

4.16 Effects Found Not to be Significant

This section summarizes the analysis of topics for which no significant adverse impacts were identified and, therefore, are not discussed in detail in the EIR/EIS, consistent with CEQA Guidelines Sections 15128 and 15143. The items listed below are contained in Appendix G of the CEQA Guidelines. Items not addressed in this section have been addressed in Section 4, *Environmental Impact Analysis*, of this EIR/EIS. Section 4, *Environmental Impact Analysis*, also includes an expanded discussion of the settings under each environmental issue area discussed therein.

4.16.1 Agriculture and Forestry Resources

A significant impact would occur if the proposed project would: (1) convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; (2) conflict with existing zoning for agricultural use or a Williamson Act contract; (3) conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC Section 12220[g]), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g]); (4) result in the loss of forest land or conversion of forest land to non-forest use; or (5) involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use.

The OSP Specific Plan Site is developed with the existing Rancho San Pedro housing complex, which includes residential units, a sports field, community garden, and hardscaping, and the 327 Harbor Site is a vacant lot. The OSP Specific Plan Site is zoned and has land use designations of Low Medium II Residential, which allows multifamily residential development of 18 to 29 dwelling units per acre, and Community Commercial, which permits commercial uses such as hotels, restaurants, and retail as well as multi-family residential development. The 327 Harbor Site is zoned and has a land use designation of Community Commercial. The project site is in an urbanized area developed with a mix of residential, commercial, and industrial uses.

The project site does not include any agricultural uses, forest land, or timberland. The Farmland Mapping and Monitoring Program of the California Department of Conservation (DOC) identifies the project site as Urban and Built-Up land (DOC 2022). In addition, there is no nearby Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance (DOC 2022). Therefore, the project would not conflict with any land zoned for agricultural use, forest land, timberland, timberland zoned Timberland Production or a Williamson Act contract. The project would not directly or indirectly result in loss or conversion of forest land or farmland. No impact would occur.

4.16.2 Biological Resources

A significant impact would occur if the project would have a substantial adverse effect on: (1) any species identified as a candidate, sensitive, or special status species; (2) any riparian habitat or other sensitive natural community; (3) 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 (4) 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. A significant impact can also occur if the project conflicts with any local policies or ordinances protecting biological resources or with the provisions of an adopted Habitat Conservation Plan,

Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Queries of the United States Fish and Wildlife Service (USFWS) Environmental Conservation Online System: Information, Planning and Conservation System (USFWS 2022a), USFWS Critical Habitat Portal (USFWS 2022b), USFWS National Wetland Inventory (USFWS 2022c), and California Department of Fish and Wildlife (CDFW) Biogeographic Information and Observation System (CDFW 2022) were conducted. The queries indicated that there is no known habitat suitable for candidate, sensitive, or special status species within the project site. The project site is previously disturbed and is in an urbanized area in the city of Los Angeles. The area does not contain native habitats or habitats for special status species.

The OSP Specific Plan Site is currently developed with residential units, a sports field, community garden, and hardscaping. Vegetation on the OSP Specific Plan Site consists of ornamental vegetation and trees along adjacent streets. The 327 Harbor Site is vacant and consists of ruderal vegetation and two palm trees and is enclosed by a chain-linked fence. Trees and vegetation on and in the vicinity of the project site could provide nesting habitat for a variety of bird species that are afforded protection under the federal Migratory Bird Treaty Act (MBTA; 16 United State Code Section 703-711) and Sections 3503, 3503.5, and 3513 of the California Fish and Game Code (CFGC). Construction activities have the potential to impact migratory and other bird species if it occurs during the nesting season. However, construction activities would be required to comply with the provisions of the MBTA and CFGC Sections 3503, 3503.5, and 3513, which prohibit the take, possession, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to federal regulations. The United States Department of Housing and Urban Development (HUD) Environmental Assessment Factors and Categories Guide states that construction activities should occur outside the migratory bird nesting season or, if this is not feasible, that a survey for migratory bird nests should be conducted prior to construction (HUD 2023). To comply with these guidelines, nesting bird surveys would be completed by a qualified biologist no more than seven days prior to the start of any construction activities that occur during the bird breeding season (February 1 to August 31). If nests are identified, appropriate avoidance buffers would be established, and nests would be monitored weekly by the qualified biologist until nesting/breeding is completed. With compliance with these regulations and HUD guidelines, no permanent impacts to nesting birds would be anticipated. Additionally, the trees that would be removed in association with the project would be replaced with water sensitive trees that would be maintained by the project applicant in accordance with the requirements of the City's Preservation of Protected Trees Ordinance (Protected Tree Ordinance; Ordinance No. 177404) and Los Angeles Municipal Code (LAMC) Section 62.170, Conditional Permit to Remove or Destroy Trees. As such, during operation, the site would continue to provide nesting sites in an urban residential neighborhood, consistent with existing conditions. Impacts to special status species would therefore be less than significant.

Plant communities are considered sensitive biological resources if they have limited distributions, have high wildlife value, including sensitive species, or are particularly susceptible to disturbance. CDFW ranks sensitive communities as "threatened" or "very threatened". The project site is in a developed urban area, has been previously disturbed, and is not located within or near any vegetated or open space areas. Vegetation on the OSP Specific Plan Site is limited to ornamental trees, shrubs, and grasses. Vegetation on the 327 Harbor Site includes ruderal vegetation and two palm trees. The project site and vicinity do not contain suitable habitat for special status plant species or sensitive communities. The project site also does not contain wetland or riparian habitat and is not within the

vicinity of any such habitats (USFWS 2022). Therefore, the proposed project would not have a significant adverse impact to a sensitive natural community or wetland or riparian habitat.

Wildlife corridors are generally defined as connections between habitat areas that allow for physical and genetic exchange between otherwise isolated animal populations. Such linkages may serve a local purpose, such as between foraging and denning areas, or they may be regional in nature, allowing movement across the landscape. Some habitat linkages may serve as migration corridors, wherein animals periodically move away from an area and then subsequently return. Examples of barriers or impediments to movement include housing and other urban development, roads, fencing, or open areas with little vegetative cover.

As discussed above, the project site is in an urbanized area of the city surrounded by roads, residential neighborhoods, and commercial development. The OSP Specific Plan Site is located approximately 2.2 miles northeast and the 327 Harbor Site is located approximately 2.5 miles northeast of the nearest nature preserve, the White Point Nature Education Center and Preserve, and the project site is separated from open space areas by existing development and roadways. The project site does not contain any natural communities or habitat that would be expected to support native wildlife nurseries or the movement of species. Therefore, the proposed project would not interfere 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.

The City of Los Angeles regulates the preservation, protection, and removal of trees on public and private property in the city through its Protected Tree Ordinance (Ordinance No. 177404) and LAMC Section 62.171, Conditional Permit to Remove or Destroy Trees. An Arborist Report was prepared for the proposed project to document the existing trees on the OSP Specific Plan Site and the required tree replacements (Appendix L). Based on the results of the Arborist Report, the OSP Specific Plan Site contains one protected tree, a coast live oak, and 219 non-protected significant trees, including 14 street trees. The 327 Harbor Site contains two non-significant protected trees; there are no street trees adjacent to the site. Existing trees would be preserved to the extent feasible but for a conservative analysis, it is assumed that all trees on the site would be removed during project construction. The Protected Tree Ordinance requires a 4:1 replacement ratio for the removal of protected trees and the City Planning Department requires a 1:1 replacement ratio for the removal of non-protected significant trees. The proposed project would comply with the City's permitting requirements and would include replacement trees at the required ratios for any trees removed during project construction. Therefore, the proposed project would not conflict with any local policies or ordinances protecting biological resources.

Additionally, the project site is not located within or near an area subject to an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or any other approved habitat conservation plan at the local, regional, or State level (CDFW 2019). Therefore, the proposed project would not conflict with the provisions of any adopted habitat conservation plans. Impacts to biological resources would be less than significant.

4.16.3 Energy

The project would result in a significant impact if it would: (1) result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or (2) conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

The proposed project would use nonrenewable resources for construction and operation activities. Energy resources that would be utilized by the project include petroleum-based fuels and renewable energy resources for the operation of construction equipment during project construction and for resident and visitor vehicle use and operation of the proposed buildings including lighting, appliances, water conveyance, landscaping maintenance and other typical energy uses associated with residential and commercial developments. The anticipated use of these resources is detailed in the following subsections.

a. Construction Energy Demand

Project construction would require demolition (on the OSP Specific Plan Site only), site preparation, grading, pavement and asphalt installation, building construction, architectural coating, and landscaping and hardscaping. During project construction, energy would be consumed in the form of petroleum-based fuels used to power off-road construction vehicles and equipment on the project site, construction worker travel to and from the project site, and vehicles used to deliver materials to the site and export soil and demolition material from the site. Project construction would also consume electricity to power lights, the construction office, and electrified construction equipment, as well as to supply and convey water for dust control during demolition, site preparation, and grading. Natural gas would not be consumed during project construction.

Energy use during construction would be temporary in nature, and construction equipment used would be typical of similar-sized construction projects in the region. Project construction would require approximately 712,504 gallons of gasoline and approximately 2,556,936 gallons of diesel fuel. These construction energy estimates are conservative because they assume that the construction equipment used in each stage of construction would operate every day of construction, with most equipment operation eight hours per day. Under typical conditions, each piece of construction equipment would not be used daily or for eight hours per day. In addition, construction contractors would be required to comply with the provisions of California Code of Regulations (CCR) Title 13 Sections 2449 and 2485, which prohibit diesel-fueled commercial motor vehicles and off-road diesel vehicles from idling for more than five minutes and would minimize unnecessary fuel consumption. Construction equipment would be subject to the U.S. Environmental Protection Agency Construction Equipment Fuel Efficiency Standard, which would also minimize inefficient, wasteful, or unnecessary fuel consumption.

The total electricity use during construction would be approximately 120,668 kilowatt-hours, or an average of 7,542 kilowatt-hours per year for the approximately 16-year construction period (see Appendix M for calculations). Electricity used during project construction would represent less than 0.1 percent of LADWP's projected sales in FY 2023-2024¹, the project's anticipated construction start year (LADWP 2017). The electricity demand at any given time would vary throughout the construction period based on the construction activities being performed and would cease upon completion of construction. Electricity use from construction would be short-term, limited to working hours, used for necessary construction-related activities, and represent a small fraction of the Project's net annual operational electricity. When not in use, electric equipment would be powered off so as to avoid unnecessary energy consumption. The electricity used for off-road light construction equipment would have the co-benefit of reducing construction-related air pollutant and GHG emissions from more traditional construction-related energy in the form of diesel fuel.

¹ 23,033 GWh of electricity sales projected in FY2023-2034

Furthermore, per applicable regulatory requirements such as the California Green Building Standards (CALGreen) Code (CCR, Title 24, Part 11), the project would comply with construction waste management practices to divert a minimum of 75 percent of nonhazardous construction and demolition debris. These practices would result in efficient use of energy necessary to construct the project. In the interest of cost-efficiency, construction contractors also would not utilize fuel or electricity in a manner that is wasteful or unnecessary. Therefore, the project would not involve the inefficient, wasteful, and unnecessary use of energy during construction, and the construction impact related to energy consumption would be less than significant.

b. Operational Energy Demand

Natural gas for the proposed project would be provided by Southern California Gas Company (SoCal Gas) and electricity would be provided by Los Angeles Department of Water and Power through the existing lines serving the project site. Operation of the proposed residential and commercial uses would increase area energy demand from greater electricity, natural gas, and gasoline consumption compared to current conditions due to the increased development intensity proposed. Natural gas and electricity would be used for heating and cooling systems, lighting, appliances, water use, and the overall operation of the project buildings. Gasoline and diesel fuel consumption would be used for motor vehicle travel to and from the project site.

Table 4.16-1 summarizes estimated operational energy consumption for the proposed project and existing uses on the site. As shown therein, project operation would require approximately 2,826,774 gallons of gasoline and 512,936 gallons of diesel for transportation fuels annually. The project would require approximately 17.4 gigawatt-hours of electricity per year. Natural gas use for appliances and HVAC systems would require approximately 916 cubic feet per year. Vehicle trips would represent the greatest operational use of energy associated with the proposed project.

Table 4.16-1 Estimated Project Annual Operational Energy Consumption

Source	Annual Energy Consumption ¹	
Transportation Fuels²		
Gasoline	2,886,828 gallons	316,934 MMBtu
Diesel	523,834 gallons	66,768 MMBtu
Electricity	17.4 GWh	59,381 MMBtu
Natural Gas Usage	916 cf	1 MMBtu
Total Energy Consumption		443,084 MMBtu

MMBtu = million metric British thermal units; GWh = gigawatt-hours; cf = cubic feet

¹ Energy consumption is converted to MMBtu for each source.

² The estimated number of average daily trips associated with the project is used to determine the energy consumption associated with fuel use from operation of the project. According to the project Transportation Assessment (see Appendix I), the project would result in approximately 9,787 daily trips, resulting in an annual VMT of approximately 33,717,869.

Source: Appendices B and M

The project would be required to comply with the standards established in the CCR Title 24, which would minimize the wasteful, inefficient, or unnecessary consumption of energy resources during operation. The CALGreen Code (CCR Title 24, Part 11) requires implementation of energy efficient light fixtures and building materials into the design of new construction projects. Furthermore, the Building Energy Efficiency Standards (CCR Title 24, Part 6) requires newly constructed buildings to meet energy performance standards set by the California Energy Commission. These standards are

specifically crafted for new buildings to result in energy efficient performance so that the buildings do not result in wasteful, inefficient, or unnecessary consumption of energy.

To help achieve and exceed Title 24 reduction targets, the project applicant proposes to incorporate several energy efficient features into overall project design. The proposed project would be designed to achieve LEED Gold, Greenpoint, or similar rating system certification for the proposed structures. Energy efficient design features include energy efficient LED lighting, HVAC systems, and appliances, energy efficient building materials and incorporation of passive energy efficiency strategies such as roof overhangs and passive lighting, and all-electric residences. In addition, the project would include a rooftop solar PV system to provide renewable energy on the site. To reduce vehicle miles traveled and associated fuel use, the project includes mixed-use development, bicycle- and pedestrian-friendly site design, and improvements to public transit infrastructure to provide neighborhood options for retail and recreation and to encourage alternate modes of transportation. The proposed project would implement transportation demand management strategies consistent with the requirements of LAMC Section 12.26(J), which requires the implementation of strategies to reduce vehicle miles traveled including encouraging alternatives to single-occupant vehicle use. Implementation of transportation demand strategies consistent with LAMC Section 12.26(J) would further reduce the vehicle miles traveled and transportation fuel use associated with the proposed project (Appendix I).

Furthermore, the project would continue to reduce its use of nonrenewable energy resources as the electricity generated by renewable resources provided by SCE increases to comply with state requirements through Senate Bill (SB) 100, which requires electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045. Therefore, the proposed project would not lead to wasteful, inefficient, or unnecessary consumption of energy resources, nor would it conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Impacts would be less than significant.

4.16.4 Mineral Resources

A significant impact would occur if the project would: (1) result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or (2) result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.

The California Surface Mining and Reclamation Act of 1975 was enacted to promote conservation and protection of significant mineral deposits. According to the California Department of Conservation Mineral Land Classification Maps, the OSP Specific Plan Site and 327 Harbor Site are located in an area classified as Mineral Resource Zone (MRZ)-3, which indicates that the project area contains mineral deposits the significance of which cannot be evaluated because inadequate subsurface data is available for analysis (DOC 1982a; DOC 1982b). The *Mineral Land Classification of the Greater Los Angeles Area* notes although mineral deposits exist, the limited economic feasibility, limited use of mineral resources, and environmental concerns regarding mining activity in San Pedro Bay would likely preclude the development of these deposits. Accordingly, the project site has not historically been used for mineral resource recovery and is in an urbanized area primarily developed with residential and commercial land uses which are incompatible with mineral resource recovery. In addition, according to the California Geologic Energy Management Division (CalGEM), there are no active oil extraction-sites in the vicinity of the project (CalGEM 2022). Given the existing conditions of the project site and its surroundings, the proposed project would not result in the loss of availability

of a known mineral resource or important mineral resource recovery site, and there would be no impact.

4.16.5 Wildfire

The project would result in a significant impact if it would be located in or near State responsibility areas or lands classified as very high fire hazard severity zones and: (1) substantially impair an adopted emergency response plan or emergency evacuation plan; (2) 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; (3) 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; and (4) expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

A fire hazard severity zone is a mapped area that designates zones (based on factors such as fuel, slope, and fire weather) with varying degrees of fire hazard (i.e., moderate, high, and very high). While fire hazard severity zones do not predict when or where a wildfire will occur, they do identify areas where wildfire hazards could be more severe and therefore are of greater concern. Fire hazard severity zones are meant to help limit wildfire damage to structures through planning, prevention, and mitigation activities/requirements that reduce risk. The fire hazard severity zones serve several purposes: they are used to designate areas where California's wildland urban interface building codes apply to new buildings, they can be a factor in real estate disclosure, and they can help local governments consider fire hazard severity in the safety elements of their general plans. The California Fire Hazard Severity Zone Viewer is an online application tool that includes mapped fire hazard severity zones for State Responsibility Area lands and separate fire hazard severity zones for Local Responsibility Area lands (California Department of Forestry and Fire Protection [CAL FIRE] 2020).

The project site is in an urbanized area of the city of Los Angeles surrounded by roads, development, and infrastructure. Undeveloped wildlands areas are not located near the project site. According to the California Fire Hazard Severity Zone Viewer, the project site is not located in or near a Fire Hazard Severity Zone or Very High Fire Hazard Severity Zone (CAL FIRE 2023). The OSP Specific Plan Site is located approximately 1.7 miles east and the 327 Harbor Site is located approximately 1.8 miles northeast of the nearest Very High Fire Hazard Severity Zone at the edge of Rancho Palos Verdes. The project site is separated from the nearest Very High Fire Hazard Severity Zone by intervening development, roadways, and infrastructure. Due to the project site's urban surroundings and distance to the nearest Very High Fire Hazard Severity Zone, the project site is not subject to substantial risk of wildfire.

In addition, there are no streams or rivers on or adjacent to the OSP Specific Plan Site or 327 Harbor Site. The OSP Specific Plan Site, 327 Harbor Site, and their surroundings are relatively flat and not at risk of downslope or downstream flooding or landslides associated with wildfire. The project does not propose uses or the installation or maintenance of new infrastructure that could exacerbate wildfire risks. Risks to project occupants would be mitigated through conformance with the latest California Fire Code, California Building Code, and California Health and Safety Code, which establish provisions for fire safety related to construction, maintenance, and design of buildings and land uses. Therefore, the project would not exacerbate wildfire risks or expose people or structures to risk due to runoff, post-fire slope instability, or drainage changes. Likewise, residents of the project site would not be exposed to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

The project involves the construction of up to 1,600 residential units, (inclusive of 47 units on the 327 Harbor Site), 85,000 sf of Neighborhood Serving Uses, and 45,000 sf of commercial retail uses which would incrementally increase demand for fire protection services. As discussed in Section 4.11, *Public Services*, the project site is in an urbanized area already served by the Los Angeles Fire Department and would not have a significant impact on fire response times nor create a substantially greater need for additional fire protection services above current capacity. There are three fire stations located within approximately 1.5 miles of the project site that would be available to provide emergency and evacuation services in the event of a fire. Furthermore, all buildings would be constructed to meet the current building code fire safety requirements. During construction and operation of the proposed project, emergency access to the site and on area roadways, including nearby identified disaster routes such as Pacific Avenue and Gaffey Street, would be maintained and the project would not include any components that would interfere with an emergency response plan or evacuation route (County of Los Angeles County Department of Public Works 2008). Furthermore, the proposed project would implement a Construction Management Plan which includes a traffic control plan. The traffic control plan would be reviewed and approved by the Los Angeles Department of Transportation and coordinated with emergency service providers to ensure adequate access is maintained. Therefore, the proposed project would have less than significant impacts related to wildfire.