

5 Other CEQA Considerations

This section discusses significant and unavoidable impacts, reasons why the project is being proposed, significant irreversible environmental changes, growth-inducing impacts, and potential secondary effects of mitigation measures associated with the proposed project.

5.1 Significant and Unavoidable Impacts

Section 15126.2(c) of the CEQA Guidelines requires that an EIR describe any significant impacts which cannot be avoided. Specifically, Section 15126.2(c) states:

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.

The proposed project's significant and unavoidable impacts on the environment are evaluated in detail in Section 4, *Environmental Impact Analysis*, of this Draft EIR/EIS, and summarized below.

Cultural Resources: As analyzed in Section 4.3, *Cultural Resources*, the proposed project would demolish the existing Rancho San Pedro public housing complex (Rancho San Pedro Complex), which qualifies as a historical resource pursuant to Section 15064.5 of the CEQA Guidelines. This would occur under both Scenario A and Scenario B for the OSP Specific Plan Site. Mitigation Measures CUL-1 and CUL-2 require placement of an interpretive display and development of an informative website dedicated to the history of the Rancho San Pedro Complex and its significance. Although these measures would mitigate impacts to the Rancho San Pedro Complex to the greatest extent feasible, legal precedent has established that such measures cannot mitigate impacts to a level of less than significant because the loss of historical buildings cannot be readily compensated for by commemorative mitigation¹. Therefore, impacts to a historical resource, specifically, the Rancho San Pedro Complex, would remain significant and unavoidable after implementation of feasible mitigation measures.

Construction Noise and Vibration: As discussed in Section 4.9, *Noise and Vibration*, project construction activities at the OSP Specific Plan Site and 327 Harbor Site would result in noise at nearby sensitive receptors that would exceed the significance thresholds by 20 to 23 decibels (dBA). Implementation of Mitigation Measure NOI-1 would minimize construction noise levels to the extent feasible by outfitting construction equipment with mufflers and silencers, locating staging and delivery areas as far from existing residences as feasible, requiring the use of hydraulic equipment instead of pneumatic impact tools, enclosing stationary noise sources in temporary sheds or within barriers, prohibiting engine idling, notifying nearby business and residents of the planned construction activities, and erecting a temporary barrier along the project property boundaries adjacent to sensitive receptors. The use of noise barriers of up to 12 feet in height would reduce construction noise levels by up to 15 dBA at first-floor receptors, which would reduce construction noise impacts to less than significant levels at these receptors. However, the barriers would not substantially reduce noise levels for second story and higher receptors. Therefore, existing and future on-site receptors at the OSP Specific Plan Site and existing off-site receptors near the OSP Specific

¹ League for Protection of Oakland's Architectural and Historic Resources v. City of Oakland (1997) 52 Cal.App.4th 896.

Plan Site and 327 Harbor Site in buildings with two or more stories would experience significant construction noise impacts, even with implementation of Mitigation Measure NOI-1. Construction noise impacts would be significant and unavoidable.

Additionally, during project construction, vibration produced by equipment could potentially exceed the 0.2 inch per second (in/sec) peak particle velocity (PPV) threshold for building damage and the 72 decibel notation (VdB) threshold for human annoyance. Implementation of Mitigation Measure NOI-3 would require the use of alternative equipment near off-site receptors to reduce construction vibration levels. With implementation of Mitigation Measure NOI-3, construction vibration would be reduced to 0.006 in/sec PPV, and impacts related to building damage would be less than significant. However, vibration levels would still exceed the human annoyance threshold. Therefore, construction vibration impacts would be significant and unavoidable.

Operational Noise: As discussed in Section 4.9, *Noise and Vibration*, the project would not result in significant noise impacts due to increased traffic or mechanical equipment but has the potential to result in significant noise impacts associated with outdoor recreational uses on the OSP Specific Plan Site. Implementation of Mitigation Measure NOI-2 would reduce stationary noise associated with operation of the youth sports field by requiring a public announcement system design plan to reduce noise from amplified events. Mitigation Measure NOI-2 also requires implementation of noise barriers, hours-of-operation restrictions, setbacks, or other shielding techniques, as necessary, to reduce operational noise associated with potential future recreational features such as the skatepark or dog park. However, because the final design of the project's potential recreational uses are not currently known, it may not be possible to reduce noise from these recreational areas to below the City's adopted exterior noise standards. Therefore, stationary recreational noise impacts would remain significant and unavoidable.

5.2 Reasons Why the Project is Being Proposed, Notwithstanding Significant Unavoidable Impacts

In addition to identification of a project's significant and unavoidable impacts, CEQA Guidelines Section 15126.2(c) requires that an EIR describe the reasons why a project is being proposed, notwithstanding the effects of the identified significant and unavoidable impacts. As identified in Section 4, *Environmental Impact Analysis*, the significant and unavoidable impacts under project Scenario A and Scenario B would be essentially the same. Therefore, the below discussion applies to both Scenario A and Scenario B.

The reasons why the project has been proposed are grounded in the underlying purpose of the project and the associated list of project objectives included in Section 2, *Project Description*, of this Draft EIR/EIS. As provided in Section 2, *Project Description*, the underlying purpose of the proposed project is to redevelop the infill project site to increase affordable housing opportunities and transform the community into a mixed-income, mixed-use neighborhood for current and future residents. This underlying purpose and associated objectives are closely tied to the goals and objectives set forth in the San Pedro Community Plan, City's General Plan Framework Element (Framework Element), General Plan Housing Element, and the Southern California Association of Governments [SCAG] 2020–2045 Regional Transportation Plan/Sustainability Communities Strategy (RTP/SCS).

As described further below, the proposed project is being proposed, notwithstanding its significant and unavoidable impacts because: (1) the project would support a considerable number of regional and community land use and mobility objectives, including those that promote mixed-use, infill

development within areas well-served by transit; (2) the project would provide needed housing to serve the local area and the region; and (3) the project would provide economic benefits to the San Pedro community.

As described in depth in Section 4.8, *Land Use and Planning*, the proposed project would be consistent with the goals and policies of the San Pedro Community Plan. In particular, Policy LU4.1 calls for the redevelopment of the Rancho San Pedro Complex with a mix of housing types, an open and integrated design, and public open space. Consistent with this policy, the proposed project would increase housing on the site by 1,122 units, including a mix of affordable and market-rate housing, rental and for-sale units, housing for seniors, and permanent supportive housing. In addition, the proposed project would integrate with the surrounding community by providing enhanced walking trails, new bike lanes and paths, and improved pedestrian safety and infrastructure features. The proposed project would include amenities that benefit the San Pedro community, including over 5 acres of new public parks, local-serving retail, social service and non-profit offices, a workforce development office, a health clinic, a wellness center, and a business incubator.

Additionally, the proposed project includes a number of characteristics that are consistent with, and contribute to, the implementation of local, regional, and State land use and mobility objectives. The project's location would help facilitate a reduction in per capita residential and employee vehicle miles traveled (VMT) and air pollution by maximizing infill development within an area well-served by transit. The project would include multiple pedestrian and bicycle connections throughout the project site. The project would also provide new restaurant, retail, recreation, community amenity, and open space uses located within walking and biking distances to multiple Los Angeles County Metropolitan Transportation Authority (Metro) and Los Angeles Department of Transportation (LADOT) bus routes, including Metro Lines 205, 246, 550, and 910/950 and the LADOT DASH San Pedro and Commuter Express 142 lines. The project would be consistent with the requirements of the Los Angeles Green Building Code and the latest CALGreen Code and designed to United States Green Building Council Leadership in Energy and Environmental Design (LEED) Gold certification or equivalent standards. Some of the project's proposed design features that would contribute to energy efficiency include rooftop solar panels, electric vehicle (EV) chargers/spaces, energy-efficient appliances, water-efficient plumbing fixtures and fittings, and water-efficient landscaping and landscape irrigation. The proposed project would also promote active transportation by providing: (1) 1,648 new bicycle parking spaces at the project site; (2) new bicycle lanes along Centre Street, Mesa Street, Palos Verdes Street, 2nd Street, Santa Cruz Street, and the Palos Verdes Linear Park; (3) a new bike hub with lockers and showers; (4) pedestrian safety improvements; and (5) enhanced walking trails along 1st Street, 2nd Street, and the Palos Verdes Linear Park.

The proposed project would add 1,122 net new residential units to the City's current housing stock, which would help the City meet its housing needs established in the Regional Housing Needs Assessment as implemented through the Housing Element of the City's General Plan. The project would provide both affordable housing and market-rate units and would include a mix of 1,042 affordable rental units, 45 affordable ownership homes, 481 market-rate rental units, and 32 market-rate ownership homes. The affordable housing units would include a mix of replacement units for the existing Rancho San Pedro units, additional affordable family housing units, affordable senior housing, and permanent supportive housing. The project would also support the growth of the City's economic base by creating jobs in both project construction and operation. The project would also create commercial opportunities that could serve local employees, generate local tax revenues, and provide new permanent jobs and housing for residents in support of local businesses. For all the reasons stated above, the project is being proposed, notwithstanding its significant unavoidable impacts.

5.3 Significant Irreversible Environmental Changes

CEQA Guidelines Section 15126.2(d) indicates that an EIR should evaluate significant irreversible environmental changes that would be caused by implementation of a proposed project. As stated in CEQA Guidelines Section 15126.2(d):

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. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

The proposed project would consume non-renewable resources, which could result in irreversible environmental changes. This consumption would occur during construction of the project and would continue throughout its operational lifetime. The construction of the project would require a commitment of resources that would include: (1) building materials and associated solid waste disposal effects on landfills; (2) water; and (3) energy resources (e.g., fossil fuels) for electricity, natural gas, and transportation. As demonstrated below, the proposed project would not consume a large commitment of natural resources or result in other significant irreversible environmental changes.

5.3.1 Building Materials and Solid Waste

Construction of the proposed project would require consumption of resources that do not replenish themselves or which may renew so slowly as to be considered non-renewable. These resources would include certain types of 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). The project's potential impacts related to solid waste are addressed in Section 4.15, *Utilities and Service Systems*. As discussed therein, during construction of the project, a minimum of 75 percent of nonhazardous construction and demolition debris would be diverted from landfills, consistent with the requirements of Senate Bill 1374. In addition, during operation, the project would provide on-site recycling containers within designated recycling areas to facilitate recycling in accordance with the City of Los Angeles Space Allocation Ordinance (Ordinance No. 171,687) and the Los Angeles Green Building Code. In accordance with Assembly Bill 1826 and Senate Bill 1383, the project would also provide for the recycling of organic waste. The proposed project would adhere to State and local solid waste policies and objectives that further goals to divert waste. Thus, the consumption of non-renewable building materials, such as aggregate materials and plastics, would be reduced. Furthermore, as discussed in Section 4.15, *Utilities and Service Systems*, project impacts with respect to solid waste generation and compliance with federal, State, and local solid waste regulations would be less than significant.

5.3.2 Water

Consumption of water during construction and operation of the proposed project is addressed in Section 4.15, *Utilities and Service Systems*. As evaluated therein, during construction of the project, water would be required intermittently for dust control during site preparation, grading, and

demolition, as well as for equipment cleaning. Given the short-term and intermittent nature of water use during construction activities, project construction would not result in significant water use.

During operation, the estimated water demand for the proposed project would not exceed the available supplies projected by the City of Los Angeles Department of Water and Power (LADWP), as confirmed by the project-specific Water Supply Assessment prepared by LADWP (see Appendix J). The project would also be required to reduce indoor water use by at least 20 percent from the maximum allowable water use per plumbing fixture and fittings as required by the Los Angeles Building Standards, in accordance with the City of Los Angeles Green Building Code. The proposed project would implement water conservation measures in excess of code requirements, such as high efficiency toilets, high efficiency shower heads, high efficiency clothes washers and dishwashers, and water efficient landscaping and irrigation systems. Thus, as evaluated in Section 4.15, *Utilities and Service Systems*, while project construction and operation would result in some irreversible consumption of water, the proposed project would not result in a significant impact related to water supply.

5.3.3 Energy Consumption

Fossil fuels, such as diesel, gasoline, and oil, would be consumed during construction 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. In addition, during ongoing operation of the project, non-renewable fossil fuels would be utilized to provide electricity to the project site and to power vehicles accessing the project site and some commercial appliances. Therefore, the existing finite supplies of these resources would be incrementally reduced by the proposed project. Project consumption of non-renewable fossil fuels for energy use during construction and operation of the proposed project is addressed in Section 4.16.3, *Energy*.

As discussed therein, construction activities for the project would not require the consumption of natural gas but would require the use of fossil fuels and electricity. 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. When not in use, electric equipment would be powered off to avoid unnecessary energy consumption. In addition, trucks and equipment used during construction activities would comply with California Air Resources Board's anti-idling regulations as well as the U.S. Environmental Protection Agency Construction Equipment Fuel Efficiency Standard. Therefore, the proposed project would not result in the wasteful, inefficient, and unnecessary consumption of energy resources. Thus, impacts related to the consumption of fossil fuels during construction of the project would be less than significant.

During operation, the project's increase in electricity and natural gas demand would be within the anticipated service capabilities of LADWP and the Southern California Gas Company (SoCalGas), respectively. In addition, as discussed in Section 4.16.3, *Energy*, the project would comply with energy conservation policies and plans relevant to the project, including the California Title 24 energy standards, the latest CALGreen Code, the City of Los Angeles Green Building Code, the City of Los Angeles Green New Deal, and the SCAG 2020–2045 RTP/SCS. To help achieve and exceed the energy-use reduction requirements of these regulations, the 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 light-emitting diode (LED) lighting, heating, ventilation, and air conditioning (HVAC) systems, and appliances, energy efficient building materials and incorporation of passive energy efficiency strategies such roof overhangs and passive lighting, and all-electric

residences. In addition, the project would include a rooftop solar photovoltaic system to provide renewable energy on the site.

To reduce VMT and associated fuel use, the project includes mix-used 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 project design would reduce VMT in comparison to developments located in non-infill, non-urban areas and encourage use of alternative modes of transportation. The proposed project would implement transportation demand management strategies consistent with the requirements of LAMC Section 12.26(J), which would further reduce the VMT and transportation fuel use associated with the proposed project (Appendix I). The project would also be consistent with regional planning strategies that address energy conservation. In addition, as discussed in Section 4.16.3, *Energy*, operation of the project would not conflict with adopted energy conservation plans. Therefore, based on the above, the project would not cause the wasteful, inefficient, and unnecessary consumption of energy and would be consistent with the intent of Appendix F of the CEQA Guidelines.

5.3.4 Conclusion

Based on the above, the project would require the irreversible commitment of non-renewable resources, which would limit the availability of these resources for future generations or for other uses. However, the consumption of such resources would not be considered substantial. The loss of such resources would not be highly accelerated when compared to existing conditions and such resources would not be used in a wasteful manner. Therefore, although irreversible environmental changes would result from the project, such changes are concluded to be less than significant, and the limited use of nonrenewable resources that would be required by the project's construction and operational activities is justified.

5.4 Growth Inducement

Section 15126(d) of the CEQA Guidelines requires a discussion of a proposed project's growth-inducing impact. Pursuant to Section 15126.2(e) of the CEQA Guidelines, this includes ways in which a project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment, including ways in which a project could remove an obstacle to population growth. Induced growth is any growth that exceeds planned growth and results from new development that would not have taken place without the implementation of the proposed project. Typically, the growth-inducing potential of a project would be considered significant if it results in growth or population concentration that exceeds those assumptions included in pertinent master plans, land use plans, or projections made by regional planning authorities. However, the creation of growth-inducing potentials does not automatically lead to growth, whether it would be below or in exceedance of a projected level.

Growth does not necessarily create significant physical changes to the environment. However, depending upon the type, magnitude, and location of growth, it can result in significant adverse environmental effects. The environmental effects of induced growth are secondary or indirect impacts of the proposed project. Secondary effects of growth could include increased demand on community public services, increased traffic and noise, degradation of air and water quality, and conversion of agricultural land and open space to developed uses. The proposed project's growth inducing potential is therefore considered significant if project-induced growth could result in significant physical effects in one or more environmental issue areas.

5.4.1 Population Growth

As discussed in Section 2, *Project Description*, the proposed project would result in a net increase of 47 residential units on the 327 Harbor Site and 1,075 residential units on the OSP Specific Plan Site, for a total of 1,122 units. The City of Los Angeles is anticipated to add approximately 367,241 households and 872,553 residents between 2020 and 2045 (United States Census Bureau 2022; SCAG 2020). The proposed project would result in 1,122 additional households on the project site, which would represent less than 1.0 percent of the anticipated growth in households in the city. Based on the 2020 estimate of 2.42 persons per household in the San Pedro Community Plan Area, the proposed project would result in an estimated net increase of 2,715 residents on the project site (City of Los Angeles 2021)². The proposed project's contribution to population growth would account for approximately 0.3 percent of the population growth projected for the city of Los Angeles by 2045. Therefore, the project's residents would be well within SCAG's population projections in the 2020-2045 RTP/SCS for the city and would not result in a significant direct growth-inducing impact.

5.4.2 Economic Growth

In addition to the residential population generated by the increased housing units on the site, the project would have the potential to result in population growth in the city as the result of employment opportunities generated by the project. The proposed project would generate temporary employment opportunities during construction. Because construction workers would be expected to be drawn from the existing regional workforce, construction of the project would not be growth-inducing from a temporary employment standpoint. Operation of the proposed project would also add long-term employment opportunities associated with the commercial uses proposed on the OSP Specific Plan Site.

The proposed project would include up to 45,000 sf of commercial and retail uses, such as pharmacies, restaurants, grocery stores, and retail, as well as up to 85,000 sf of Neighborhood Serving Uses on the OSP Specific Plan Site. Neighborhood Serving Uses include uses such as a workforce development center, childcare center, Boys and Girls Club, Social Hall, senior center, and small-scale retail not exceeding 3,000 sf that would provide goods and services to future project residents and the San Pedro community to meet typical needs, such as dry cleaners and small convenience stores. No commercial, retail, or Neighborhood Serving Uses would be developed on the 327 Harbor Site.

As analyzed in detail in Section 4.10, *Population and Housing*, the proposed project would generate approximately 314 jobs on the OSP Specific Plan Site based on the Los Angeles Department of Transportation (LADOT) VMT Calculator (LADOT 2020)³. In 2020, the city of Los Angeles contained an estimated 1,887,969 jobs and employment is expected to increase by approximately 247,931 between 2020 and 2045 (SCAG 2020). The proposed project's contribution to job growth would be approximately 0.1 percent of the job growth projected for the city of Los Angeles by 2045 and would not result in an exceedance of the SCAG's employment projections or substantial unplanned employment growth.

In addition, the proposed non-residential uses would include a range of part-time and full-time positions that are typically filled by persons already residing in the vicinity of the workplace and who generally do not relocate their households due to such employment opportunities. Therefore, it is anticipated that some of the employment generated by the project would be filled by people already

² 1,122 households x 2.42 persons per household = 2,715 persons

³ 15,000 sf (4 employees per 1,000 sf) + 12,000 sf (4 employees per 1,000 sf) + 103,000 sf (2 employees per 1,000 sf) = 314 employees

living in the project vicinity and would not create demand for additional housing. Overall, the provision of new jobs on the project site would constitute a small percentage of employment growth and would not be considered “unplanned growth” such that the employment opportunities generated by the project would induce unplanned residential growth.

5.4.3 Utility Infrastructure Improvements

The project site is in an area developed with a mix of residential, commercial, and industrial uses. As discussed in Section 4.15, *Utilities and Service Systems*, and Section 4.13, *Transportation*, existing infrastructure servicing the project site, including the transportation network, water and wastewater treatment facilities, and landfills, would be adequate to serve the proposed project. Although the proposed project would require local infrastructure to connect to existing mainlines and may require minor upgrades to existing infrastructure serving the site, such improvements would be limited to those necessary to serve project demands and would not result in the extension of utilities into previously undeveloped areas or generate indirect population growth or remove obstacles to growth.

5.5 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.” With regard to this section of the CEQA Guidelines, the potential impacts that could result with the implementation of each mitigation measure proposed for the project was reviewed. The following provides a discussion of the potential secondary impacts that could occur as a result of the implementation of the proposed mitigation measures, listed by environmental issue area.

5.5.1 Aesthetics

Mitigation Measure AES-1 requires the use of temporary construction fencing to shield construction equipment and work areas from the surrounding roadways and land uses. Mitigation Measure AES-2 would also apply during project construction and would require shielding of construction lights to reduce light spillage into the surrounding land uses. Upon completion of construction, the fencing and construction lighting would be removed. The installation of temporary construction fencing and use of light shielding would not result in adverse secondary impacts; rather, these measures would reduce the potential for short-term visual impacts during construction activities at the project site.

5.5.2 Air Quality

Mitigation Measure AQ-1 requires that a minimum of 25 percent of landscaping equipment used during project operation be electric rather than gasoline- or diesel-powered. This measure would not result in adverse secondary impacts, and rather, would reduce operational emissions of volatile organic compounds as well as noise associated with landscaping maintenance throughout project operation.

5.5.3 Cultural Resources

Mitigation Measures CUL-1 and CUL-2 require the installation of an interpretive display and development of a webpage dedicated to the history of the Rancho San Pedro Complex to provide

documentation and information to the public regarding the historical significance of the property. In addition, Mitigation Measures CUL-3 through CUL-6 would require retention of a professional archaeologist to conduct a Worker Environmental Awareness Program to train construction workers, provide archaeological monitoring during ground-disturbing activities, and carry out proper procedures and treatment in the event that cultural resources are unearthed during construction. These measures would not result in adverse secondary impacts, and instead, would be beneficial in terms of having documentation of the Rancho San Pedro Complex and ensuring that proper procedures are in place to protect archaeological resources during construction.

5.5.4 Geology and Soils

Mitigation Measure GEO-1 requires that project design and construction, including foundation and structural design, be carried out in accordance with the recommendations of a final geotechnical report. Additionally, Mitigation Measure GEO-2 requires that a certified geotechnical professional be present during construction to observe and provide testing results for pile loads and shallow foundations to ensure that the recommendations of the final geotechnical report are carried out during construction. Similarly, Mitigation Measure GEO-3 would require observation and monitoring during ground-disturbing construction activities by a qualified paleontologist to ensure that procedures are in place for the proper treatment of any scientifically significant fossils, if uncovered. These measures would not require additional ground disturbance beyond what is already planned for construction of the proposed project, and no adverse secondary impacts would occur.

5.5.5 Hazards and Hazardous Materials

Mitigation Measures HAZ-1 through HAZ-3 require that proper procedures are in place for the handling, transport, and disposal of contaminated soils present on the project site, including development of a soil management plan and soil remediation, if necessary, under the oversight of the applicable regulatory agency. Mitigation Measure HAZ-4 requires vapor monitoring and implementation of a Health and Safety Plan during project construction to ensure VOCs in soil vapor do not pose a health risk to construction workers, nearby residents, or students at nearby schools. In addition, implementation of Mitigation Measure HAZ-5 would involve installation of a vapor mitigation system, if determined to be required by the applicable oversight agency, to ensure that VOC concentrations are below levels that pose a risk to the health of future on-site residents and workers. Implementation of these measures would address impacts associated with the potential release of hazardous materials into the environment and would be implemented in accordance with regulatory requirements under the oversight and approval by the applicable agency. The removal and treatment of contaminated soils, as required by Mitigation Measures HAZ-1 through HAZ-4 and the installation of a vapor barrier system under Mitigation Measure HAZ-5, if required, would occur concurrently with project grading and foundation construction, and secondary adverse impacts would not occur.

5.5.6 Noise

Mitigation Measure NOI-1 would minimize construction noise levels by outfitting construction equipment with mufflers and silencers, locating staging and delivery areas as far from existing residences as feasible, requiring the use of hydraulic equipment instead of pneumatic impact tools, enclosing stationary noise sources in temporary sheds or within barriers, prohibiting engine idling, notifying nearby business and residents of the planned construction activities, and erecting a temporary barrier along the project property boundaries adjacent to sensitive receptors. Section 4.9,

Noise and Vibration, also includes Mitigation Measure NOI-3 to minimize construction vibration by requiring the use of alternative equipment near off-site receptors. The installation of sound barriers would include limited construction activities and would not result in additional noise, air pollutant, or GHG emissions beyond what has been disclosed in the discussion of construction impacts throughout Section 4, *Environmental Impact Analysis*, of this Draft EIR/EIS. Likewise, the use of alternative equipment to reduce vibration would not result in additional construction activities or impacts. Implementation of Mitigation Measure NOI-2 would minimize operational noise from outdoor activities by requiring preparation and implementation of a public announcement system design plan to reduce noise from amplified events and noise barriers, hours-of-operation restrictions, setbacks, or other shielding techniques, as necessary, to reduce operational noise associated with potential future recreational features such as the skatepark or dog park. These measures would not result in adverse secondary impacts, and instead would be beneficial in terms of reducing noise during construction and operation of the project to the extent feasible.

5.5.7 Tribal Cultural Resources

Mitigation Measures TCR-1 and TCR-2 require that a Native American monitor be present during ground-disturbing construction activities, such as demolition and grading, and that proper procedures for the identification and treatment of tribal cultural resources are in place in the event that such resources are uncovered during construction activities. These measures would not result in adverse secondary impacts, and instead would be beneficial by ensuring that proper procedures are in place to protect tribal cultural resources during construction.