood
- Gloria Cuevas, Director LA City/County Native American Indian Community
- Grace Robinson Hyde, County Sanitation Districts of Los Angeles County
- John Valenzuela, Chairperson San Fernando Band of Mission Indians
- John Tommy Rosas, Tribal Administrator Tongva Ancestral Territorial Tribal Nation
- Julianne Polanco, State Historic Preservation Officer
- Los Angeles County Department of Public Works, Land Development Division
- Los Angeles County Metropolitan Transportation Authority, Development Review
- Los Angeles Department of Transportation
- Los Angeles Department of Transportation, Metro Development Review
- Los Angeles Department of Water and Power
- Los Angeles Regional Water Quality Control Board (Region 4)
- Matt Gill, Library Manager West Hollywood Library
- Miya Edmonson, Caltrans, District 7, Office of Regional Planning, IGR/CEQA Branch
- Patricia Hachiya, Los Angeles County Department of Regional Planning
- Pedra Reyes, Pipeline Planning Associate Southern California Gas Company
- Philip Fine, Executive Officer SCAQMD, CEQA Inter-Governmental Review
- Rudy Ortega, Tribal President Fernandeno Tataviam Band of Mission Indians
- Sam Dunlap, Cultural Resources Director Gabrieleno Tongva Nation

- Shana Epstein, Director City of Beverly Hills Public Works Department
- Southern California Association of Governments, Inter-Governmental Review
- Southern California Edison
- State Clearinghouse
- Susan Healy Keene, Director City of Beverly Hills, Department of Community Development
- Tracey Jue, Director Los Angeles County Sheriff Headquarters, Facilities Planning Bureau
- Vince Bertoni, Director of Planning City of Los Angeles, Department of City Planning

## 12.2 Individuals (Owners)

The following list includes individuals who are interested in the development of the proposed project and will be notified of any project documents that are circulated to the public.

7021 Seville Avenue LLC	Dieter Trattmann	Karan Brady	Redmond Parker
999 Doheny LLC	Disney Dad 999 Doheny LLC	Karl & Ellen Schmidt	Renato & Chantal Campora
A B & R G Whitten	Doheny Sunset LLC	Kathleen P Heymann	Richard L Helton Co Tr
Abdesselam Whitten	Doheny West LLC	Kian & Candice Beroukhim Trs	Robert & M Susan Greenberg Trs
Ah Ra Shin	Douglas Hall	Kidvekkeli Oy LLC	Robert Beinrauh
Alan Weiss	Edith Oberman	Klara J Wright	Robert E Libens
Alberto Vega	Edward G Stafford	Konstantinos Raptakis	Robert Earnest
Alegra L Torel	Ehtisham Rabbani	Kristin E Binns	Robert M Melnik
Ali Bagheri	Elaine Vanoff	Kyle Harimoto Co Tr	Robert Y Greenberg Co Tr
Allan Glaser	Elite Investment Management	Kyung & Min Kim	Robyn R Jones
Andrea Szeredai	Elodie Khayat	Ldrl Ca 306 LLC	Rogério Arbex Jr
Andrew W Solt	Esther Klein Co Tr	Lee Smith Co Tr	Roy Eisenberg
Angelville LLC	Fairwater Properties LLC	Legrande S Northcutt	Rws 1115 Cory LLC
Ankush Kohli	Frank R Darmiento Iii	Linda G Mills	Rws 1133 Cory LLC
Ann L Uzdavinis	Fred Latsko	Lionel B Sanders	Rws Sunset LLC
Anne Beatts	Gaetano M Romeo	Lois Bonfiglio	S B M C Van Buren LLC
Arthur E Foegel	Garo Bedrossian	Louis Stern	Sally Mishkind
Arthur M Kassel	Gary B Golden	Luca Michelangeli	Sam Farmanara
Ashley Kesapyan	Gisella V Marengo	Majid & Maryam Golzari Trs	Sandra Renard
Aural J Lewis	Giulia Marletta	Mani Brothers 9200 Sunset De LLC	Scott C Johnson
Ava C Knecht	Grady A Hanshaw	Mani Brothers Sunset Medical	Scott L David



❖ SECTION 12.0 – RECIPIENTS OF THE DRAFT EIR ❖

Barry J Kaplan Co Tr	Gregrey W Gorden	Manouchehr & Sohila A Eli Trs	Sebastian Giefer Co Tr
Barry Tarlow	Gun Britt M Robertsson	Marcelyn Saylan	Security Pacific National Bk Tr
Beasley Investments Lp	Guy R & Donna R Huntley	Margaret Zarnegin	Shahla Sharifi
Bench Warmer International Inc	Guy R Huntley Co Tr	Mark P Formica	Sharon Y Rahimzadeh
Benjamin Gabayan	Hasti M Omrani	Martin N & Marie A Gordon	Sherry A Lin
Bernard J Gainey	Henry Somerfeld	Mary V Swanson	Shoreham Doheny LLC
Bourg Jonah & Aurelie Van	Hfa Homes LLC	Michael & Tracy Sklar	Simon S Elhiani Co Tr
Bradford L Treusch	Hilary M Reddy	Michael Castro	Skylar Wenzel
Brian E Landers	Iakov Lyssyi	Michael Harabin	Soheil Lahijani
Brian R Perri	Ian M Firestone	Michael Orwitz	Stacy L Scholder
Bruno Derval	J Edward Smith Co Tr	Mitchell A Kitay	Stanley Stalford Jr Co Tr
Carl R Ports	J T Anderson	Mitchell Kitay	Stephanie & Thomas A Clements
Carolyn Conrad	James E Mercier	Mitchell Kitay	Stephanie Jarin
Casey J Cecala Iii	James Goodrich	Mojgan Foroutanzad	Steven Paul
Cecil R Wurster	James H Ashhurst Iv	Mojgan H Zohourian	Steven Williams
Chaim & Nitza Shefi	James M Rishwain Jr	Nahid D Parsi	Sunset & Doheny Property LLC
Charles E Emerick Co Tr	James P Bodovitz	Nancy J Demetriades	Sunset Place Building LLC
Christine A Centolanza	James P Lenny	Nancy Sill	Sunset Sierra Properties Inc
Craig Walford	James R Moore	Natalia Bruschi	Terry J Barto
Cynthia L Holland	Jamie C Masada	Nathan Cork	Thomas A Clements Co Tr
Cyrus K Mostofi	Jamie Tisch LLC	Neil Kaplanis	Thomas E Noad
Dale Berger	Jamison Detrolio	Nicholas Barsocchini	Tlfh3 LLC
Daniel & Melinda Berman Trs	Jan & Anna Krajci Trs	Nicholas Childers	Toby Rapport
Daniel M & Mordechai Kirschenbaum	Jason E Hollander	Ok LLC	Tracy Tarrach
Darian Zahedi	Jay Luchs	Orion Partnership	Triple 9 Doheny LLC
David A Fisher	Jcr Holdings LLC	Oscar J Cardenas	Tyler M Pierson
David B Jackson	Jeanie Yuen Williams	Park City Partners LLC	Urban Holdings & Investment
David Cho	Jeffrey E Jaeger	Pearlito S Maslog	Victor Tomasino
David Hill	Jenny Investments LLC	Peter Goodrich	Viera Nelson
David J Bailey	Jeremiah N Bates	Peter J Holliday	Vincent L Cigliano
David J Postotnik	Jessica G Leventhal	Peter Lefcourt	Waldo Fernandez
David Maltzman Co Tr	Jessica Rovins	Peter Lubin Co Tr	Wallingford Ventures Ltd



❖ SECTION 12.0 – RECIPIENTS OF THE DRAFT EIR ❖

David W & Lela R Becker Trs	Joan E Wilson	Pranava Properties LLC	Wayne Salisbury
Debra D Carey	Joan P English	Quiet Lion 1 Lp	Wendy S Nathanson
Deloris R Luckman	John M Rukavina	Quiet Lion 2 Lp	Wendy Simpson
Demitri Sgourakis	Jonathan Gershman	Quiet Lion 3 Lp	Wendy Simpson
Desiree Beroukhim	Jones Doheny LLC	R G & A B Whitten	Wesley B Frye
Dian M Whitney	Jordan Schlansky	Randall & Ursula T Loker	Yulun Wu
Diantha Lebenzon	Jung S & Kyung M Ha	Razmer No 4 LLC	Zen Den East LLC

**12.3 Elected Officials**

- **Lindsey P. Horvath, Mayor**
- **Lauren Meister, Mayor Pro Tempore**
- **John D'Amico, Councilmember**
- **John M. Erickson, Councilmember**
- **Sepi Shyne, Councilmember**

## 12.4 Commenters Who Commented During the Initial Study Public Review Period and Provided Their Contact Information

The following are individuals who commented during Initial Study public review period. These individuals will be notified of any project documents that are circulated to the public.

Comment letters received from these individuals are included in **Appendix A2** to this DEIR. **Appendix A2** also includes a comment matrix identifying CEQA environmental issues addressed in each comment letter and **Section 4.0** of this DEIR.

No.	Commenters	Designation	Organization/ Company	Contact Info	Number of Comment letters
				Email	
1	Amir Ensani	Resident		<a href="mailto:amirensani1@gmail.com">amirensani1@gmail.com</a>	1
2	Ann Leslie Uzdavinis	Resident		<a href="mailto:annieuздavinis@me.com">annieuздavinis@me.com</a>	1
3	Ann leslie Uzdavinis	Resident		<a href="mailto:annieuздavinis@me.com">annieuздavinis@me.com</a>	2
4	Ashley Franklin	Resident		<a href="mailto:adfranklin@gmail.com">adfranklin@gmail.com</a>	1
5	Barbara Elliott	Resident		<a href="mailto:bobbi8627@gmail.com">bobbi8627@gmail.com</a>	1
6	Barry Wernick	Resident		<a href="mailto:the.wernick@gmail.com">the.wernick@gmail.com</a>	1
7	Beth Fogarty	Resident		<a href="mailto:beth@Holdsworthholdings.com">beth@Holdsworthholdings.com</a>	1
8	Brandon (Randy) Phillips	Resident		<a href="mailto:rp@phillipsdigitalmedia.com">rp@phillipsdigitalmedia.com</a>	2
9	Carole Henderson	Resident		<a href="mailto:hendersoncarole20@gmail.com">hendersoncarole20@gmail.com</a>	1
10	Chase Aguer	Resident		<a href="mailto:caguer@berggruenholdings.com">caguer@berggruenholdings.com</a>	1
11	Cooper Mount	Resident		<a href="mailto:cooper.mount@theagencyre.com">cooper.mount@theagencyre.com</a>	1
12	Daniel Taheri	Resident		<a href="mailto:dantaheri@gmail.com">dantaheri@gmail.com</a>	1
13	David Bohnett	Resident		<a href="mailto:dcbohnett@yahoo.com">dcbohnett@yahoo.com</a>	1
14	David Gross	Resident		<a href="mailto:david@notracecamping.com">david@notracecamping.com</a>	1
15	Dean Pitchford	Resident		<a href="mailto:dean@deanpitchford.com">dean@deanpitchford.com</a>	1
16	Derek H. Jones	Resident		<a href="mailto:derekjonesmd@gmail.com">derekjonesmd@gmail.com</a>	1
17	Efrem Seeger	Resident		<a href="mailto:efremseeger@gmail.com">efremseeger@gmail.com</a>	1
18	Elise Cameron-Taheri	Resident		<a href="mailto:elisetaheri@gmail.com">elisetaheri@gmail.com</a>	1
19	Elizabeth Barondes	Resident		<a href="mailto:ebarondes@yahoo.com">ebarondes@yahoo.com</a>	1

No.	Commenters	Designation	Organization/ Company	Contact Info	Number of Comment letters
				Email	
20	Ellen Evans	President	Doheny Sunset Plaza Neighborhood Association		2
21	Gary and Diane Silvers	Resident		<a href="mailto:silversdiane28@gmail.com">silversdiane28@gmail.com</a>	1
22	Guy Levy	Resident		-	1
23	Hollace Brown	Resident		<a href="mailto:aceNgreatneck@hotmail.com">aceNgreatneck@hotmail.com</a>	2
24	Irwin & Lynne Deutch	Resident		<a href="mailto:ijdeutch@cphousing.com">ijdeutch@cphousing.com</a>	1
25	James M. Rishwain, Jr.	Resident		<a href="mailto:jrishwain@pillsburylaw.com">jrischwain@pillsburylaw.com</a>	1
26	Jeanne Rosen	Resident		<a href="mailto:jeannerosenbh@gmail.com">jeannerosenbh@gmail.com</a>	1
27	Jeanne Rosen	Resident		<a href="mailto:jeannerosenbh@gmail.com">jeannerosenbh@gmail.com</a>	1
28	Jenny Clough	Resident		<a href="mailto:jenny@Holdsworthholdings.com">jenny@Holdsworthholdings.com</a>	1
29	Jim Goodrich	Resident		<a href="mailto:jgoodrich@cachecollection.com">jgoodrich@cachecollection.com</a>	1
30	Jonathan Victor	Resident		<a href="mailto:jvictor@balmoralfunds.com">jvictor@balmoralfunds.com</a>	1
31	Joshua T. Greer	Resident		<a href="mailto:josh@joshuatgreer.com">josh@joshuatgreer.com</a>	1
32	Joy Germont	Resident		<a href="mailto:jgermont@gmail.com">jgermont@gmail.com</a>	1
33	Judith Regan	Resident		<a href="mailto:judith@reganarts.com">judith@reganarts.com</a>	2
34	Juli R Sweet	Resident		-	1
35	June Sale	Resident		<a href="mailto:junessale@gmail.com">junessale@gmail.com</a>	1
36	Kay A. Lindsey	Resident		<a href="mailto:kaylindsey70@gmail.com">kaylindsey70@gmail.com</a>	1
37	Leo J. Pircher	Resident		<a href="mailto:lpircher@pircher.com">lpircher@pircher.com</a>	1
38	Linda May	Resident		<a href="mailto:Linda@LindaMay.com">Linda@LindaMay.com</a>	2
39	Lisa and Roger Torneden	Resident		<a href="mailto:lrtorneden@aol.com">lrtorneden@aol.com</a>	1
40	Lisa Tornado	Resident			1
41	Lisa Torneden	Resident		<a href="mailto:lrtorneden@aol.com">lrtorneden@aol.com</a>	1
42	Loree Rodkin	Resident		<a href="mailto:missrodkin@gmail.com">missrodkin@gmail.com</a>	2
43	Lynne Silbert	Resident		<a href="mailto:Lynnesilbert@earthlink.net">Lynnesilbert@earthlink.net</a>	1
44	Margery Nelson Link	Resident		<a href="mailto:mnelson265@aol.com">mnelson265@aol.com</a>	1
45	Margit Sperling Cotsen	Resident		<a href="mailto:margitcotsen1492@aol.com">margitcotsen1492@aol.com</a>	1
46	Margo Baker Barbakow	Resident		<a href="mailto:marbakow47@gmail.com">marbakow47@gmail.com</a>	1



No.	Commenters	Designation	Organization/ Company	Contact Info	Number of Comment letters
				Email	
47	Marjory Miller	Resident		<a href="mailto:marjorysmiller@yahoo.com">marjorysmiller@yahoo.com</a>	1
48	Mark Stewart	Resident		<a href="mailto:markstewart7@hotmail.com">markstewart7@hotmail.com</a>	1
49	Martin B. Ross	Resident		<a href="mailto:mbr.drph@gmail.com">mbr.drph@gmail.com</a>	1
50	Mashaël Majid	Planning Director	Council District 4, City of Los Angeles	-	1
51	Matthew A. Riklin	Resident		<a href="mailto:mriklin@gmail.com">mriklin@gmail.com</a>	1
52	Matthew Rodman	Resident		<a href="mailto:MRodman@FurstEnterprises.com">MRodman@FurstEnterprises.com</a>	1
53	Matthew Rolston	Resident		<a href="mailto:justin@matthewrolston.com">justin@matthewrolston.com</a>	1
54	Mitchell M. Tsai			<a href="mailto:info@mitchtsailaw.com">info@mitchtsailaw.com</a>	1
55	Monica Evenson	Resident		<a href="mailto:monicas822@gmail.com">monicas822@gmail.com</a>	1
56	Nancy Lainer	Resident		<a href="mailto:nancylainer@yahoo.com">nancylainer@yahoo.com</a>	1
57	Nicolas Berggruen	Resident		<a href="mailto:nicolas@berggruen.org">nicolas@berggruen.org</a>	1
58	Nicolas Bernheim	Resident		<a href="mailto:almaprods@aol.com">almaprods@aol.com</a>	1
59	Nino Tempo	Resident		<a href="mailto:juli.joystmoritz@gmail.com">juli.joystmoritz@gmail.com</a>	1
60	Patricia A. Wilkins	Resident		<a href="mailto:patricia@thecmggroup.com">patricia@thecmggroup.com</a>	1
61	Patrick Connolly	Resident		<a href="mailto:patrickxoxo@yahoo.com">patrickxoxo@yahoo.com</a>	1
62	Paul Alan Smith	Resident		<a href="mailto:pablohead@me.com">pablohead@me.com</a>	1
63	Ralph Gut	Resident		<a href="mailto:rgut@idealfastener.com">rgut@idealfastener.com</a>	1
64	Regina Livshetz	Resident		<a href="mailto:lisa_yr@yahoo.com">lisa_yr@yahoo.com</a>	1
65	Robert Silton	Resident		<a href="mailto:robmessage@aol.com">robmessage@aol.com</a>	1
66	Robert Silton	Resident		<a href="mailto:robmesssage@aol.com">robmesssage@aol.com</a>	1
67	Roberta and Patricia Kudish	Resident		<a href="mailto:kudish.p@gmail.com">kudish.p@gmail.com</a>	1
68	Roger Torneden	Resident		<a href="mailto:rtorneden@aol.com">rtorneden@aol.com</a>	1
69	Sanford Wernick	Resident		<a href="mailto:s.wernick@bep-la.com">s.wernick@bep-la.com</a>	1
70	Scot French	Resident		<a href="mailto:scotpfrench@gmail.com">scotpfrench@gmail.com</a>	1
71	Seeta Zieger	Resident		<a href="mailto:zieger@tvone.tv">zieger@tvone.tv</a>	1
72	Stephen Resnick	Resident		<a href="mailto:stephen@sresnick.com">stephen@sresnick.com</a>	1
73	Suzanne Kay	Resident		<a href="mailto:suzannekay9@gmail.com">suzannekay9@gmail.com</a>	1
74	Tobey Cotsen	Resident		<a href="mailto:tobeysoffice@yahoo.com">tobeysoffice@yahoo.com</a>	1

No.	Commenters	Designation	Organization/ Company	Contact Info	Number of Comment letters
				Email	
75	Tom Ryan & João Neto	Resident		<a href="mailto:tryanlaca@gmail.com">tryanlaca@gmail.com</a>	1
76	Tony Williams	Resident			1
77	Veronika Kurshinskaya	Resident		<a href="mailto:gwendalen@gmail.com">gwendalen@gmail.com</a>	1
78	Weston Milliken	Resident		<a href="mailto:wmilliken@gmail.com">wmilliken@gmail.com</a>	1