**CITY OF CARSON**

**CITY COUNCIL**

**RESOLUTION NO. 22-085**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON AFFIRMING, PURSUANT TO CARSON MUNICIPAL CODE SECTION 9173.4(C)(2)(a), THE DECISION OF THE CARSON PLANNING COMMISSION TO (1) ADOPT THE FINDINGS REQUIRED BY CEQA GUIDELINES, SECTION 15091; (2) CERTIFY THE SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT TO THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH NO. 20050551059) FOR THE DISTRICT AT SOUTH BAY SPECIFIC PLAN; (3) ADOPT THE PROPOSED MITIGATION MONITORING AND REPORTING PROGRAM; AND (4) ADOPT A STATEMENT OF OVERRIDING CONSIDERATIONS; AND (5) APPROVE (A) SITE PLAN AND DESIGN REVIEW NO. (DOR) 1877-2021; AND (B) VESTING TENTATIVE TRACT MAP (VTTM) NO. 83481**

WHEREAS, on October 5, 2021, the Department of Community Development received a complete application from Carson Goose Owner, LLC ("Developer), for a proposed project ("Project") on a 96 acre portion of the former Cal-Compact Landfill (located at 20400 Main Street) (referred to as the "157 Acre Site" and/or the "Project Site"), requesting approval of Site Plan and Design Overlay Review (DOR) No. 112-2021 and Vesting Tentative Tract Map (VTTM) No. 83481 and Supplemental Environmental Impact Report ("2022 SEIR") (SCH NO. 20050551059) to develop approximately 1,567,090 square feet of light industrial and supportive office uses within six buildings, and approximately 12 acres of publicly accessible but privately maintained open space and commercial/community-use and amenity areas , known as the Carson Country Mart; and

WHEREAS, the City of Carson Community Development Department on April 6, 2022, published a legal notice in compliance with State law concerning the Planning Commission consideration of the entitlements in the Our Weekly, a local newspaper of general circulation, which included the date and time of the Special Planning Commission consideration of Site Plan, and Design Review No. DOR 1877-2021, Tentative Tract Map No. VTTM 83481 and the 2022 SEIR. In addition, on April 7, 2022, a special public hearing notice was mailed to each property owner within an expanded radius (2,000-foot radius) of the Project Site, indicating the date and time of the special public hearing regarding the proposed modified Project in accordance with state law; and

WHEREAS, during a regular public hearing on April 12, 2022, a Special public hearing of the Planning Commission was called; and

WHEREAS, on April 18, 2022, the City Planning Commission conducted a duly noticed special public hearing on the 2022 SEIR, at which time it received input from City Staff, the City



**EXHIBIT NO. 8**

Attorney's office, and the Developer; public comment portion was opened, and public testimony and evidence, both written and oral, was considered by the Planning Commission of the City of Carson, after which public testimony was closed; and

WHEREAS, after deliberation the Planning Commission approved Site Plan and Design Review No. DOR 1877-2021 and Vesting Tentative Tract Map No. VTTM 83481; adopted the Findings required by CEQA Guidelines; certified the 2022 SEIR (SCH No. 20050551059) for the amendment to the District at South Bay Specific Plan ("Specific Plan"); adopted a Mitigation Monitoring and Reporting Program and adopted a Statement of Overriding Considerations; and

WHEREAS, on April 21, 2022, City Councilmember Arleen filed an appeal of the Planning Commission Decision pursuant to Carson Municipal Code ("CMC") Section 9173.4 (Appeals) of the City's Zoning Ordinance. The appeal was complete as filed; and

WHEREAS, CMC Section 9173.4(C)(1) requires a public hearing to be conducted on the appeal. Section 9173.4(C)(2) provides that at the conclusion of the public hearing, the Council may: (a) affirm the decision; (b) modify the decision; (c) refer the matter back to the Planning Commission, with instructions; or (d) reverse the decision. Pursuant to CMC Section 9173.4(C)(3), unless referred back to the Planning Commission, the appellate decision shall be supported by written findings. Pursuant to CMC Section 9173.4(D), the Council must act to either affirm, reverse, modify, continue or refer matter back within 60 days of filing of the appeal; and

WHEREAS, pursuant to California Government Code Sections 65867 and 65090, the City of Carson on May 10, 2022, published a legal notice of the Appeal hearing regarding the 2022 SEIR, Site Plan and Design Review No. DOR 112-2021 and Vesting Tentative Tract Map No. VTTM 83481, to be held by the City Council on May 23, 2022. In addition, on May 10, 2022, a public hearing notice was mailed to each property owner within an expanded radius of 2,000 feet of the Project Site, indicating the date and time of the appeal hearing in accordance with state law; and

WHEREAS, the City Council has considered and (1) approved Resolution 22-085 (a) adopting the CEQA Findings, (b) Certifying the 2022 SEIR for the Specific Plan, (c) adopting the Mitigation Monitoring and Reporting Program and (d) adopting a Statement of Overriding Considerations, and (e) approving Site Plan and Design Review No. DOR 112-2021 and Vesting Tentative Tract Map No. VTTM 83481 at a public hearing on May 23, 2022, and all interested parties were given an opportunity to be heard regarding this Resolution; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, THE CITY COUNCIL OF CARSON, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:**

SECTION 1. The City Council finds that the foregoing recitals are true and correct and are incorporated herein by reference.

SECTION 2. Based upon substantial evidence taken from the record as a whole, and received at the hearing, conducted on May 23, 2022, both oral and written, including the staff report and all attachments thereto, the City Council hereby finds that the Planning Commission Decision is in accordance with the requirements of the CMC, including the City's Zoning Ordinance, and other applicable law including CEQA. The City Council hereby makes, ratifies, and affirms the findings

set forth in Planning Commission Resolution No. 22-2831, a copy of which is attached hereto as Exhibit "C" and incorporated herein by reference.

SECTION 3. The City Council finds as follows:

1. With respect to Site Plan and Design Review No. 1877-2021 to permit the design for an approximately 84.65-acre project with 1,567,090 sf of light industrial and supportive office uses within six buildings and approximately 12 acres of publicly accessible but privately maintained open space and commercial/community-use and amenity areas.

    a) The Site Plan and Design Review package No. DOR 1877- 2021 is consistent with the Specific Plan with a General Plan Amendment (GPA 112-2021). The Project located on the PA3 portion of the Project Site will have a General Plan designation of Light Industrial (LI) with GPA 112-2021 and Commercial Marketplace (CM) as per the Specific Plan.

    b) Building architectural design, site design and open spaces will be compatible with existing and anticipated development in the vicinity. Light Industrial buildings display a modern aesthetic with abundant glazing and sleek edges. The Carson Country Mart commercial buildings exhibit an appealing Contemporary Country aesthetic combining warm and bold colors, rustic materials and simple roof forms.

    c) The proposed landscaping conforms to the District at South Bay Specific Plan and the State's Water Efficient Landscape Ordinance (WELO) using native plantings and appropriate irrigation.

    d) The proposed development of the Project will be constructed in one single phase.

    e) Vehicular and pedestrian circulation is designed for convenience and safety.

    f) The required findings pursuant to Section 9172.23 (D), "Site Plan and Design Review," can be affirmatively made.

2. With respect to Tentative Tract Map (TTM) No. 83481

    a. Tentative Tract Map No. 83481 was reviewed on behalf of the City by LA County Department of Public Works, which determined that the proposed Tentative Tract Map meets the requirements of the City's Municipal Code and the State Subdivision Map Act, and recommended conditions for the final map approval which will be incorporated.

    b. The Tentative Tract Map complies with the City's Zoning Ordinance and General Plan and (as amended by the Specific Plan and General Plan Amendment) is consistent with the intent of Article IX, Chapter 2, Section 9203 (Tentative Maps) of the Carson Municipal Code. The proposed subdivision, together with the provisions for its design and improvement, is consistent and compatible with the General Plan objectives, policies, general land uses, and programs. The proposed Project advances the General Plan goals and policies related to land use, transportation, housing, and economic development.

    c. None of the findings requiring denial pursuant to California Government Code Section 66474 can be made.

    d. The Project Site is suitable for the proposed Project and will accommodate up to 1,567,090 SF of light industrial and supportive office uses within six buildings and approximately 12 acres of publicly accessible but privately maintained open space and commercial/community-use and amenity areas.

3. With respect to the CEQA Findings of Fact, Certification of the 2022 Supplemental Environmental Impact Report (2022 SEIR), Mitigation Monitoring and Reporting Program (MMRP), and Statement of Overriding Considerations

    a. Adoption of Findings of Fact. The City Council hereby approves, accepts, incorporates as if set forth in full herein, and makes each and every one of the findings contained in the Findings of Fact, a copy of which is on file in the Community Development Department, and as set forth in Attachment C, attached hereto.

    b. Certification of Supplemental Environmental Impact Report. The City Council certifies that (1) the 2022 SEIR has been completed in compliance with CEQA; (2) that it has reviewed and considered the information contained in the 2022 SEIR prior to approving the project; and (3) that the 2022 SEIR reflects the City Council's independent judgment and analysis.

    c. Mitigation Monitoring and Reporting Program. As more fully identified and set forth in the 2022 SEIR and in the Findings of Fact for the Project, the City Council finds that the mitigation measures described and specifically identified in the above-referenced documents are feasible and shall become binding upon the Applicant / Developer (or the City as applicable) in order to implement the particular mitigation measures as identified in the MMRP established under the 2022 SEIR.

    d. Adoption of Statement of Overriding Considerations. Even after the adoption of all feasible mitigation measures and, certain significant or potentially significant environmental effects caused by the proposed modified Project directly, or cumulatively, will remain. Therefore, the City Council hereby approves of the Statement of Overriding Considerations as set forth in Attachment C, attached hereto Additionally, the Statement of Overriding Considerations identifies the specific economic, legal, social, technological and other considerations that render the unavoidable significant adverse environmental effects acceptable.

    e. Adoption of Mitigation Monitoring and Reporting Program. As required by applicable State law, the City Council hereby adopts the MMRP. The City Council finds that the MMRP is designed to ensure that, during Project implementation, the City and any other responsible parties implement the Project components and comply with the mitigation measures identified in the Findings of Fact and the MMRP.

SECTION 4. The City Council further finds that the proposed Project is subject to the provisions of CEQA. The 2022 SEIR was prepared for the Project and associated Amendment to the District at South Bay Specific Plan and is certified by the City Council pursuant to Resolution 22-085.

SECTION 5. The City Council of the City of Carson, pursuant to the findings noted above, does hereby: adopt the Findings required by CEQA Guidelines, Section 15091; certify the 2022 SEIR for the Specific Plan; adopt a Statement of Overriding Considerations; and approve Site Plan and Design Review No. DOR 1877-2021 and Vesting Tentative Tract Map No. VTTM 83481, conditioned upon City Council's decision to approve the Specific Plan, Development Agreement, and General Plan amendment, subject to the Conditions of Approval contained in Exhibit "E" and Exhibit "E" and incorporated herein by reference.

SECTION 6. This Resolution shall be effective immediately upon its adoption. As provided in Code of Civil Procedure §1094.6(b) and Carson Municipal Code §9173.5, any court action or

proceeding brought to challenge this Resolution or the findings set forth herein pursuant to Code of Civil Procedure §1094.5 must be filed within 90 days after the date of this Resolution, except that any action or proceeding challenging this Resolution or the findings set forth herein that is within the scope of Carson Municipal Code §9173.5(A) must be filed within 60 days after the date of this Resolution. A copy of this Resolution shall be sent by first class mail to the Applicant and to any person who has filed a written request for notice of this decision pursuant to Carson Municipal Code §9173.32.

SECTION 7. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**PASSED, APPROVED** and **ADOPTED** this 23rd day of May, 2022.

_____
Lula Davis-Holmes, Mayor

APPROVED AS TO FORM:

_____
Sunny K. Soltani, City Attorney

ATTEST:

_____
Dr. Khaleah K. Bradshaw, City Clerk

EXHIBIT “A”
Legal Description



**EXHIBIT NO. 8A**

**LEGAL DESCRIPTION**

**FFD CARSON, LLC PROPERTY**
**CITY OF CARSON, CA**

An airspace parcel situated in the City of Carson, County of Los Angeles, State of California, being a portion of Parcel 2 of Parcel Map No. 70372 as shown on a map thereof filed in Book 377, Pages 76 through 89 of Parcel Maps in the Office of the county Recorder of Said Los Angeles County, bounded northerly and northeasterly by the southerly and southwesterly right-of-way line of Lenardo Drive as shown on said Parcel Map No. 70372. The vertical limits of said parcel are the same as the upper and lower limits of said Parcel 2 of Parcel Map No. 70372.

**EXCEPTING THEREFROM** that portion lying westerly of a line described as follows:

**BEGINNING** at the northwesterly terminus of that certain course shown as having a bearing and distance of "North 16°55'45" West 50.40 feet" in the westerly boundary line of said Parcel Map No. 70372; thence continuing along its northwesterly prolongation North 16°55'45" West 127.49 feet to the southerly right-of-way line of Lenardo Drive as shown on said Parcel Map No. 70372.

**ALSO EXCEPTING THEREFROM** that portion included within a parcel of land described as follows:

**COMMENCING** at the easterly terminus of that certain course shown as having a bearing and distance of "North 89°54'32" West 239.64 feet" in the southerly boundary line of said Parcel Map No. 70372; thence along said course and said southerly boundary line, North 89°54'32" West 49.72 feet; thence leaving said southerly boundary line at a right angle, North 00°05'28" East 60.00 feet to the **TRUE POINT OF BEGINNING;**

Thence continuing North 00°05'28" East 45.57 feet; thence North 54°06'27" East 238.88 feet; thence South 89°54'32" East 103.31 feet; thence South 00°05'28" West 112.84 feet; thence South 89°54'32" East 70.02 feet; thence South 00°05'28" West 73.09 feet to a line parallel with and 60.00 feet northerly from said southerly boundary line; thence along said parallel line North 89°54'32" West 89.69 feet; thence South 00°05'28" West 22.00 feet to a line parallel with and 38.00 feet northerly from said southerly boundary line; thence along said parallel line North 89°54'32" West 46.17 feet; thence North 00°05'28" East 22.00 feet to a line parallel with and 60.00 feet northerly from said southerly boundary line; thence along said parallel line North 89°54'32" West 230.76 feet to the **TRUE POINT OF BEGINNING.**

**CONTAINING:**
84.018 Acres±

**SUBJECT TO** a perpetual nonexclusive easement in favor of the Carson Reclamation Authority, a California joint powers authority, the City of Carson, a California charter city, and their respective

successors and assigns, for vehicular ingress, egress and access in, on, over and through that certain portion of the foregoing parcel described as follows:

That certain parcel of land situated in the City of Carson, County of Los Angeles, State of California, being a portion of Parcel 2 of Parcel Map No. 70372 as shown on a map thereof filed in Book 377, Pages 76 through 89 of Parcel Maps in the office of the County Recorder of said Los Angeles County, lying northeasterly, easterly, southeasterly, southerly, southwesterly and westerly of the following described line:

**COMMENCING** at the northwesterly terminus of that certain course shown as having a bearing and distance of "North 69°18'31" West 219.32 feet" in the centerline of Lenardo Drive as shown on said Parcel Map No. 70372; thence along said centerline South 69°18'31" East 211.70 feet; thence leaving said centerline at a right angle South 20°41'29" West 52.00 feet to the southwesterly right-of-way line of said Lenardo Drive and the **TRUE POINT OF BEGINNING;**

Thence leaving said right-of-way line, South 56°57'36" East 2.54 feet to the beginning of a tangent curve concave westerly and having a radius of 25.00 feet; thence southeasterly, southerly and southwesterly along said curve 41.19 feet through a central angle of 94°23'35"; thence tangent from said curve South 37°25'59" West 4.49 feet to the beginning of a tangent curve concave northwesterly and having a radius of 20.00 feet; thence along said curve southwesterly 12.89 feet through a central angle of 36°55'05"; thence tangent from said curve South 74°21'04" West 47.90 feet to the beginning of a tangent curve concave northwesterly and having a radius of 100.00 feet; thence along said curve southwesterly and westerly 27.47 feet through a central angle of 15°44'24"; thence tangent from said curve North 89°54'32" West 111.78 feet; thence North 87°17'47" West 41.26 feet; thence North 89°17'14" West 21.75 feet; thence North 79°06'08" West 28.22 feet; thence North 89°54'32" West 10.00 feet; thence South 79°06'08" West 38.10 feet; thence North 89°27'08" West 116.47 feet; thence North 84°37'30" West 36.20 feet; thence North 89°54'32" West 10.00 feet; thence South 86°17'57" West 34.01 feet; thence South 89°41'45" West 106.17 feet; thence North 88°16'18" West 130.87 feet; thence South 89°45'43" West 74.68 feet; thence North 88°31'14" West 108.06 feet; thence South 87°59'30" West 41.23 feet; thence North 79 88°38'27" West 109.12 feet; thence South 89°22'22" West 288.45 feet; thence North 88°41'33" West 130.25 feet; thence North 89°54'32" West 187.18 feet; thence North 87°03'05" West 72.60 feet; thence North 00°06'07" East 30.38 feet to a line parallel with and 60.00 feet northerly from the southerly boundary line of said Parcel Map No. 70372; 83

Thence along said parallel line North 89°54'32" West 89.69 feet; thence South 00°05'28" West 22.00 feet to a line parallel with and 38.00 feet northerly from said southerly boundary line; thence along said parallel line North 89°54'32" West 46.17 feet; thence North 00°05'28" East 22.00 feet to a line parallel with and 60.00 feet northerly from said southerly boundary line; thence along said parallel line North 89°54'32" West 230.76; thence South 00°05'28" West 12.08 feet; thence South 87°45'13" West 107.96 feet; thence South 84°25'50" West 56.47 feet to the beginning of a tangent curve concave northeasterly and having a radius of 60.00 feet; thence along said curve westerly and northwesterly 58.55 feet through a central angle of 55°54'23"; 92

Thence tangent from said curve North 39°39'47" West 51.49 feet; thence North 35°50'18" West 710.46 feet; thence North 36°59'37" West 47.71 feet to the beginning of a tangent curve concave north easterly and having a radius of 200.00 feet; thence along said curve northwesterly 68.92 feet through a central angle of 19°44'42"; thence tangent from said curve North 17°14'55" West 260.01 feet; thence North 17°45'00" West 196.84 feet; thence North 17°01'24" West 376.94 feet; thence North 16°26'55" West 199.38 feet; thence North 16°58'02" West 117.53 feet; thence North 00°11'00" East 65.69 feet to the southerly right-of-way line of Lenardo Drive as shown on said Parcel Map No. 70372.

**EXCEPTING THEREFROM** that portion lying westerly of a line described as follows:

**BEGINNING** at the northwesterly terminus of that certain course shown as having a bearing and distance of "North 16°55'45" West 50.40 feet" in the westerly boundary line of said Parcel Map No. 70372; thence continuing along its northwesterly prolongation North 16°55'45" West 127.49 feet to the southerly right-of-way line of Lenardo Drive as shown on said Parcel Map No. 70372.

**ALSO EXCEPTING THEREFROM** that portion included within a parcel of land described as follows:

**COMMENCING** at the westerly terminus of that certain course shown as having a bearing and distance of "North 89°54'32" West 406.97 feet" in the southerly boundary line of said Parcel Map No. 70372; thence along said course and said southerly boundary line, South 89°54'32" East 406.97 feet to the most southeasterly corner of said Parcel Map No. 70372; thence along the most easterly boundary line of said Parcel Map No. 70372, North 00°04'32" East 12.00 feet to a line parallel with and 12.00 feet northerly from said southerly boundary line, said point also being the **TRUE POINT OF BEGINNING;**

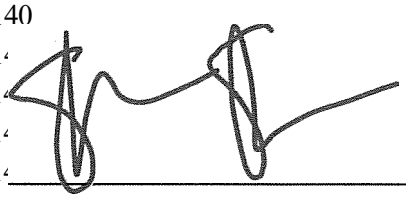
Thence along said parallel line North 89°54'32" West 140.33 feet; thence North 74°21'04" East 12.71 feet to the beginning of a tangent curve concave northwesterly and having a radius of 47.00 feet; thence along said curve northeasterly and northerly 49.80 feet through a central angle of 60°42'52"; thence tangent from said curve North 13°38'12" East 20.04 feet to a point on a non-tangent curve concave southwesterly and having a radius of 615.00 feet, a radial line from said point on said curve bears North 23°35'43" East, said curve also being in the southwesterly right-of-way line of Lenardo Drive as shown in said Parcel Map No. 70372; thence along said curve and said right-of-way line southeasterly 102.85 feet through a central angle of 09°34'54" to said most easterly boundary line of said Parcel Map No. 70372; thence along said most easterly boundary line, South 00°04'32" West 8.47 feet to the **TRUE POINT OF BEGINNING.**

**CONTAINING:**

3.420 Acres±

**ALSO SUBJECT TO** all Covenants, Rights, Rights-of-Way and Easements of Record.

The foregoing airspace parcel and access easement are depicted on **EXHIBIT "B"** attached and by this reference made a part hereof.



06/25/2020




Steven C. Slocum
Michael Baker International
5 Hutton Centre, Suite 500
Santa Ana, California 92707

EXHIBIT “B”

**Councilmember Arleen Rojas Appeal**

**Application**

RECEIVED
CITY CLERK

2022 APR 21 PM 5:11

Clerk's Date & Time Stamp
CITY OF CARSON

# Appeal Application

City Clerk's Office
701 E. Carson St.
Carson, CA 90745
310-952-1720

Appeals are time sensitive and must be received by the City Clerk in the specified time period pursuant to the Carson Municipal Code or applicable authority. It is advisable to consult with the Department managing the issue if there is question with regards to appealing an action. All fees associated with appeals can be located in the City's Master Fee Schedule and/or Carson Municipal Code. This is an appeal of the:

- ☐ Director decision to the Planning Commission – shall be filed in writing within 15 days of the date of the Director action.
- ☑ Planning Commission decision to the City Council – shall be filed in writing within 15 days of the date of the Commission action.
- ☐ Other - Specify decision-maker, appellate body, Municipal Code authority: _____

**Appellant Information:**

Name(s): Council Woman Arleen Rojas
Address: 701 E. Carson St.
City/State/Zip: Carson CA 90745
Phone: (310) 952-1720 Email: arojas@carsonca.gov

**Appealing Application Regarding:**

**If appeal is made by any member of the City Council or the City Manager, the sections identified with an asterisk (*) are not required; the Statement of Grounds for Appeal need only provide, in substance and effect, a request that a specific decision, administrative case number, or resolution number, as the case may be, be reviewed by the Planning Commission or City Council, as the case may be. CMC §9173.4.*

Name of Applicant(s): Carson Goose Owner LLC Date of Final Decision: April 18, 2022

*Administrative File No. /Case No.: SPA, No. SP 27-2021 SEIR (SCH No. 2005051054) EPA, No. 112-2021, DA, No. DA 29-2021 SPDR No. DOR 1877-2021, V.T.T.M. No. VTTM 83481

*Street Address (otherwise, the legal description and location of the premises includes in the action): Cell #3, 4, 5 of the 157 acre Cal Compac Landfill Del Amo Blvd / main st carson ca

*Specific Matter Being Appealed: All decisions made at the public hearing by the Carson planning commission on Monday April 18, 2022

Statement of the Grounds for Appeal (attach separate sheet if necessary): Related to the differences in the final supplemental EIR. Lack of analysis on Traffic impacts / Air quality. This project does not adequately address CEQA requirements

Signature of Appellant: _____ Date: 04/21/2022

**FOR OFFICE USE ONLY:**

Date Appeal received: April 21, 2022.

Appeal Fee received: $ N/A

K. Bradshaw

Dr. Khaleah K. Bradshaw, City Clerk

cc: Department Director; File



**EXHIBIT NO. 8B**

EXHIBIT “C”

**PLANNING COMMISSION RESOLUTION NO. 22-2830**

**CITY OF CARSON**

**PLANNING COMMISSION**

**RESOLUTION NO. 22-2830**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON (1) ADOPTING THE FINDINGS REQUIRED BY CEQA GUIDELINES, SECTION 15091; (2) CERTIFYING THE SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT TO THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH NO. 20050551059) FOR THE DISTRICT AT SOUTH BAY SPECIFIC PLAN; (3) ADOPTING THE PROPOSED MITIGATION MONITORING AND REPORTING PROGRAM; (4) ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS; AND (5) APPROVING (A) SITE PLAN AND DESIGN REVIEW NO. (DOR) 1877-2021; AND (B) VESTING TENTATIVE TRACT MAP (VTTM) NO. 83481**

WHEREAS, on October 5, 2021, the Department of Community Development received a complete application from Carson Goose Owner, LLC, for real property located at 20400 Main Street, requesting approval of Site Plan and Design Overlay Review (DOR) No. 112-2021 and Vesting Tentative Tract Map (VTTM) No. 83481 and Supplemental Environmental Impact Report ("2022 SEIR") (SCH NO. 20050551059) to develop approximately 1,567,090 square feet of light industrial and supportive office uses within six buildings and approximately 12 acres of publicly accessible but privately maintained open space and commercial/community-use and amenity areas with 12 commercial buildings, known as the Carson Country Mart; and

WHEREAS, the City of Carson Community Development Department on April 6, 2022, published a legal notice in compliance with State law concerning the Planning Commission consideration of the entitlements in the Our Weekly, a local newspaper of general circulation, which included the date and time of the Special Planning Commission consideration of Site Plan, and Design Review No. DOR 1877-2021, Tentative Tract Map No. VTTM 83481 and the 2022 SEIR . In addition, on April 7, 2022, a Special public hearing notice was mailed to each property owner within an expanded radius (2,000-foot radius) of the Project site, indicating the date and time of the special public hearing regarding the proposed modified Project in accordance with state law; and

WHEREAS, during a regular public hearing on April 12, 2022, a Special public hearing of the Planning Commission was called; and

WHEREAS, on April 18, 2022, the Planning Commission conducted a duly noticed special public hearing on the SEIR as defined below, at which time it received input from City Staff, the City Attorney's office, and the developer; public comment portion was opened, and public testimony and evidence, both written and oral, was considered by the Planning Commission of the City of Carson, after which public testimony was closed; and

WHEREAS, Planning Commission has reviewed the SEIR and all associated documents; and

WHEREAS, after deliberation the Planning Commission desires to approve Site Plan and Design Review No. DOR 1877-2021 and Vesting Tentative Tract Map No. VTTM 83481; adopt the Findings required by CEQA Guidelines, Section 15091; certify the 2022 to the Final EIR (SCH No. 20050551059) for the District at South Bay Specific Plan; and Adopt a Statement of Overriding Considerations; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:**

**SECTION 1.** The Planning Commission finds that the foregoing recitals are true and correct and are incorporated herein by reference.

**SECTION 2**. The Planning Commission finds as follows:

1. With respect to Site Plan and Design Review No. 1877-2021 to permit the design for an approximately 84.65-acre project with 1,567,090 sf of light industrial and supportive office uses within six buildings and approximately 12 acres of publicly accessible but privately maintained open space and commercial/community-use and amenity areas.
    a) The Site Plan and Design Review package No. DOR 1877- 2021 is consistent with the District at South Bay Specific Plan with a General Plan Amendment (GPA 112-2021), the Carson General Plan and the Carson Municipal Code. The Project will have a General Plan designation of Light Industrial (LI) with GPA 112-2021 and Commercial Marketplace (CM) as per the District at South Bay Specific Plan.
    b) Building architectural design, site design and open spaces will be compatible with existing and anticipated development in the vicinity. Light Industrial buildings display a modern aesthetic with abundant glazing and sleek edges. The Carson Country Mart commercial buildings exhibit an appealing Contemporary Country aesthetic combining warm and bold colors, rustic materials and simple roof forms.
    c) The proposed landscaping conforms to the District at South Bay Specific Plan and the State's Water Efficient Landscape Ordinance (WELO) using native plantings and appropriate irrigation.
    d) The proposed development will be constructed in one single phase.
    e) Vehicular and pedestrian circulation is designed for convenience and safety.
    f) The required findings pursuant to Section 9172.23 (D), "Site Plan and Design Review," can be affirmatively made.
2. With respect to Tentative Tract Map (TTM) No. 83481
    a. Tentative Tract Map No. 83481 was reviewed on behalf of the City by LA County Department of Public Works, which determined that the proposed Tentative Tract Map meets the requirements of the City's Municipal Code and the State Subdivision Map Act, and recommended conditions for the final map approval which will be incorporated.
    b. The Tentative Tract Map complies with the City's Zoning Ordinance and General Plan and is consistent with the intent of Article IX, Chapter 2, Section 9203 (Tentative

Maps) of the Carson Municipal Code. The proposed subdivision, together with the provisions for its design and improvement, is consistent and compatible with the General Plan objectives, policies, general land uses, and programs. The proposed project advances the General Plan goals and policies related to land use, transportation, housing, and economic development.

c. None of the findings requiring denial pursuant to California Government Code Section 66474 can be made.

d. The project site is suitable for the proposed project and will accommodate up to 1,567,090 SF of light industrial and supportive office uses within six buildings and approximately 12 acres of publicly accessible but privately maintained open space and commercial/community-use and amenity areas.

3. With respect to the CEQA Findings of Fact, Certification of the 2022 Supplemental Environmental Impact Report (2022 SEIR), Mitigation Monitoring and Reporting Program, and Statement of Overriding Considerations

a. Adoption of Findings of Fact. The Planning Commission does approve, accepts as its own, incorporate as if set forth in full herein, and make each and every one of the findings contained in the Findings of Fact, a copy of which is on file in the Community Development Department.

b. Certification of Supplemental Environmental Impact Report. The Planning Commission certifies that (1) the SEIR has been completed in compliance with CEQA; (2) that it has reviewed and considered the information contained in the SEIR prior to approving the project; and (3) that the SEIR reflects the Planning Commission's independent judgment and analysis.

c. Mitigation Monitoring and Reporting Program. As more fully identified and set forth in the 2022 SEIR and in the Findings of Fact for this Project, the Planning Commission finds that the mitigation measures described and specifically identified in the above-referenced documents are feasible and shall become binding upon the entity (such as the Applicant, Developer or the City) assigned thereby to implement the particular mitigation measures as identified in the Mitigation Monitoring and Reporting Program.

d. Adoption of Statement of Overriding Considerations. Even after the adoption of all feasible mitigation measures and, certain significant or potentially significant environmental effects caused by the proposed modified Project directly, or cumulatively, will remain. Therefore, the Planning Commission issues and approves a Statement of Overriding Considerations which identifies the changes or alterations that are within the responsibility and jurisdiction of another public agency and not the agency making the finding, and that such changes have been adopted by such other agency or can and should be adopted by such other agency, and that they render the unavoidable significant adverse environmental effects acceptable, either in its current form or as may be modified or amended by the City Council. Additionally, the Statement of Overriding Considerations identifies the specific economic, legal, social, technological and other considerations that render the unavoidable significant adverse environmental effects acceptable, either in its current form or as may be modified or amended by the City Council.

e. Adoption of Mitigation Monitoring and Reporting Program. As required by applicable State law, the City Council adopts the Mitigation Monitoring and Reporting Program. The Planning Commission finds that the Program is designed to ensure that, during project implementation, the City and any other responsible parties implement the

project components and comply with the mitigation measures identified in the Findings of Fact and the Mitigation Monitoring and Reporting Program.

**SECTION 3**. The Planning Commission further finds that the proposed project is subject to the provisions of CEQA. A Supplemental Environmental Impact Report (SEIR) was prepared for the Project and associated Amendment to the District at South Bay Specific Plan and is certified by the Planning Commission in Resolution 22-XXXX.

**SECTION 4.** The Planning Commission of the City of Carson, pursuant to the findings noted above, does hereby: adopt the Findings required by CEQA Guidelines, Section 15091; certify the 2022 to the Final EIR (SCH No. 20050551059) for the District at South Bay Specific Plan; adopt a Statement of Overriding Considerations; and approve Site Plan and Design Review No. DOR 1877-2021 and Vesting Tentative Tract Map No. VTTM 83481, conditioned upon City Council's decision to approve the SPA, DA, and GPA and subject to the Conditions of Approval contained in Exhibit "B" and Exhibit "C" and incorporated herein by reference.

**SECTION 5**. This decision of the Planning Commission shall become effective and final 15 days from the date of the action, in accordance with Section 9173.33 of the Zoning Ordinance, unless an appeal is filed within that time in accordance with Section 9173.4 of the Zoning Ordinance.

**SECTION 6**. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant

**APPROVED** and **ADOPTED** this 18th of April 2022.

Vice Chair Chris Palmer- Covid Signature

**CHAIRPERSON**

**ATTEST:**

Lucille Sandoval

**SECRETARY**

EXHIBIT “D”

**Findings of Fact and Statement of Overriding Considerations**



**EXHIBIT NO. 8D**

# THE DISTRICT AT SOUTH BAY SPECIFIC PLAN AMENDMENT

## CEQA Findings of Fact and Statement of Overriding Considerations

April 13, 2022

**EXHIBIT NO. 8D**

# CEQA Findings

Having received, reviewed, and considered the following information as well as all other information in the record of proceedings on this matter, the City of Carson hereby finds, determines and declares as follows:

## I. CEQA PROCESS

Pursuant to the California Environmental Quality Act, Public Resources Code Section 21000 et seq. (CEQA), the City of Carson (City), acting as Lead Agency, determined that preparation of a supplemental environmental impact report (SEIR), in accordance with CEQA Guidelines Section 15163, would be the appropriate approach for the analysis of the proposed Project (defined below) proposed by Carson Goose Owner LLC and Carson Mylo Owner LLC (each individually, an "Applicant", and collectively, the "Applicants").

A Notice of Preparation for the Draft SEIR (NOP) was circulated for a 30-day review period starting on April 16, 2021, and ending on May 17, 2021. In addition, a public scoping meeting was conducted on April 29, 2021. Appendix A of the Draft SEIR includes copies of written comments submitted to the Planning Department in response to the NOP and at the public scoping meeting.

The City released the Draft SEIR for a 45-day review and comment period commencing October 29, 2021, and ending December 13, 2021.

The lead agency received seven written comments on the Draft SEIR, five from public agencies, and two from groups/individuals, and responses to these comments are included in the Supplemental Environmental Impact Report (State Clearinghouse No. 2005051059) dated April 2022 (the Final SEIR).

The Final SEIR has been completed in compliance with CEQA, in connection with the approval by the City of the entitlements and other approvals required for development of the Project.

## II. PROJECT DESCRIPTION

The SEIR augments and supplements the environmental analysis previously provided in the following documents: (i) 2006 Final EIR (State Clearinghouse No. 2005051059) for a project development located on the former Cal Compact Landfill Site in the City pursuant to the Carson Marketplace Specific Plan; (ii) an Addendum to the 2006 FEIR adopted by the City in 2009 to address changes in the remediation activities; and (iii) the previously certified 2018 Supplemental EIR (2018 SEIR) for a revised project proposal (2018 Project), which amended and renamed the Carson Marketplace Specific Plan as the District at South Bay Specific Plan (2018 Specific Plan). The 2021 SEIR provides an environmental analysis of a revised proposed development project (the 2021 Project) and a corresponding amendment to the District at South Bay Specific Plan (2021 Specific Plan Amendment).

The 2021 Specific Plan Amendment contemplates development of the 157-acre, former Cal Compact Landfill Site located at 20400 South Main Street in the City (Project Site or 157-Acre Site) with residential, regional commercial, and light industrial uses, and a separate community area (Carson Country Mart), which would include commercial uses (including retail and restaurant uses), and privately maintained, publicly accessible open space and community amenity areas (Project). The implementation of development would occur pursuant to the proposed amended District at South Bay Specific Plan (Specific Plan). The Project Site is located in the South Bay area of Los Angeles County. It is located west of the San Diego Freeway (Interstate 405 Freeway), south of Del Amo Boulevard, and north of the Avalon Boulevard interchange with the I-405 Freeway.

The Project Site is essentially undeveloped but was used as a Class II landfill site between 1959 and 1965 for the deposition of waste/refuse from areas throughout Los Angeles County and thus contains elevated levels of chemicals of concern and toxic/hazardous materials within the landfill and groundwater underlying the site. Therefore, the Project Site has been subject to certain regulatory requirements, including those imposed by the Department of Toxic Substances Control (DTSC), which have required the performance of remediation activities.

The Project Site is divided into three planning areas under the 2018 Specific Plan. The 2021 Project does not change the residential or regional commercial uses previously approved for Planning Area (PA) 1 and PA2. However, it changes the general commercial and hotel uses that were approved in the 2018 Specific Plan for PA3 to allow for light industrial uses and the Carson Country Mart. PA1 includes the provision for up to 1,250 residential units and/or commercial uses pursuant to Mixed-Use Marketplace (MU-M) zoning. PA2 includes the allowance for up to 714,000 square feet (sf) of regional commercial uses and up to 15,000 sf of restaurant uses within a Commercial Marketplace (CM) zone. In PA3, the 2021 Project would replace the previously approved general commercial uses under the 2018 Project with a maximum of 1,567,090 sf of light industrial and supportive office uses under a Light Industrial (LI) zone; and the Carson Country Mart, which would include up to approximately 12 acres of publicly accessible but privately maintained open space and commercial/community-uses and amenity areas under a CM zoning designation. PA3 will be designated into two separate areas: PA3(a) and PA3(b). PA3(a) will contain 1,567,090 sf of light industrial and supportive office uses and approximately 0.62 acres of open space, which would include shade trees and native planting, a meandering walking path, and a sidewalk, located just south of Lenardo Drive along the northwestern corner of PA3(a) (Enhanced Parkway). PA3(b) will contain 33,800 sf of restaurant/café and retail uses and park/open space uses. Two private drives off of Lenardo Drive will provide both vehicular and truck access to PA3(a). Public access to the Carson Country Mart would be provided by Lenardo Drive, connecting to Main Street and Avalon Boulevard. The parking for PA3 will be provided via surface parking provided throughout PA3(a) and PA3(b).

The Applicants have committed to providing a range of construction and operational Project Design Features (PDFs) that will reduce air quality emissions, energy use, and greenhouse gas (GHG) emissions. These PDFs are assumed as part of the 2021 Project and are taken into account in the analyses of potential impacts. Each of these PDFs is described in detail in the 2021 SEIR and are incorporated into these findings by reference to the 2021 SEIR. These PDFs are also identified in Table I-4, District at South Bay 2021 Project: Summary of Impacts,

Mitigation Measures, and Significance Conclusions, as provided in Chapter I, *Summary*, of the 2021 SEIR and are included in the Mitigation Monitoring and Reporting Program discussed below. In summary, these PDFs describe various construction and operational methods and features, including, but not necessarily limited to, the type of construction equipment that will be used; maximum length of construction truck idling; the use of electricity rather than gas or diesel for some or all on-site equipment (e.g., landscaping, forklifts, transport refrigeration units); the use of non-diesel generators or Tier 4 diesel generators; the use of skylights and solar photovoltaic arrays for lighting; provision of passenger vehicle and truck vehicle charging stations; compliance with Title 24 energy efficiency standards; and the implementation of trip reduction (or travel demand) measures.

# III. FINDINGS

## A. Required CEQA Findings

California Public Resources Code Section 21081 and CEQA Guidelines Section 15091 require a public agency, prior to approving a project, to identify significant impacts of the project and make one or more of three possible findings for each of the significant impacts.

1. The first possible finding is that “changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines Section 15091(a)(1)).

2. The second possible finding is that “such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.” (CEQA Guidelines Section 15091(a)(2)).

3. The third possible finding is that “specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible, the mitigation measures or project alternatives identified in the final EIR.” (CEQA Guidelines Section 15091(a)(3)).

The City of Carson served as the Lead Agency under CEQA with respect to the Final SEIR. In recommending approval of the Project and making these findings, the City has considered all of the information in the administrative record of proceedings, including but not limited to: the applications for the Project Approvals, City staff reports, all public comments received both written and verbal, and the Final SEIR. On the basis of all the foregoing information, the City finds:

1. Pursuant to Public Resources Code Section 21081(a)(1), that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment as identified in the Final SEIR; and
2. Pursuant to CEQA Guidelines Section 15091(a)(1), that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final SEIR; and

3. The Final SEIR has been completed in compliance with CEQA and is adequate under CEQA for approval of the actions necessary to implement the project and all other City permits, entitlements, and discretionary approvals for the project; and
4. Project alternatives that substantially reduce or avoid the project's significant environmental impacts are rejected as infeasible, for the reasons set forth in Section F, *Alternatives*, below.

## B. EIR Evaluation of Impacts

The Final SEIR evaluated the following potential project and cumulative environmental impact 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; Population and Housing; Public Services; Recreation; Transportation; Tribal Cultural Resources; and Utilities and Service Systems.

Additionally, the Final SEIR considered Significant Irreversible Environmental Changes, Growth Inducing Impacts, and potential secondary effects of the Project. The significant environmental impacts of the Project, including cumulative environmental impacts of the project and the significant environmental effects of each of the alternatives to the Project, were also identified in the Draft SEIR and Final SEIR.

The severity of environmental impacts are grouped into four categories: (1) Impacts not reasonably likely to occur such that no further environmental impact analysis is warranted; (2) Impacts are less than significant without the need to implement and require mitigation measures; (3) Impacts that are potentially significant but are reduced to less-than-significant levels with the implementation of mitigation measures; and (4) Significant and unavoidable impacts that will remain significant despite implementation of all feasible mitigation intended to reduce the severity of the impact.

## C. No Further Environmental Review Required

Pursuant to CEQA Guidelines Section 15128, substantial evidence in the administrative record shows that impacts not reasonably likely to occur with respect to the following impact areas and that no further environmental impact analysis is warranted: Agriculture and Forestry Resources; Mineral Resources; and Wildfire.

## D. Certain Project Impacts and Cumulative Impacts of the Project Are Significant and Unavoidable; Remaining Impacts of The Project Are Less Than Significant

Substantial evidence in the administrative record shows that the Project will result in significant and unavoidable impacts in the following impact areas: Aesthetics (Conversion of the Appearance of the Site and Cumulative Contribution Related to the Conversion of the Appearance of the Site); Air Quality (Regional Concurrent Construction and Operational Emissions, Regional Operational Emissions, and Cumulative Regional Operational Emissions); Noise (Construction Noise, Cumulative Construction Noise, and Cumulative Operational Noise – Contribution to Roadway Noise); and Transportation (VMT and Cumulative VMT).

Except as set forth above, substantial evidence in the administrative record shows that all other impacts are either less than significant without mitigation or potentially significant but are reduced to less-than-significant levels with the implementation of mitigation measures set forth in the Mitigation Monitoring and Reporting Plan, as further described below. All of the relevant mitigation measures set forth in the Final SEIR for the Project would be implemented and enforced as set forth therein and in the Mitigation Monitoring and Reporting Plan and required as conditions of approval. Notwithstanding the foregoing, the Final SEIR determines and the City finds certain project-related impacts of the Project, are significant and unavoidable impacts and that certain cumulative impacts of the Project, which take into account the related projects listed in the Final SEIR, are also cumulatively considerable and have significant and unavoidable impacts despite implementation of all feasible mitigation intended to reduce the severity of the impact.

## E. Impact Area Findings

### a. Aesthetics

#### *i. Have a substantial adverse effect on a scenic vista?*

**Facts**

The Project Site is located in an urbanized area adjacent to the San Diego Freeway (Interstate 405 [I-405] Freeway) that contains little vertical differentiation. In addition, the Project Site was formerly a solid waste landfill that is currently undergoing remediation.

The viewscape from the Project Site includes transportation infrastructure (i.e., the I-405 Freeway and other local roadways), residential development, and other development (e.g., storage/truck rental facility, vacant lot, nursery, and the Porsche Driving Experience). A commonly used definition of a scenic vista is a scene, view, or panorama that one would specifically stop to see (e.g., Half Dome from a rest stop, the Hollywood sign, panoramic views of the beach from public areas). As a result of views to or from the Project Site, there are no scenic vistas in the area and, as with the 2018 Project, the 2021 Project would continue to result in no impact.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts with regard to aesthetics (scenic vista) would be less than significant.

#### *ii. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

**Facts**

The I-405 Freeway is not designated as a state scenic highway in the South Bay area of Los Angeles County. Neither the Project Site nor the area in the vicinity of the Project Site contain notable features that would be considered unique geologic features. A unique geologic feature can vary considerably, but it would typically be a geologic feature that includes the best example

of its kind locally or regionally; embodies the distinctive characteristics of a geologic principle that is exclusive locally or regionally; provides a key piece of geologic information important in geology or geologic history; is a "type locality" of a geologic feature; is a geologic formation that is exclusive locally or regionally; contains a mineral that is not known to occur elsewhere in the County; or is used repeatedly as a teaching tool. While there are two notable features as travelers pass through the area, the Goodyear Wingfoot Two and the Big Man statue on the south side of the I-405 Freeway, as reflected in both the 2006 FEIR and the 2018 SEIR, neither is considered a scenic resource. Goodyear Wingfoot Two is the Goodyear Blimp that is housed (i.e., moored) at Goodyear's airship base in Carson, on the opposite side of the I-405 Freeway to the north of the Project Site. The Big Man statue is a large fiberglass statue of a man holding a motorsport flat that is located on the Porsche Driving Experience site, on the same side of the I-405 Freeway as the Project Site and north of Del Amo Boulevard and Development District 3 (DD3). The 2021 Project would not substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway. Therefore, as with the 2018 Project, the 2021 Project would continue to result in no impact.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts with regard to aesthetics (scenic highway) would be less than significant.

***iii. In non-urbanized areas, 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?***

**Facts**

The 2021 Project would cause changes in the aesthetic conditions of the Project Site during the time of construction. The remediation that is occurring on the Project Site is ongoing and changes have occurred on site as a result of the remediation activities. During the development of the 2021 Project, typical construction activities would occur on the Project Site. As buildings are erected on the Project Site, the loss of undeveloped area and a feeling of spaciousness would be incrementally altered. However, the 2021 Project would provide approximately 11.12 acres of privately maintained, publicly accessible open space and community commercial use and amenity area within PA3(b) in the southeastern portion of the of the Project Site resulting in less construction activity in that area of the Project Site. Even though open space would be provided, overall, the 2021 Project would result in the loss of a valued visual resource. Therefore, the 2021 Project would result in a significant aesthetic impact due to construction.

The Project Site is substantially vacant with the exception of ongoing remediation and associated equipment and construction/maintenance trailers. The Project Site contains no unique features or valued visual features. Despite these activities and associated structures, the Project Site contributes to the visual quality of the area by offering visual relief from development, and a sense of spaciousness to those surrounding and traveling through the Project area. Development of the Project Site, as would occur under the 2021 Project, would result in the loss and conversion of the Project Site, which historically was used as a landfill and

is undergoing remediation, to an area with mixed-use development. The Project Site is generally vacant except for activity and components associated with the ongoing remediation, such as detention and retention ponds, crushed concrete piles, a landfill collection and control system, and a groundwater extraction and treatment facility, and as such, provides a sense of openness for the Project Site and the overall area, which is within a highly urbanized setting. While development in PA1 and PA2 would remain the same as that evaluated in the 2018 SEIR, PA3 would be developed with light industrial uses and the Carson County Mart, which would generally include commercial uses and passive and active spaces. The overall development would have the greatest effect for travelers along Del Amo Boulevard, which is a public view corridor traveled by a large number of passenger vehicles. However, the 2021 Project would result in development in accordance with the 2021 Specific Plan Amendment that would provide development standards and guidelines that would result in an integrated and cohesive development that would be consistent with the urban context and surrounding development in the area.

Under the 2021 Project, the light industrial buildings within PA3(a) would be distributed over approximately 74 acres. The buildings would be allowed to be between 56 and a maximum of 65 feet in height as would be permitted by the 2021 Specific Plan Amendment. In addition, the commercial/retail and restaurant uses, which would be provided on PA3(b) within the 11.12-acre Carson Country Mart, would have building heights between 25 feet and 30 feet. Residential neighborhoods are located to the south and southwest of the Project Site and the newly constructed Evolve at South Bay residential project is located to the north. The I-405 Freeway is located along the eastern edge of the Project Site while open space, commercial uses, and light industrial uses are located to the west of the Project Site. The 2021 Project would include a berm separating the Project Site from the I-405 Freeway.

The on-site remediation facilities, which include the groundwater extraction and treatment system (GETS) and the landfill gas collection and control system (LGCCS), are visible from offsite locations. The GETS and LGCCS, including the flare stacks associated with the LGCCS, are located on the one-acre utility lot within PA3(A) and are fully constructed and operational. However, while there are two flares located on site, current landfill gas production requires only the operation of one flare. There would be no further components added above grade so no visual changes would occur with the development of the 2021 Project.

The Carson Country Mart, which would be located in the southeastern portion of the Project Site, would provide 11.12 acres of publicly accessible, privately maintained community-serving commercial use area that would include a variety of passive and active spaces, programmed areas amenities intended to serve local City residents and to activate the area. This area would extend almost halfway across the southernmost Project Site boundary adjacent to the Torrance Lateral. The existing residences to the south would have a view of this area, which would include a variety of passive and active spaces, programmed areas amenities and community-serving commercial uses intended to serve local City residents and to activate the area as well as landscaping. The commercial/retail and restaurant uses would include a single retail use, restaurants, food and beverage kiosks, and a café. Commercial building heights within the Carson Country Mart could be 25 feet to 30 feet in height, with exceedances permitted for architectural features and/or mechanical equipment although building footprints would be generally small. Within the Carson Country Mart there would be planted open spaces and

planted buffer areas on the west and south sides. Pedestrian and bicycle pathways and exercise areas would connect the Carson Country Mart's various programmed and non-programmed areas. Parking and vehicular use areas would be provided within the Carson Country Mart and public access to the Carson Country Mart would be provided by Lenardo Drive.

There would be six light industrial buildings located within PA3(a). Buildings A and B would be located in the northern portion of PA3(a), Buildings C, D, and E in the central portion and Building F in the southeastern portion adjacent to the Carson Country Mart. Truck loading docks would be designed to either face the interior of the Project Site or be screened from surrounding residents and visitors through the use of sound walls and/or landscaping. Specifically, for each loading dock area adjacent to the Torrance Lateral that does not face the interior of the Project Site, residential uses would be shielded by 16-foot sound walls made of concrete block and landscaping. The loading docks would generally not be in view of visitors of the Carson Country Mart due to the building orientation and landscaping provided throughout PA3.

The light industrial buildings in PA3(a) adjacent to the south and western property line,70 Buildings A, D, and F, would be approximately 50 feet in height and up to 56 feet in height including the parapet. Buildings C and E in the central portion of PA3 would be 55 feet in height and up to 65 feet in height including the parapet. Building A would be approximately 113 feet from the property line at the closest point. The setbacks from the western property line to Building D would range from approximately 65 feet at the northern end to almost 74 feet at the southern end. The buildings would be constructed of concrete with an accent base color. Vertical elements, including glass and lines would be incorporated in the design and accent colors would be used to provide visual interest and break up the mass of the building. Trees would also be potted, or planted in some instances, between the buildings and the property line, which would further minimize the aesthetic impacts of the 2021 Project.

The 2021 Project would locate uses on the Project Site that differ from the existing use, which is an undeveloped former landfill site. The approximately 75-foot-wide drainage easement, in which the Torrance Lateral runs, separates the existing residences south/west of the Project Site. The first portion of the Project Site from the easement is a slope that varies in height from 8 feet to 17 feet and runs for approximately 65 feet up the flat area where buildings would be located. With the easement and 55.5-foot setback, Building F would be located approximately 130 feet from the adjacent residential property lines.

On the western portion of the Project Site, the drainage easement and the slope also provide visual separation from the residential properties located across the Torrance Lateral. Building A, which would be located at the northern end of PA3 would be a minimum of 113 feet from the property line at the southern end of the building with increasing setbacks along the façade given the angle of the building. In addition, the western façade would have offsets, which would reduce the mass of the structure. Although Building A would be located at a higher elevation than the adjacent residential uses, the combination of distance, building orientation and articulation, as well as landscaping Building A would not result in a significant impact. With regard to the remainder of the western property line, the western side of Building D, which would be approximately 1,103 linear feet, would be located generally parallel to the property line. The setback at the northern end would be less than the 70-foot minimum set back from the

property line that has been required historically in both the 2006 and 2018 Specific Plan. With the 75-foot easement of the Torrance Lateral and requiring a 70-foot minimum setback, Building D would be located approximately 145 feet from the adjacent residential property lines. Considering the effect of Buildings A and D, while the buildings would be located at a higher elevation than the residences, the distance as well as building design with the incorporation of features that break up the mass, and the landscaped slope, impacts would be similar to those identified in the 2018 SEIR. However, to ensure the 70-foot setback from the Torrance Lateral for buildings in PA3 at the western boundary of the Project Site (i.e., Buildings A and D), Mitigation Measure B-1 has been revised.

In summary, the 75-foot-wide Torrance Lateral would provide a visual buffer to the 2021 Project. In addition, the buildings would be articulated and would use a mix of building materials and colors, which would serve to soften the appearance of the structures. Trees would also be planted between the buildings and the property line, which would further serve to minimize the visual effect. With the distance, the use of articulation and variety of building materials, as well as the landscaping and walls, the visual effect would be less than significant. As indicated in the 2018 SEIR, if the conceptual plans for the 2021 Project were changed to permit development of tall buildings adjacent to existing residential uses, the variation in heights of buildings could result in a potentially significant impact. In further evaluating the distance and contrast, Mitigation Measure B-1 has been revised to allow buildings no greater than 60 feet in height along the Torrance Lateral in light of the distance, building articulation, walls, planting and the provision of open space, which serve to further reduce the potential impact to the adjacent residences. In addition, based on the shade/shadow analysis (see 2021 SEIR Appendix B2), with the proposed heights and setbacks, the shadows cast by the buildings would not extend to the residential properties. As with the 2018 Project, Mitigation Measure B-1 is provided to ensure that buildings along the western property line maintain the minimum 70-foot setback from the property line to each building to continue to reduce impacts to a less-than-significant level. Mitigation Measure B-1 has been revised to require that buildings greater than 60 feet in height (as opposed to 52 feet in the 2018 SEIR) are setback 250 feet from the property line so as to reduce such an impact to a less-than-significant level. In addition, Mitigation Measure B-4 requires site plan review for all development projects to ensure that landscaping, building design, lighting and signage standards set forth in the 2021 Specific Plan Amendment are implemented. Mitigation Measure B-4 would ensure that building facades are varied and articulated with a variety of accent materials at visually accessible locations; that uniform landscaping is planted throughout the Planning Areas, in key locations as well as in parking lots, sides of parking structures, in medians and along streets; lighting shall be limited in intensity and directed on-site so as not to interfere with off-site activities; and that a Comprehensive Sign Program is developed for each Planning Area.

The 2021 Project would include four pylon signs along the I-405 Freeway. The revised sign standards for the pylon signs and the conceptual sign plan for the 2021 Project differ from the conceptual sign plan for the 2018 Project with respect to the location and dimensions of the pylon signs along the I-405 Freeway and the height and width of the signs, as well as the lighting intensity. The change in location and dimensions of the pylon signs compared to the 2018 Project does not result in change in conclusion regarding visual quality or character. Mitigation measures would be required to ensure that signs along the I-405 Freeway and the

use of signage and lighting are in compliance with the conceptual sign requirements set forth in the proposed 2021 Specific Plan Amendment, to avoid a significant impact.

The Project Site is located within an urbanized area with residential neighborhoods to the south, light industrial and scattered commercial uses to the west, residential uses and the Porsche Driving Experience to the north, and I-405 Freeway to the east. The 2021 Project would include commercial/retail and restaurant uses within the Carson Country Mart on PA3(b) and the light industrial uses in PA3(a). Other portions of the proposed 2021 Specific Plan Amendment (PA1 and PA2) would include commercial and residential uses. Development of the area would have a character that is typically expected within the region. This development would be located in an active urban area adjacent to and close to nearby freeways and would contribute to the urban form in an expected manner, and would therefore be in keeping with the overall character of the regional area. As with the 2018 Project, the overall 2021 Project, including PA1 and PA2, would provide in-fill development within the regional context and would contribute to the general urban character of the area.

The 2021 Project would provide a distinct development within the City's urban environment, similar to the 2018 Project although with a different mix of building types and uses. The 2021 Project would result in a character that is in keeping with similar large-scale developments within the region. The 2021 Specific Plan Amendment will establish development standards and guidelines to regulate the aesthetics of the 2021 Project and to reduce contrast with surrounding uses. Development along the Project Site edges would not substantially contrast with the visual character of the surrounding area, and its valued aesthetic image and impacts on aesthetic character would be less than significant. As determined in the 2018 SEIR, potentially significant impacts on aesthetic character could occur along the south and southwestern Project Site edges if building heights greater than 52 feet were to occur, which could result in a substantial contrast with the existing off-site residential development. As with the 2018 Project, the 2021 Project could have potentially significant impacts on aesthetic character if development were to vary from the standards and guidelines set forth in the proposed 2021 Specific Plan Amendment or if buildings greater than 60 feet in height were developed in close proximity to existing residential uses. The 2021 Project would result in a less-than-significant impact regarding visual character and public views because the Project design would not conflict with applicable zoning or other regulations governing scenic quality, which includes the development standards and guidelines provided in the 2021 Specific Plan Amendment. The City's current General Plan (2004) does not provide any policies (or regulations) that specifically govern visual character.

In addition, revised Mitigation Measure B-1 would require minimum setbacks from the property line adjacent to the Torrance Lateral and Mitigation Measure B-4 requires site plan review for all development projects to ensure that landscaping, building design, lighting and signage standards set forth in the 2021 Specific Plan Amendment would be implemented. Therefore, the 2021 Project would result in less-than-significant impacts regarding visual character and public views since the 2021 Project would not conflict with applicable zoning and other regulations governing scenic quality.

The 2021 Project would change the location of the pylon signs under Option C; however, all pylon signs under Options A, B, or C would remain the same, at 88 feet in height above grade. The size of the digital display face for any sign would be no greater than that currently allowed

by law, but would be greater than proposed under Options A and B. Option C would be limited to 20 feet in height by 60 feet in width and may be surrounded by an architectural frame that could add up to 10 feet to the outer dimension, thereby totaling 30 feet by 70 feet. (For comparison, the width of pylon signs in Option A would range from 25 to 65 feet; the width of pylon signs in Option B would range from 48 to 65 feet; and the width of pylon signs in Option C would be 70 feet.)

However, as with the 2018 Project, the 2021 Specific Plan Amendment would require that the pylon signs located within the Embankment Lot along the I-405 Freeway, as well as the use of signage and lighting in other areas of the Project Site, are in compliance with the development standards and requirements set forth therein (i.e., Mitigation Measure B-2) to avoid a significant impact. As such, the 2021 Project would not result any new significant impacts or an increase in the severity of significant impacts as compared to the 2018 Project.

The design features of the 2021 Project are in substantial conformity with the applicable General Plan policies; thus, a less-than-significant impact would occur regarding General Plan consistency with respect to design and visual resources. The 2021 Project would be subject to the detailed regulations established by the 2021 Specific Plan Amendment, which pursuant to the City's Zoning Ordinance would be the governing regulations for the Project Site. The 2021 Specific Plan Amendment will be in substantial conformity with the City's adopted General Plan. This regulatory structure continues to ensure substantial conformity of the 2021 Project with the General Plan. The 2021 Specific Plan Amendment will restrict the potential for adverse effects of development on the visual quality of the area by regulating the development on the Project Site, including but not limited to permitted uses, setbacks, maximum permitted building heights, landscaping, signage, and lighting. In addition, with the implementation of mitigation measures the potential significant impacts relative to building height and sign lighting impacts would be less than significant. The 2021 Project would be in substantial conformance with the General Plan policies related to design. As such, the 2021 Project would not result any new significant impacts as compared to the 2018 Project.

Views toward and over the Project Site from the I-405 Freeway are limited. There are no unique scenic resources in the area. However, there are two recognizable visual features along the I-405 Freeway, the Goodyear Wingfoot Two a rigid-frame blimp replacement when it is in port and the large statue of the man holding a flag located north of the Project Site. The 2021 Project would not alter the view of these features from freeway locations. Views along Del Amo Boulevard are similar to the views at the time of certification of the 2018 SEIR, except for some changes on the Project Site resulting from the ongoing remediation activities. The views are of the general urban environment and not toward any identified visual resource. Views along Main Street include industrial uses interspersed with vacant and underdeveloped lands on the west and residential development, the Project Site, and open space on the east. The 2021 Project would not conflict with applicable zoning and other regulations governing scenic quality, such as views. Views over the Project Site from the adjacent residential neighborhoods located to the south and west would remain limited. There are no views of unique scenic resources from the residential areas. Views from the residential areas are largely blocked by the slope along the perimeter of the Project Site and existing development in the area. The same would apply to other private non-residential locations in the area. As with the 2018 Project, there would be no views available of unique scenic resources from vantage points within these areas. The 2021

Project would not conflict with applicable zoning and other regulations governing scenic quality, such as views.

The Project Site is not considered a view resource given the history of use as a landfill and the ongoing remediation activities. The Project Site is degraded and does not include qualifying unique or natural qualities. In addition, the Project Site does not contain features that would typically fall under the heading of view resource, e.g., unique geologic features, natural areas, etc. Views of the two notable features that might catch the eye of travelers through the area, the Goodyear Wingfoot Two and the Big Man statue on the south of the I-405 Freeway would not be lost due to development of the 2021 Project. Views over the Project Site are limited due to intervening development, the flat terrain in the area surrounding the Project Site, and the fact that the Project Site sits atop a berm that slopes down to surrounding areas. Therefore, similar to the 2018 Project, the 2021 Project would not substantially diminish views, and impacts on views of unique, valued scenic resources would be less than significant. As such, the 2021 Project would not result in any new significant impacts as compared to the 2018 Project.

According to the 2006 FEIR, which included a shade/shadow study, the maximum off-site shading that could occur on sun-sensitive uses is limited. A shade/shadow analysis was prepared to evaluate shading that would occur with the changes to the site plan. The figures showing the daily shading patterns for the winter and summer solstices and the equinoxes for morning, noon, and afternoon hours are provided in Appendix B2 of the 2021 SEIR. These periods represent the portions of the day during which maximum seasonal shadows occur and which would be of concern to most people. Based on the analysis therein, throughout the year shadows to the south would be limited and would not extend beyond the Project Site boundary. The greatest shading to the west would occur during the spring/fall equinox. However, as shown in the figures, while the shadow from Building D would extend beyond the Project Site boundary in the morning, the shadow would not reach the adjacent residential properties. Given the heights, locations and setbacks of the 2021 Project along the south and southwest boundaries of the Project Site, while impacts of the 2021 Project would be different from the shade/shadow resulting from the 2018 Project, as with the 2018 Project, the 2021 Project would result in less-than-significant shade/shadow impacts. In summary, based on the applicable aesthetics threshold for projects in urbanized areas, the 2021 Project would not conflict with applicable zoning and other regulations governing scenic quality. Therefore, impacts related to zoning and other regulations governing scenic quality would be less than significant.

Since the 2018 SEIR, the cumulative projects list has changed due to new proposed development in the surrounding area. For the purposes of assessing cumulative impacts related to aesthetics the cumulative sources must be located within close proximity (approximately 1,000 feet as was used in the 2018 SEIR) of the Project Site and in the same field of view as the 2021 Project. There are several cumulative projects within proximity of the Project Site, including Cumulative Project No. 27 (Evolve at South Bay) to the north of the Project Site and Cumulative Project Nos. 35 and 2 to the west of the Project Site. Two mixed-use cumulative Projects (Cumulative Project Nos. 5 and No. 36) are located to the south of the Project Site. While there are a number of cumulative projects on the east side of the I 405 Freeway within 1,000 feet of the Project Site (Cumulative Project Nos. 6, 10, and 19) these are commercial uses and with the intervening freeway and the distance the 2021 Project would not result in conjunction with these cumulative projects result in cumulative aesthetic impacts.

The 2021 Project (which proposes a new infill development upon the Project Site) will result in a significant and unavoidable impact related to the loss and conversion of the openness of the Project Site to a developed appearance, due to the current undeveloped nature of the Project Site. This change as has the greatest effect for travelers along Del Amo Boulevard, which is a public view corridor traveled by a large number of people. Cumulative Project No. 27 (Evolve at South Bay) on DD3 resulted in a change from vacant land to an apartment complex. Thus, the 2021 Project in conjunction with the Evolve at South Bay to the north of Del Amo Boulevard, which had been vacant land, would result in the same significant and unavoidable impact related to the conversion of the appearance of the Project Site as described in the 2018 SEIR.

With regard to shade/shadow, the 2021 Project would result in less-than-significant impacts to surrounding sensitive uses, including residential uses to the south and west and the Evolve at South Bay Project located just north of Del Amo Boulevard. The cumulative projects are distant from the Project Site and therefore, the 2021 Project would not contribute to a cumulative shade/shadow impact since there would be no overlapping shade/shadow impacts. While the number of cumulative projects within the Project vicinity is greater than in the 2018 SEIR, cumulative aesthetic impacts occur within a viewshed and within proximity to one another. Therefore, because of the distance and intervening uses between the 2021 Project and the cumulative projects as well as the urban nature of the area, the 2021 Project would not result in any new significant cumulative aesthetic impacts as compared to the 2018 Project.

While the number of cumulative projects within the Project vicinity is greater than in the 2018 SEIR, cumulative aesthetic impacts occur within a viewshed and within proximity to one another. Therefore, because of the distance and intervening uses between the 2021 Project and the cumulative projects as well as the urban nature of the area, the 2021 Project would not result in any new significant cumulative aesthetic impacts as compared to the 2018 Project. Construction and operation of the 2021 Project would not give rise to new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, there are no mitigation measures that were previously found to be infeasible that are now determined to be feasible or are considerably different from those analyzed in the previous environmental documents that would substantially reduce one or more significant effects.

With implementation of the identified mitigation measures, as revised in the 2021 SEIR, all impacts related to aesthetics would either remain less than significant with the exception of the construction and cumulative impact that would remain significant and unavoidable for impacts related to the loss and conversion of the openness of the Project Site to a developed appearance. These conclusions are the same conclusions reached for both the 2006 Project and the 2018 Project. There is no feasible mitigation to mitigate or avoid the significant and unavoidable project-related impact related to the loss and conversion of the openness of the Project Site resulting from construction on the Project Site pursuant to the 2021 Project.

## Finding

Despite incorporation of Mitigation Measures B-1 and B-4, the City finds that project-level and cumulative construction impacts related to the loss and conversion of the openness of the Project Site to a developed appearance would remain significant and unavoidable.

### *iv. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

**Facts**

The 2021 Project would be located within an urbanized area, amidst existing roadways (including the I-405 Freeway) with numerous sources of nighttime illumination. No substantial changes in the surrounding overall urban glow of the 2021 Project area have occurred since the 2018 Project was assessed. There are differences between the 2018 Project and the 2021 Project with regard to building location in PA3 (which is being separated in to PA3(a) and PA3(b)) and, therefore, associated lighting and signage. In addition, lighting would be provided in the Carson Country Mart in PA3(b) for the commercial buildings and the privately maintained and publicly accessible open areas, including the performance pavilion and pathways. There would be no changes to signs or lighting within PA1 or PA2 proposed by the 2021 Specific Plan Amendment in comparison to the 2018 Specific Plan. The 2021 Specific Plan Amendment will provide standards for building lighting, as well as perimeter and parking lot lighting.

A Supplemental Lighting Study to evaluate the proposed signage and associated lighting, as well as the building and site lighting was prepared and is provided in 2021 SEIR Appendix B1. As with the 2018 Project, the 2021 Project would include a hierarchy of signs. The 2021 Project would include up to four freeway pylon signs that would be 88 feet in height above grade, which is the same as the 2018 Project for Options A and B. However, the proposed locations and sign dimensions along the I-405 Freeway frontage have been modified under Option C. The size of the digital display face would comply with state law and would not exceed 20 feet in height by 60 feet in width. The total size for Option C, including a 10-foot architectural frame, would be 30 feet by 70 feet. Two of the signs would be double faced, digital display with changeable message display and color changing illumination, and the other two signs would be double faced, static digital display with changeable message display and color changing illumination. The digital display would rotate messages at the maximum allowed by state law. In addition, the pylon structure would contain up to six double-sided tenant signs each measuring 6 feet by 20 feet. Off-site advertising would be allowed subject to obtaining the required approvals. The 2021 Project lighting and signage would comply with all CALGreen and Caltrans requirements, as applicable. As indicated in the Supplemental Lighting Study (Appendix B1), with the implementation of the 2021 Project PDFs (2021 SEIR PDF-A1 through 2021 SEIR PDF-A3) that require electronic control mechanism and transition of illuminance as well as Mitigation Measures B-2, B-3a and B-3b, which address pylon sign location and limit illuminance within 1,000 feet of residential uses, the freeway signs would not create a source of light trespass. In addition, based on the Supplemental Lighting Study, the pylon signs would result in a medium contrast ratio and therefore, would also not create a new significant source of glare.

The 2021 Project would include Project Name ID signs and Wall Mounted Signs in PA3. Wall Mounted Signs were not previously evaluated in PA3 and the 2021 Project would have up to seven Wall Mounted Signs on the light industrial buildings in PA3(a). The signage in PA3(a) would be located so as to not be visible at adjacent residential properties along the Torrance Lateral. As indicated in the Supplemental Lighting Study, the illuminance levels that would be visible from the adjacent residential uses would be below the threshold of 0.74 foot-candles and therefore, no light trespass impact would occur. In addition, based on the Supplemental Lighting

Study, the signage in PA3(a) would result in a medium contrast ratio of less than 30:1 with respect to glare and therefore, would not create a new significant source of glare.

Wall Mounted Signs would be installed on the commercial buildings within the Carson Country Mart in PA3(b); however, sign types and locations within the Carson Country Mart have not yet been determined because the tenants and their signage proposals have not yet been identified; therefore, the sign program in PA3(b) is speculative; therefore, signage for PA3(b) was not evaluated under the Supplemental Lighting Study. The signage in PA3(b) would be determined and analyzed through a Comprehensive Sign Program that would require a detailed lighting analysis to ensure that impacts would be below the applicable thresholds.

All Project sign lighting is subject to compliance with the California Vehicle Code which restricts glare from light sources within the drivers' field of view. Based on the Supplemental Lighting Study, the glare from the 2021 Project sign lighting would be less in comparison than the 2018 Project. Therefore, the 2021 Project sign lighting would not cause excessive glare to adjacent roadways as defined by the California Vehicle Code. Mitigation Measure B-4 has been revised to require that a Comprehensive Sign Program be prepared that provides the final design, size, location, and illuminance of signage within PA1, PA3(a), and PA3(b). As part of the application, submittal for the Comprehensive Sign Program, if necessary, a technical lighting study would be prepared to ensure that the proposed signs comply with Mitigation Measures B-3a and B-3b regarding illuminance and that no spillover or adverse effects to adjacent residential uses shall occur. Therefore, with implementation of the PDFs (2021 SEIR PDF-A1 through 2021 SEIR PDF-A3) and Mitigation Measures B-2, B-3a, B-3b, and B-4, impacts with regard to sign lighting would be less than significant.

The 2021 Project building lighting and other exterior lighting would comply with the Carson Municipal Code Section 9162.53, which requires that lighting be directed away from nearby residential properties and streets as well as shielded thereby limiting light spillover. In addition, the 2021 Project would comply with CALGreen lighting standards, which control lighting intensity. Perimeter pole lighting in PA3(a) at the rear of the light industrial buildings would be limited and would be a maximum of 35 feet in height. As indicated in the Supplemental Lighting Study, the recommended illuminance for light industrial uses is less than the recommended illuminance for retail development. The reduced light fixture mounting height would serve to reduce the visibility of the lights from locations outside of the Property in comparison to the 2018 Project. Therefore, the 2021 Project Building Lighting would comply with CALGreen which limits light source luminance to less than high contrast conditions, and the 2021 Project Building Lighting would be mounted lower than the lighting analyzed in the 2018 Project. The 2021 Project would create less on-site illuminance in comparison to the 2018 Project and would not create a new source of glare at adjacent residential uses that could be considered significant. Mitigation Measure B-4 requires site plan review by the Community Development Director and requires that lighting be limited in intensity and directed on-site to ensure that lighting would not interfere with off-site activities. Based on the above, the 2021 Project's ambient lighting would continue to blend with surrounding areas would not spillover to adjacent residential uses, and would not create substantial contrast with overall urban lighting conditions. A lighting plan for the commercial buildings and privately maintained and publicly accessible open space areas within the Carson Country Mart is not proposed at this time. While all building lighting must comply with light trespass requirements of the California Building Code, a lighting study provided by the

Developer would be required to be reviewed and approved by the City for PA3(b) prior to installation of any lighting or signage thereon. In summary, as indicated in the Supplemental Lighting Study, contained in Appendix B1 of the 2021 SEIR, with implementation of the PDFs (2021 SEIR PDF-A1 through 2021 SEIR PDF-A3) and Mitigation Measures B-2, B-3a, B-3b, and B-4, impacts with regard to building and sign lighting and glare would be less than significant.

There is a potential for a cumulative increase in light and glare in the area due to the development of nearby cumulative projects (e.g., cumulative projects 2, 5, 27, and 35). However, given the urban nature of the area and the fact that many of the 2021 cumulative projects represent infill development, the change is expected and would continue the existing urban fabric. In addition, as with the 2021 Project, cumulative projects would comply with applicable CALGreen requirements, which identifies light pollution reduction requirements; Building Energy Efficiency Standards, which aims to reduce energy consumption through efficient and effective use of lighting equipment; and city lighting requirements, which requires that all lighting of buildings, landscaping, parking lots and similar facilities be directed away from adjoining and nearby residential property so as to avoid a nuisance or traffic hazard. Furthermore, lighting plans would be reviewed by the City to ensure compliance and implementation of any adopted mitigation measures that are applicable to any future project development. Therefore, the 2021 Project, in conjunction with cumulative projects, would not result in a cumulatively significant light and glare impact.

While the number of cumulative projects within the Project vicinity is greater than in the 2018 SEIR, cumulative aesthetic impacts occur within a viewshed and within proximity to one another. Therefore, because of the distance and intervening uses between the 2021 Project and the cumulative projects as well as the urban nature of the area, the 2021 Project would not result in any new significant cumulative aesthetic impacts as compared to the 2018 Project.

**Finding**

In accordance with CEQA Guideline Section 15091(a)(1), the City finds that with implementation of Mitigation Measures B-2, B-3a, B-3b, and B-4, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect with regard to aesthetics (light and glare) as identified in the Final SEIR. Thus, after implementation of Mitigation Measures B-2, B-3a, B-3b, and B-4, impacts to aesthetics (light and glare) would be less than significant.

## b. Agriculture and Forestry Resources

### *i. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

**Facts**

The 157 Acre Site was a former land fill in a heavily developed area of the City of Carson. No agricultural or forestry land uses have or are currently present on the 157 Acre Site.

**Finding**

The City finds based on substantial evidence that project and cumulative impacts to agricultural and/or forestry resources would be less than significant.

### *ii. Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

**Facts**

The 157 Acre Site was a former land fill in a heavily developed area of the City of Carson. No agricultural or forestry land uses have or are currently present on the 157 Acre Site.

**Finding**

The City finds based on substantial evidence that project and cumulative impacts to agricultural and/or forestry resources would be less than significant.

### *iii. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

**Facts**

The 157 Acre Site was a former land fill in a heavily developed area of the City of Carson. No agricultural or forestry land uses have or are currently present on the 157 Acre Site.

**Finding**

The City finds based on substantial evidence that project and cumulative impacts to agricultural and/or forestry resources would be less than significant.

### *iv. Result in the loss of forest land or conversion of forest land to non-forest use?*

**Facts**

The 157 Acre Site was a former land fill in a heavily developed area of the City of Carson. No agricultural or forestry land uses have or are currently present on the 157 Acre Site.

**Finding**

The City finds based on substantial evidence that project and cumulative impacts to agricultural and/or forestry resources would be less than significant.

### *v. 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?*

**Facts**

The 157 Acre Site was a former land fill in a heavily developed area of the City of Carson. No agricultural or forestry land uses have or are currently present on the 157 Acre Site.

**Finding**

The City finds based on substantial evidence that project and cumulative impacts to agricultural and/or forestry resources would be less than significant.

## c. Air Quality

### *i. Conflict with or obstruct implementation of the applicable air quality plan?*

**Facts**

The 2018 SEIR concluded that the 2018 Project would be consistent with the growth projections as contained in the City's General Plan, and ultimately consistent with the growth projections in the AQMP, since the AQMP is based on RTP/SCS growth forecasts. Discussion of the comparisons of the 2021 Project with the 2018 SEIR and 2006 FEIR are included for informational purposes and to determine if there is an increase in impact severity.

With respect to AQMP consistency, the 2021 Draft SEIR states "…Thus, Emissions from projects, uses, and activities that are consistent with the applicable growth projections and control strategies used in the development of the 2016 AQMP would not jeopardize attainment of the air pollutant reduction goals identified in the 2016 AQMP even if their emissions exceed SCAQMD thresholds of significance.

As with the 2018 SEIR, the 2021 Project would have the potential to increase the frequency or severity of existing air quality violations and obstruct implementation of the AQMP because the construction and operational emissions are estimated to exceed SCAQMD's significance criteria even with the incorporation of mitigation (as discussed in SEIR Section IV.D.8, Lev*el of Significance after Mitigation*). However, as the Carson Marketplace Project was approved in 2006, the emissions associated with the implementation of the 2006 FEIR would have been incorporated into future iterations of the AQMP, including the current 2016 AQMP. Therefore, even though implementation of the 2021 Project would result in exceedances to the regional thresholds, the emissions anticipated from implementation of the 2021 Project would be less than those identified in the 2006 FEIR for construction, and for VOC, CO, SOx, and PM10 for operational emissions.

The 2021 Project involves new commercial and industrial uses as compared to the 2018 Project, from which the primary emission sources would be mobile sources. It is reasonably foreseeable that the 2021 Project would result in vehicle trips throughout the vicinity. Thus, in reviewing the AQMP, the City determined that the appropriate approach to assessing whether the 2021 Project could cause an increase in the frequency or severity of existing air quality violations, cause or contribute to new air quality violations, or delay timely attainment of air quality standards or the interim emissions reductions specified in the AQMP was to ensure the

2021 Project aligns with the SCAQMD's focus for achieving attainment of the NAAQS, as stated below:[1]

> *The 2016 AQMP seeks to achieve multiple goals in partnership with other entities promoting reductions in criteria pollutant, greenhouse gases, and toxic risk, as well as **efficiencies in energy use, transportation, and goods movement**. The most effective way to reduce air pollution impacts on the health of our nearly 17 million residents, including those in disproportionally impacted and environmental justice communities that are concentrated along our transportation corridors and goods movement facilities, is to **reduce emissions from mobile sources**, the principal contributor to our air quality challenges. [emphasis added]*

The 2021 Project's mandated and enforceable PDFs and mitigation measures will serve to greatly reduce emissions, both locally and regionally, from all components of the 2021 Project. This is especially true for the proposed industrial uses in PA3, which were conservatively assumed to be facilities involved in the goods movement industry (i.e., e-commerce, fulfillment and distribution centers, etc.). The 2021 Project's PDFs and mitigation measures, include mandates for near-zero- and zero-emissions heavy and medium duty fleets, providing infrastructure for future plug-in truck technologies, which will serve to reduce idling times, promote scheduling efficiency, require plug-in TRUs, mandate participating in U.S. EPA's SmartWay, promote incentives for fleet conversions, and exceed CALGreen requirements for passenger EV charger installations which are fully in alignment with SCAQMD priorities. These PDFs and mitigation measures will result in 2021 Project emission reductions to support the goals and plans of the AQMP.

As stated on 2021 Draft SEIR page IV.D-37, The 2021 Project would promote a reduction in mobile source emissions by providing a supply of housing, employment, retail and dining opportunities within close proximity to one another as well as to existing off-site residential. The location/placement of light industrial and commercial uses would also minimize mobile source pollutant emissions because the light industrial and commercial uses would be located in close proximity to the access ramps of the I-405 Freeway and the Harbor Freeway, which provides easy access to and from the ports of Los Angeles and Long Beach. Such concentration and placement are intended to reduce VMT within the region and subregion by reducing commute distances for non-resident workers. Trip generation assumptions were calculated based on formulas which do not take into account location-based efficiencies and are based on the simplistic assumption that all project-related trips are net new trips compared to existing conditions. While this is true at the project level, it is reasonable to deduce that siting fulfillment centers/distribution centers in this location in the air district basin, near to the Ports of Long Beach and Los Angeles, could reduce mobile emissions compared to the development of similar facilities in other locations further from ports of entry and further from the major population centers of the greater Los Angeles metro area.

The 2021 Project would promote the reduction in mobile source emissions by providing housing and commercial within close proximity to one another and by locating it in close proximity to the I-405 and I-110 Freeways, which is intended to reduce VMT within the Project Site as well as

[1] SCAQMD, https://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan/final-2016-aqmp, accessed February 22, 2022

within the region. The 2021 Project PDFs, such as the electrovoltaic (EV) infrastructure for future truck charging stations, electrified dock doors, and phase-in of EV trucks, will enable the early adoption of ACT technology. Tenants within the PA3(a) would be subject to SCAQMD Rule 2305 which would reduce NOx. During its construction phase, the 2021 Project would comply with CARB requirements to minimize short-term emissions from on-road and off-road diesel equipment, and with SCAQMD's regulations for controlling fugitive dust and other construction emissions. Compliance with these measures and requirements is consistent with and meets or exceeds the AQMP requirements for control strategies intended to reduce emissions from construction equipment and activities. The 2021 Project would generate short-term construction jobs, but it would not necessarily create new long term construction jobs, since construction workers typically travel amongst construction sites as individual projects are completed within a particular area and are not typically brought from other areas to work on developments such as the 2021 Project. Moreover, these jobs would be temporary in nature. Therefore, construction jobs under the 2021 Project would not conflict with the long-term employment projections upon which the AQMP are based. The development allowed within PA1 would result in the construction of up to 1,250 residential units, which is the same as allowed under the 2018 SEIR.

Overall, total employees would increase from 4,388 employees under the 2018 Project to 5,729 employees under the 2021 Project, resulting in an increase of 1,341 employees due to the provision of the higher employee-generating fulfillment and distribution uses in PA3(a). While implementation of the 2021 Project would provide a total of 5,729 jobs anticipated for the Project Site during operation, future employees are anticipated to come from the existing local and regional labor force for (i) the light industrial uses within PA3(a), which would employ truckers and warehouse employees, and (ii) the commercial and retail uses within PA3(b). These jobs are not anticipated to draw new residents to the City or surrounding area since they do not require a highly specialized workforce. Therefore, even though the 2021 Project would increase the amount of employment opportunities within the City, population growth within the City is not anticipated to significantly increase from the population growth projections disclosed in the 2018 SEIR.

The 2021 Project would be consistent with applicable 2020–2045 RTP/SCS goals. As previously mentioned, the 2021 Project would provide a mix of uses, including residential, commercial, and light industrial uses in a prime location near the I-405 Freeway corridor. The 2021 Specific Plan Amendment will provide site design guidelines and development standards for circulation (i.e., internal circulation, parking, pedestrian and bicycle circulation, and public transportation); open space/recreation; public services and infrastructure; architecture; landscaping; walls and fences; signage; lighting; service, trash, and utility areas; artwork; noise; and energy conservation to ensure a high-quality development that is cohesive and compatible with the surrounding area.

Growth in the SCAB between 2012 and 2031 is anticipated to result in an increase in criteria pollutants of between 2 and 251 tons per year. Total 2021 Project impacts in 2026 would represent between 0.15 percent and 0.83 percent of that increase. This small increase in daily emissions would not jeopardize the SCAB's attainment status. Emissions within the SCAB are dispersed relatively quickly and the 2021 Project-related emissions do not result in any hotspots, or significant localized impacts. Further, with the reduction of NOx and VOC

emissions, the 2021 Project would actually reduce the ability for the creation of ozone. Additionally, the mobile emissions increase from the 2021 Project is anticipated to be, at least in part, emissions that would occur elsewhere in the SCAB but with the new development would be re-located to this site. For example, the relocation of fulfillment centers/distribution centers from locations further from the freeways to the Project Site. Therefore, the increase in emission of VOC, PM10, and PM2.5 between the 2018 SEIR and the 2021 Project would not be substantial.

Development of the 2021 Project offers the opportunity to redevelop an underutilized site with a mixed use development within a highly urbanized area and does so via the use of existing infrastructure, proximity to existing regional and local transit facilities, encourages pedestrian activity, and is located near existing off-site commercial uses that would meet many of the needs of the 2021 Project's future residents within PA1, as well as providing new commercial uses to serve the needs of both on-site and off-site residents. The 2021 Project, with implementation of PDFs, would comply with regulatory standards for the reduction of particulate matter; relieve congestion on roadways by providing work, recreation, retail and housing within a localized area served by bike lanes, transit, and pedestrian pathways; and increase the use of alternative fueled vehicles by providing EV charging stations as well as implementing a zero-emissions truck fleet and a ban on the operation of diesel TRUs in PA3.

Based on the nature of the 2021 Project, its location, and the implementation of PDFs, the 2021 Project would be consistent with the following City of Carson air quality goals. The 2021 Project would meet Goal AQ-1, Reduce particulate emissions from paved and unpaved surfaces and during building construction, by limiting excavations, and complying with SCAQMD Rule 403. By giving preference to those land uses that do not emit high levels of potentially toxic contaminants, installation of EV infrastructure, implementation of trip demand measures, use of electric forklifts and yard trucks, installation of electrified dock doors, and the phase in of EV trucks, the 2021 Project meets Goal AQ-2, Improve air quality which meets state and federal standards, and Goal AQ-3, Increased use of alternate fuel vehicles. Thus, consistent with the 2018 SEIR, the 2021 Project would result in less-than-significant impacts with respect to compatibility with applicable air quality policies as set forth in the City's General Plan Air Quality Element.

**Finding**

The City finds based on substantial evidence that project-level and cumulative air quality impacts (conflict with plan) would be less than significant.

### *ii. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard?*

**Facts**

The 2006 FEIR concluded that emissions resulting from implementation of the RAP, preparation of the 2006 Project Site, and 2006 Project construction would exceed SCAQMD regional significance thresholds for VOC and CO, and be below regional significance thresholds for NOx, SOx, and PM10, as summarized in the 2018 SEIR (see Draft SEIR Table IV.G-7, p. IV.G-36).

The 2018 SEIR concluded that construction of the 2018 Project resulted in no new significant impacts for VOC, NOx, SOx, CO, or PM10 emissions compared to the 2006 FEIR and a less-than-significant impact for PM2.5 (which was not previously analyzed in the 2006 FEIR). A comparison of the 2021 Project and the 2018 SEIR is included herein for informational purposes and to determine if there is an increase in impact severity only; however, significance is determined based on comparison to SCAQMD thresholds.

Implementation of the RAP and construction of PA1 and PA2 under the 2021 Project would involve substantively the same techniques and schedule as previously analyzed; however, overall construction of the 2021 Project is anticipated to occur over an extended duration (approximately 4.4 years). 2021 SEIR PDF-C1 through 2021 SEIR PDF-C9 were incorporated into the construction analysis for the 2021 Project, which would result in reductions in emissions in comparison to the unmitigated scenario.

2021 SEIR Table IV.D-6, *2021 Project Regional Construction Emissions (Unmitigated) (lbs/day)*, shows that construction emissions anticipated from the 2021 Project would result in lower emissions than were anticipated from the 2018 Project. Due to the change in regulatory requirements between the 2018 SEIR analysis and the 2021 SEIR analysis (such as construction fleet standards and architectural coating VOC content), the peak daily construction emissions of all pollutants studied from the 2021 Project would be less than those expected by the 2018 SEIR.

Therefore, the 2021 Project would not result in any new significant impacts as compared to the 2018 Project. The 2021 Project would result in CO emissions less than those from the 2018 Project, and below SCAQMD regulatory thresholds, whereas the 2018 Project would result in emissions above SCAQMD levels for this pollutant even with mitigation. Emissions of VOC would remain significant and unavoidable without mitigation. Therefore, as with the 2018 Project, the 2021 Project would result in VOC emissions above applicable significance thresholds and impacts would remain potentially significant without mitigation.

The 2018 SEIR calculated regional operational emissions generated by the consumption of electricity and natural gas, area sources, and mobile sources at build out of the 2018 Project. According to the calculations, the 2018 Project was anticipated to exceed regional SCAQMD thresholds for VOC, CO, NOx, PM10, and PM2.5 and significant impacts were identified, as shown in the 2018 SEIR (see Draft SEIR Table IV.G-10, p. IV.G-40). A discussion comparing the 2018 SEIR with the 2021 SEIR is included for informational purposes and to determine if there is an increase in impact severity and significance is determined based on comparison to SCAQMD thresholds.

2021 SEIR PDF-O1 through 2021 SEIR PDF-O16 were incorporated into the construction analysis and result in reductions in emissions associated with the unmitigated scenario. 2021 SEIR Table IV.D-7, *2021 Project Regional Operational Emissions (Unmitigated) (lbs/day)*, shows that maximum daily regional emissions anticipated from operation of the 2021 Project would result in potentially significant regional impacts for VOC, NOx, CO, PM10, and PM2.5. While the 2021 Project would result in exceedances of SCAQMD's regulatory thresholds, it would ultimately result in less daily emissions than anticipated under the 2018 SEIR for VOC, NOx, CO, and SOx. The 2021 Project would result in increased VOC, PM10, and PM2.5

emissions in the opening year (2026); however, with the implementation of the 2021 Project, VOC would decrease below 2018 SEIR levels in 2035 and 2040, whereas PM10 and PM2.5 would remain above 2018 SEIR levels. This is due to the change from commercial zoning to light industrial zoning in PA3(a) and the fugitive emissions (such as break and tire wear) from the increased VMT.

There are a number of state and local regulations and requirements that address VOC, NOx, PM10, and PM2.5 emissions. In recognition of the substantial contribution to PM emissions, CARB has adopted a statewide ACT rule, and SCAQMD has adopted Rule 2305 (Warehouse ISR) to encourage the early adoption of ZE and NZE technologies in the logistics and goods movement sector, these rules were designed to reduce NOx and PM but will also reduce VOC emissions. The City has also required PDFs for PA1 and PA3, such implementation of vehicle charging stations, electrified loading docks, reduction of truck idling to 2 minutes per occurrence and location in PA3 and electrification of on-site equipment, to be implemented to further and expeditiously reduce emissions of VOC and PM from the 2021 Project. As the future warehouses in PA3 introduce ZE and NZE trucks into the fleets (i.e., by 2040, 100 percent of the truck fleets of model year 2021 or newer associated with the light industrial facilities would be zero-emissions vehicles), PM10 and PM2.5 will be reduced from what is presented in 2021 SEIR Table IV.D-7. The PM10 and PM2.5 emissions are driven by road dust, break wear and tire wear, which is driven by the number of vehicles and not fuel type; therefore, while exhaust emissions decrease consistently, PM reductions are relatively minimal. Thus, the 2021 Project would exceed the SCAQMD thresholds in the near term. Therefore, the 2021 Project would not result in any long-term new significant impacts with respect to emissions of NOx, CO, PM10, or PM2.5. Operational emissions of VOC, NOx, CO, and SOx would eventually be reduced to below the levels assumed in the 2018 SEIR; however, under the 2021 Project in 2026, VOC, PM10, and PM2.5 would be increased over the levels identified in the 2018 SEIR and, therefore, would result in an increased severity of previously identified impacts for these pollutants. However, the increase in VOC, PM10, and PM2.5 emissions would not be substantial. Nonetheless, consistent with the 2018 SEIR findings, the impacts from the 2021 Project remain significant for VOC, NOx, CO, PM10, and PM2.5.

The 2021 Project emissions inventory is based on conservative assumptions regarding the mobile trips estimated on the basis of land use types. The analysis does not account for the improved efficiencies and net reduction of VMT that is likely to be realized through the strategic development of the 2021 Project in the proposed location. The City of Carson and the Project Site is ideally situated to serve the logistics industry. Access to numerous freeways in the region allow for ideal routing to various areas, and proximity to the Ports of Los Angeles and Long Beach will enable efficient goods movement. In this context, the addition of a logistics facility on PA3(a) is likely to create improvements and reductions in future VMT that is not quantified in this inventory. Thus, the 2021 Project emissions shown for opening year 2026 are considered to be conservative. If the analysis more accurately accounted for these aspects of VMT change due to the 2021 Project, the emissions would likely be lower than those shown.

As a conservative approach, the 2018 SEIR calculated peak daily emissions that could occur should a nearly built-out project operate while remaining construction activities occur. Concurrent construction and operation emissions were anticipated to exceed SCAQMD thresholds for VOC, NOx, CO, PM10, and PM2.5 and result in a significant impact for the

combined emissions. The 2021 Project would exceed SCAQMD's significant thresholds for VOC, NOx, CO, PM10, and PM2.5. Impacts for the 2021 Project could result in an increase in impacts compared to the 2018 SEIR for VOC, PM10 and PM2.5.

The 2021 Project would comply with applicable, adopted AQMP emissions control measures such as SCAQMD Rule 403 and would implement mitigation to further reduce construction emissions. The same requirements (i.e., Rule 403 compliance, the implementation of all feasible mitigation measures, and compliance with adopted AQMP emissions control measures) would also be imposed on construction projects within the SCAB, which would include each of the cumulative projects.

Similar to the 2018 Project, the 2021 Project would result in significant impacts for VOCs without mitigation. With incorporation of Mitigation Measure G-7, VOC emissions would be reduced to below 75 lbs per day, and the potential project impact would be reduced to less than significant. While the 2018 Project resulted in a cumulatively considerable impact with regards to construction VOC, the 2021 Project would be less than significant and, therefore, would not result in a new, not previously analyzed, cumulative impact. The 2021 Project results in less-than-significant impacts for CO, NOx, PM10, and PM2.5; thus, they are not cumulatively considerable and, per SCAQMD's methodology, would not be cumulatively significant.

The SCAQMD's AQMP forecast takes into account SCAG's forecasted future regional growth. As such, the analysis of cumulative impacts focuses on determining whether the 2021 Project is consistent with forecasted future regional growth. Therefore, if all cumulative projects are individually consistent with the growth assumptions upon which SCAQMD's AQMP is based, then future development would not impede the attainment of ambient air quality standards and a significant cumulative air quality impact would not occur. The 2021 Project would be consistent with the assumptions and forecasts in the most recent AQMP. Despite these conclusions, the 2021 Project would contribute to a significant cumulative regional air quality impact as the SCAB is in non-attainment for ozone, PM10, and PM2.5, and 2021 Project would exceed SCAQMD daily significance thresholds for VOC and NOx emissions (i.e., ozone precursors), CO, PM10, and PM2.5. Therefore, the 2021 Project, like the 2018 Project, would result in a cumulatively considerable impact with regards to VOC, NOx, CO, PM10, and PM2.5. The 2021 Project would not result in a new, not previously analyzed, cumulative impact. The 2021 Project would increase the severity of the cumulative impact identified in the 2018 SEIR for VOCs, PM10, and PM2.5; however, the increase would not be substantial.

Similar to the 2018 Project, the 2021 Project would emit TACs through the construction and operation of the 2021 Project. The 2021 Project would result in less than significant health risk impacts. The SCAQMD guidance on an acceptable approach to addressing the cumulative impacts issue for air quality states that cumulative health risk impacts use "the same significance thresholds… for project specific and cumulative impacts." The SCAQMD has not adopted a separate quantitative risk threshold applicable to cumulative health risk assessments. The MATES V study documents the existing health risk in the SCAB. However, there is no established threshold to assess the findings of the MATES V results in the context of cumulative health risk. Because the 2021 Project would result in incremental increases in health risk indices below project-level significance thresholds, the proposed project would not be cumulatively considerable, consistent with SCAQMD recommended methodology for assessing cumulative

impacts. The MATES V study documents the decrease in health risk within the SCAB as regulatory measures have been implemented and DPM emissions have decreased. With the full implementation of recently adopted rules and regulations, such as SCAQMD's WAIRE rule and pending CARB rules on heavy-duty trucks, DPM emissions from haul trucks, and the resultant regional health risk due to airborne TACs is expected to decrease further. The 2021 Project, with implementation of 2021 SEIR PDF-C1 (requiring Tier 4 equipment), 2021 SEIR PDF-O11 (requiring Tier 4 and/or non-diesel generators), and 2021 SEIR PDF-O16 (requiring the phased implementation of zero-emissions fleets), has incorporated numerous PDFs to minimize potential health risk impacts from the 2021 Project.

An additional quantitative analysis of potential cumulative TAC emissions has been prepared for informational purposes only. Health risk is calculated based on emissions (concentrations and toxicity), exposure duration, and sensitivity of the exposed population. The potential for multiple projects' impacts to result in a cumulative impact is largely dependent on the emissions being contemporaneous (within the 30-year project operational lifetime) and in proximity so as to expose the same sensitive receptors. The timing of construction and operation for each of the cumulative projects is speculative, and subject to change. However, for the illustrative purpose of discussing the potential for cumulative health risks, the SEIR analysis conservatively assumes all projects are to be constructed and operated generally on schedules similar to the 2021 Project.

The City has identified 44 cumulative projects (CPs), 11 of which would be located within 0.5 miles of the Project Site. The other 33 CPs are located at distances greater than 0.5 miles from the Project Site, beyond which, based on OEHHA guidance, TAC emissions are not expected to contribute substantially to risks at sensitive receptor locations. The 33 CPs greater than 0.5 miles from the Project Site include 14 warehouse/industrial use projects, which could contribute to truck use (and DPM emissions) in the vicinity of the Project Site. Only one of these 14 warehouse/industrial use projects (CP 35), would result in potential truck routes that would pass by the receptors within approximately 0.25 miles of the 2021 Project. The other 13 industrial CPs would have access to a freeway on- and off-ramp prior to passing by the 2021 Project receptors and, therefore, would likely not have a substantial contribution to risk to the 2021 Project receptors.

Of the 11 CPs in proximity to the Project Site, only four are located upwind (generally west and north) of the 2021 Project receptors. The seven down-wind CPs would be expected to contribute minimal exposure to the receptor locations in between the Project Site and the seven CP sites given the predominant wind and, therefore, were eliminated from further consideration. The three nearby, upwind residential CPs (CP 2, CP 27, and CP 31; residential developments), and the one upwind industrial CP (CP 35; a 265,000 sf warehouse) represent the CPs with the highest potential for combined effects with the 2021 Project. The potential for substantial TAC emissions from the residential developments would be expected only from construction activities, assuming the projects would rely on diesel-fueled heavy-duty construction equipment and include some relatively intensive construction activities such as subterranean excavation, and not from operational activities. CP 35 would result in operational TAC emissions from truck trips. However, as the 2021 Project's operational 30-year TAC emissions would result in a risk of 1.10 per million with 1.5 million sf of warehouse space, the added risk from CP 35 (a 265,000 sf warehouse) is expected to be substantially less than the 2021 Project.

Additionally, CP 27 has already been constructed, thereby reducing the cumulative risk of this project combined with the 2021 Project and other cumulative projects. Because risk is greatest for childhood age receptors (i.e., third trimester fetus through 2 years of age), the cumulative risk analysis assumes exposure for the modeled residential receptors starting in the 3rd trimester in order to capture the maximum-case exposure scenario associated with the 2021 Project. The cumulative risk analysis also assumes exposure for the modeled residential receptors starting in the 3rd trimester. Given that CP 27 is a residential development that would have no long-term risk exposure and that construction has already been completed, CP 27 would not contribute to the maximum cumulative risk and is eliminated from further discussion in the SEIR analysis.

The estimated maximum cumulative cancer risk for CP 2, CP 31 and CP would be 4.45 per million (residential receptor 37), and 4.54 per million (non-residential receptor 209), with the point of maximum risk located at the same location as the maximum cancer risk for the 2021 Project. The cumulative risk is approximately 0.04 per million greater than the 2021 Project values for both receptor locations. There is no quantitative cumulative health risk threshold; therefore, there is no significance conclusion relative to the SEIR analysis, and the SEIR analysis is provided for information disclosure purposes only.

In summary, the 2021 Project would result in significant and unavoidable impacts after mitigation for Regional operational emissions of VOC, NOx, CO, PM10, and PM2.5. However, as compared to the 2018 SEIR, the 2021 Project would not result in new significant and unavoidable impacts. The 2021 Project will incorporate mitigation measures provided in the 2018 SEIR to the potential increased emissions of the 2021 Project. As detailed in 2021 SEIR Section IV.D.6, *Mitigation Measures*, portions of the mitigation measures have been revised from the measures included in the 2018 SEIR based on new regulatory or 2021 Project requirements. Regardless, the 2021 Project would increase the severity of the operational impacts identified in the 2018 SEIR for VOCs, PM10, and PM2.5; however, as discussed in SEIR Section IV.D.5c(1)(a), *AQMP Consistency Analysis*, the increase would not be substantial. With respect to construction emissions, revisions to the 2018 SEIR mitigation measures incorporated into the 2021 Project will reduce construction impacts from VOCs to a less-than-significant impact; therefore, reducing regional construction related VOC impacts identified in 2018 SEIR.

Without implementation of Mitigation Measure G-7, impacts from construction activities would be significant consistent with the findings in the 2018 SEIR. Implementation of Mitigation Measure G-7 would reduce VOC emissions from 113 lbs per day to between 64 and 74.9 lbs per day depending on if construction phasing is staggered such that there is no overlap between the architectural coating of PA1 and PA2 or low/no VOCs coatings are used. As emissions would be reduced to below 75 lbs per day, the potential impact would be reduced to less than significant with mitigation.

Implementation of Mitigation Measures G-2, G-3, G-7, G-9, G-10, and G-11 would further reduce regional construction emissions for the 2021 Project; however, due to the nature of the measures their reductions are not quantifiable. Therefore, the construction of the 2021 Project would not result in any new significant impacts as compared to the 2018 Project with respect to regional emissions of VOC, NOx, CO, PM10, or PM2.5.

Implementation of Mitigation Measures G-2, G-3, G-7, G-9, G-10, and G-11 would also reduce localized construction emissions for the 2021 Project; however, due to the nature of the measures, their reductions are not quantifiable. Therefore, the 2021 Project would not result in any new significant impacts as compared to the 2018 Project with respect to localized emissions of NOx, CO, PM10, and PM2.5, and are considered less than significant with mitigation.

Mitigation is not required with respect to health risk as the unmitigated risk would be below the significance thresholds. Implementation of the identified reduction measures (including mitigation measures and PDFs), as adopted by the 2018 SEIR, and revised in the 2021 SEIR or added as part of the SEIR analysis would further reduce construction health risk levels. Included for informational purposes and to determine if there is an increase in impact severity, the combined construction and operational health risk would not result in a substantial increase in health risk beyond what was identified in the 2018 SEIR. Maximum cancer risk to off-site receptors would increase somewhat from 2.7 per million in the 2018 SEIR due to the longer timeframe for the 2021 Project's expected construction schedule compared to the 2018 SEIR's anticipated construction schedule. However, maximum risk would be roughly less than 50 percent of the SCAQMD's significance threshold of 10 per million. In addition, the long-term, 30-year operational cancer risk would be reduced to below the 2.7 per million identified in the 2018 SIER for off-site receptors for the 2021 Project. For on-site receptors, the 2021 Project risk would also be reduced to below the 3.6 per million in the 2018 SEIR. Therefore, with incorporation of the above mitigation measures the 2021 Project impacts would remain less than significant. As indicated, impacts would be less than significant, consistent with in the analysis under the 2018 SEIR; therefore, 2021 Project emissions would not result in a substantial change from the 2018 SEIR. The 2018 SEIR concluded that even with implementation of the adopted mitigation measures, operation of the 2018 Project would remain significant and unavoidable for regional emissions of VOC, NOx, CO, PM10, and PM2.5; would be less than significant with mitigation for localized emissions, and would be less than significant with respect to operational and cumulative operational health risk.

Implementation of 2021 Mitigation Measures G-12 and G-13 would reduce emissions through meeting at least minimum regulatory requirements. Implementation of 2021 SEIR Mitigation Measures G-18, G-19, G-20, G-21, and 265,000 sf G-29 would reduce operational emissions of criteria pollutants through the implementation of measures to reduce single occupancy vehicle use at the Project Site, thereby reducing emissions from mobile sources other than the trucks associated with PA3. Implementation of new Mitigation Measure C-18 would reduce emissions from VMT which would reduce criteria pollutant emissions. Like the 2018 Project, regional operational emissions of VOC, NOx, CO, PM10, and PM2.5 for the 2021 Project would not be reduced to below regulatory thresholds as shown in 2021 SEIR Table IV.D-14, *2021 Regional Operational Emissions (Mitigated) (lbs/day)*, even with implementation of mitigation.

Although emissions of VOC, NOx, CO, PM10, and PM2.5 resulting from the 2021 Project would exceed the significance thresholds, emissions of VOC, NOx, and CO would not exceed those emission levels anticipated in the 2018 SEIR for 2035 and 2040. Emissions of PM10 and PM2.5 are driven by fugitive sources (which are directly proportional to VMT, dominated by long-haul trucking from PA3(a)) rather than from exhaust emissions which can be controlled/reduced through the implementation of the PDFs. The 2021 Project would not result in any new significant impacts as compared to the 2018 Project with respect to VOC, NOx, CO, SOx,

PM10, and PM2.5, although, the 2021 Project would result in an increase in severity of impacts for VOC, PM10, and PM2.5. Consistent with the 2018 SEIR, the 2021 Project would remain significant and unavoidable with respect to regional operational emissions and the mid-to long-term impacts from the 2021 Project would not substantially increase the impacts over the 2018 Project as the increase in emissions would be less than approximately 21 percent for any pollutant over the 2018 SEIR.

The 2021 Project inventory is a conservative estimate of potential operational emissions. The Applicants do not have control over the vehicles used by residents, workers, guests, visitors, and customers. The PDFs and mitigation measures include strategies that have the potential to reduce these emissions through education and incentives for reducing single occupancy vehicle trips. Additionally, the PDFs will implement a phase-in of zero-emissions truck fleets for the light industrial sources which will also reduce these emissions. Additionally, SCAQMD has implemented Rule 2305, which will reduce emissions from warehouse activities. Implementation of 2018 SEIR prior Mitigation Measures G-16, G-17, G-18, G-19, G-20, G-21, and G-27, and G-29 would reduce operational emissions of criteria pollutants through the implementation of measures to reduce single occupancy vehicle use at the Project Site. However, due to the nature of these measures, the level of implementation is currently unknown; therefore, the amount of reductions cannot be determined. Implementation of the WAIRE rule includes a number of reduction options that will determine emissions reductions. The exact implementation of the WAIRE rule that will be incorporated by the 2021 Project is unknown; therefore, quantifying a potential reduction is considered speculative. While reductions associated with Rule 2305 compliance are ultimately anticipated, those reductions have conservatively not been quantified to further reduce the 2021 Project emissions disclosed in the 2021 SEIR.

Localized operational impacts would be less than significant without the incorporation of mitigation. With incorporation of mitigation, localized emissions would be further reduced. Consistent with the 2018 SEIR, the 2021 Project would result in less-than-significant impacts with respect to localized emissions. As indicated, impacts would be less than significant, consistent with impacts identified in the 2018 SEIR; therefore, 2021 Project emissions would not result in a substantial change from the 2018 SEIR.

With respect to TAC impacts to off-site receptors and CO hot spots impacts at vicinity intersections, the 2021 Project would result in less-than-significant impacts, and no mitigation is needed. As indicated, impacts would be less than significant, consistent with impacts identified in the 2018 SEIR; therefore, 2021 Project emissions would not result in a substantial change from the 2018 SEIR.

Project Concurrent Construction and Operational Regional Emissions (pounds per day), the combined mitigated construction and operational emissions for the 2021 Project would exceed SCAQMD’s significant thresholds for VOC, NOx, CO, PM10, and PM2.5. However, the 2021 Project would not result in new significant impacts or a substantial increase in impacts compared to the 2018 SEIR with mitigation incorporated. Aside from mitigation listed, no other feasible or enforceable mitigation that would reduce construction and operational emissions to less-than-significant levels are available. Therefore, similar to the 2018 Project, impacts would remain significant and unavoidable. However, while the 2021 Project results in an increase in emissions of less than 21 percent over the 2018 SEIR emissions for any pollutant, the increase

would not be substantial. With implementation of the identified reduction measures (including mitigation measures and PDFs), as adopted by the 2018 SEIR, revised in the 2021 SEIR, or added as part of the analysis, all impacts related to localized air quality impacts for criteria pollutants, and health risk, as well as consistency with the AQMP, would remain less than significant for the 2021 Project, which are the same conclusions reached for the 2006 FEIR and 2018 SEIR. Consistent with the findings in the 2018 SEIR, even with implementation of all feasible mitigation, impacts for regional operational emissions of VOC, NOx, CO, PM10, and PM2.5 would exceed SCAQMD regulatory thresholds for the 2021 Project, and impacts would remain significant and unavoidable. Even though impacts would be significant and unavoidable, the emissions of VOC, NOx, CO, and SOx would be less than those identified in the 2018 SEIR; therefore, 2021 Project emissions of these pollutants would not result in a substantial change from those expected under the 2018 SEIR. Emissions of PM10 and PM2.5 do not decrease substantially due to the fact these emissions are dominated by fugitive mobile sources such as break and tire wear. However, the emissions of PM10 and PM2.5, although greater than the 2018 SEIR, do not represent a substantial increase.

With respect to air quality impacts, construction and operation of the 2021 Project would not give rise to new significant environmental impacts or result in a long-term substantial increase in the severity of previously identified significant impacts. Short-term impacts for regional operational and concurrent emissions would result in short-term substantial increases in emissions over the 2018 SEIR. In addition, there are no mitigation measures that were previously found to be infeasible that are now determined to be feasible or are considerably different from those analyzed in the previous environmental documents that would substantially reduce one or more significant effects.

**Finding**

In accordance with CEQA Guideline Section 15091(a)(1), the City finds that with implementation of Mitigation Measures G-2, G-3, G-7, G-9, G-10, G11, G-12, G-13, G-17, G-18, G-19, G-20, G-21, G-27, and G-29, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect with regard to air quality (criteria pollutants) during construction as identified in the Final SEIR. Thus, after implementation of Mitigation Measures G-2, G-3, G-7, G-9, G-10, G-11, G-12, G-13, G-17, G-18, G-19, G-20, G-21, G-27, and G-29, impacts to air quality (criteria pollutants) during construction would be less than significant.

Despite incorporation of the Project's extensive project design features and Mitigation Measures G-2, G-3, G-7, G-9, G-10, G11, G-12, G-13, G-16, G-17, G-18, G-19, G-20, G-21, G-27, and G-29, the City finds the following impacts to air quality (criteria pollutants) would remain significant and unavoidable: (i) project-level regional operation emissions, (ii) concurrent construction and regional operational emissions, and (iii) cumulative regional operation emissions.

### *iii. Expose sensitive receptors to substantial pollutant concentrations?*

**Facts**

The 2018 Project analysis under the 2018 SEIR determined that NOx and CO emissions would be less than significant, based on SCAQMD's highly conservative LST look-up tables. PM10

and PM2.5 were above the screening levels and dispersion modeling was conducted to determine that emissions would result in concentrations below the SCAQMD threshold for pollutants within a non-attainment area (2018 Draft SEIR Table IV.G-8, p. IV.G-38). Discussion of the comparison of the 2021 Project and the 2018 SEIR is included for informational purposes and to determine if there is an increase in impact severity. The significance of air quality impacts for the 2021 Project is determined based on comparison to SCAQMD thresholds.

Diesel combustion can be a major source of NOx emissions, which converts to NO2 (the pollutant upon which the NAAQS is based) at variable rates while traversing the distance to receptors. Thus, dispersion modeling was determined to be more appropriate for the analysis of NOx emissions from the 2021 Project due to the size of the Project Site and the potential for overlapping construction phases. Dispersion modeling was conducted for NOx, PM10, and PM2.5 in addition to comparing the localized on-site emissions to the LST look-up tables. 2021 SEIR Table IV.D-9, *2021 Project Localized Construction Emissions (Unmitigated)*, shows that construction emissions anticipated from the 2021 Project would result in less-than-significant impacts for all criteria pollutants studied, similar to impacts from the 2018 Project. Impacts from the 2021 Project would not result in new significant impacts with respect to NOx, CO, PM10, or PM2.5. Therefore, consistent with impacts identified in the 2018 SEIR, the 2021 Project would not result in exposure of sensitive receptors to substantial localized pollutant concentrations, and impacts would be less than significant; therefore, 2021 Project emissions would not result in a substantial change from the 2018 SEIR.

The 2018 SEIR evaluated the potential for impacts from exposure to TAC emissions, specifically DPM, from heavy equipment operations during construction. The maximum individual increase in lifetime cancer risk resulting from project-related DPM emissions for an off-site sensitive receptor (a resident) was projected to be 1.2 in a million. Because this increase is below the applicable threshold of 10 in a million, the impact was determined to be less than significant. The 10 in a million threshold was developed by SCAQMD as a level of increased risk that is protective of all sensitive receptors, including those that reside in disadvantaged communities. Hazard Indices for the 2018 SEIR were reported as <0.01 for both chronic and acute. Because these were below the threshold of 1, chronic and acute risk were determined to be less than significant without mitigation. Discussion of the comparison of the 2021 Project and the 2018 SEIR is included for informational purposes and to determine if there is an increase in impact severity, as the significance of air quality impacts for the 2021 Project is determined based on comparison to SCAQMD thresholds.

2021 SEIR Table IV.D-10, *2021 Project Construction Risk (Unmitigated)*, presents the cancer and chronic risk estimates for the 2021 Project, compared to values estimated for the 2018 Project. As discussed in 2021 SEIR Section IV.D.5.a, *Methodology*, health risks are cumulative over their averaging periods; therefore, comparison to numeric indicators for impacts from construction alone are for informational purposes only. Significance determinations for associated risk from the 2021 Project combines construction and operational risk under 2021 SEIR Section IV.D.4c, *Toxic Air Contaminants*, over the 30-year averaging period. As shown on 2021 SEIR Table IV.D-10, the increased efficiencies of the construction equipment (meeting Tier 4 emissions standards or Tier 3 emissions standards, at a minimum, if Tier 4 equipment is not commercially available, use of electric equipment) and the efficacy of diesel reduction features (such as prohibition of diesel generators during construction of PA3, haul trucks of MY

2014 or better) demonstrate that the 2021 Project's risk from construction would be less than SCAQMD's numeric threshold. Impacts from the 2021 Project would not result in new significant impacts with respect to TAC emissions from construction.

The California Supreme Court decision on December 24, 2018, *Sierra Club v. County of Fresno* (Friant Ranch) resulted in the need to address criteria air pollutants and the connection to human health effects in environmental documents. The City of Los Angeles Department of Planning published a "white paper" to address the feasibility of directly relating any identified significant adverse air quality impact to likely health consequences for projects analyzed in the City of Los Angeles, which is provided as Appendix D2 of the 2021 SEIR. The document concludes that "direct correlation of a project's pollutant emissions and anticipated health effects is currently infeasible, as no expert agency has approved a quantitative method to reliably and meaningfully translate mass emission estimates of criteria air pollutants to specific health effects for the scale of projects typically analyzed in City EIRs." NOx and VOC are precursor emissions that form ozone in the atmosphere in the presence of sunlight where the pollutants undergo complex chemical reactions. It takes time and the influence of meteorological conditions for these reactions to occur, so ozone may be formed at a distance downwind from the sources. Breathing ground-level ozone can result health effects that include: reduced lung function, inflammation of airways, throat irritation, pain, burning, or discomfort in the chest when taking a deep breath, chest tightness, wheezing, or shortness of breath. In addition to these effects, evidence from observational studies strongly indicates that higher daily ozone concentrations are associated with increased asthma attacks, increased hospital admissions, increased daily mortality, and other markers of morbidity. The consistency and coherence of the evidence for effects upon asthmatics suggests that ozone can make asthma symptoms worse and can increase sensitivity to asthma triggers. The SCAQMD has among the most sophisticated air quality modeling and health impact evaluation capability of any of the air districts in the state, and thus it is uniquely situated to express an opinion on how lead agencies should correlate air quality impacts with specific health outcomes. It may be infeasible to quantify health risks caused by individual projects due to various factors. It is necessary to have data regarding the sources and types of air toxic contaminants, location of emission points, velocity of emissions, the meteorology and topography of the area, and the location of receptors (worker and residence). SCAQMD staff does not currently know of a way to accurately quantify ozone-related health impacts caused by NOx or VOC emissions from individual projects due to photochemistry and regional model limitations. Although it may be technically possible to use the data in a methodology designed for regional impact assessments, the results would not be reliable or meaningful at the individual project level. As stated in the white paper published by the City of Los Angeles Department of Planning, the scientific literature indicates that an increased risk of mortality and morbidity is associated with particulate matter at ambient levels. The evidence for particulate matter effects is mostly derived from population studies with supportive evidence from clinical and animal studies. Although most of the effects are attributable to particulate matter, co-pollutant effects cannot be ruled out on the basis of existing studies. The difficulty of separating the effects may be due to the fact that particulate levels co-vary with other combustion source pollutants. That is, the particle measurements serve as an index of overall exposure to combustion-related pollution, and some component(s) of combustion pollution other than particles might be at least partly responsible for the observed health effects. Therefore, at this time, there is no specific numeric indicator that can reliably

indicate specific health effects from particulate matter for a specific project analyzed in EIRs. It would be extremely difficult, if not impossible to quantify health impacts of criteria pollutants for various reasons, including modeling limitations, as well as where in the atmosphere air pollutants interact and form for an individual development project. Furthermore, currently available modeling tools are not equipped to provide a meaningful analysis of the correlation between an individual development project's air emissions and specific human health impacts "… the Air District is simply not equipped to analyze and to what extent the criteria pollutant emissions of an individual CEQA project directly impact human health in a particular area … even for projects with relatively high levels of emissions of criteria pollutant precursor emissions."

Any attempt to quantify the 2021 Project's health effects would be considered unreliable and misleading. The health effect assessment is a study of the 2021 Project's impacts on local health. The modeled emissions and corresponding concentrations are below the NAAQS (with existing ambient background) or below the allowable increase levels for pollutants where background levels exceed NAAQS. Therefore, while there is the potential for additional growth in the SCAB to result in combined exceedances of the NAAQS for criteria pollutants, the impacts from the 2021 Project alone would not result in a significant cumulative contribution; therefore, the 2021 Project would result in a less-than-cumulatively-significant contribution and less-than-cumulatively-considerable health effects to local residents.

With respect to CO hotspots, the 2018 SEIR concluded less-than-significant impacts with respect to mobile emissions of CO. Discussion of the comparison of the 2021 Project and the 2018 SEIR is included for informational purposes and to determine if there is an increase in impact severity, as the significance of air quality impacts for the 2021 Project is determined based on comparison to SCAQMD thresholds. The 2021 Project would not result in any new significant impacts as compared to the 2018 Project, because CO is primarily emitted in any substantial levels from light-duty gasoline powered automobiles, and the change in zoning will result in a decrease in CO from the 2021 Project. Based on the methodology used in the 2018 Project analysis and today, any intersection that operates with less than 100,000 vehicles per day would be anticipated to have less emissions than the intersection at Wilshire Boulevard and Veteran Avenue and, therefore, also would not exceed the NAAQS or CAAQS. Intersections operating at greater than 100,000 vehicles per day would require additional analysis. The intersection with the greatest traffic under the future plus project scenario is the intersection of S. Avalon Street and West Carson Street with average daily vehicles of 55,417 through that intersection. This is below the 100,000 vehicles per day threshold and, therefore, would be less than significant with respect to mobile emissions of CO. The 2021 Project would not result in any new CO significant impacts as compared to the 2018 Project. Therefore, as with the 2018 Project, the 2021 Project would not expose sensitive receptors to substantial CO pollutant concentrations, and impacts would remain less than significant. As indicated, impacts would be less than significant, consistent with impacts identified in the 2018 SEIR. Therefore, 2021 Project emissions would not result in a substantial change from the 2018 SEIR.

With respect to localized operational impacts, the 2018 SEIR concluded less-than-significant impacts with respect to NOx, CO, PM10, and PM2.5 from on-site emissions after mitigation. Prior to mitigation, PM10 and PM2.5 resulted in significant impacts. The 2018 SEIR used the LST look-up tables to determine localized impacts with reliance on dispersion modeling for any

pollutant that exceeded the screening thresholds. The conversion of NOx to NO2 is based on distance and, therefore, distance from the source is an integral part of analyzing local emissions. Due to the size of the Project Site, dispersion modeling is more appropriate for the analysis of NOx as emissions due to the conversion to NO2 based on distance and there are no LSTs in the look-up tables for sites over 5 acres. Thus, for the 2021 Project, dispersion modeling was conducted for NOx, PM10, and PM2.5 in addition to comparing the localized on-site emissions to the LST look-up tables. 2021 SEIR Table IV.D-11, *2021 Project Localized Operational Emissions (Unmitigated) (lbs/day)*, shows that localized operational emissions anticipated from the 2021 Project would result in less-than-significant impacts for all criteria pollutants studied. Impacts from the 2021 Project would result in no new significant impacts with respect to NOx, CO, or PM10 or PM2.5, and would result in a reduction from the 2018 Project emissions projected under the 2018 SEIR.

Dispersion modeling for CO emissions was not conducted because the CO hotspot analysis shows that localized impacts would not exceed the NAAQS or CAAQS; therefore, further analysis was not warranted. As with the 2018 Project, the 2021 Project would not result in exposure of sensitive receptors to substantial localized pollutant concentrations and impacts would be less than significant. As indicated, impacts would be less than significant, consistent with impacts identified in the 2018 SEIR. Therefore, 2021 Project emissions would not result in a substantial change from the 2018 SEIR.

As discussed in the 2018 SEIR, DTSC has determined that potential health effects due to air emissions relative to on-site commercial activities would be less than significant. On-site activities include TAC emissions from activities occurring on the site only, for example the use of generators and the operation of the flare. Additionally, development of the residential uses would not be allowed until DTSC has concluded that the development would be implemented in a manner that is protective of human health and the environment. The 2018 SEIR concluded less-than-significant impacts with respect to combined construction and operational health risk. Discussion of the comparison of the 2021 Project and the 2018 SEIR is included for informational purposes and to determine if there is an increase in impact severity. The significance of air quality impacts for the 2021 Project is determined based on comparison to SCAQMD thresholds.

The analysis of the impacts from TAC emissions from the construction and the operation of the 2021 Project is assessed based on the same revised methodology as the 2018 SEIR. Construction emissions are detailed in 2021 SEIR Table IV.D-10. Operation of the 2021 Project is anticipated to begin directly after construction and would represent the remainder of the 30-year risk. Combined construction and operational risk is called out in 2021 SEIR Table IV.D-12, *2021 Project Combined Risk (Unmitigated)*. 2021 SEIR Figure IV.D-3, Unmitigated Maximum Cancer Risk Locations, shows the locations of the unmitigated maximum receptors for each area. Maximum chronic and acute HIs are below numeric thresholds for all receptor locations. The total combined risk is below SCAQMD numeric indicators. Therefore, as with the 2018 Project, without mitigation, the calculated combined risk from the construction and operation of the 2021 Project would be less than significant and would not result in a new significant impact as compared to the 2018 Project. As indicated, impacts would be less than significant, consistent with impacts identified in the 2018 SEIR. Therefore, 2021 Project emissions would not result in a substantial change from the 2018 SEIR.

The 2018 FEIR concluded that the impacts to on-site residential uses would be less than significant. As the residential portion of the 2021 SEIR will not change location and vehicle traffic along the I-405 Freeway (main off-site pollutant source for the residents of PA1) would be on average more efficient and result in reduced DPM emissions from those that would have occurred had PA1 been built at the certification of the 2018 SEIR, the effects to the residents of PA1 associated with the 2021 Project would be the same or less than those identified in the 2018 SEIR.

As detailed in 2021 SEIR Table IV.D-11, the modeled emissions and corresponding concentrations are below the NAAQS (with existing ambient background) or below the allowable increase levels for pollutants where background levels exceed NAAQS. Therefore, while there is the potential for additional growth in the SCAB to result in combined exceedances of the NAAQS for criteria pollutants, the impacts from the 2021 Project alone would not result in a significant cumulative contribution; therefore, the 2021 Project would result in a less than cumulatively significant contribution and less than cumulatively considerable health effects to local residents.

**Finding**

The City finds based on substantial evidence that project-level and cumulative localized air quality impacts (sensitive receptors) would be less than significant. Implementation of Mitigation Measures G-2, G-3, G-7 through G-13, G-16 through G-21, G-27, and G-29 would further reduce the severity of already less than significant air quality impacts (sensitive receptors).

### *iv. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

**Facts**

During construction, as with both the 2006 Project and the 2018 Project, the 2021 Project is anticipated to generate odors that are typical of construction projects and would be temporary in nature. The 2021 SEIR does not modify any of these conclusions. In addition, SEIR Section 7.4.6, *Odor Control*, of the Upper Operable Unit Remedial Action Plan (RAP) states that the remedial activities are not anticipated to include any soil excavation into the waste or the existing soil cover except limited drillings for typical well/piling installation. In addition, there would be limited exposure of open landfill to no more than 500 sf, consistent with SCAQMD Rule 1150.1, and the daily practice of covering any stockpile would occur, consistent with the SWPPP BMPs. Due to limited disturbance and the daily covering of any stockpile, odor issues are not anticipated to occur during remediation activities. Further, perimeter monitoring during construction will be provided, as required by the RAP and as provided for by Mitigation Measure D-3, which could also detect any potential odor problems.

According to the South Coast Air Quality Management District (SCAQMD) CEQA Air Quality Handbook, land uses associated with odors typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The former Cal Compact landfill has been closed for over 50 years and, therefore, is not operational. As part of 2021 SEIR PDF-O3, as included in Section IV.D, *Air Quality*, of the 2021 SEIR, land uses on the Project Site would be limited to

those that do not emit high levels of odors. In accordance with this PDF, the 2021 Project, like the 2006 Project and the 2018 Project, would not involve elements related to the types of uses described above.

The 2021 Specific Plan Amendment, as with the 2018 Specific Plan, requires several design or operational elements that would reduce potential operational odor impacts, including that trash collection enclosures: (1) are located in obscured areas, such as behind buildings or adjacent to loading areas; and (2) are screened from view with enclosures (either solid wall or landscaped, depending on the use). Further, the 2021 Specific Plan Amendment will require trash enclosure designs for commercial and residential uses that must be approved by the Community Development Director prior to issuance of any building permit(s).

With respect to both construction and operation under the 2021 Project, Mitigation Measure G-8 requires compliance with SCAQMD Rule 402 to reduce potential nuisance impacts. SCAQMD Rule 402 specifically prohibits the discharge, from any source whatsoever that causes detriment, nuisance, or annoyance to any considerable number of persons or to the public, which could include odors from either construction or operational activities.

The 2021 Project would be less than significant with implementation of identified mitigation measures. As with the 2021 Project, the cumulative projects would similarly implement SCAQMD Rule 402, which would require the cumulative projects to reduce any odors emitted during construction or operation. In addition, the cumulative projects listed in 2021 SEIR Table III-1, Cumulative Projects, are not land uses identified by the SCAQMD as associated with odors. Notwithstanding, given the location of nearest cumulative projects, the 2021 Project would not combine with the cumulative projects to generate cumulative odor impacts. Thus, cumulative air quality impacts related to odors would be less than significant.

**Finding**

The City finds based on substantial evidence that project-level and cumulative construction and operational odor impacts would be less than significant. Implementation of Mitigation Measure G-8 would further reduce the severity of already less than significant odor impacts.

## d. Biological Resources

### *i. 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 Game or U.S. Fish and Wildlife Service?*

**Facts**

The 2021 Project will change the Project Site from its current state to a developed, urban land use. Most wildlife species that use the Project Site are adapted to living in an urban/suburban environment. Given the ambient noise and existing uses on and off site, wildlife on the Project Site or in the vicinity are likely habituated to high levels of disturbance. Project Site uses would be limited during construction; however, the common wildlife species could find refuge in the surrounding urban/suburban during construction. The post-project conditions would be similar to

the surrounding and established urban/suburban setting. The planting of ornamental trees throughout the Project Site would improve the habitat for some common wildlife by providing nest sites and food sources.

No special-status plants and no native plant communities were observed on site. Although various special-status plants have been historically recorded in the region, none are considered to have the potential to occur on the Project Site due to the Project Site's history for landfill and remediation uses, including evidence that the Project Site was completely graded a little more than 10 years ago. The study area is not within any USWFS-designated Critical Habitat for any special-status plant or wildlife species. No impact related to a substantial adverse effect on any plant species identified as candidate, sensitive, or special-status in local or regional plans, policies, or regulations by CDFW or USFWS would occur.

No special-status wildlife species were observed during surveys and none have been reported in recent years. Due to recent and historic disturbance and the lack of natural plant communities or trees, only a few special-status wildlife species were determined to have even a low potential to occur, and most of these are avian species would only occasionally or rarely forage over or fly over the Project Site during migration. Only two special-status bird species, northern harrier and burrowing owl, were deemed to have a low to very low potential to forage or breed on the Project Site. No individual harriers or burrowing owl were observed during general surveys in April 2020 and April 2021, or during the May 26, June 2, June 18, June 22, July 13, or July 14, 2021, focused burrowing owl surveys. The potential for either species to occur in this disturbed urban setting, other than as occasional foragers or flyovers, is considered to be very low as these species prefer ample open spaces and less urban areas with low levels of human and equipment activity. As noted previously, the Project Site, historically used as a landfill, has been highly disturbed in the past and is currently subject to ongoing disturbance by vehicles, equipment, and personnel engaged in various activities on the Project Site. It is also completely surrounded by urban development. While it may be possible that special-status birds could nest on site, the likelihood of such occurrence is considered low because the Project Site is isolated and surrounded by urban development and because of the level of historic and ongoing disturbance. Also, the documented presence of a family group of coyotes makes the site particularly dangerous for burrowing owl to reside and very unlikely that any would stay for any substantial length of time. Therefore, a less-than-significant impact related to a substantial adverse effect on any wildlife species identified as candidate, sensitive, or special-status in local or regional plans, policies, or regulations by CDFW or USFWS would occur. With respect to the burrowing owl, while no mitigation is required given the negative results of the protocol-level surveys, which included six separate site visits, rather than three, as well as the poor condition and low suitability of the habitat, Mitigation Measure K-1 would further ensure a less-than-significant impact by conducting preconstruction surveys for sensitive nesting birds in PA3 (i.e., the burrowing owl).

## Finding

The City finds based on substantial evidence that project-level and cumulative impacts related to biological resources (special status species) would be less than significant. Implementation of Mitigation Measure K-1 would further reduce the severity of already less-than-significant impacts related to biological resources (special status species).

### *ii. 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 Game or US Fish and Wildlife Service?*

**Facts**

No riparian habitat or sensitive natural communities are present on the Project Site, and no features on the Project Site are subject to State or federal regulatory jurisdiction. Also, the 2021 Project would not require any modification to storm drains or other structures that would affect the Torrance Lateral, which occurs outside the Project Site boundary but which will continue to receive runoff from the site as it currently does. Furthermore, the 2021 Project would continue to be subject to the SUSMP that was approved by the City of Carson and the County of Los Angeles in 2009. The 2009 SUSMP specified the use of Vortechs units (hydrodynamic separators) at the discharge points, Filterra units along the backbone street, and Bioclean filter inserts in catch basins or discharge pipes. Thus, the 2021 Project would not result in any additional discharge of material or pollutants to the Torrance Lateral as compared to the 2018 Project. Therefore, no impact would occur on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to biological resources (riparian habitat) would be less than significant.

### *iii. 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?*

**Facts**

No wetlands or “waters” subject to state or federal regulatory jurisdiction, such as waters of the United States, pursuant to CWA Section 404, or streams or lakes, pursuant to California Fish and Game Code Section 1600 et al., occur on the Project Site. The retention and detention basins within the Project Site are not regulated resources and there are no marshes, vernal pools, or coastal habitats present. The Project Site does not contain any resources that would be regulated under the CWA or California Fish and Game Code Section 1600 et al., and there are no potential off-site impacts that could be regulated under the CWA or California Fish and Game Code Section 1600 et al. Therefore, no impact would occur with respect to a substantial adverse effect on state or federally protected wetlands (including but not limited to marsh, vernal pool coastal) through direct removal, filling, hydrological interruption, or other means for on-site resources.

The Torrance Lateral is located outside of the Project Site, to the west and south, and is separated from the Project Site by chain-link fencing; however, as a Section 303(d) impaired water body, the Torrance Lateral meets State regulatory jurisdictional criteria as “Waters of the State” and federal criteria for “Waters of the U.S.” As previously discussed, stormwater runoff from the Project Site to the Torrance Lateral would be regulated during construction and post-construction activities through various regulatory controls, including the preparation of an

SWPPP as required for the Carson General Plan for construction activities and BMPs provided in the SUSMP for post-construction activities. Therefore, a less-than-significant impact would occur with respect to a substantial adverse effect on state or federally protected wetlands (including but not limited to marsh, vernal pool coastal) through direct removal, filling, hydrological interruption, or other means for on-site resources for off-site resources.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to biological resources (wetlands) would be less than significant.

***iv. 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?***

**Facts**

The detention/retention basins present on the Project Site are likely to be used occasionally by some migrating birds, but these basins do not represent an important or high-quality resource along the Pacific Flyway for migratory birds and also do not offer potential nursery sites for any native wildlife (e.g., rookeries). However, as noted previously, although the Project Site supports only non-native grassland vegetation, relatively bare ground, and a few artificial detention/retention basins, such areas may be used by ground nesting birds, some songbirds, and possibly shorebirds, and other non-special-status species. Some bird species may also nest on existing structures or in construction material and equipment. Even common native and migratory species and their nests and eggs are protected from unnecessary destruction during breeding.

The detention/retention basins do not support any fish. They offer no natural habitat and very limited food resources. As such, although the presence of water may attract birds, migrating birds are more likely to stop briefly during migration to forage and rest at natural areas in the region where food resources are more plentiful. There are other waterways and natural and seminatural wetlands and ponds in the region that provide much better resources for migratory birds, such as open space areas at Whittier Narrows, the Ballona wetlands, Los Alamitos and Bolsa Chica wetlands, or any number of parks, ponds or reservoirs with natural vegetation and water bodies. Therefore, the Project Site is not considered to provide an important resource for migratory birds. In addition, as it is surrounded by urban development with no link to natural open space areas, the Project Site is not a part of a movement corridor or landscape linkage for terrestrial wildlife.

However, California Fish and Game Code Section 3503 protects the active nests and eggs of all native bird species, except certain game birds, and the federal Migratory Bird Treaty Act (16 USC 703–711) makes it unlawful to take or kill individuals of most native and migratory bird species found in the United States. Therefore, Mitigation Measure K-1 would further ensure a less-than-significant impact by conducting preconstruction surveys for common nesting birds, which are not anticipated to be present based on the many site visits conducted as part of general biological surveys and focused surveys for the burrowing owl. Impacts would be less than significant with implementation of the identified mitigation measure.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to biological resources (migratory species) would be less than significant. Implementation of Mitigation Measure K-1 would further reduce the severity of already less-than-significant impacts related to biological resources (migratory species).

### *v. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

**Facts**

There is a local tree ordinance adopted by the City that regulates removal of trees; however, there are no trees on the Project Site. The 2021 Project would not conflict with any local policies or ordinances protecting biological resources, including the tree ordinance. Therefore, no impact would occur.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to biological resources (conflict with policy) would be less than significant.

### *vi. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

**Facts**

There is no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan applicable to the Project Site or the present biological resources; therefore, there would be no project conflicts, and no impact would occur.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to biological resources (conflict with plan) would be less than significant.

## e. Cultural Resources

### *i. Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?*

**Facts**

The 157-Acre Site is undeveloped, but was used as a landfill site between 1959 and 1965, prior to the incorporation of the City of Carson, for the deposition of waste/refuse from areas throughout Los Angeles County. The 157-Acre Site, subsequently, has been subject to remediation activities, which has resulted in the creation of crushed concrete piles, detention and retention ponds, a groundwater treatment plant, and a gas plant extraction facility. Based

on a review of modern aerial photos, there were paved roads within the site and no structures evident until 2009, after which the groundwater treatment plant and gas plant extraction facility were constructed in 2014/2015 in the southwestern portion of the Project Site, adjacent to the Torrance Lateral Flood Control Channel (Torrance Lateral). Neither of these on-site structures is considered historic as they do not meet the 45-year threshold set by the Office of Historic Preservation (OHP). Therefore, the 2021 Project would result in a less-than-significant direct impact to historical resources.

The 2005 Initial Study did not evaluate impacts to indirect historical resources that could be affected by the 2006 Project then proposed by the Boulevards at South Bay Specific Plan. A review of the Built Environment Resource Directory (BERD) listing through the OHP did not indicate any eligible resources have been recorded in the vicinity of the Project Site that could be indirectly affected by development of the 2021 Project. Therefore, the 2021 Project would result in a less-than-significant indirect impact to historical resources.

The Project Site does not contain any historic resources and, therefore, would not result in any significant direct or indirect impacts to historic resources. Thus, the 2021 Project would not contribute to any cumulative project impacts associated with historic resources.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to cultural resources (historic resources) would be less than significant.

### *ii. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?*

**Facts**

Although there are known archaeological sites and Native American village sites in the vicinity of the 157-Acre Site, an archaeological survey and record search were both negative for recorded sites within the Project Site in 2005. Further, due to the landfill activities, grading, and the limits of ground disturbance on the Project Site, the likelihood of encountering resources is very low. The nature of the materials that were deposited in the landfill in the 1950s and 1960s would not be found to be significant resources in their own right. Furthermore, the extent and depth of grading under the 2021 Project would be similar to that proposed for the 2018 Project, as further described in Chapter II, *2021 Project Description*, of the 2021 SEIR. Therefore, under the 2021 Project, impacts associated with a substantial adverse change in the significance of an archaeological resource would remain less than significant.

The Project Site is entirely surrounded by extensive urban and suburban development, with the I-405 Freeway located adjacent to the eastern edge of the Project Site. Similar to the 2021 Project, the cumulative projects are either urban infill projects or are located on highly disturbed sites, where the potential to encounter cultural resources is considered low. Therefore, because of the low potential for cultural resources in the vicinity of the Project Site, cumulative impacts to cultural resources as a result of development of the cumulative projects identified in Table III-1, Cumulative Projects, of the 2021 SEIR, would not be cumulatively significant. In addition, due to the history of the Project Site being a former landfill, there is no potential for cultural resources

to be contained within the Project Site. Furthermore, given the disturbed nature of the Project Site and the limited potential impacts of the 2021 Project, implementation of the 2021 Project would not have a cumulatively considerable contribution to cumulative effects on cultural resources. Therefore, cumulative impacts to cultural resources as a result of implementation of the 2021 Project would remain less than significant.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to cultural resources (archaeological resources) would be less than significant.

### *iii. Disturb any human remains, including those interred outside of formal cemeteries?*

**Facts**

The 2005 Initial Study found that there was a less-than-significant impact to human remains due to the grading and landfill-related activities that occurred within the Project Site in the past. Due to the findings of the 2005 Initial Study, human remains were scoped out of the 2006 FEIR and also addressed in Chapter VI, *Effects Found Not to Be Significant*, of the 2018 SEIR.

Due to the landfill activities, grading, and the limits of ground disturbance on the Project Site, the likelihood of encountering human remains is very low. In addition, in the event that excavation required for the 2021 Project uncovered human remains, these resources would be treated in accordance with federal, state, and local guidelines, as appropriate. Therefore, under the 2021 Project, impacts would remain less than significant.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to cultural resources (human remains) would be less than significant.

## f. Energy

### *i. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

**Facts**

During construction of the 2021 Project, energy would be consumed in the form of electricity for powering the construction trailers (lights, electronic equipment, and heating and cooling) and exterior uses, such as lights, water conveyance for dust control, and other construction activities. Natural gas would not be for construction purposes. Project construction would also consume energy in the form of petroleum-based fuels associated with the use of off-road construction vehicles and equipment on the Project Site, construction workers travel to and from the Project Site, and delivery and haul truck trips (e.g., hauling of demolition material to off-site reuse and disposal facilities).

During construction of the 2021 Project, electricity would be consumed to power lighting, heating, and cooling in the construction trailers, and to supply and convey water for dust control. Electricity would be supplied to the Project Site by SCE and would be obtained from the existing electrical lines that connect to the Project Site.

Annual average construction electricity usage would be approximately 66 MWh. Although there is a temporary increase in electricity consumption at the site during construction, the electrical consumption would be 0.08 percent of SCE's energy supply (84,654 GWh net energy for 2019). 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 2021 Project net annual operational electricity. The 2018 SEIR did not address electrical use from on-site construction trailers or construction water use for dust suppression, however it would be similar to the electricity consumption associated with the construction trailers for the 2021 Project. Regardless, the electricity consumption would result in less-than-significant impacts. Therefore, as with the 2018 Project, the 2021 Project would not result in a wasteful, inefficient, and unnecessary consumption of energy associated with electricity used for construction, and impacts would remain less than significant.

Natural gas would not be supplied to support 2021 Project construction activities; thus, there would be no expected demand generated by construction of the 2021 Project. If natural gas is used during construction, it would be in limited amounts and on a temporary basis and would specifically be used to replace or offset diesel-fueled equipment and as such would not result in substantial ongoing demand. Therefore, as with the 2018 Project, the 2021 Project would not result in the wasteful, inefficient, and unnecessary consumption of energy associated with natural gas used for construction and impacts would remain less than significant.

During 2021 Project construction, on- and off-road vehicles would consume an estimated annual average of approximately 139,685 gallons of gasoline and 343,575 gallons of diesel. The fuel usage during 2021 Project construction would represent approximately 0.004 percent of the 2019 annual on-road gasoline-related energy consumption and 0.06 percent of the 2019 annual diesel fuel-related energy consumption in Los Angeles County.

Transportation fuels (gasoline and diesel) are produced from crude oil, which can be domestic or imported from various regions around the world. Based on current proven reserves, crude oil production would be sufficient to meet over 50 years of worldwide consumption. The 2021 Project would comply with CAFE fuel economy standards, which would result in more efficient use of transportation fuels (lower consumption). Project-related vehicle trips would also comply with Pavley and Low-Carbon Fuel Standards, which are designed to reduce vehicle GHG emissions but would also result in fuel savings in addition to compliance with CAFE standards.

Construction of the 2021 Project would utilize fuel-efficient equipment consistent with state and federal regulations, such as fuel-efficiency regulations in accordance with the CARB Pavley Phase II standards, the anti-idling regulation in accordance with Section 2485 in CCR Title 13 (for PA2), a 2-minute maximum idling restriction (per occurrence and location) as part of operational requirements for PA1 and PA3, and fuel requirements for stationary equipment in

accordance with CCR Title 17, Section 93115 (concerning Airborne Toxic Control Measures), and would comply with state measures to reduce the inefficient, wasteful, and unnecessary consumption of energy, such as petroleum-based transportation fuels. While these regulations are intended to reduce construction emissions, compliance with the anti-idling and emissions regulations would also result in fuel savings from the use of more-fuel-efficient engines.

Construction would utilize transportation fuels only for necessary on-site activities, construction worker travel to and from the Project Site, and to transport construction materials and demolition debris to and from the Project Site. Additional idling restrictions for PA1 and PA3 and the use of cleaner, energy-efficient equipment would result in less fuel combustion and energy consumption than would occur if the 2021 Project strictly complied with applicable regulations and thus minimize the 2021 Project construction-related energy use.

Energy consumption during construction of the 2021 Project would differ from what was analyzed in the 2018 SEIR. Total gasoline consumption would increase usage by 104,074 gallons annually beyond what was reported for the 2018 Project. This increase is due to the increase in construction schedule from approximately 2 years to approximately 5 years. Diesel consumption would decrease by 97,951 gallons from what was reported for the 2018 Project. Regardless, the transportation fuels consumption would result in less-than-significant impacts as the 2021 Project complies with or exceeds regulatory requirements for the reduction of fuel consumption. Therefore, as with the 2018 Project, the 2021 Project would not result in the wasteful, inefficient, and unnecessary consumption of energy and impacts associated with transportation fuels for construction would remain less than significant.

During operation of the 2021 Project, energy would be consumed for multiple purposes, including, but not limited to on road mobile sources, area sources (landscape maintenance equipment and natural gas heating), energy (i.e., electricity, natural gas), water conveyance and wastewater treatment, and solid waste, which were calculated for the 2021 Project buildout year (2026). With compliance to the minimum requirements of 2019 Title 24 with respect to energy performance standards and applicable 2019 CALGreen requirements, at buildout, the 2021 Project would result in a projected annual demand for electricity totaling approximately 33,947 MWh, as shown in SEIR Table IV.G-2. The 2021 Project would include energy saving measures that would meet or exceed 2019 California Title 24 Efficiency standards or such other standards otherwise adopted by the City. In addition to compliance with CALGreen requirements, the 2021 Project also incorporates PDFs including electric vehicle infrastructure for a minimum of 25 percent of truck parking spaces in PA3(a), incorporating photovoltaic systems on the Project Site on 25 percent of the available roof space for the light industrial uses, and incorporating outdoor electrical outlets such that 10 percent of outdoor landscaping equipment can be electrically powered.

By 2020 SCE is required to procure at least 33 percent of its energy portfolio from renewable sources. The current sources for SCE include wind, solar, and geothermal sources. These sources accounted for 32 percent of the SCE overall energy mix in 2017, the most recent year for which data are available, and represent the available off-site renewable sources of energy that would meet the 2021 Project energy demand. Based on data collected by SCE in its 2019 Annual Report, SCE total system sales for 2018– 2019 fiscal year (the latest data available) was 84,654,000 MWh of electricity. As such, the 2021 Project-related annual electricity consumption

of 33,947 MWh represents approximately 0.040 percent of SCE supplied electricity. Furthermore, SCE projected energy demand for 2026 (the 2021 Project opening year) is estimated at 108,000,000 MWh. The 2021 Project energy use would represent about 0.031 percent of total SCE sales, and would be within the SCE projected electricity supplies. The 2021 Project incorporates a variety of energy conservation measures and PDFs to reduce energy usage and minimize energy demand below what would otherwise be required by existing regulations, as evidenced by the reduced contribution of the 2021 Project to overall sales between 2018 and 2024. The 2021 Project would implement a phase-in of zero-emissions (ZE) or near-zero-emissions (NZE) trucks for the light industrial portion of PA3(a). For trucks of model year 2021 or newer, 75 percent of trucks shall be ZE or NZE by 2035 and 100 percent of trucks shall be required to be ZE or NZE by 2040. The increase in electric vehicle use and electricity needed to power the electric truck increases the electrical consumption of the 2021 Project to 126,928 MWh annually, which represents approximately 0.15 percent of SCE's 2019 supplied electricity. SCE projected electricity demand for 2030 is 110,000,000 MWh. The 2021 Project would represent approximately 0.115 percent of the total SCE sales.

Electrical consumption during operation of the 2021 Project in 2026 would decrease from what was quantified in the 2018 SEIR. This decrease is due to more energy efficient buildings and equipment operations required under the 2019 Title 24 regulations, which are more stringent than the 2016 Title 24 regulation that was used for the 2018 SEIR analysis. Also, as shown in SEIR Table IV.G-2, the 2040 electrical consumption during operation of the 2021 Project would be less than both the 2026 consumption as well as the consumption reported in the 2018 SEIR. Therefore, as with the 2018 Project, the 2021 Project would not result in the wasteful, inefficient, and unnecessary consumption of energy and impacts associated with operational electricity would remain less than significant.

The 2021 Project would increase the demand for natural gas resources. With compliance with 2019 Title 24 standards and applicable 2019 CALGreen requirements (for PA1 and PA3; development of PA2 is currently bound by the PDFs/mitigation measures of the 2018 SEIR [pursuant to the vested rights CAM-Carson LLC is entitled to for its project], which require an efficiency of 5 percent more than the 2016 Title 24 standards), at buildout in 2026, the 2021 Project is projected to generate an increase in the on-site annual demand for natural gas totaling approximately 28 million cf, as shown in SEIR Table IV.G-2. SoCalGas accounts for anticipated regional demand based on various factors including growth in employment by economic sector, growth in housing and population, and increasingly demanding state goals for reducing GHG emissions. SoCalGas accounts for an increase in employment and housing between 2018 to 2035. Furthermore, the 2020 California Gas Report, estimates natural gas supplies within SoCalGas' planning area will be approximately 854,830 million cf in 2026 (the 2021 Project's full buildout year). The 2021 Project's annual demand for natural gas is estimated to be approximately 28 million cf. The 2021 Project would account for approximately 0.003 percent of the 2026 forecasted annual consumption in SoCalGas' planning area and would fall within SoCalGas' projected consumption for the area and would be consistent with SoCalGas' anticipated regional demand from population or economic growth. Natural gas consumption is not assumed to change between 2026 and 2040. However, 2021 Project would account for approximately 0.004 percent of the 2035 forecasted annual consumption (767,595 cf). As would be the case with electricity, the 2021 Project would comply with the applicable

provisions of Title 24 and the CALGreen Code in effect at the time of building permit issuance to minimize natural gas demand (for PA1 and PA3; PA2 is bound by the PDFs/mitigation measures of the 2018 SEIR, which require an efficiency of 5 percent more than the 2016 Title 24 standards). As such, the 2021 Project would minimize energy demand.

Natural gas consumption during operation of the 2021 Project would decrease from what was quantified in the 2018 SEIR. This decrease is due to a difference in land use. The 2018 SEIR did not include industrial land uses. The 2021 Project includes approximately 1.5 million sf of industrial uses that use less natural gas than other types of land uses such as residential or commercial. Therefore, as with the 2018 Project, the 2021 Project would not result in the wasteful, inefficient, and unnecessary consumption of energy associated with operational natural gas and impacts would remain less than significant.

During operation, project-related traffic would result in the consumption of petroleum-based fuels related to vehicular travel to and from the Project Site. A majority of the vehicle fleet that would be used by visitors and employees would consist of light-duty automobiles and light-duty trucks, which are subject to fuel-efficiency standards. However, the 2021 Project does include a higher percentage of truck trips relative to other land uses given that the 2021 Project includes a fulfillment and distribution center (light industrial uses). The 2021 Project's estimated annual petroleum-based fuel usage would be approximately 6,194,164 gallons of gasoline and approximately 3,770,603 gallons of diesel for the 2021 Project. Based on the CEC's California Annual Retail Fuel Outlet Report, Los Angeles County (County) consumed 3,559,000,000 gallons of gasoline and 584,745,763 gallons of diesel fuel in 2019. The 2021 Project would account for approximately 0.2 percent of County gasoline consumption and approximately 0.6 percent of County diesel consumption based on the available County fuel sales data for the year 2019. The 2021 Project would prohibit diesel TRUs, implement of the use of lower polluting trucks, and provide electric charging infrastructure for TRUs and trucks. As outlined in 2021 SEIR PDF-O16, tenants will be required to use lower emitting trucks, specifically, 75 percent of model year 2021 or newer trucks must be ZE or NZE by 2035 and 100 percent shall be ZE or NZE by 2040. This conversion to electric trucks would reduce diesel consumption to 527,643 gallons per year. In 2040, the 2021 Project would account for approximately 0.1 percent of County diesel consumption based on the available County fuel sales data for the year 2019.

Transportation fuels (gasoline and diesel) are produced from crude oil, which can be domestic or imported from various regions around the world. Based on current proven reserves, crude oil production would be sufficient to meet over 50 years of worldwide consumption. The 2021 Project would comply with Corporate Average Fuel Economy standards, which would result in more efficient use of transportation fuels (lower consumption). Project-related vehicle trips would also comply with Pavley Standards, which are designed to reduce vehicle GHG emissions by mandating increasingly stringent emissions standards on new vehicles, but would also result in fuel savings from more efficient engines in addition to compliance with Corporate Average Fuel Economy standards.

Further, the 2021 Project would be subject to the Advanced Clean Trucks Program, which mandates that retailers of heavy-duty trucks include an increasing percentage of zero-emissions trucks in their annual sales. The Advanced Clean Trucks Program goes into effect in 2024 and would affect mobile source energy consumption at the Project Site. Overall, the Advanced

Clean Trucks Program would result in a fuel savings of 84,656 gallons of gasoline and 40,486 gallons of diesel in the 2021 Project's first operational year. However, the decrease in fuel would result in approximately 1,753 MWh of electricity needed to power the zero-emissions vehicles. As the mandated percentage of zero-emissions vehicles increases over the years, the diesel fuel savings would increase between 2026 and 2035, and the savings increase would increase subsequent to 2035 based on the implementation of the 2021 Project-mandated incorporation of zero-emissions trucks.

The 2021 Project would support statewide efforts to improve transportation energy efficiency and reduce transportation energy consumption with respect to private automobiles. The 2021 Project would not conflict with the 2020–2045 RTP/SCS goals and benefits intended to improve mobility and access to diverse destinations, provide better "placemaking," provide more transportation choices, and reduce vehicular demand and associated emissions. The 2021 Project supports the development of complete communities by co-locating complementary commercial/restaurant, residential, and hotel land uses in close proximity to existing off-site residential uses, being located within 0.25 miles of off-site residential uses. The increases in land use diversity and mix of uses on the Project Site would reduce vehicle trips and VMT by encouraging walking and non-automotive forms of transportation, which would result in corresponding reductions in transportation-related emissions. The 2021 Project would also promote walking and bicycling paths within its boundaries. It would connect to the surrounding commercial and recreational areas. The 2021 Project would locate industrial uses, along with retail, residential, and restaurant uses, within an area that has accessible public transit options, and the potential to generate significant employment opportunities, all within walking distance. Further, the 2021 Project would promote the use of electric vehicles by providing electric vehicle charging stations. Compliance with 2021 SEIR PDF-O7 would result in the installation of charging stations to support 169 spaces in PA1, 82 spaces in PA3, and an additional 325 spaces on site, or off site. The 2021 Project's proposed location within an area that has existing public transit (with access to existing regional bus service), and the 2021 Project's mixed-use nature locates employment opportunities, restaurants and entertainment, all within walking distance of the on-site and off-site residential receptors would reduce vehicle trips and VMT. The inclusion of PDFs that support and encourage pedestrian activity and other non-vehicular transportation increases the 2021 Project's potential to reduce vehicle trips and VMT. Additionally, the 2021 Project design would provide for the installation of the conduit and panel capacity to accommodate electric vehicle charging stations for a minimum of 6 percent of the passenger vehicle parking spaces pursuant to the CALGreen Code for PA1 and 10 percent of passenger vehicle parking spaces for PA3. PA3(a) will also incorporate electrical infrastructure for a minimum of 25 percent of truck parking for the light industrial uses. The 2021 Project would minimize operational transportation fuel demand beyond state, regional, and City goals. Therefore, operation of the 2021 Project would not result in the wasteful, inefficient, and unnecessary consumption of energy.

Fuel consumption during operation of the 2021 Project would change from what was quantified in the 2018 SEIR. Gasoline consumption from operation of the 2021 Project would decrease compared to the 2018 Project, whereas diesel consumption would increase. The reduction in gasoline consumption would be due to the change in land use. While the 2021 Project would have more employees associated with the new light industrial land uses proposed within PA3(a)

as opposed to the retail/restaurant/hotel land uses analyzed in the 2018 SEIR, the reduced number of visitors to the commercial uses is substantial enough to offset the increase in employees. The increase in diesel consumption for the 2021 Project would be due to the increase in diesel trucks associated with industrial uses. The previous 2018 Project assumed daily truck trips 158 trucks for the commercial uses in PA3 and 79 trucks for PA2. The 2021 Project assumes 1,325 trucks for the industrial uses in PA3(a), 14 trucks for PA3(b), and 79 trucks for PA2. Additionally, the previous 2018 Project did not use an origin to destination model to determine VMT used in the analysis whereas the 2021 Project used an origin to destination model to determine VMT, which analyzes not only the VMT within the study area, but also accounts for the VMT for the trips outside of the respective air basin. Regardless, the impacts would be less than significant. Therefore, as with the 2018 Project, the 2021 Project would not result in the wasteful, inefficient, and unnecessary consumption of energy associated with operational transportation fuels and impacts would remain less than significant.

The geographic context for the cumulative analysis of electricity is the SCE service area. Growth within this service area is anticipated to increase the demand for electricity and the need for infrastructure, such as new or expanded facilities. Future development, including the 2021 Project, would result in the increased use of electricity resources. However, SCE has determined that the use of such resources would be minor compared to existing supply and infrastructure within the SCE service area and would be consistent with growth expectations. Furthermore, like the 2021 Project, other cumulative developments would be required to incorporate energy conservation features in order to comply with applicable mandatory regulations including CALGreen Code, state energy standards under Title 24, and incorporate mitigation measures, as necessary. As such, the 2021 Project's contribution to cumulative impacts due to wasteful, inefficient, and unnecessary consumption of energy would not be cumulatively considerable.

The geographic context for the cumulative analysis of natural gas is the SoCalGas service area. Growth within this service area is anticipated to increase the demand for natural gas and the need for infrastructure, such as new or expanded facilities. Cumulative development projects, including the 2021 Project, in the SoCalGas service area would result in the use of natural gas resources, however the use of such resources would be consistent with regional and local growth expectations for the SoCalGas service area. Further, like the 2021 Project, other future development projects would be required to incorporate energy conservation features in order to comply with applicable mandatory regulations including CALGreen and state energy standards in Title 24. As such, the 2021 Project's contribution to cumulative impacts due to wasteful, inefficient, and unnecessary consumption of energy would not be cumulatively considerable.

The geographic context for the cumulative analysis of transportation energy is the SCAG region. Growth within this region is anticipated to increase the demand for transportation and the need for infrastructure, such as new or expanded facilities. Buildout of the 2021 Project and cumulative projects in the SCAG region would be expected to increase overall VMT; however, the effect on transportation fuel demand would be reduced by future improvements to vehicle fuel economy pursuant to federal and state regulations. By 2026, vehicles are required to achieve 54.5 mpg (based on USEPA measurements), which is a 54 percent increase from the 35.5 mpg standard in the 2012–2016 standards. Siting land use development projects at infill sites is consistent with the overall goals of the state to reduce VMT pursuant to SB 375.

Cumulative development projects would need to demonstrate consistency with these goals and incorporate any mitigation measures required under CEQA, which would also ensure cumulative development projects contribute to transportation energy efficiency. As such, the 2021 Project's contribution to cumulative impacts due to wasteful, inefficient, and unnecessary consumption of energy would not be cumulatively considerable.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to energy consumption would be less than significant.

### *ii. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

**Facts**

The 2021 Project would utilize construction contractors who must demonstrate compliance with applicable regulations. Construction equipment would be required to comply with federal, state, and regional requirements where applicable. With respect to truck fleet operators, USEPA and NHSTA have adopted fuel-efficiency standards for medium- and heavy-duty trucks that will be phased in over time. Phase 1 heavy-duty truck standards apply to combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles for model years 2014 through 2018 and result in a reduction in fuel consumption from 6 to 23 percent over the 2010 baseline, depending on the vehicle type. USEPA and NHTSA also adopted the Phase 2 heavy-duty truck standards, which cover model years 2021 through 2027 and require the phase-in of a 5 to 25 percent reduction in fuel consumption over the 2017 baseline depending on the compliance year and vehicle type. The energy modeling for trucks does not take into account specific fuel reductions from these regulations, since they would apply to fleets as they incorporate newer trucks meeting the regulatory standards; however, these regulations would have an overall beneficial effect on reducing fuel consumption from trucks over time as older trucks are replaced with newer models that meet the standards.

In addition, construction equipment and trucks are required to comply with CARB regulations regarding heavy-duty truck idling limits of 5 minutes per occurrence and location for PA2 (with idling occurring at different times and locations on a trip with up to 5 minutes upon arrival, 5 minutes during delivery, and 5 minutes at departure). However, construction activities in PA1 and PA3 will be subject to idling times to a maximum of 2 minutes per occurrence and location (with idling occurring at different times and locations on a trip with up to 2 minutes upon arrival at parking spaces, 2 minutes at the arrival to loading docks, 2 minutes at the departure from loading docks, and 2 minutes at the departure from parking). Additionally, off-road emissions standards will increase equipment efficiencies as they are phased-in over time and less-efficient equipment is phased out of construction fleets. These limitations would result in an increase in energy savings in the form of reduced fuel consumption from more fuel-efficient engines. Although these requirements are intended to reduce criteria pollutant emissions, compliance with the anti-idling and emissions regulations would also result in the efficient use of construction-related energy. Thus, construction and operation of the 2021 Project would comply with existing energy standards. Construction equipment used would be consistent with the energy standards applicable to construction equipment including limiting idling fuel consumption

and using contractors that comply with applicable CARB regulatory standards that affect energy efficiency. Therefore, the 2021 Project would comply with existing energy standards and impacts would remain less than significant.

Electricity and natural gas usage during project operations would be minimized through incorporation of applicable 2019 Title 24 standards, applicable 2019 CALGreen requirements. Furthermore, the 2021 Project incorporates energy-conservation measures beyond regulatory requirements as specified in the PDFs detailed in 2021 SEIR Section IV.H, *Greenhouse Gas Emissions*; that is, the light industrial portion of the 2021 Project would be designed to include electric vehicle infrastructure for a minimum of 25 percent of truck parking spaces, and would incorporate photovoltaic systems on the Project Site for a minimum of 25 percent of rooftop coverage. All of the 2021 Project would incorporate outdoor electrical outlets such that 10 percent of outdoor landscaping equipment can be electrically powered.

Through the City's EECAP, the City of Carson has established goals and strategies that would reduce energy use. As outlined in the EECAP, the City plans on focusing on increasing energy efficiency and reducing GHG emissions from energy to meet attainment goals. In addition to EECAP energy efficiency goals, utility providers (such as SCE) are required to provide 50 percent of their electricity supply from renewable sources by the year 2030, further reducing the GHG intensity of supplied electricity. The 2021 Project would comply with CALGreen energy efficiency requirements, which would be consistent with EECAP goals for increasing energy and water use efficiency in new residential and commercial developments.

With respect to operational transportation-related fuel usage, the 2021 Project would support statewide efforts to improve transportation energy efficiency and reduce transportation energy consumption with respect to private automobiles. The 2021 Project would comply with CAFE fuel economy standards and the Pavley Standards, which are designed to result in more efficient use of transportation fuels. As discussed in detail in 2021 SEIR Section IV.H, *Greenhouse Gas Emissions*, the 2021 Project's design and its location on an infill site within close proximity to public transit options, the 2021 Project's proximity to existing off-site retail, restaurant, entertainment, commercial, and job destinations, and its walkable environment would achieve a reduction in VMT that would not conflict with the 2020–2040 RTP/SCS.

The 2018 SEIR demonstrated consistency with applicable energy plans and policies such as CALGreen Code and Title 24 Standards. Similarly, the 2021 Project demonstrates consistency with CALGreen Code, Title 24 Standards, SCAG's 2020–2045 RTP/SCS, and the City's CAP (see SEIR Section VI.H.3.d(2), *Climate Action Plan*, for further discussion of the City's CAP. Therefore, as with the 2018 Project, the 2021 Project would comply with existing energy standards and impacts would remain less than significant.

Buildout of the 2021 Project, cumulative projects, and additional forecasted growth in SCE's service area would cumulatively increase the demand for electricity supplies and on infrastructure capacity. It is expected that SCE would continue to expand delivery capacity as necessary to meet demand increases within its service area. Development projects within the SCE service area would also be anticipated to incorporate site-specific infrastructure improvements, as necessary. Each cumulative project would be reviewed by SCE to identify necessary power facilities and service connections to meet individual project needs. In addition,

as with the 2021 Project, cumulative projects would need to analyze potential environmental effects of infrastructure extensions, adhere to any applicable ground-disturbing design features, and implement necessary mitigation measures, which would also serve to reduce potential impacts from any infrastructure removal or relocation activities. Project Applicants would be required to provide for the needs of their individual projects, thereby contributing to the electrical infrastructure in the surrounding area.

Moreover, the 2021 Project would also incorporate energy and water efficiency measures outlined in PDFs (refer to SEIR Section IV.H, *Greenhouse Gas Emissions*) that go beyond applicable required City and state energy plans and standards. Cumulative projects, as with the 2021 Project, would be required to evaluate electricity conservation features and compliance with applicable electricity efficiency plans and standards including the Title 24 standards and CALGreen Code, and incorporate mitigation measures, as necessary under CEQA. Cumulative projects, as with the 2021 Project, would also be required to evaluate potential impacts related to consistency with the City's CAP and EECAP goals, and local and regional supplies or capacity based on regional growth plans, such as the SoCalGas energy supply projections for long-term planning. As such, the 2021 Project's contribution to cumulative impacts due to conflicts with or obstruction of a state or local plan for renewable energy or energy efficiency would not be cumulatively considerable.

Buildout of the 2021 Project, cumulative projects, and additional forecasted growth in SoCalGas' service area would cumulatively increase the demand for natural gas supplies and on infrastructure capacity. However, SoCalGas forecasts take into account projected population growth and development based on local and regional plans, and the 2021 Project's growth and development in the vicinity pursuant to the cumulative projects would not conflict with those projections. Cumulative projects, as with the 2021 Project, would be required to evaluate natural gas conservation features and compliance with applicable regulations including the Title 24 standards and CALGreen Code, and incorporate mitigation measures, as necessary under CEQA. Cumulative projects, as with the 2021 Project, would also be required to evaluate potential impacts related to consistency with the City's CAP and ECAP goals and policies, and local and regional supplies or capacity based on regional growth plans, such as the SoCalGas energy supply projections for long-term planning. As such, the 2021 Project's contribution to cumulative impacts due to conflicts with or obstruction of a state or local plan for renewable energy or energy efficiency would not be cumulatively considerable.

Buildout of the 2021 Project, cumulative projects, and additional forecasted growth would cumulatively increase the demand for transportation-related fuel in the state and region. However, the 2021 Project would not conflict with the energy efficiency policies emphasized by the 2020–2045 RTP/SCS. As discussed previously, the 2021 Project would be consistent with and not conflict with SCAG's land use type for the area and would encourage alternative transportation and achieve a reduction in VMT compared to a standard non-infill project, in part, based on its location efficiency. The 2020–2045 RTP/SCS is a regional planning tool that addresses cumulative growth and resulting environmental effects and is applicable to the 2021 Project, and cumulative projects with respect to transportation energy efficiency. Cumulative projects would be required under CEQA to evaluate if their respective developments would conflict with the energy efficiency policies emphasized by the 2020–2045 RTP/SCS, such as the per capita VMT targets, promotion of alternative forms of transportation, proximity to public

transportation options, provisions for encouraging multi-modal and energy efficient transit such as by accommodating bicycle parking and electrovoltaic (EV) chargers at or above regulatory requirements. Furthermore, cumulative projects would be required to implement mitigation measures, as needed, if found to be in conflict with applicable provisions of the SCAG 2020–2045 RTP/SCS for the land use type. Since the 2021 Project would not conflict with the 2020–2045 RTP/SCS, the 2021 Project's contribution to cumulative impacts with respect to potentially significant environmental impacts due to conflicts with or obstruction of a state or local plan for transportation energy efficiency would not be would not be cumulatively considerable.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to energy (consistency with applicable plans and policies) would be less than significant.

## g. Geology and Soils

### *i. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

#### *a. 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.*

**Facts**

The Project Site for the 2021 Project is the same 157-acre site that was previously analyzed in the 2018 SEIR, which acknowledged that the Project Site is located within a seismically active region that is susceptible to seismic risks. The nearest earthquake fault is the Newport-Inglewood fault zone, which is located approximately 2.2 miles northeast of the Project Site. While the Project Site is located in a seismically active region, the Project Site is not located in an identified regulatory zone that is regulated by the Alquist-Priolo Earthquake Fault Zoning Act, which regulates development near active faults to mitigate the likelihood of surface rupture on a given fault. Since the distance to the nearest earthquake fault line has not changed from the analysis in the 2018 SEIR and the regulatory zone/identified fault zones under the Alquist-Priolo Earthquake Fault Zoning Act have not been changed in a manner that would implicate the Project Site, seismic impacts related to fault rupture would remain the same as previously disclosed in the 2018 SEIR. Therefore, impacts related to fault rupture would remain less than significant under the proposed 2021 Project.

The geographic context for the analysis of cumulative impacts resulting associated with geology and soils is site-specific because each project site has different geological considerations that would be subject to specific site-specific laws, regulations, codes, and standards. Given the comprehensive regulatory framework designed to address impacts related to geology and soils, cumulative impacts would be less than significant.

## Finding

The City finds based on substantial evidence that project-level and cumulative impacts related to geology and soils (fault rupture) would be less than significant.

### *b. Strong seismic ground shaking?*

## Facts

Exposure to ground shaking hazards would remain reduced through the implementation of seismic construction standards set forth in the Carson Municipal Code, which include design provisions for structures within 15 kilometers (9.3 miles) of an active fault. The Carson Municipal Code would also still require the preparation of updated soils, geotechnical, or geology reports and the compliance of the 2021 Project with any recommendations developed as part of any such report. The required final design level geotechnical reports would also still be required to adhere to Special Publication 117A, updated in 2008, to address potential liquefaction hazards that may be present at the Project Site.

Therefore, as stated in the 2006 FEIR, with compliance with the Carson Municipal Code seismic design standards and site evaluation requirements, as incorporated through Los Angeles County Code and the California Building Code Title 26, as well as adherence to Special Publication 117A, the risk of exposure of the 2021 Project's occupants and structures to ground shaking or other geologic hazards, such as seismic-related ground failure, would be less than significant. As concluded in the 2006 FEIR and the 2018 SEIR, implementation of the final design level geotechnical recommendations would ensure that the final site conditions would also not be susceptible to, and would not cause, off-site geologic hazards. Impacts related to ground shaking and seismic-related ground failure would remain less than significant under the 2021 Project, as with the 2018 Project.

The geographic context for the analysis of cumulative impacts resulting associated with geology and soils is site-specific because each project site has different geological considerations that would be subject to specific site-specific laws, regulations, codes, and standards. Given the comprehensive regulatory framework designed to address impacts related to geology and soils, cumulative impacts would be less than significant.

## Finding

The City finds based on substantial evidence that project-level and cumulative impacts related to geology and soils (ground shaking) would be less than significant.

### *c. Seismic-related ground failure, including liquefaction?*

## Facts

The 2021 Project would be developed on the same site as the 2018 Project Site, which was previously analyzed under the 2018 SEIR, and as such, the potential for liquefaction would remain low due to the same soil conditions present at the site. The 2021 Project would be required to comply with the City's Municipal Code seismic design standards and site evaluation requirements, as incorporated through Title 26 of the Los Angeles County Code and the

California Building Code, which would ensure that impacts associated with the 2021 Project related to the risk of exposure of the 2021 Project's occupants and structures to geologic hazards resulting from liquefaction would be less than significant, as with the 2018 Project.

The 2021 Project would also comply with all applicable California Building Code (Chapter 16) and Carson Building Code (Chapter 95) requirements related to seismic design standards and Special Publication 117A, which provides guidelines for evaluating and mitigating seismic hazards in California. Compliance with these regulatory requirements is also required by Mitigation Measures E-1 and E-2, which would ensure that impacts related to seismic hazards are further reduced.

The geographic context for the analysis of cumulative impacts resulting associated with geology and soils is site-specific because each project site has different geological considerations that would be subject to specific site-specific laws, regulations, codes, and standards. Given the comprehensive regulatory framework designed to address impacts related to geology and soils, cumulative impacts would be less than significant.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to geology and soils (liquefaction) would be less than significant. Implementation of Mitigation Measures E-1 and E-2 would further reduce the severity of already less-than-significant impacts related to geology and soils (liquefaction).

***d. Landslides?***

**Facts**

The Project Site is the same 157-acre site for both the 2018 Project and 2021 Project, and the topographical conditions of the Project Site remain the same in terms of overall site elevation as those described in the 2018 SEIR; however, there are now concrete piles and dirt mounds located throughout the Project Site, which would be removed during site development and prior to occupancy of the Site. Therefore, development of the Project Site with the 2021 Project would not expose people or structures to risk of loss, injury, or death associated with landslides, which is the same conclusion made for the 2018 Project. Under the 2021 Project, potential substantial adverse effects, including the risk of loss, injury, or death, related to landslides would continue to result in no impact.

The geographic context for the analysis of cumulative impacts resulting associated with geology and soils is site-specific because each project site has different geological considerations that would be subject to specific site-specific laws, regulations, codes, and standards. Given the comprehensive regulatory framework designed to address impacts related to geology and soils, cumulative impacts would be less than significant.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to geology and soils (landslides) would be less than significant.

### *ii. Result in substantial soil erosion or the loss of topsoil?*

**Facts**

Any roads realigned from the existing configuration, or otherwise located in areas underlain by waste soils, shall comply with site-specific recommendations as set forth in engineering, geology, and geotechnical reports prepared to the satisfaction of the City of Carson building officials, as also required by Mitigation Measure E-3.

The 2021 Project would be required to adhere to the applicable National Pollutant Discharge Elimination System (NPDES) General Construction Permit, which requires the preparation and implementation of a stormwater pollution prevention plan (SWPPP) by a certified Qualified SWPPP Developer (QSD) to address soil erosion through the construction period. The site-specific SWPPP would include erosion- and sediment-control best management practices (BMPs) designed to prevent erosion from occurring on and off site during construction. There would be limited exposure of open landfill to no more than 500 sf, consistent with SCAQMD Rule 1150.1, and the daily practice of covering any stockpile would occur, consistent with the SWPPP BMPs. In addition, as with the 2018 Project, the 2021 Project would be regulated by the Upper OU RAP, which would also reduce potential impacts from soil erosion. Compliance with the SWPPP and Upper OU RAP would ensure the impacts related to soil erosion or loss of topsoil would be reduced to a less-than-significant level during construction of the 2021 Project, as with the 2018 Project.

During operation, the 2021 Project would adhere to the drainage control requirements of the Carson Building Code (Chapter 21) to minimize soil erosion and loss of topsoil, as also discussed in the 2018 SEIR. After construction activities are completed, all exposed soils would either be paved or revegetated with landscaping to minimize the potential for soil erosion or loss of topsoil during operation of the 2021 Project. Thus, the 2021 Project would not result in substantial soil erosion or loss of topsoil, as with the 2018 Project. Impacts would remain less than significant with implementation of the identified mitigation measure.

The geographic context for the analysis of cumulative impacts resulting associated with geology and soils is site-specific because each project site has different geological considerations that would be subject to specific site-specific laws, regulations, codes, and standards. Given the comprehensive regulatory framework designed to address impacts related to geology and soils, cumulative impacts would be less than significant.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to geology and soils (erosion) would be less than significant. Implementation of Mitigation Measure E-3 would further reduce the severity of already less-than-significant impacts related to geology and soils (erosion).

### *iii. 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 off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

**Facts**

As with the 2018 Project, the 2021 Project would continue to include the use of driven piles in all three planning areas in lieu of slabs on grade as outlined by the 2006 FEIR to provide stable building foundations. Pile caps would be used to connect the piling and the overlying impermeable cap. Piles could range from approximately 40 to 90 feet in length, with an average length of 65 feet, which is the same as was proposed for the 2018 Project. Existing roadways are not underlain by fill/waste and, as such, roadway construction in existing alignments would not require the use of foundation pilings, but would still require evaluation and design in accordance with all applicable Carson Building Code requirements. In addition, and as with the 2018 Project, the depth of ground disturbance related to mass grading would be zero to four feet, with cuts as deep as 10 feet in a few isolated areas, in addition to the depth required for placement of the membrane liner over the existing waste material, where required. The 2021 SEIR does not modify any of the conclusions regarding the installation of piles or mass grading, and the 2021 Project shall continue to adhere to all identified Carson Building Code requirements.

As stated in the 2018 SEIR (2018 SEIR p. III-A-7), deep dynamic compaction (DDC) activities were conducted in approximately 2010 on 68 acres of PA2 to densify the upper portion of the landfill waste and provide a more stable base foundation layer for the landfill cap and any subsequent improvements, as proposed for the 2006 Project and evaluated in the 2006 FEIR. DDC is a proven geotechnical engineering approach to minimize future subsidence associated with development over areas with loose uncompacted materials such as fill or waste. DDC will continue to be a possible technique that could be used for construction of the 2021 Project; however, if used, it would only be used on PA1 and PA2 and is no longer proposed for PA3. Further, DDC would not be required in PA1 or PA2 where pile installation is required to support building pads. While the extent of where potential DDC activities could occur is reduced under the 2021 Project, the 2021 SEIR reflects the same impact conclusions regarding the use of DDC as disclosed in the 2018 FEIR. The 2021 Project shall also continue to adhere to all identified Carson Building Code and DTSC requirements.

All aboveground development would also adhere to the Carson Building Code (Chapter 22, Section 44) to ensure that all development would meet the specific building requirements for unstable soils. Moreover, implementation of Mitigation Measures E-1 and E-2 would also help to further reduce potential geologic hazards that could occur from unstable soils by requiring compliance with all geotechnical requirements of the Carson and California Building Codes, as well as minimizing effects of liquefaction. Therefore, implementation of the various regulatory requirements that are further required by Mitigation Measures E-1 and E-2, as well as compliance with Carson Building Code Chapter 22, would minimize the potential for on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse as a result of unstable soils. Thus, impacts related to unstable soils would remain less than significant with implementation of the identified mitigation measures.

The geographic context for the analysis of cumulative impacts resulting associated with geology and soils is site-specific because each project site has different geological considerations that would be subject to specific site-specific laws, regulations, codes, and standards. Given the comprehensive regulatory framework designed to address impacts related to geology and soils, cumulative impacts would be less than significant.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to geology and soils (soil instability) would be less than significant. Implementation of Mitigation Measures E-1 and E-2 would further reduce the severity of already less-than-significant impacts related to geology and soils (soil instability).

### *iv. 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?*

**Facts**

The 2018 SEIR determined that no impacts to expansive soils would occur as the 2018 Project would be required to adhere to the Carson Municipal Code, which incorporates, by reference, Los Angeles County Code, Title 26, including site preparation standards which would address potential expansive soils that may be present at the site. In general, the use of engineered fill is used to minimize the effects of any potentially expansive soils. As with the 2018 Project, the 2021 Project would also adhere to Carson Municipal Code, Chapter 22, which sets forth site preparation standards to address potential expansive soils that may be present at the Project Site. In general, engineered fill would be used to minimize the effects of any potentially expansive soils. In addition, the RAP takes into account underlying geologic conditions, including but not limited to the potential for expansive soils, on the Project Site that could potentially compromise the RAP implementation and includes any necessary design measures to ensure adequate geologic conditions with future development. Therefore, as with the 2018 Project, the 2021 Project would continue to result in no impact.

The geographic context for the analysis of cumulative impacts resulting associated with geology and soils is site-specific because each project site has different geological considerations that would be subject to specific site-specific laws, regulations, codes, and standards. Given the comprehensive regulatory framework designed to address impacts related to geology and soils, cumulative impacts would be less than significant.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to geology and soils (expansive soil) would be less than significant.

### *v. 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?*

**Facts**

The Project Site is located within an urbanized area of the City that is currently served by existing sewer systems. The 2021 Project would require on-site upgrades of sewer systems. However, as with the approved 2018 Project, the 2021 Project would tie into the existing sewer lines and would not require any new off-site sewer lines or the expansion of capacity of existing off-site sewer lines. In addition, the 2021 Project, as with the 2018 Project, would not require the use of septic tanks. Therefore, as with the 2018 Project, impacts related to incompatible soils supporting the use of septic tanks or alternative wastewater disposal systems under the 2021 Project would continue to result in no impact.

The geographic context for the analysis of cumulative impacts resulting associated with geology and soils is site-specific because each project site has different geological considerations that would be subject to specific site-specific laws, regulations, codes, and standards. Given the comprehensive regulatory framework designed to address impacts related to geology and soils, cumulative impacts would be less than significant.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to geology and soils (waste water disposal) would be less than significant.

### *vi. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

**Facts**

As discussed in the 2018 SEIR, the Project Site has been disturbed in the past due to its use as a former landfill and, as such, there is no potential to encounter unknown paleontological resources. Even with the changes of land uses in PA3 under the 2021 Project, there would still be no potential to encounter paleontological resources as the 2021 Project would be developed within the same horizontal and Project Site boundaries of the 2018 Project. Therefore, with respect to the potential to directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, the 2021 Project would continue to result in no impact.

The geographic context for the analysis of cumulative impacts resulting associated with geology and soils is site-specific because each project site has different geological considerations that would be subject to specific site-specific laws, regulations, codes, and standards. Given the comprehensive regulatory framework designed to address impacts related to geology and soils, cumulative impacts would be less than significant.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to geology and soils (paleontological resources) would be less than significant.

## h. Greenhouse Gas Emissions

### *i. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

### *ii. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

**Facts**

The 2021 Project would comply with CALGreen requirements, which could include but are not limited to installation of ENERGY STAR® compliant appliances to the greatest extent feasible, installation of solar, electric or lower-nitrogen oxides gas-fired water heaters, and installation of water-efficient irrigation systems. Additionally, CALGreen requires designated parking spaces for carpool or alternative fueled vehicles, long- and short-term bike parking, and installation of electrical conduit for electric vehicle charging parking spaces.

Transportation-related GHG emissions would be the largest source of emissions from the 2021 Project. This finding is consistent with the findings in regional plans, including the 2020–2045 RTP/SCS, which recognizes that the transportation sector is the largest contributor to the state's GHG emissions. At the regional level, the 2020–2045 RTP/SCS is an applicable plan adopted for the purpose of reducing GHGs. In order to assess the 2021 Project's potential to conflict with the 2020–2045 RTP/SCS, the SEIR analyzed the 2021 Project's land use characteristics for consistency with the strategies and policies set forth in the 2020–2045 RTP/SCS to meet GHG emission-reduction targets set by CARB. The 2021 Project would not conflict with the 2020–2045 RTP/SCS goals and would result in benefits intended to improve mobility such as access to diverse destinations, providing better "placemaking", providing more transportation choices through addition of on-site bus stops and bicycle paths and facilities, reducing vehicular demand and associated emissions (through placing employment, commercial and recreational uses near existing residential land uses), and reducing VMT by placing facilities adjacent to the freeway and nearer to the ports. 2021 SEIR Table IV.H 3, Consistency with Applicable 2020–2045 SCAG RTP/SCS Actions and Strategies, outlines the 2021 Project's consistency with applicable actions and goals of the 2020–2045 SCAG RTP/SCS.

Through the City's CAP, the City of Carson has established goals and strategies that would reduce GHG emissions. The CAP reduction measures primarily focus on ways to reduce energy as energy usage accounted for 70 percent of all City GHG emissions in 2012. As outlined in the CAP, the City is focusing on increasing energy efficiency and reducing GHG emissions from energy to meet attainment goals. In addition to CAP energy efficiency goals, utility providers (such as Southern California Edison [SCE]) are required to provide 60 percent of their electricity supply from renewable sources by the year 2030, further reducing the demand on nonrenewable sources. The 2021 Project would comply with CALGreen energy-efficiency requirements, which would be consistent with CAP goals for increasing energy and water use efficiency in new residential and commercial developments. SEIR Table IV.H 4, Consistency with Applicable CAP Measures, outlines the 2021 Project's consistency with applicable actions and goals of the CAP.

SCAQMD's Rule 2305 establishes the WAIRE Program and applies to existing and future owners and operators of warehouses (including logistic, ecommerce, fulfillment and distribution facilities) located in the SCAB. While the SEIR does not quantify the number of points that the 2021 Project would garner due to the uncertain nature of the tenants and tenant operations, it is anticipated that with the implementation of the PDFs, the 2021 Project would be consistent with the requirements of Rule 2305. Rule 2305 provides several compliance options including, but not limited to, some of the provisions of the PDFs including the incorporation of zero-emissions trucks, incorporation of infrastructure to support zero-emissions trucks, installation of charging stations/electrification of the dock doors to eliminate the use of diesel TRUs, and the conversion of on-site handling equipment to zero-emissions equipment. Through the incorporation of project specific PDFs, additional measures added as part of the 2305 point's earning process with the SCAQMD, or the payment of mitigation fees, the 2021 Project would comply with SCAQMD Rule 2305.

The 2021 Project would generate an incremental contribution to and a cumulative increase in GHG emissions. The emissions of GHGs associated with construction of the 2021 Project were calculated for each construction phase and for each Planning Area using CalEEMod and EMFAC. As discussed previously, remediation-related construction on PA2 began in 2018 and was halted in 2019. Construction is anticipated to begin again in 2022 with completion of all three Planning Areas in 2026. This may not occur since there is no Developer for PA1 as of yet. However, a discussed under the methodology section, the emissions would be reduced from what was modeled with a later start date due to the increase in use of more efficient construction equipment.

The 2021 Project's annual GHG emissions include emissions from operations and construction calculated by CalEEMod and EMFAC for mobile source emissions. Construction GHG emissions for the entire construction period are amortized over 30 years in accordance with SCAQMD Methodology. The 2021 Project must comply with the portions of the City's CAP and state's CALGreen Code/California Title 24 Building Energy Efficiency requirements applicable to the 2021 Project, and meeting these requirements are assumed. The 2021 Project would implement energy saving measures as listed in PDFs, 2021 SEIR PDF-O2, and O4 through O16, which include the mixed-use nature of the site, idling of 2 minutes or less for truck operations in PA1 and PA3, and electric TRU mandate for PA3 2021 Project Site, as well as the incorporation of a zero-emissions fleet of 100 percent of trucks of model year 2021 by 2040, which have been incorporated into the modeling. Other PDF measures will reduce energy consumption and promote the reduction of GHG emissions; however, these were not quantified due to the unknown extent of application within the 2021 Project. The 2021 Project's mobile source emission calculations associated with the 2021 Project are calculated based on the VMT from the TA or the origin-to-destination trip length for operational haul trucks.

Maximum unmitigated, annual net GHG emissions resulting from on road mobile sources, area sources (landscape maintenance equipment and natural gas heaters), energy (i.e., electricity, natural gas), water conveyance, wastewater treatment, and solid waste were calculated for the final buildout year expected for the 2021 Project (2026). GHG emissions were not specifically quantified in the 2018 SEIR; however, the emissions associated with the 2018 Project were quantified as part of the 2021 SEIR analysis for comparison purposes and to determine if there is an increase in impact severity. 2018 Project emissions would equal 69,444 MT CO2e

annually in 2026, of which 28,774 MTCO2e comes from PA3. The buildout of the entire 2021 Project Site would occur in 2026, and GHG emissions from the 2021 Project would exceed those estimated for the 2018 Project by 32,667 MTCO2e annually.

The 2021 Project would be consistent with emissions reduction strategies and would not conflict with any applicable plan, policy, regulation or recommendation to reduce GHG emissions. The incorporation of the 2021 Project's PDFs, specifically with respect to the introduction of the zero-emissions truck fleets and incorporation of EV charging stations and infrastructure substantially in excess of regulatory obligations, and increases in regulatory efficiency/reduction requirements, would reduce the 2021 Project GHG emissions below 2018 Project levels by 2040, further supporting the 2021 Project's compliance with applicable reduction plans. Therefore, consistent with the 2018 SEIR, the 2021 Project would result in less-than-significant impacts without the implementation of mitigation.

Analysis of GHG emissions is cumulative in nature because impacts are caused by cumulative global emissions and additionally, climate change impacts related to GHG emissions do not necessarily occur in the same area as a project is located. Although the 2021 Project is expected to emit GHGs, the emission of GHGs by a single project into the atmosphere is not itself necessarily an adverse environmental effect. Rather, it is the increased accumulation of GHGs from more than one project and many sources in the atmosphere that may result in global climate change. The resultant consequences of that climate change can cause adverse environmental effects. A project's GHG emissions typically would be very small in comparison to state or global GHG emissions and, consequently, they would, in isolation, have no significant direct impact on climate change. Given that the 2021 Project would generate GHG emissions that would not conflict with applicable reduction plans and policies, and given that GHG emission impacts are cumulative in nature, the 2021 Project's contribution to cumulatively significant GHG emissions would be less than significant. Therefore, the 2021 Project's impacts would not be cumulatively considerable, and the 2021 Project's cumulative impacts to GHG emissions would be less than significant.

Implementation of the 2021 Project's regulatory requirements, PDFs (including State mandates), and implemented mitigation measures, would contribute to GHG reductions. The methods used to establish this relative reduction are consistent with the approach used in CARB's Climate Change Scoping Plan for the implementation of AB 32. The 2021 Project is consistent with the approach outlined in CARB's Climate Change Scoping Plan, particularly its emphasis on the identification of emission reduction opportunities that promote economic growth while achieving greater energy efficiency and accelerating the transition to a low-carbon economy. In addition, as recommended by CARB's Climate Change Scoping Plan, the 2021 Project would use "green building" features and clean technology strategies (such as implementation of electric construction equipment, and electrification of the industrial trucking fleet) as a framework for achieving GHG emissions reductions. New buildings within the 2021 Project Site would be designed to comply with the City's requirements and the CALGreen Code. As part of SCAG's 2020–2045 RTP/SCS, a reduction in VMT within the region is a key component to achieving the 2035 GHG emission reduction targets established by CARB. As discussed previously, the 2021 Project Site's land use characteristics demonstrate that the 2021 Project's VMT would be reduced compared to a standard non-infill project and based on its location efficiency. The 2021 Project would be consistent with the City's CAP through

consistency with or exceedance of CALGreen requirements, implementation of electric truck phase in for the industrial land uses, extensive EV charging stations commitment, added electrical infrastructure for future EV charging stations, and through the design, diversity and location of the 2021 Project Site itself.

Thus, the 2021 Project would not conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. Therefore, the 2021 Project's impacts would not be cumulatively considerable, and the 2021 Project's cumulative impacts to GHG emissions would be less than significant.

2021 SEIR Table IV.H 9, Estimated Cumulative Greenhouse Gas Emissions, identifies the estimated annual GHG emissions associated with the 44 cumulative projects identified in conjunction with the 2021 Project that would result in cumulative GHG emissions. As shown, annual cumulative GHG emissions, without the 2021 Project, results approximately 189,511 MTCO2e annually. Adding the 2021 Project emissions from 2026 results in total cumulative emissions of 291,621 MTCO2e annually. Cumulative emissions calculations are included in Appendix D of the 2021 SEIR. There is currently no established or adopted significance threshold to assess if the cumulative projects are considerable. Although it is reasonably foreseeable that the CPs are likely to be substantively consistent with applicable plans, policies and regulations for GHG, there is not enough information to reasonably assess this for all CPs.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to GHG emissions would be less than significant. Implementation of Mitigation Measures G-3, G-16, G-18, G-19, G-20, G-21, G-27, G-29, and C-18 would further reduce the severity of already less-than-significant impacts related to GHG emissions.

## i. Hazards and Hazardous Materials

### *i. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

### *ii. 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?*

**Facts**

Development of the 2021 Project would occur on a site that is subject to ongoing remediation activities due to its prior use as a landfill. The 2005 Initial Study for the 2006 FEIR (p. B-13) disclosed that "soil that is determined to be impacted and not suitable for placing near the surface would be segregated, stockpiled, and placed under the final remediation cap/liner. Therefore, future exposure to these potentially impacted soils would be eliminated. It is not anticipated that soil would be exported off site for disposal. Should it be necessary to remove any materials, such removal would be limited and would occur pursuant to applicable regulations, which would preclude a significant impact to the public or the environment. As such, construction of the Proposed Development would not create a significant hazard to the public or

the environment through the transport, use, or disposal of hazardous materials." The 2021 SEIR does not modify any of these conclusions, and the 2021 Project shall continue to adhere to all identified requirements.

The 2006 FEIR (p. 283) also concluded that "the RAP envisioned that much of the soil used to construct the earthen cap, including topsoil would likely be imported. In addition, existing soil cover and soil contained in the sloped areas surrounding the cap would remain and be used as part of the cap or remain adjacent to the cap. During Remedial Design (RD), additional soil cover samples will be collected and analyzed to further evaluate existing soil-cover quality, particularly soil that will reside near land surface such as in landscaped areas. Human-health risk evaluations and a soil management plan will be completed and provided to DTSC for evaluation and approval to ensure that exposure to soil at the Project Site does not pose unacceptable human health risks." The 2021 SEIR does not modify any of these conclusions, and the 2021 Project shall continue to adhere to all identified requirements.

The goods received and distributed at the fulfillment and distribution facilities within PA3(a) would vary, depending on the shipments received, and some shipments could include hazardous materials. This could represent a change from the previous uses proposed for PA3, which included retail, commercial, and hotel uses. Any hazardous materials from those uses would be limited to routine cleaning and disinfectant products, whereas the 2021 Project, as a distribution and e-commerce facility, may receive other hazardous products, in addition to routine cleaning and disinfectant products (for facility maintenance).

The 2021 Project would not use, transport, or store any CalARP materials above the allowed regulatory standards. Other hazardous substances, which could be used, transported, or stored at the Project Site, would be subject to the hazardous chemical reporting requirements under Health and Safety Code Chapter 6.95, Article 1 (Business Plan), which are separate and distinct from those required for CalARP substances. In addition, the operator of any business that handles or uses hazardous materials on the Project Site must also provide Material Safety Data Sheets (MSDS), which lists the hazardous ingredients of a product, its physical and chemical characteristics (e.g., flammability, explosive properties), its effect on human health, the chemicals with which it can adversely react, handling precautions, the types of measures that can be used to control exposure, emergency and first aid procedures, and methods to contain a spill. When new regulatory information, such as exposure limits, or new health effects information becomes available, the MSDS would be updated.

As required for the 2006 and 2018 Projects, operation of the 2021 Project would be required to adhere to all existing local, state, and federal regulatory requirements (e.g., California Highway Patrol hazardous materials transportation regulations, Cal/OSHA worker safety requirements, Hazardous Materials Unified Program requirements, California Resource Conservation and Recovery Act (RCRA) requirements, and California Health and Safety Code requirements that call for preparation of a Hazardous Materials Business Plan). All of these regulations serve to minimize emissions and exposure risks associated with operational activities related to the routine transport, storage, and disposal of hazardous materials and wastes and the potential for accidental release and upset conditions.

With specific respect to upset and accident conditions related to remediation activities, the 2006 FEIR (Draft EIR p. 300) stated that "As part of the RD process, upset scenarios that could impact human health and the environment, during either the RA/construction phase or the operation phase of the Project, would be further evaluated and refined. Based upon that evaluation and refinement, design elements, engineering controls, and monitoring and contingency plans would be developed and incorporated into the remedial designs and specifications to minimize the potential for upset events and to establish plans for protection of human health and the environment should an upset event occur. DTSC review and approval of such design elements, engineering controls and monitoring and contingency plans would be a component of DTSC's review and approval of the final remedial designs and specifications for the Project." The 2021 SEIR does not modify any of these conclusions, and the 2021 Project shall continue to adhere to all identified requirements. Under the 2021 Project, construction and operational impacts to the public or the environment related to the routine transport, use, or disposal of hazardous materials or reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment would remain less than significant.

The geographic context for the analysis of cumulative impacts associated with the use and storage of hazards and hazardous materials or the existence of hazardous materials on the Project Site is site-specific because each site has a different set of storage and use considerations. The geographic context of the transport of hazardous materials, including upset and accident conditions and emergency transport and evacuation, is the Los Angeles region, which represents the general area within which trucks and/or passenger vehicles would travel to or from the Project Site. Hazards and hazardous materials provide little, if any, cumulative relationship between a project site and other nearby projects unless the combined project sites contain flammable or other highly hazardous materials that can be combined in the event of an unanticipated incident.

The 2021 Project and its cumulative projects include a variety of uses, such as light industrial, general warehouse, retail, hospitality, and residential projects; none of these cumulative projects would use, store, or transport CalARP substances, which are substances that that pose the greatest risk of immediate harm to the public and the environment. Hazardous materials used, transported, or stored under the 2021 Project and related (or cumulative) projects would be required to adhere to existing local, state, and federal regulatory requirements (e.g., California Highway Patrol hazardous materials transportation regulations, Cal/OSHA worker safety requirements, Hazardous Materials Unified Program requirements, RCRA requirements, and California Health and Safety Code requirements that call for preparation of a Hazardous Materials Business Plan). These regulations serve to minimize emissions and exposure risks associated with operational activities related to the routine transport, storage, and disposal of hazardous materials and wastes and the potential for accidental release and upset conditions.

Given the comprehensive regulatory framework designed to address impacts related to the presence, use, storage, and transport of hazards and hazardous materials, including upset and accident conditions, cumulative impacts would be less than significant. As discussed in the impact analysis, the applicable regulations include, but are not necessarily limited to, the RAPs, California Highway Patrol hazardous materials transportation regulations, Cal/OSHA worker safety requirements, Hazardous Materials Unified Program requirements, RCRA requirements,

and California Health and Safety Code requirements that call for a Hazardous Materials Business Plan. In addition, the specific storage of hazardous materials in any project is the responsibility of the center owner, subject to all prevailing local, state, and federal regulations. The 2021 Project's contribution to cumulative impacts would be further reduced by implementation of mitigation measures that address site-specific impacts related to hazards and hazardous materials, which include Mitigation Measures D-1, D-2, D-3, D-4, and D-6. These mitigation measures require compliance with the RAPs, the manner in which the proposed residential uses would be permitted, and requirement to prepare an oil/water well investigation report. Compliance with these regulations and mitigation measures would ensure that the 2021 Project's contribution to an already less-than-significant cumulative impact would not be considered cumulatively considerable.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to hazards and hazardous materials (routine transport, use, or disposal or upset and accident conditions) would be less than significant.

### *iii. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

**Facts**

There are no existing or proposed schools within 0.25 miles of the Project Site. The closest schools to the Project Site are the Van Deene Elementary School, which is located approximately 0.75 miles to the west, and the Carson Street Elementary School, which is located approximately 0.5 miles to the south. To the north and east, the closest schools are located beyond the I-405 Freeway. The Gardena High School is located about 1.7 miles to the north; the Towne Avenue Elementary School is located about 0.8 miles to the northeast; and the Curtis Middle School is located about 1.1 miles to the east. Further, the 2006 FEIR concluded that the 2006 Project would not result in a significant impact with regard to hazardous and hazardous materials, and removal or transport of hazardous materials, if required, would occur in accordance with all existing regulatory requirements and would be hauled over designated routes (2018 SEIR p. VI-8). The City of Carson has designated truck routes, and the closest routes to the Project Site are Del Amo Boulevard and Main Street, both of which will be used to access the Project Site. None of the schools listed above is located along any designated truck routes. Therefore, the 2021 Project would not result in hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 miles of an existing or proposed school. Under the 2021 Project, impacts would remain less than significant.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to hazards and hazardous materials (schools) would be less than significant.

### *iv. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

**Facts**

The Project Site is located on a hazardous materials site pursuant to Government Code Section 65962.5, and, as a result, has been the subject of numerous prior investigations, as described in detail in Section II.F, *Remediation Activities*, of the 2021 SEIR. The Project Site was a solid waste disposal landfill that operated between 1959 and 1965, and, as a result, contamination was found in the subsurface soils and groundwater; however, the former haul roads do not contain landfill waste.

RAPs have already been approved for the 157-Acre Site by DTSC: one for what was identified as the Upper Operable Unit and a second for what was identified as the Lower (deep groundwater) Operable Unit (Upper OU and Lower OU, respectively). The Upper OU is an area of known impacts, which includes site soils, a waste zone, and the groundwater down to but not including the Gage Aquifer. The Lower OU is an area of potential impacts that are not attributable to the Project Site. The purpose of each of the RAPs is to provide detailed information about the environmental issues found on the 157-Acre Site during site characterization; outline a plan of action to identify which remedies will be used to achieve cleanup goals; provide a plan of implementation; and identify how effectiveness will be measured. The RAP for the Upper OU was approved by DTSC in 1995 (and modified in 2009 through an Explanation of Significant Differences [ESD]), and the RAP for the Lower OU was approved by DTSC in 2005 (however, the Lower OU RAP has been determined to not be applicable to any development on the 157-Acre Site). DTSC conducted appropriate CEQA analyses for the RAPs. The Upper OU RAP requires the installation, operation, and maintenance of (1) a landfill cap designed to encapsulate the waste and create a barrier between future improvements and buried waste; (2) an active gas collection and control system (GCCS) designed to remove landfill gases from under the landfill cap; and (3) a groundwater extraction and treatment system (GETS) designed to contain the groundwater plume and treat the extracted groundwater prior to discharge.

In addition to the two RAPs, certain Consent Decrees were issued for the 157-Acre Site by DTSC in December 1995, October 2000, and January 2004 in order to resolve claims made regarding the resolution of the contamination issues afflicting the 157-Acre Site (the Consent Decrees); the 1995 Consent Decree applies to the remedial obligations for the 157-Acre Site. In addition, the development of the 157-Acre Site is subject to the terms and conditions set forth in a document entitled the Management Approach to Phased Occupancy (File No. 01215078.02), approved by DTSC in April 2018 (the MAPO) and a letter regarding phased development matters, issued by DTSC to the Carson Reclamation Authority, dated October 17, 2017 (Phased Development Letter). The MAPO and Phased Development Letter are included in the 2021 SEIR as Appendices G3 and G4, respectively.

The 2006 Project anticipated that the remedial work and subsequent construction on each of the planning areas would be completed in a phased manner, but that occupancy of any one Cell would not occur until all remedial work was completed and a site-wide human health risk

assessment (HHRA) was performed; this intent, with additional detail, is provided in the MAPO and Phased Development Letter. In addition, payment of annual fees by the Applicant(s) for CFD No. 2012-1 also supports the ongoing operation, maintenance, and monitoring of the remedial systems on the Project Site in accordance with the Upper OU RAP. With adherence to the RAP, MAPO, Phased Development Letter, and 1995 Consent Decree (and as also concluded in the 2006 FEIR), development on the 157-Acre Site does not require further review under CEQA and, as such, would not constitute new or worsening impacts and does not require analysis in the 2021 SEIR.

The remediation systems that have been constructed on the 157-Acre Site include the following:

A landfill cap, comprised of an impermeable linear low-density polyethylene (LLDPE) geomembrane with a minimum of 1 foot of overlying protective cover soil, which has been completed in portions of the site, and a clay cap that has been constructed along the perimeter slopes adjacent to the I-405 Freeway and the Torrance Lateral. The landfill cap is designed to encapsulate the waste and create a barrier between future improvements and buried waste;

A GETS, which has been installed/completed and approved by DTSC. The GETS consists of a network of 29 groundwater extraction wells around the downgradient edge of the 157-Acre Site, which are pumped to collect and control groundwater in and beneath the waste zone.) The Remedial Action Completion Report (RACR) for the GETS and the DTSC approval letter for the GETS RACR is provided as Appendix G5 of the 2021 SEIR; and

An active landfill GCCS, which has been designed to remove landfill gases from under the landfill cap and has been completed in portions of the Project Site.

Completion of the remaining portions of the landfill cap and GCCS installation would be coordinated with any proposed development associated with the 2021 Project. Residential occupancy on the 157-Acre Site is not allowed until all areas of the former Cal Compact Landfill are capped and all necessary remedial actions are completed for the entire 157-Acre Site. Phased occupancy for non-residential uses was approved by DTSC in March 2018 through the approval of the MAPO, subject to further DTSC review and approval of an implementation plan for establishing buffer zones prior to occupancy.

Implementation of the Upper OU RAP is required to make the 157-Acre Site safe for residents and visitors of the 2021 Project. Implementation of the Lower OU RAP is being implemented by the Responsible Parties (RPs), which consists of monitoring only because the monitoring results received to date have indicated that the groundwater in the Gage Aquifer is clean. Monitoring will continue to be performed after completion of the 2021 Project. The remediation systems will continue to meet all requirements of the DTSC-approved RAP and 1995 Consent Decree and would include any additional design refinements necessary to support development, such as membrane integration into the structural pile caps; grading of landfill cap elevations to accommodate placement of utility trenches and site drainage; and integration of development infrastructure, as needed. As detailed in the 2006 FEIR, any changes in the design of the remedial systems would only be allowed if DTSC determines that the proposed design accomplishes the same performance objectives as the previously approved design and is sufficiently protective of human health and the environment.

The change in land uses proposed by the 2021 Project would not affect or alter existing and/or future remediation efforts or the coordination that would take place with the DTSC during construction of the 2021 Project and would not require new or different construction techniques or depth of soil disturbance. In addition, Mitigation Measures D-1 through D-4 were provided and amended in the 2018 SEIR to ensure that: (1) any revisions to the RAP would be approved by DTSC; (2) DTSC permits any proposed residential uses prior to issuance of building permits for those uses, with occupancy permitted only after all remediation is completed under the RAP; (3) on- and off-site risks associated with RAP construction have been evaluated and modified to the satisfaction of the DTSC, including air monitoring, and applicable to the 2021 Project; and (4) the Applicant has provided, to the City, documentation that DTSC has approved a Cell-specific assessment demonstrating the risk of exposure for occupancy of that Cell is within the acceptable levels approved by DTSC and a RACR has been approved for such Cell by DTSC. Outside of the remediation systems, a 2008 Oil/Water Well Investigation Report performed by Arcadis identified the possibility that at least two potentially abandoned oil wells and at least two water wells may have been located on the Project Site prior to its use as a landfill; however, these wells could not be located at that time. To ensure that mitigation and appropriate closure of such wells would be carried out if such wells were discovered during construction, the 2018 SEIR added Mitigation Measure D-6. Implementation of these mitigation measures would ensure that remediation activities are completed and protective of future occupants of proposed development such that the potential impacts of the 2021 Project would remain less than significant with implementation of the identified mitigation measures.

**Finding**

In accordance with CEQA Guideline Section 15091(a)(1), the City finds that with implementation of Mitigation Measures D-1, D-2, D-3, D-4, and D-6, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect with regard to hazards and hazardous materials (site remediation) as identified in the Final SEIR. Thus, after implementation of Mitigation Measures D-1, D-2, D-3, D-4, and D-6, impacts to hazards and hazardous materials (site remediation) would be less than significant

***v. 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?***

**Facts**

The closest public airport to the Project Site remains the Compton Airport, which is located approximately 3.25 miles to the north. Therefore, development of the 2021 Project would not occur within 2 miles of a public or public use airport and would not result in a safety hazard for people residing or working in the vicinity of the Project Site. As with the 2018 Project, the 2021 Project would also not interfere with the Goodyear blimp operations, located approximately 0.4 miles northeast of the Project Site, and would not result in a safety hazard for people working and residing in or around the Project Site (2018 FEIR p. VI 10). Thus, as with the 2018 Project, the 2021 Project would not pose a safety hazard for people working or residing on the

Project Site from public airport related hazards. Therefore, as with the 2018 Project, the 2021 Project would continue to result in no impact.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to hazards and hazardous materials (airports) would be less than significant.

### *vi. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

**Facts**

The City of Carson has adopted a Multi-Hazard Functional Plan (1996) for emergency response within the City, which also meets the State's Standardized Emergency Management System (SEMS) requirements and complies with the Los Angeles County Emergency Management Plan. These plans address emergency response requirements, including but not limited to, provision of shelter, staging, and meeting locations, communications operations, travel routing, and emergency evacuation. The 2021 Project would be required to comply with the City's Multi-Hazard Functional Plan, the State's SEMS requirements, and the Los Angeles County Emergency Management Plan to ensure that the 2021 Project would not interfere with an adopted emergency response or evacuation plan. Further, the 2021 Project would include on-site circulation improvements that would enhance access to the 157-Acre Site and within the Project Site, including improvements to Street A (Lenardo Drive) and Street B (Stamps Drive), which would facilitate truck, vehicular, and emergency vehicle access. Therefore, as concluded in the 2018 SEIR, impacts from the 2021 Project related to the potential to impair implementation of or physically interfere with emergency response and evacuation would remain less than significant.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to hazards and hazardous materials (emergency response) would be less than significant.

### *vii. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?*

**Facts**

The 2018 SEIR concluded that there is no impact with respect to this threshold as the 157-Acre Site is located within an urbanized area and there are no adjacent wildland areas. This remains the case for the 2021 Project, which scoped out wildland fires in the Notice of Preparation. Based on the California Department of Forestry and Fire Protection (CAL FIRE) Fire Hazard Severity Zones Map for Los Angeles County, the City of Carson is categorized as Non-VHFHSZ or an area outside of the Very High Fire Hazard Severity Zones (adopted November 7, 2007, by CAL FIRE) (2018 SEIR, p. VI-10). Therefore, as with the 2018 Project, the 2021 Project would continue to result in no impact.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to hazards and hazardous materials (wildland fires) would be less than significant.

## j. Hydrology and Water Quality

***i. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?***

***ii. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?***

***iii. 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 that would:***

***a. Result in substantial erosion or siltation on or off site?***

***b. Substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off site?***

***c. 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?***

***d. Impede or redirect flood flows?***

**Facts**

The Torrance Lateral is concrete-lined and conveys runoff from residential, commercial, industrial, and public roadways to the west and south of the Project Site in the City of Carson. This channelized flood-control feature also receives storm runoff from the Project Site via numerous, existing connecting drains. The Torrance Lateral is located outside of the Project Site, to the west and south, and is separated from the Project Site by chain-link fencing. Ultimately, the Torrance Lateral connects to the Dominquez Channel, east of I-405 Freeway and downstream of the Project Site. The Torrance Lateral has been designated by the Environmental Protection Agency as a Clean Water Act Section 303(d) impaired water body, which means it does not meet, or is not expected to meet, water quality standards. The water quality standards that are or may be exceeded for the Torrance Lateral include copper, coliform bacteria, and lead.

Runoff from the Project Site to the Torrance Lateral would be regulated during both construction and post-construction activities. During construction, activities would be regulated by the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, Order No. 2009-0009-DWQ, NPDES No. CAS000002 (Construction General Permit [CGP]), which was amended in both 2010 (2010-0014-DWG) and 2012 (2012-006-DWQ) and has been approved

by the State Water Quality Control Board (SWQCB). Post-construction activities would be regulated by Order No. R4-2012-0175 as amended by State Water Board Order WQ 2015-0075 and Los Angeles Water Board Order R4-2012-0175-A01, NPDES Permit No. CAS004001 (MS4 permit) with the proposed BMPs detailed in the approved (2009) Standard Urban Stormwater Mitigation Plan (SUSMP). In addition, an existing on-site GETS, which has been installed/completed and approved by DTSC, contains the groundwater plume and treats the extracted groundwater prior to discharge to the sanitary sewer system. This system would remain operational during both construction and post-construction activities.

The 2018 SEIR concluded that the 2018 Project, as with the 2021 Project, would adhere to the currently applicable NPDES General Construction Permit. Dischargers of projects that disturb 1 acre or more of soil or whose projects disturb less than 1 acre but are part of a larger common plan of development that in total disturbs 1 acre or more, are required to obtain coverage under the CGP. Construction activities subject to this permit include clearing, grading, and disturbances to the ground, such as stockpiling or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility.

Compliance with the CGP requires the preparation of an SWPPP by a certified Qualified SWPPP Developer (QSD) and ongoing implementation by a Qualified SWPPP Practitioner (QSP) for projects that disturb one or more acres of soil, which would include the Project Site. An SWPPP was prepared for the Project Site in October 2015, and revised in July 2019. The SWPPP is the site-specific plan for the QSP to implement to ensure that stormwater discharge quality is managed during construction activities and stays in compliance with the terms of the CGP. The SWPPP is considered a “living document” that is modified based on changing site conditions, when necessary. Under current conditions, runoff from the construction area is also monitored for a variety of constituents to confirm that specified levels in the CGP are maintained.

In summary, the SWPPP identifies site-specific sources of construction-related pollutants and describes BMPs that will reduce these pollutants in storm water discharges to the Torrance Lateral. In addition, on an annual basis, dischargers are required to submit an annual report to the SWRCB that indicates whether a discharger complies with and has addressed all applicable requirements of the General Permit.

The 2021 Project would utilize existing connections to the Torrance Lateral; no new or modified connections are proposed. All stormwater from the 2021 Project would continue to be contained in an on-site drainage system and discharged to the Torrance Lateral in compliance with the City’s drainage control requirements of the 2009 Standard Urban Stormwater Mitigation Plan (2009 SUSMP) and the City’s Storm Water Pollution Control Measures for New Development Projects, which contains more stringent regulatory requirements than assumed in 2006, to address post-construction runoff from the 2006 Project. A SUSMP plan must be submitted as a condition of project approval to ensure that the Developer/Applicant conforms to the City’s drainage control requirements. The SUSMP permit requirements have been updated since the 2006 FEIR and are generally more stringent for new development. Therefore, the proposed changes to drainage patterns associated with the 2021 Project would not be materially different and still subject to the drainage control requirements consistent with the 2009 SUSMP.

In furtherance of the SUSMP, a portion of the backbone storm drain system has been constructed and Vortechs units, which are hydrodynamic separators that trap and retain trash, sediment, debris, and hydrocarbons, have been installed. As part of the 2021 Project, the Developer intends to fully implement the approved SUSMP, which includes additional post-construction stormwater treatment systems, including Filterra units, which are biofiltration systems that provide high volume/flow treatment and pollutant removal, along Lenardo Drive and other backbone streets; and Bioclean filter inserts in all on-site catch basins and discharge pipes.

In 2012, Los Angeles County issued the MS4 permit, which applies to the City of Carson. The MS4 permit focuses on pollutant removal, runoff management, and watershed-scale stormwater improvement. The City of Carson refers to the Los Angeles County Department of Public Works Low Impact Development Standard Manual (LID Manual) to guide post-construction BMP planning under the County's current MS4 permit. When compared to the current 303(d) listing, TMDLs, and constituents that the City is monitoring for, metals (copper, zinc, and lead) are the only expected pollutants of concern from the proposed development. Therefore, even under the current MS4 permit, the BMPs approved in the 2009 SUSMP would only focus on managing the discharge of metals. The suite of BMPs in the SUSMP address the pollutants of concern that may be generated by this development and remain appropriate to assist the City with meeting water quality objectives for metals, and as an added benefit, bacteria.

The proposed changes in the land use program in PA3 under the 2021 Project would be consistent with the stormwater drainage approach assumed for the 2018 Project. All stormwater from the Project Site would be contained in an on-site drainage system and discharged to the Torrance Lateral in compliance with the City's drainage control requirements, which contains more stringent regulatory requirements than assumed in 2006. The 2009 SUSMP includes drainage control requirements that all development must incorporate into drainage control design. New development, including that proposed under the 2021 Project, must include drainage control features that address water quality and water quantity control to minimize adverse effects to downstream locations.

The 2021 Project would also introduce new impervious surfaces to the Project Site, similar to the new impervious surfaces described in the 2006 FEIR and 2018 SEIR. However, the RAP, the DTSC-approved plan that specifies the remediation approach and objectives for protection of public health and the environment, requires an impermeable landfill cap across the entire 157-Acre Site. Therefore, as was the case for the 2006 and 2018 Projects, the 2021 Project would similarly be required to implement drainage control features that control off-site runoff volumes in accordance with the City's drainage control regulations, as well as the 2009 SUSMP requirements.

In 2013 and 2014, a GETS was installed, and it was approved by DTSC before becoming operational in 2014. The GETS hydraulically The GETS hydraulically contains impacted groundwater along the Project Site boundary where contaminated groundwater is located and could potentially migrate off site through a network of 29 groundwater extraction wells around the downgradient edge of the 157-Acre Site. These extraction wells are pumped to collect and control groundwater in and beneath the waste zone. The RACR for the GETS and the DTSC approval letter for the GETS RACR is provided as Appendix G5 of the 2021 SEIR.

The existing GETS is located at the southern end of the 157-Acre Site (refer to Figure II 2, Existing On-Site and Off-Site Uses, provided in Chapter II, *2021 Project Description*, of the 2021 SEIR) and will remain operational after development of the Project Site. Discharges associated with the groundwater treatment program are permitted under the Los Angeles County Sanitization Industrial Wastewater Discharge Permit, and all groundwater treatment effluent is required to adhere to discharge requirements of the GETS permit. Discharges associated with the 2021 Project related to groundwater treatment (effluent) remain unchanged, as compared to the 2018 Project, and are permitted with the Los Angeles County Sanitization District (LACSD). All treated groundwater effluent is required to be in accordance with the LACSD flow and substance limits, which would not change with the 2021 Project. Thus, the proposed changes in the land use program in PA3 under the 2021 Project would be consistent with the GETS assumed for the 2018 Project.

The proposed changes in the 2021 Project would be consistent with the previously proposed (2018) stormwater drainage and surface water and groundwater quality management approaches, as well as the more stringent regulatory requirements that have occurred since the 2006 FEIR. Implementation of the BMP plan developed in the SWPPP to comply with the CGP during construction activities and implementation of the approved SUSMP to comply with MS4 requirements for post-construction activities would avoid or minimize discharge of deleterious materials to the Torrance Lateral from the Project Site. In summary, with respect to surface or ground water quality, water quality standards, groundwater recharge, flooding, or exceeding the capacity of the existing or planned stormwater drainage system, the 2021 Project, as with the 2018 Project, impacts would remain less than significant.

The geographic context for the analysis of cumulative impacts associated with hydrology and water quality is site-specific because each project site has a different set of hydraulic and drainage considerations that would be subject to specific site-development and construction standards. Given the comprehensive regulatory framework designed to address construction-related and post-construction impacts related to stormwater runoff, cumulative impacts would be less than significant. As discussed in the impact analysis, all projects of over one-acre in size would be required to comply with the State Construction Stormwater General Permit, including preparation of an SWPPP with construction-related BMPs. Post-construction stormwater runoff would comply with the NPDES permit for Phase II regulated small municipal separate storm sewer system (MS4), which would include post-construction runoff control minimum control measures. Compliance with these regulations would ensure that the 2021 Project's contribution to an already less-than-significant cumulative impact would not be considered cumulatively considerable.

## Finding

The City finds based on substantial evidence that project-level and cumulative impacts related to hydrology and water quality (surface or ground water quality, water quality standards, groundwater recharge, flooding, or exceeding the capacity of the existing or planned stormwater drainage system) would be less than significant.

### *iv. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

**Facts**

As identified in the Safety Element of the 2004 City of Carson General Plan, the limits of the 100-year storm are limited to the Dominguez Channel; therefore, no portion of the Project Site is designated within a 100-year flood plain as mapped on federal Flood Hazard Boundary or Flood Insurance Rate Maps or any other flood hazard delineation map. As determined in the 2006 FEIR and 2018 SEIR, no impacts related to hazards associated with flooding would occur. The Project Site is also not located within close proximity to a dam or levee or in seiche, tsunami, or mudflow hazard area. Based on the topography of the Project Site and surrounding area, there is not a significant risk for flooding. As determined in the 2006 FEIR and 2018 SEIR, development on the Project Site would not expose people or structures to flooding or significant risks as a result of a flood hazard, tsunami, or seiche, resulting in the release of pollutants due to project inundation. As concluded in the 2018 SEIR, the 2021 Project would continue to result in no impact.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to hydrology and water quality (inundation) would be less than significant.

### *v. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

**Facts**

Since publication of the 2006 FEIR and 2018 SEIR, the CEQA Guidelines have added an additional significance threshold that states a project's impacts could be significant if it would result in a conflict with or obstruction of implementation of a water quality control plan or sustainable groundwater management plan. Construction of the 2021 Project and inclusion of required drainage control requirements consistent with the 2009 SUSMP would be considered as complying with a water quality control plan and, as a result, there would be no conflict associated with the 2021 Project. As analyzed in both the 2006 FEIR and the 2018 SEIR, water supply that would be provided by Cal Water Rancho Dominguez District was determined by a Water Supply Assessment (WSA) to be sufficient for the then proposed projects in normal, dry, and multiple dry years. The total water demand for the 2006 FEIR was calculated at 795,470 gallons per day (gpd), or 892 acre-feet/year (afy). The revisions to the 2018 SEIR reduced the water demand from the 2006 FEIR to 629,445 gpd, or 705 afy. The 2018 SEIR analysis further confirmed that there were no changes in circumstances or conditions that would substantially affect the ability of Cal Water to provide a sufficient supply of water. Water served by Cal Water comes from a combination of local groundwater and surface water purchased from Central Basin MWD and West Basin MWD, which is imported from the Colorado River and the State Water Project. Water supply is managed through implementation of the Urban Water Management Plan (UWMP) that was prepared for the Rancho Dominguez District in 2015 and is currently being updated. The water demand from the 2021 Project would result in a water

demand even further reduced to 419,315 gpd or 470 afy, which would result in a decrease as compared to both the approved 2006 and 2018 Projects.

Due to the decrease in water demand, the 2021 Project would not cause a substantial change that would affect Cal Water's ability to provide adequate water supply or manage its groundwater resources consistent with its current 2015 UWMP, which was the UWMP assumed in the 2018 SEIR (refer to Appendix K of the 2018 SEIR for an update to the 2006 water supply analysis). Therefore, the 2021 Project would not conflict with a groundwater management plan. Impacts would remain less than significant.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to hydrology and water quality (conflict with a groundwater management plan) would be less than significant.

## k. Land Use and Planning

### *i. Physically divide an established community?*

**Facts**

As with the 2018 Project, the 2021 Project is an infill development within an existing urban setting that provides a continuation of existing and intended development patterns within the City of Carson and incorporates a mix of uses and associated infrastructure, including sidewalks and bike paths connecting the Project Site to the adjacent neighborhoods. In addition, the 2021 Project may include a 570 sf arrival area for a potential pedestrian community bridge on the southeastern portion of PA3(b). In addition, the 2021 Project provides a system of roads and sidewalks that would physically connect the Project Site, both internally (between PA1, PA2, and PA3(b)) and externally (with the community). More specifically, pedestrian circulation would be provided throughout the Project Site through sidewalks and pathways including protected pedestrian crossings at the signalized intersections located at Main Street and Lenardo Drive; Lenardo Drive and Stamps Drive; Stamps Drive and Del Amo Boulevard; Lenardo Drive and the combined entrance to PA2 and PA3; and Lenard Drive and Avalon Boulevard. External pedestrian access would be provided to the Project Site from Main Street, Del Amo Boulevard, and Avalon Boulevard. As noted in the 2018 SEIR, the Project Site is currently separated from the residential development to the south and west with a buffer created by the Torrance Lateral and the adjacent landscaped slope, which would not change under the 2021 Project.

Since the 2018 SEIR, the cumulative projects list has changed due to new proposed development in the surrounding area. Thus, instead of the 27 cumulative projects analyzed under the 2018 SEIR, there are now 44 cumulative projects in the vicinity of the Project Site, with a range of uses including but not limited to residential, commercial, hospital, and industrial uses. Of these, a total of 30 new cumulative projects have been added to the 2021 SEIR cumulative project list as compared to the 2018 SEIR cumulative project list and 13 cumulative projects from the 2018 SEIR were not included in the 2021 SEIR cumulative project list as the had either completed construction or the applications were withdrawn or no new applications were filed. The 2021 Project would put to productive use a contaminated, former

landfill/brownfield site through site remediation consistent with the approved RAP and under the oversight of DTSC. The 2021 Project is an infill development within an existing urban setting that provides a continuation of existing and intended development patterns within the city. The cumulative projects also reflect infill development within the larger, built-out City of Carson and adjacent County of Los Angeles area. As such, the cumulative projects would not comprise a major change in the land use patterns within the city or region. Similar to the 2021 Project, the cumulative projects would be developed within areas of the city and region intended for residential, mixed-use, commercial, and industrial uses as designated in the applicable General Plans and zoning maps. The city as a whole, and the general region within which the 2021 Project is located is urban and developed, and the cumulative projects would be built on already developed parcels or infill sites. Therefore, the 2021 Project in conjunction with the cumulative projects would not physically divide an established community.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to land use and planning (physically divide an established community) would be less than significant.

### *ii. 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?*

**Facts**

The goals and policies in the city's General Plan, particularly the Land Use Element, serve to guide future development in the city to achieve the Land Use Element's guiding principle. While the 2018 SEIR determined that the 2018 Project would not conflict with the existing land use plans, policies or regulations intended to prevent an impact to the environment, given the changes proposed by the 2021 Project to the 2018 Project and the proposed uses within PA3, an updated consistency analysis with applicable land use plans, policies, and regulations evaluating the 2021 Project is provided in 2021 SEIR Table IV.A 1, *2021 Project Consistency with City of Carson General Plan*.

The 2021 Specific Plan Amendment provides site design guidelines and development standards for land uses; circulation (i.e., internal circulation, parking, pedestrian and bicycle circulation, and public transportation); open space/recreation; public services and infrastructure; architecture; landscaping; walls and fences; signage: lighting; service, trash, and utility areas; artistic features; noise; and energy conservation tailored to the 2021 Project and its geographic context in the city.

The 2021 Specific Plan Amendment will result in a mix of residential uses, both neighborhood and regional commercial uses, publicly accessible open space and amenity areas, and light industrial uses with an integrated design and a circulation system that coordinates the land uses and access. With respect to PA1, the 2021 Project would not change the residential uses allowed for PA1 under the 2018 Specific Plan, which included 900 residential units or up to 1,250 residential units (with a General Plan Amendment) intermixed with plazas and open space that would assist the city in achieving its 2021 RHNA allocation. The 2021 Project would

not change the 2018 Specific Plan land uses with respect to PA2, which allowed for up to approximately 711,500 sf of regional commercial uses within PA2.

However, the 2021 Specific Plan Amendment will modify the land uses previously allowed for PA3 under the 2018 Specific Plan by allowing for up to 1,567,090 sf of light industrial and ancillary office uses in PA3(a) that would provide for distribution uses, which would also provide unique economic opportunities for the city. Despite the new truck intensive uses proposed by the 2021 Project, these uses would be clustered in an area with a circulation system designed to provide quick, safe and easy access to and from the regional transportation system given the unique location of such uses directly adjacent to the nearby I 405 and I 110 Freeways. In addition, the Project Site is located in close proximity to the Port of Los Angeles and the Port of Long Beach, and is also located in in a central area of the County of Los Angeles, rather than in more remote locations relative to the ultimate end users of the products/materials being distributed, such as the Inland Empire. As further discussed in Section IV.C, *Transportation*, and Section IV.H, *Greenhouse Gas Emissions*, of the 2021 SEIR, truck trip lengths from the Project Site to the end users are expected to be within 32.5 miles and 40 miles, depending on whether the deliveries are related to the distribution or fulfillment uses.

The 2021 Project would provide approximately 0.62 acres of Enhanced Parkway along the south side of Lenardo Drive that would include a 20- to 50-foot-wide linear park including shade trees, native planting, a meandering pedestrian pathway, and a sidewalk from Main Street to the area across from the vehicular entrance for Building A within PA3(a). In addition, landscaping would be planted between the light industrial buildings within PA3(a), and adjacent to the Torrance Lateral, as well as in parking areas and along the remainder of Lenardo Drive. The 2021 Project would modify the previously approved land uses for PA3, by providing the Carson Country Mart, an 11.12-acre area of publicly accessible space within PA3(b) that would contribute to the City's goal of maintaining a balance of uses to meet community needs. The Carson Country Mart would include a variety of passive and active community-serving uses, including programmed areas and amenities and 33,800 sf of commercial uses intended to serve local city residents and to activate the area harmoniously with the proposed development on PA2. In total, the 2021 Project would include more landscaping, open space, and recreational amenity uses as compared to the 2018 Project.

As with the 2018 Project, the 2021 Project constitutes infill development within an existing urban setting that provides a continuation of existing and intended development patterns within the city and incorporates features such as integrated, walkable, and mixed-use neighborhoods. In addition, the 2021 Project proposes additional physical features that connect the Project Site to immediately surrounding uses and the community. The 2021 Project would provide a system of roads, bike paths, and sidewalks that would physically connect the Project Site, both internally (between PA1, PA2, PA3(a), and PA3(b)) and externally (with the neighboring community) as well as two bus stops along Lenardo Dr. that would connect to the regional transit network.

With regard to the General Plan land use designation for PA3, PA3 is currently designated as MU R, which allows for a combination of residential, general commercial, and regional commercial uses. The 2021 Project would require a General Plan Amendment for the portion of the Project Site constituting PA3(a) from MU-R to LI to allow for the 2021 Project's proposed light industrial uses thereon. No changes to General Plan land use designations would occur for

PA1, PA2, or PA3(b) (which would remain designated as MU R under the General Plan). The 2021 SEIR analyzes the maximum possible intensity of light industrial uses within PA3(a) in order to conservatively evaluate the potential for environmental impacts associated with the maximum development permitted by the 2021 Specific Plan Amendment. The proposed light industrial uses under the 2021 Project would be consistent with the LI land use designation under the General Plan Amendment.

The General Plan's policies and goals are implemented through the city's Zoning Ordinance and its adopted Specific Plans. The Project Site is zoned SP-10, pursuant to the Carson Marketplace Specific Plan adopted by the City for the Project Site in February 2006. This 2006 Specific Plan was later amended on April 5, 2011, and renamed the Boulevards Specific Plan. The Boulevards Specific Plan was further amended on April 3, 2018, and renamed The District at South Bay Specific Plan following its approval by the City Council.

The proposed 2021 Specific Plan Amendment will not change the zoning for the Project Site, as it would remain zoned as SP 10; however, the 2021 Specific Plan Amendment will require a Specific Plan (zoning) text change to allow Light Industrial uses in PA3(a). In addition, a General Plan amendment would be required to allow for light industrial uses in PA3(a) by changing the designation in PA3(a) from MU-R to LI. The land use changes proposed by the 2021 Project would require approval from the City Council concurrently with the approval of the 2021 Specific Plan Amendment.

As shown in 2021 SEIR Table IV.A 1, as with the 2018 Project, the 2021 Project would implement the goals and policies of the city's General Plan (as amended), thereby contributing to meeting the city's guiding principles. The 2021 Specific Plan Amendment will provide development standards and guidelines for the future development of the Project Site, consistent with the city's goals and policies. Compliance with the 2021 Specific Plan Amendment, applicable regulatory requirements, and the implementation of PDFs and mitigation measures identified in the 2021 SEIR, would result in less-than-significant impacts with regard to all issue areas except project-level and cumulative aesthetic construction impacts, project-level and cumulative transportation impacts, project-level and cumulative air quality impacts, construction noise impacts, and cumulative construction and traffic-related noise. As the 2021 Project would generally implement the goals and policies of the General Plan, land use and planning impacts associated with General Plan consistency would remain less than significant.

Connect SoCal, the 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments (2020–2045 RTP/SCS), charts a path toward a more mobile, sustainable and prosperous region by making key connections between transportation networks and land use planning. The 2020–2045 RTP/SCS projects growth in employment, population, and households at the regional, county, city, town, and neighborhood levels. Carson is identified as a Priority Growth Area – Job Center. However, there are no High-Quality Transit Corridors near the Project Site; therefore, the Project Site is not located within a Transit Priority Area.

Based on the analysis presented in 2021 SEIR Table IV.A 2, the 2021 Project would be consistent with applicable 2020–2045 RTP/SCS goals. The 2021 Project would provide a mix of uses, including residential, commercial, and light industrial uses in a prime location visibly

noticeable along the I 405 Freeway corridor. The 2021 Specific Plan Amendment will provide site design guidelines and development standards for circulation (i.e., internal circulation, parking, pedestrian and bicycle circulation, and public transportation); open space/recreation; public services and infrastructure; architecture; landscaping; walls and fences; signage: lighting; service, trash, and utility areas; artistic features; noise; and energy conservation to ensure a high-quality development that is cohesive and compatible with the surrounding area.

More specifically, the 2021 Project would provide up to 1,250 residential units within PA1, which would contribute much needed housing in the region and would contribute to meeting the city's RHNA allocation of 5,618 housing units for the sixth RHNA Cycle. In addition, the 2021 Project would provide approximately 11.12 acres of open space area within PA3(b), which would include a variety of passive and active community uses, including programmed areas and amenities and 33,800 sf of commercial uses intended to serve local city residents and to activate the area to draw in visitors to the Project Site. Public access to the Carson Country Mart would be provided by Street A (or Lenardo Drive). The Carson Country Mart would include commercial/retail uses, including a single retail use catered to pets and animals; four restaurants (with drive through capability); food and beverage kiosks; and a cafe adjacent to the dog park. The Carson Country Mart would also include tables and seating areas for people to eat and drink in a social setting and green environment. The Carson Country Mart would provide programmed spaces that also include a performance pavilion, botanic garden, children's play area, bioretention garden, beer garden, games terrace, event lawn and a sculpture garden as well as park amenity areas, which include restrooms, walkways, planted spaces, and planted buffers. Pedestrian and bicycle pathways and exercise areas would connect the Carson Country Mart's various programmed open space areas. The bicycle circulation system on the Project Site would provide connections to the surrounding neighborhood consistent with the city's Master Plan of Bikeways. The 2021 Project would include an internal system of pedestrian sidewalks and pathways that would interconnect all portions of the Project Site, providing safe pedestrian access between the uses.

The 711,500 sf of regional commercial uses within PA2 as well as the 33,800 sf of neighborhood commercial uses within PA3(b) would contribute to the mix of uses in the area and would provide a regional destination. In addition, pedestrian access would be provided from the residential units within PA1 to the commercial uses within PA2 and PA3(b). As shown in 2021 SEIR Figure II-9, PA3(a) would include 0.62 acres of Enhanced Parkway on the south side of Lenardo Drive. A meandering pedestrian pathway would be provided within the 20- to 50-foot-wide linear park, which would provide an outdoor walking opportunity for residents of PA1 within the Project Site.

The 2021 Project would include 1,567,090 sf of light industrial uses within PA3(a), which would provide for distribution uses, including by e-commerce and fulfillment center uses and more traditional distribution center and parcel hub type uses. Despite the new truck intensive uses proposed by the 2021 Project, these uses would be clustered in an area with a circulation system designed to provide quick, safe and easy access to and from the regional transportation system given the unique location of such uses directly adjacent to the nearby I 405 and I 110 Freeways. In addition, the Project Site is located in close proximity to the Port of Los Angeles and the Port of Long Beach, and is also located in in a central area of the County of Los Angeles, rather than in more remote locations relative to the end users, such as the Inland

Empire. As further discussed in Section IV.C, *Transportation*, and Section IV.H, *Greenhouse Gas Emissions*, of the 2021 SEIR, truck trip lengths from the Project Site to the end users are expected to be within 32.5 miles and 40 miles, depending on whether the deliveries are related to the distribution or fulfillment uses. The Project Site's proximity to the I 405 and I 110 Freeways would contribute to the efficient movement of goods since easy and efficient access to markets would be available thereby reducing the overall transportation time, which is critical to a strong economy.

With regard to GHG and air quality, while the light industrial uses proposed by the 2021 Project would result in an increase truck traffic in the surrounding area, the Project Site's location proximate to the I-405 and I-110 Freeways provides easy access to the regional transportation system thereby reducing truck travel on city roadways. The light industrial buildings proposed by the 2021 Project would be clustered and sited within PA3(a) so as to minimize impacts to the nearby residential neighborhoods. Looking to the future, the 2021 Project includes a number of PDFs including 2021 SEIR PDF-O7, which supports reduction of GHG emissions through the provision of EV charging stations beyond the regulatory requirements and a transition to an electric truck fleet. These PDFs would support technological advancements in the movement of goods so as to minimize environmental and health impacts while allowing continued growth in trade and commerce.

As with the 2020–2045 RTP/SCS, the 2016–2040 RTP/SCS recognizes that transportation investments and future land use patterns are inextricably linked, and that continued recognition of this close relationship will help the region make choices that sustain existing resources and expand efficiency, mobility, and accessibility for people across the region. The 2016–2040 RTP/SCS draws a connection between where people live and work, and offers a blueprint for how Southern California can grow more sustainably. As with the 2020–2045 RTP/SCS, the 2016–2040 RTP/SCS includes strategies focused on compact infill development and economic growth by building the infrastructure the region needs to promote the smooth flow of goods and easier access to jobs, services, educational facilities, healthcare and more. The goals in the 2016–2040 RTP/SCS are similar in nature, but more general than, the goals in the 2020–2045 RTP/SCS.

As discussed previously, the 2021 Project would put to productive use a brownfield site located in the central area of the city with easy access to the regional transportation system. As with the 2018 Project, the 2021 Project is an infill development within an existing urban setting that provides a continuation of existing and intended development patterns within the city and incorporates features such as residential development within proximity to neighborhood serving commercial uses connected by sidewalks and the Enhanced Parkway, which would include a meandering pedestrian pathway. In addition, the Carson Country Mart, located in PA3(b), would include a variety of passive and active spaces, programmed areas amenities, and community-serving commercial uses intended to serve local city residents and visitors and to activate and enliven the overall area. In addition, the 2021 Project would provide a system of roads, bike paths, and sidewalks that would physically connect the Project Site, both internally (between PA1, PA2, PA3(a), and PA3(b)) and externally (with the neighboring community). Despite the new truck intensive uses proposed by the 2021 Project, these uses would be clustered in an area with a circulation system designed to provide quick, safe and easy access to and from the regional transportation system given the unique location of such uses directly adjacent to the nearby I 405 and I 110 Freeways. In addition, the Project Site is located in close proximity to the

Port of Los Angeles and the Port of Long Beach, and is also located in in a central area of the County of Los Angeles, rather than in more remote locations relative to the end users, such as the Inland Empire. In addition, the regional commercial uses in PA2, which is adjacent to the I-405 Freeway, would also reduce the air emissions from vehicles for people seeking regional commercial activity.

Since the 2018 SEIR, the cumulative projects list has changed due to new proposed development in the surrounding area. Thus, instead of the 27 cumulative projects analyzed under the 2018 SEIR, there are now 44 cumulative projects in the vicinity of the Project Site, with a range of uses including but not limited to residential, commercial, hospital, and industrial uses. Of these, a total of 30 new cumulative projects have been added to the 2021 SEIR cumulative project list as compared to the 2018 SEIR cumulative project list and 13 cumulative projects from the 2018 SEIR were not included in the 2021 SEIR cumulative project list as the had either completed construction or the applications were withdrawn or no new applications were filed. With regard to consistency with the city's land use plans, similar to the 2021 Project, the identified cumulative projects would be subject to compliance with applicable city and/or county regulations and subject to review by the applicable jurisdictions for compliance with the General Plan and the city's zoning regulations and/or county land use regulatory requirements. It is reasonable to assume that future projects approved in the surrounding area would have been found, as part of their respective approval processes, to be in compliance with local and regional planning goals and policies. If a cumulative project were found to be in conflict with applicable land use plans, policies and regulations, it is reasonable to assume that its approval would involve findings that the related development did not have adverse land use impacts or that mitigation measures were incorporated into the development to reduce potential land use impacts to less-than-significant levels. The 2021 Project would not conflict with applicable land use policies, plans, and regulations. Therefore, the 2021 Project would not contribute to a cumulative effect of multiple projects having adverse effects on the environment due to their incompatibility with regulatory requirements related to land use. No new cumulative impacts related to compatibility with land use plans, policies, and regulations would occur and impacts would be less than significant. As such, the 2021 Project would not result in any new significant cumulative impacts as compared to the 2018 Project.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts related to land use and planning (consistency with applicable land use plans, policies, and regulations) would be less than significant.

## l. Mineral Resources

### *i. 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?*

**Facts**

The 157 Acre Site was a former land fill in a heavily developed area of the City of Carson. No drilling has or currently occurs on the 157 Acre Site and development of the 2021 Project would not cause a loss of access to mineral resources.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts to mineral resources would be less than significant.

### *ii. 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?*

**Facts**

The 157 Acre Site was a former land fill in a heavily developed area of the City of Carson. No drilling has or currently occurs on the 157 Acre Site and development of the 2021 Project would not cause a loss of access to mineral resources.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts to mineral resources would be less than significant.

## m. Noise

### *i. 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?*

**Facts**

Although the worst-case day of construction activity as analyzed for the 2018 Project would remain relevant for 2021 Project construction, it should be noted that DDC would not be conducted within PA3. As a result, construction noise levels associated with DDC and concurrent pile driving and DDC activities would be reduced for receptors that are adjacent to PA3. Therefore, although construction noise related to DDC and concurrent pile driving and DDC would be reduced for representative receptors R2 through R7 (receptors R1 and R8 are located in close enough proximity to PA1 and PA2, respectively, for DDC impacts to remain), noise levels associated with DDC and pile driving would continue to result in significant and unavoidable impacts, even with the implementation of the identified and feasible mitigation measures, as concluded in the 2018 SEIR. Even with implementation of Mitigation Measures H 1, H 3, and H 4, significant and unavoidable construction-related noise impacts would result. Deep dynamic compaction (DDC) would result in significant and unavoidable impacts at all representative receptors, except for R1 and R9. Pile driving alone and concurrent pile driving and DDC activities would result in significant and unavoidable impacts at all representative receptors, except for R9.

The light-industrial uses provided in PA3(a) would operate 24 hours per day, 7 days per week. Operational activities associated with loading and forklift usage would occur within the light-industrial buildings. In addition, trucks accessing the Project Site would have an idling time limit of 2 minutes. The only outdoor activities, beyond the arrival and departure of trucks and/or other automobiles, would be landscaping activities and the removal of trash. The commercial/retail

and restaurant uses provided in PA3(b) would operate from 7:00 a.m. until 11:00 p.m., 7 days per week.

According to the 2021 Project's transportation assessment, included as Appendix C1 of the 2021 SEIR, and summarized in 2021 SEIR Section IV.C, *Transportation*, the 2021 Project is forecasted to generate a maximum of 42,791 additional daily trips over existing at full buildout, which is a 33 percent reduction compared to the 2018 Project. Like the approved 2018 Project, traffic volumes associated with these 2021 Project trips would have the potential to increase roadway noise levels on local roadways in and around the Project Site. Operations would be phased based on buildout of each planning area. PA3 would be operational in 2024, PA2 and PA3 would be operational in 2025, and full 2021 Project operations would occur in 2026. The greatest 2021 Project-related traffic noise impact under future 2024 conditions is anticipated to occur along Lenardo Drive between I 405 Freeway southbound ramp and Avalon Boulevard with an increase of 4.3 dBA CNEL. Noise level increases above ambient for the 2021 Project would be less than the 5 dBA and 3 dBA significance thresholds. Thus, the 2021 Project would not result in any new significant impacts for off-Property roadway noise under future 2024 conditions as compared to the 2006 Project and the 2018 Project. No mitigation is required.

The greatest 2021 Project-related traffic noise impact under future 2025 conditions is anticipated to occur along Lenardo Drive between I 405 Freeway southbound ramp and Avalon Boulevard with an increase of 4.4 dBA CNEL. Based on the thresholds used in the 2006 FEIR and 2018 SEIR, the 2021 Project would not result in any new significant impacts for off-Property roadway noise under future 2025 conditions as compared to the 2006 Project and the 2018 Project. No mitigation is required.

The greatest 2021 Project-related traffic noise impact under future 2026 conditions is anticipated to occur along Lenardo Drive between I 405 Freeway southbound ramp and Avalon Boulevard with an increase of 4.5 dBA CNEL. Based on the thresholds used in the 2006 FEIR and 2018 SEIR, the 2021 Project would not result in any new significant impacts for off-Property roadway noise under future 2026 conditions as compared to the 2006 Project and the 2018 Project. No mitigation is required.

The 2021 Project includes the operation of logistics facilities within PA3(a). In addition to logistics facilities, the 2021 Project includes operation of publicly accessible open space and commercial/community-use and amenity areas within PA3(b).

The 2021 Project development would include mechanical equipment including heating, ventilation, and air conditioning (HVAC) systems, rooftop ventilation systems, and emergency generators. Mechanical equipment could generate noise levels that are audible at both on- and off-site noise-sensitive locations. The mechanical equipment would include noise control measures and shielding that would ensure that noise levels would not exceed 50 dBA during daytime hours and 45 dBA during nighttime hours at the nearest sensitive receptors.

Combined site-wide mechanical equipment noise would not increase daytime or nighttime ambient noise by 5 dBA or more at off-site sensitive receptors. Therefore, the 2021 Project would not result any new significant impacts related to mechanical equipment noise as compared to the 2006 Project or the 2018 Project.

Commercial loading dock noise associated with PA2 has been calculated at representative receptor locations included in this analysis. Potential impacts associated with loading activities for the proposed PA3 uses utilizes the CadnaA noise program. The proposed locations and configurations of proposed logistics buildings and docking bays were programmed into the CadnaA model in addition to basic elevation characteristics of the anticipated finished grade of PA3 and the off-site residential uses to the west and south of the Project Site (the anticipated finished grade of PA3 is approximately 13 feet higher than the residential uses across the Torrance Lateral).

With respect to the proposed logistics uses, the number of medium- and heavy-duty trucks assumed for each proposed logistics building is based on Institute of Traffic Engineers (ITE) trip generation rates for fulfillment center and parcel hub uses (see Appendix E for detailed assumptions). Main sources of loading activity noise include truck idling, backup alarms, and maneuvering of trucks within the truck parking and loading areas. Based on representative data, heavy-duty trucks would generate noise levels of approximately 71.5 dBA Leq at a reference distance of 50 feet per truck and that medium-duty trucks would generate noise levels of approximately 67 dBA Leq at a reference distance of 50 feet per truck when carrying out loading activities.

The Carson Country Mart includes food services uses are anticipated to receive daily supply deliveries. As a worst-case assumption, it is assumed that across the entire Carson Country Mart, deliveries would be fulfilled by an average of four heavy-duty trucks per hour and that the trucks would idle on site, generating noise levels of approximately 69 dBA Leq per truck at a reference distance of 50 feet.

The greatest increases in ambient noise would occur at receptor R6 with increases of approximately 0.6 dBA Leq during daytime hours (7:00 p.m.–10:00 p.m.), 0.9 dBA Leq between 10:00 p.m. and 11:00 p.m., and 2.2 dBA Leq between 11:00 p.m. and 7:00 a.m. The combined site-wide loading activity would not increase daytime or nighttime ambient noise by 5 dBA Leq or more at off-site sensitive receptors. Therefore, the 2021 Project would not result any new significant impacts related to loading noise as compared to the 2006 Project or the 2018 Project.

Parking noise associated with PA1 and PA2 has been calculated at revised representative receptor locations included in this analysis. Potential impacts associated with automobile parking for the proposed PA3 uses utilizes the CadnaA noise program. The proposed locations and configurations of proposed buildings and parking facilities were programmed into the CadnaA model. To ensure a worst-case analysis, the number of cars contributing to parking facility noise is equivalent to the total automobile parking spaces identified in the 2021 Project design for PA3. Parking noise levels were estimated utilizing the methodology recommended by the Federal Transit Administration (FTA) for the general assessment of stationary transit noise sources.

The greatest increase in ambient noise would occur at receptor R1 with an increase of approximately 0.6 dBA Leq during daytime hours (7:00 a.m.–10:00 p.m.). No increases in ambient noise are anticipated during nighttime hours. The combined site-wide parking activity would not increase daytime or nighttime ambient noise by 5 dBA Leq or more at off-site sensitive receptors. Therefore, the 2021 Project would result in substantially the same impact

(less than significant) as identified for the 2006 FEIR and the 2018 SEIR, and would not result any new significant impacts related to parking noise as compared to the 2006 Project or the 2018 Project.

Like the 2006 Project and the 2018 Project, internal circulation consists of Lenardo Drive from Main Street to the I 405 Freeway ramps and Stamps Drive from Del Amo Boulevard to Lenardo Drive. The 2021 Project does not propose the realignment of either Stamps Drive or Lenardo Drive. Utilizing the traffic noise model methodology and traffic volumes included in the TA, on-site and off-site (from adjacent segments along Del Amo Boulevard, Main Street, and Lenardo Drive) circulation noise has been estimated for daytime and nighttime hours. Peak hour traffic volumes have been assumed for daytime hours to account for worst-case daytime conditions and average hourly traffic volumes have been assumed for nighttime hour uses (see Appendix E for detailed assumptions). The greatest increases in ambient noise would occur at receptor R8 with increases of approximately 0.6 dBA Leq during daytime hours (7:00 p.m.–10:00 p.m.), 0.5 dBA Leq between 10:00 p.m. and 11:00 p.m., and 1.2 dBA Leq between 11:00 p.m. and 7:00 a.m. Circulation would not increase daytime or nighttime ambient noise by 5 dBA Leq or more at off-site sensitive receptors. Therefore, would not result any new significant impacts related to circulation noise as compared to the 2006 Project or the 2018 Project.

The 2021 Project includes the operation of publicly accessible open space and commercial/community-use and amenity areas. The main contributors of outdoor open space noise within the Carson Country Mart would include a dog park, botanic garden, children's play area, flexible event/social lawn, performance pavilion with associated amplified sound, and beer garden, and the games terrace. With the exception of the performance pavilion, it is assumed that all outdoor spaces would operate during daytime hours (between 7:00 a.m. and 10:00 p.m.). It is assumed that occasional events held at the performance pavilion and flexible event/social lawn area could extend until 11:00 p.m. Based on occupancy assumptions provided by the Applicant, the dog park has an occupancy load of approximately 57 people. As a conservative analysis, it is assumed that the space would be at full capacity consisting of one-third male adults, one-third female adults, and one-third children. Half of the occupants are assumed to be speaking loudly. In addition, it is assumed that there would be 15 dogs barking within the dog park. The children's play area has an occupancy load of approximately 254 people. As a conservative analysis, it is assumed that the space would be at full capacity consisting of one-third male adults, one-third female adults, and one-third children. Due to this space being a play area, it is assumed that all 90 children would be speaking loudly and one-quarter of the adults (half male and half female) would be speaking loudly. The performance pavilion and social lawn has an occupancy load of approximately 978 people. As a conservative analysis, it is assumed that the space would be at full capacity consisting of one-third male adults, one-third female adults, and one-third children. Half of the occupants are assumed to be speaking loudly. Included in this area is a performance pavilion which includes an outdoor stage. It is assumed that the sound system for this performance pavilion would generate noise levels of 80 dBA Leq at a reference distance of 25 feet. The games terrace has an occupancy of approximately 83 people. It is assumed that this space would be at full capacity consisting of one-third male adults, one-third female adults, and one-third children speaking loudly. The botanic garden has an occupancy load of approximately 39 people. It is assumed that this space would be at full capacity consisting of one-third male adults, one-third female adults, and

one-third children speaking loudly. Speakers playing ambient music would be located throughout the outdoor spaces within the Carson Country Mart. Ambient speakers are assumed to generate noise levels of 58 dBA Leq at 3.3 feet. The beer garden has an occupancy of approximately 58 people. It is assumed that this space would be at full capacity consisting of one-half male adults and one-half female adults speaking at shouting levels. Several other outdoor dining spaces would be interspersed amongst the retail buildings within PA3(b). All of these spaces, with a total capacity of 1,006 people, have been programmed into the CadnaA model assuming that each space would be at full capacity consisting of one-third male adults, one-third female adults, and one-third children speaking loudly. 2021 SEIR Table IV.E 11, Outdoor Open Space Noise Levels, shows noise levels associated with open spaces and increases in ambient noise at each representative sensitive receptor. The greatest increases in ambient noise would occur at receptor R7 with increases of approximately 3.2 dBA Leq during daytime hours (7:00 p.m.–10:00 p.m.) and 3.1 dBA Leq between 10:00 p.m. and 11:00 p.m. Combined site-wide open spaces would not increase daytime or nighttime ambient noise by 5 dBA Leq or more at off-site sensitive receptors.

The Carson Country Mart includes commercial/retail and restaurant uses, including four restaurants with drive-through capability. The primary noise sources at a typical drive-through consists of the customer order display/speaker and idling vehicles. A composite noise level of 54.8 dBA Leq at a reference distance of 50 feet has been assumed for each drive-through location. It is assumed that the hours of operation for each drive-through would be from 7:00 a.m. to 11:00 p.m. Increases in ambient noise are not anticipated during daytime or nighttime hours. Combined site-wide drive-through uses would not increase daytime or nighttime ambient noise by 5 dBA or more at off-site sensitive receptors.

As discussed in the 2018 SEIR, a landfill gas treatment flare station has been constructed and is operational. No additions or alterations to the operations of the treatment flare are proposed and no increases in noise levels generated by the treatment flare are anticipated. Therefore, there is no new significant impact related to the treatment flare. Continued operation of the landfill gas treatment flare station would continue to result in a less-than-significant impact, and the 2021 Project would not result in any new significant impacts as compared to the 2006 Project or the 2018 Project.

An evaluation of noise from all 2021 Project-related sources (i.e., composite noise level) was conducted to conservatively ascertain the potential maximum Project-related noise level increase that may occur at the noise-sensitive receptor locations included in this analysis. Noise sources considered in the analysis of composite noise include parking-related noise events, mechanical equipment, loading dock/waste collection area noise events, on-site and adjacent roadway automobile and truck travel, and open space-related noise sources. The greatest increases in ambient noise would occur at receptor R7 with increases of approximately 4.1 dBA Leq during daytime hours (7:00 p.m.–10:00 p.m.) and 3.6 dBA Leq between 10:00 p.m. and 11:00 p.m. The greatest increase between 11:00 p.m. and 7:00 a.m. would occur at receptors R6 and R8 with an increase of 3.2 dBA Leq. The composite noise analysis in the 2018 SEIR included only on-site sources. For purposes of a conservative analysis, off-site roadway noise levels for adjacent roadway segments have been included in the composite analysis for the 2021 Project. Therefore, as with the 2018 Project, composite Project noise levels would not

increase daytime or nighttime ambient noise by 5 dBA or more at off-site sensitive receptors, and impacts would remain less than significant.

The 2021 Project is located in an urban area and truck travel would occur within an urban region such that the existing traffic, even during nighttime and early morning hours, includes noise from vehicles unrelated to the 2021 Project including urban buses, garbage trucks, delivery trucks, passenger vehicles, and other vehicles. Therefore, the 2021 Project would not generate the type of noise that vary widely from the type of noise generated under existing conditions. Therefore, it is unlikely that nighttime or early morning noise from 2021 Project operations would cause a substantial sleep disturbance and no significant impacts with respect to sleep disturbance are expected to occur.

The development of the 2021 Project would be phased according to planning area. As a result, there is the potential for overlap of construction and operations to occur. PA3 would complete construction and begin operations in 2024 while PA1 and PA2 are undergoing vertical construction (consisting of building construction, paving, and architectural coating). The operation of PA2 would begin in 2025, while PA1 is undergoing vertical construction. Noise levels associated with vertical construction was analyzed an included in the 2018 SEIR and have been used herein. Because construction is not anticipated during nighttime hours, concurrent construction and operation noise would only occur during daytime hours. Concurrent construction and operation noise levels would not increase daytime ambient noise by 5 dBA or more at off-site sensitive receptors.

Of the 44 cumulative projects that have been identified within the 2021 Project's study area, there are a number of projects that have not already been built or are currently under construction. Construction of Evolve South Bay (Cumulative Project No. 27) located to the north of Del Amo Boulevard (also referred to as DD3) has been completed. Therefore, it is not possible that Cumulative Project No. 27 would be under construction concurrent with the 2021 Project. Therefore, no cumulative construction impact associated with concurrent construction of Cumulative Project No. 27 and the 2021 Project would occur.

Cumulative Project No. 35, located at 20601 South Main Street, consists of warehouse and retail uses to the west of sensitive receptors R1 and R2. Cumulative Project No. 5 (also noise-sensitive receptors R7 and R8), located at 21207 Avalon Boulevard, is adjacent to noise-sensitive receptor R6. Based on the proximity of these cumulative projects to identified noise-sensitive receptors for the 2021 SEIR, sensitive receptors R1 and R2 could be affected by concurrent construction of Cumulative Project No. 35 with the 2021 Project and sensitive receptor R6 could be affected by concurrent construction of Cumulative Project No. 5 with the 2021 Project. As the construction programming (including construction schedule, activities, and equipment) for the cumulative projects are not known, it would be speculative to determine what levels of noise would be associated with cumulative project construction. Noise impacts of construction activities for the 2021 Project and each cumulative project (that has not already been built) would be short-term, limited to the duration of construction and would be localized. In addition, it is anticipated that each of the cumulative projects would have to comply with the local noise ordinance, as well as mitigation measures that may be prescribed pursuant to CEQA provisions that require significant impacts to be reduced to the extent feasible, as was also anticipated for the 2018 Project. However, since noise impacts due to construction of the 2021

Project would be significant on its own, as was the case for the 2018 Project, noise impacts due to construction of the 2021 Project in combination with any of the cumulative projects would also be significant and unavoidable even with the implementation of the identified and feasible mitigation measures.

Each of the 44 cumulative projects that have been identified within the general project vicinity would generate stationary-source and mobile-source noise due to ongoing day-to-day operations. The cumulative projects are of a residential, retail, commercial, or institutional nature and these uses are not typically associated with excessive exterior noise generation. However, each cumulative project would produce traffic volumes that are capable of generating a roadway noise impact. Cumulative traffic volumes from the 2021 Project and the 44 cumulative projects are analyzed by comparing existing traffic conditions to future 2024, 2025, and 2026 plus Project conditions. Based on the thresholds used in the 2006 FEIR and 2018 SEIR, the 2021 Project would have a significant impact if it causes the ambient noise level to increase by 5 dBA CNEL measured at the Project Site boundary of affected uses within the “normally acceptable” or “conditionally acceptable” category, or by 3 dBA CNEL at the Project Site boundary of affected uses within the “normally unacceptable” or “clearly unacceptable” category (2018 SEIR Table 45 [DEIR p. 422]).

Cumulative traffic noise impacts would occur along Main Street between Lenardo Drive and Torrance Boulevard, with an anticipated increase of 3.6 dBA CNEL; along Del Amo Boulevard between Main Street and Stamps Drive, with an anticipated increase of 3.5 dBA CNEL; and along Lenardo Drive between I 405 Freeway southbound ramp and Avalon Boulevard, with an anticipated increase of 10.8 dBA CNEL. These cumulative increases in traffic noise would exceed the threshold of a 5 dBA CNEL increase for affected uses within the “normally acceptable” or “conditionally acceptable” land use compatibility category (Lenardo Drive between I 405 Freeway southbound ramp and Avalon Boulevard) or the 3 dBA CNEL increase for affected uses within the “normally unacceptable” or “clearly unacceptable” land use compatibility category. Therefore, the cumulative impact would be significant.

The 2021 Project’s contribution to future (2024) traffic noise increase are anticipated to be 0.6 dBA CNEL along Main Street between Lenardo Drive and Torrance Boulevard; 1.7 dBA CNEL along Del Amo Boulevard between Main Street and Stamps Drive; and 4.3 dBA CNEL along Lenardo Drive between I 405 Freeway southbound ramp and Avalon Boulevard. While the incremental project-related increase would be below the thresholds of 5 dBA CNEL for Lenardo Drive between I 405 Freeway southbound ramp and Avalon and 3 dBA CNEL for Main Street between Lenardo Drive and Stamps Drive and Del Amo Boulevard between main Street and Stamps Drive, and on its own would be barely perceptible, under the most conservative approach to determining cumulative noise impacts, any project that contributes to the cumulatively significant impact would be considered cumulatively considerable. Therefore, the 2021 Project would conservatively result in a cumulatively considerable contribution to the significant cumulative impact associated with roadway noise. The 2021 Project’s cumulative impact to roadway noise would be significant and unavoidable under future 2024 conditions, and there are no feasible mitigation measures that would reduce this cumulative impact. Cumulative traffic noise impacts would occur along Main Street between Lenardo Drive and Torrance Boulevard, with an anticipated increase of 3.8 dBA CNEL; along Del Amo Boulevard between Main Street and Stamps Drive, with an anticipated increase of 3.8 dBA CNEL; and

along Lenardo Drive between I 405 Freeway southbound ramp and Avalon Boulevard, with an anticipated increase of 11.0 dBA CNEL. These cumulative increases in traffic noise would exceed the threshold of a 5 dBA CNEL increase for affected uses within the “normally acceptable” or “conditionally acceptable” land use compatibility category (Lenardo Drive between I 405 Freeway southbound ramp and Avalon Boulevard) or the 3 dBA CNEL increase for affected uses within the “normally unacceptable” or “clearly unacceptable” land use compatibility category. Therefore, the cumulative impact would be significant.

The 2021 Project’s contribution to future (2025) traffic noise increase are anticipated to be 0.8 dBA CNEL along Main Street between Lenardo Drive and Torrance Boulevard; 1.9 dBA CNEL along Del Amo Boulevard between Main Street and Stamps Drive; and 4.4 dBA CNEL along Lenardo Drive between I 405 Freeway southbound ramp and Avalon Boulevard. While the incremental project-related increase would be below the thresholds of 5 dBA CNEL for Lenardo Drive between I 405 Freeway southbound ramp and Avalon and 3 dBA CNEL for Main Street between Lenardo Drive and Stamps Drive and Del Amo Boulevard between main Street and Stamps Drive, and on its own would be barely perceptible, under the most conservative approach to determining cumulative noise impacts, any project that contributes to the cumulatively significant impact would be considered cumulatively considerable. Therefore, the 2021 Project would conservatively result in a cumulatively considerable contribution to the significant cumulative impact associated with roadway noise. The 2021 Project’s cumulative impact to roadway noise would be significant and unavoidable under future 2025 conditions, and there are no feasible mitigation measures that would reduce this cumulative impact. Cumulative traffic noise impacts would occur along Main Street between Lenardo Drive and Torrance Boulevard, with an anticipated increase of 3.9 dBA CNEL; along Del Amo Boulevard between Main Street and Stamps Drive, with an anticipated increase of 3.9 dBA CNEL; and along Lenardo Drive between I 405 Freeway southbound ramp and Avalon Boulevard, with an anticipated increase of 11.1 dBA CNEL. These cumulative increases in traffic noise would exceed the threshold of a 3 dBA CNEL increase for affected uses within the “normally unacceptable” or “clearly unacceptable” land use compatibility. Therefore, the cumulative impact would be significant.

The 2021 Project’s contribution to future (2026) traffic noise increase are anticipated to be 0.9 dBA CNEL along Main Street between Lenardo Drive and Torrance Boulevard; 2.0 dBA CNEL along Del Amo Boulevard between Main Street and Stamps Drive; and 4.5 dBA CNEL along Lenardo Drive between I 405 Freeway southbound ramp and Avalon Boulevard. While the incremental project-related increase would be below the thresholds of 5 dBA CNEL for Lenardo Drive between I 405 Freeway southbound ramp and Avalon and 3 dBA CNEL for Main Street between Lenardo Drive and Stamps Drive and Del Amo Boulevard between main Street and Stamps Drive, and on its own would be barely perceptible, under the most conservative approach to determining cumulative noise impacts, any project that contributes to the cumulatively significant impact would be considered cumulatively considerable. Therefore, the 2021 Project would conservatively result in a cumulatively considerable contribution to the significant cumulative impact associated with roadway noise. The 2021 Project’s cumulative impact to roadway noise would be significant and unavoidable under future 2026 conditions, and there are no feasible mitigation measures that would reduce this cumulative impact.

Noise from stationary sources such as roof-top mechanical equipment and emergency generators would be limited due to Carson Municipal Code provisions. Cumulative Project No. 35 is located across South Main Street from the Project Site and at a sufficient distance from 2021 Project sensitive receptors for any on-site operational noise to attenuate to levels that would not be additive to Project-related noise levels. Cumulative Project No. 5 (also noise-sensitive receptors R7 and R8) is adjacent to the Project Site as well as sensitive receptor R6. However, Cumulative Project No. 5 is a residential use. Other than parking-related noise and HVAC equipment, residential uses are not large generators of on-site operational noise sources. Additionally, on-site operational impacts resulting from operation of the 2021 Project would be less than significant. For the reasons stated, on-site noise produced by any cumulative project would not be additive to Project-related noise levels. As such, stationary-source noise impacts attributable to cumulative development would remain less than significant for the 2021 Project.

**Finding**

In accordance with CEQA Guideline Section 15091(a)(1), the City finds that with implementation of Mitigation Measures H-1, H-3, H-4, and H-6, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect with regard to project-level operational noise. Thus, after implementation of these mitigation measures project-level operational noise impacts would be reduced to a level of less than significant.

Although Mitigation Measures H-1, H-3, H-4, and H-6 will reduce the severity of project-level and cumulative construction-related and cumulative operational noise impacts, they will not reduce the impacts to less-than-significant levels. Despite incorporation of this mitigation, impacts resulting from project-level and cumulative construction and cumulative operational noise remain significant and unavoidable.

### *ii. Generation of excessive groundborne vibration or groundborne noise levels?*

**Facts**

The construction noise analysis evaluates the worst-case day of construction activity. While the construction dates and amount of overlap have changed for the 2021 Project as compared to the 2018 Project, it is assumed that the single worst-case day of construction would remain the same because construction techniques and equipment required for the 2021 Project would be similar to what was analyzed in the 2018 SEIR. Therefore, the construction noise and vibration analysis included in the 2018 SEIR remains applicable. Although the worst-case day of construction activity as analyzed for the 2018 Project would remain relevant for 2021 Project construction, it should be noted that DDC would not be conducted within PA3. As a result, construction vibration levels associated with DDC and concurrent pile driving and DDC activities would be reduced for receptors that are adjacent to PA3. With implementation of Mitigation Measure H-3, vibration velocities associated with DDC and pile driving would continue to result in less-than-significant impacts, as concluded in the 2018 SEIR.

Groundborne vibration in the vicinity of the Project Site would continue to be generated by vehicular travel on the local roadways. The 2021 Project's operations would include an increased number of medium- and heavy-duty trucks as previously contemplated in the 2006

FEIR and the 2018 SEIR. According to the FTA's Transit Noise and Vibration Impact Assessment, on-road rubber-tired trucks rarely create vibration levels that exceed 70 vibration decibels (VdB), which is equivalent to 0.003 root-mean-square (RMS). Operation of the 2021 Project upon completion of its construction would not exceed the 0.01 RMS human perceptibility threshold for groundborne vibration during long-term activities established by the Los Angeles County Noise Regulation (LACC Section 12.08.350) at the neighboring sensitive receptors. The level at which vibration results in human perceptibility is lower than the vibration velocities needed to cause structural damage. Therefore, as with the 2018 Project, operational vibration would not be perceptible and would not result in structural damage, and impacts would remain less than significant. The 2021 Project would not result any new significant impacts as compared to the 2006 Project and the 2018 Project.

Due to rapid attenuation characteristics of ground-borne vibration, only cumulative projects located adjacent to the same sensitive receptors as the 2021 Project would result in cumulatively considerable vibration impacts. Cumulative Project No. 35, located at 20601 South Main Street, consists of warehouse and retail uses to the west of sensitive receptors R1 and R2. Cumulative Project No. 5 (also noise-sensitive receptors R7 and R8), located at 21207 Avalon Boulevard, is adjacent to noise-sensitive receptor R6. Receptors R1, R2, and R6 are located across the Torrance Lateral from the Project Site and at sufficient distance for Project vibration to attenuate to less-than-significant levels. Therefore, concurrent construction of the 2021 Project and cumulative projects would not combine to generate cumulative vibration velocities that would result in human annoyance or building damage.

Project operations would not result in human annoyance or building damage impacts. Although operation of Cumulative Project No. 35 would involve heavy truck travel on the same roadways as the 2021 Project, the frequency of truck events would not result on increased vibration velocities along the travel route. Cumulative Project No. 5 consists of residential uses and is not anticipated to generate vibration during operations. Therefore, concurrent operation of the 2021 Project and cumulative projects would not combine to generate cumulative vibration velocities that would result in human annoyance or building damage.

## Finding

The City finds based on substantial evidence that project-level and cumulative operational vibration impacts would be less than significant.

In accordance with CEQA Guideline Section 15091(a)(1), the City finds that with implementation of Mitigation Measure H-3, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect with regard to project-level and cumulative construction-related vibration. Thus, after implementation of this mitigation measure, construction vibration impacts would be reduced to a level of less than significant.

### *iii. 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?*

**Facts**

The Project Site is not located within an airport land use plan area. The closest airport is the Compton Airport, located approximately 3.25 miles north of the Project Site. The nearest private airstrip is the port for Goodyear Wingfoot Two, which is a rigid-frame blimp, and it is located approximately 0.4 miles northeast of the Project Site to the east of the I 405 Freeway. As the blimp generates low noise levels and arrives and departs only to cover special events, such as sporting or entertainment events, the continuing operations of the private airstrip would not expose people residing or living on the Project Site to excessive noise levels. The 2021 Project would not expose people residing or working in the area to excessive noise levels due to private airstrip or public use airport operations. Impacts would remain less than significant. As the only private or public use airport within 2 miles of the Project Site, there are no other related private or public use airport projects that would combine with the existing Goodyear Wingfoot Two airstrip to create a cumulative impact. Therefore, the 2021 Project would not combine with other projects to cause related impacts, and no cumulative impacts would result.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts to noise (private airstrip or public airport) would be less than significant.

## n. Population and Housing

### *i. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

**Facts**

The 2018 SEIR concluded that the 2018 Project could support a residential population increase of approximately 4,550 persons, including PA1 and DD3, which would be within Southern California Association of Governments' (SCAG) forecasted short- and long-term growth within the South Bay Cities Subregion (2018 SEIR p. VI 16). Since the number of residential units (i.e., up to 1,250 residential units) would remain the same under the 2021 Project as with the 2018 Project and 2018 SEIR, additional direct population growth as a result of increasing the housing stock within the City would not occur. For this reason, anticipated residential population growth of approximately 4,550 persons from the residential uses under the 2018 Project would remain the same for the 2021 Project. The 2021 SEIR does not modify any of these conclusions.

The 2021 Project has the potential to induce indirect population growth by increasing the amount of employment opportunities for City residents and residents within Los Angeles County as a whole. Because PA1 continues to propose residential uses, it is not assumed to result in the generation of Project-related employees. The employees anticipated for land uses within PA2 would also remain the same under the 2021 Project as for the 2018 Project, which would

total approximately 1,089 employees. However, due to the changes in land uses in PA3, the projected number of employees in this planning area would increase from 3,299 employees to 4,640 employees due to the provision of higher employment-generating fulfillment and distribution uses.

Overall, total operational employees would increase from 4,388 employees under the 2018 Project to 5,729 employees under the 2021 Project, resulting in an increase of 1,341 employees due to the provision of the higher employee-generating fulfillment and distribution uses in PA3.

While implementation of the 2021 Project would provide a total of 5,729 jobs anticipated for the Project Site during operation, future employees are anticipated to come from the existing local and regional labor force for (1) the light industrial uses within PA3(a), which would employ truckers and warehouse employees, and (2) the commercial and retail uses within PA3(b). These jobs are not anticipated to draw new residents to the City or surrounding area since they do not require a highly specialized workforce.

The number of construction-related employees associated with the 2021 Project is assumed to remain similar as for the 2018 Project. As disclosed in 2021 SEIR Section II.L, *Employees*, construction employees associated with the 2021 Project would vary by planning area, from a low of 32 to a maximum daily high of 702. The 2018 Project would have required a maximum of 702 construction employees. As with the operational employees, the construction jobs are not anticipated to draw new residents to the City or surrounding area since they do not require a highly specialized workforce.

Furthermore, as with the 2018 Project, the 2021 Project is considered an infill project and would not necessitate the extension of existing roads or other infrastructure improvements beyond the Project Site, which could cause indirect population growth. For these reasons, the 2021 Project would not induce substantial unplanned population growth in the area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure. Impacts would remain less than significant.

The City of Carson's General Plan is consistent with the 2020–2045 RTP/SCS. The 2018 Project was determined to be within the SCAG's population growth forecasts in the 2018 SEIR, which relied on the 2016–2040 RTP/SCS. In addition, the 2021 Project is within the population growth forecasts of the 2020–2045 RTP/SCS. Further, implementation of the 2021 Project would not change the population growth compared to the population growth projected in the 2018 SEIR as the proposed residential uses in PA1 would remain the same. Therefore, the 2021 Project's contribution to an already less-than-significant cumulative impact would not be considered cumulatively considerable.

## Finding

The City finds based on substantial evidence that project-level and cumulative impacts to population and housing (induced growth) would be less than significant.

### *ii. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

**Facts**

Similar to the existing conditions disclosed in the 2018 SEIR, the Project Site is a currently undeveloped and does not contain any residential development (2018 SEIR p. VI 16). Therefore, development of the 2021 Project would not displace existing housing or persons necessitating the construction of replacement housing. As with the 2018 Project, the 2021 Project would continue to result in no impact.

**Finding**

The City finds based on substantial evidence that project-level and cumulative impacts to population and housing (displacement) would be less than significant.

## o. Public Services

### *i. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services*

#### *a. Fire protection?*

**Facts**

Fire protection service would be provided to the Project Site by the Los Angeles County Fire Department (LACoFD), as with the 2018 Project (2018 SEIR p. VI 17). Since the adoption of the 2006 Project, LACoFD has included the Project Site in its service area and within its service needs projections to ensure adequate fire protection services are available for development of the Project Site. During operation, the occupancy of the new buildings under the 2021 Project would increase the demand for LACoFD staffing, equipment, and facilities, as was the case for the 2018 Project. Fire Station No. 36 is the closest station to the Project Site and, therefore, is likely to provide first response for emergency incidents.

Like the 2018 Project, compliance with all applicable fire code regulations regarding site access, fire hydrant spacing, water storage, building materials, construction standards, and fire flow would address the 2021 Project's demand on fire protection services. To further ensure compliance with all applicable fire safety codes and requirements, the 2018 SEIR also incorporated Mitigation Measures I.1-1 through I.1-18, which address a range of fire protection and safety requirements otherwise required by code or regulation, such as adequate construction access, adequate ingress/egress access points for emergency response, provision of access from on-site driveways within 150 feet from all portions of the exterior walls within the first story of any building, installation of fire sprinkler systems, provision of adequate water pressure to meet Code-required fire flow, provision of fire hydrant spacing of 300 feet of each hydrant, provision of appropriate signage to prohibit parking in fire access areas, and provision of adequate water supplies. In addition, Mitigation Measure J.1-8 (for water supply) would also

require that water lines and hydrants are sized and located to meet the fire flow requirements established by LACoFD. These mitigation measures would also be implemented by the 2021 Project to address fire protection requirements.

While the 2006 Project was required to pay a fair-share contribution to the LACoFD for new fire facilities, with the 2018 Project, LACoFD did not identify or request any such contribution for facilities and has not identified or requested any specific contribution for the 2021 Project. As such, a fair-share contribution was not required for the 2018 Project, and Mitigation Measure I.1-13 was deleted in the 2018 SEIR. Similarly, Mitigation Measure I.1-13 would not be applicable to the 2021 Project. However, the annual fees required to be paid by the Applicant(s) of the 2021 Project in association with CFD No 2012-2 could be used for improvements to fire facilities. The currently vacant landfill site does not generate any property taxes or revenue for governmental services. Development and occupancy of the 2021 Project would generate annually recurring revenue to the Los Angeles County General Fund in the form of taxes and other miscellaneous charges (e.g., sales tax, property tax, etc.). A portion of such revenue, including direct assessments that are received by the LACoFD, could be used to address costs associated with demand for LACoFD operations and staffing.

Therefore, with implementation of Mitigation Measures I.1-1, I.1-12, I.1-14, and J.1-8, the 2021 Project would comply with all applicable fire code regulations, mandatory fee payments and recommended fire safety measures. In addition, Mitigation Measures I.1-15 through I.1-18 would require the development of traffic-calming measures and alternate construction-related route plans, as well as the provision of bridge designs that would allow emergency access and provision of adequate water supply. The 2021 Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered fire facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives. Impacts related to fire services would remain less than significant with implementation of the identified mitigation measures.

## Finding

In accordance with CEQA Guideline Section 15091(a)(1), the City finds that with implementation of Mitigation Measures I.1-1 through I.1-12, I.1-14 through I.1-18, and J.1-8, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect with regard to public services (fire protection). Thus, after implementation of these mitigation measures public services (fire protection) impacts would be reduced to a level of less than significant.

### *b. Police protection?*

## Facts

The Project Site is located within the jurisdiction of the Los Angeles County Sheriff's Department (Sheriff's Department). More specifically, the City of Carson, including the Project Site, is served by the Carson Sheriff Station located at 21356 South Avalon (2018 SEIR p. VI 20). Since the adoption of the 2006 Project, the Sheriff's Department has included the Project Site in its service area and within its service needs projections to ensure adequate police protection

services are available for development of the Project Site. Since the 2021 Project would allow for the addition of different uses (i.e., light industrial uses and community amenity, recreational, and park uses) and more overall square footage than proposed in 2018 (an increase of approximately 477,557 sf of light industrial/commercial uses in PA3), additional demand for police services could occur as compared to what was analyzed and disclosed in the 2018 SEIR for the 2018 Project.

Mitigation Measures I.2-1 and I.2-3 through I.2-7 included in the 2018 SEIR would also be required under the 2021 Project, which requires early coordination and approval from the Sheriff's Department on various policing and safety measures, such as development of a private security plan for PA2 and PA3, installation of security (video) cameras, development of a community policing plan, notification to the Sheriff's Department of planned entertainment activities at Carson Country Mart (e.g., performance pavilion), general coordination with the Sheriff's Department regarding crime prevention, and payment of an annual Citywide Community Facilities District (Citywide CFD) fee to support Los Angeles County Sheriff's services in the City of Carson.

The annual Citywide CFD fee, as required by Mitigation Measure I.2-8, will be used, in part, to fund police (i.e., Los Angeles County Sheriff) services of the City of Carson required to sustain the public safety service delivery capability for emergency and non-emergency services, including related facilities, equipment, vehicles, services, supplies and personnel.

On April 20, 2021, a consultation meeting was held with Lt. Williams from the Sheriff's Department regarding the 2021 Project. Lt. Williams was provided the mitigation measures from the 2018 SEIR and a brief description of the changes between the 2018 Project and 2021 Project. In a follow up e-mail dated April 22, 2021, and provided in Appendix H of the 2021 SEIR, Lt. Williams noted that mitigation measures from the 2018 SEIR were acceptable, with a few minor, editorial revisions for Mitigation Measure I.2-5 and I.2-7.

The 2021 Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered police facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives. Therefore, impacts to police services would continue to be less than significant with implementation of the identified mitigation measures.

## Finding

In accordance with CEQA Guideline Section 15091(a)(1), the City finds that with implementation of Mitigation Measures I.2-1, I.2-3 through I.2-8, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect with regard to public services (police protection). Thus, after implementation of these mitigation measures public services (police protection) impacts would be reduced to a level of less than significant.

### *c. Schools?*

**Facts**

Since the 2021 Project would not change the amount of residential units in PA1 from the 2018 Project, the amount of new students generated on the Project Site would be the same. As with the 2018 Project, the 2021 Project would generate students that would be within the boundaries of the Carson Street Elementary School, Stephen M. White Middle School, and Carson High School (2018 SEIR p. VI 22). The increase in students would result in potentially significant impacts to Los Angeles Unified School District (LAUSD) schools (2018 SEIR p. VI 22). As with the 2018 Project, the 2021 Project would be required to pay fees in accordance with Senate Bill 50 pursuant to California Government Code Section 65995. Payment of such fees is for the purpose of addressing the construction of new school facilities, whether schools serving the project in question are at capacity or not and, pursuant to Section 65995(h), payment of such fees is deemed full mitigation of a project's development impacts. Therefore, as with the 2018 Project, impacts to schools under the 2021 Project would remain less than significant.

**Finding**

The City finds based on substantial evidence that project and cumulative construction related public services (schools) impacts would be less than significant.

### *d. Parks?*

**Facts**

This discussion focuses on whether the 2021 Project would result in substantial adverse physical impacts associated with the provision of new or physically altered park facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives.

Since the amount of allowable residential units would not change from the 2018 Project, residential demand for parks and recreational areas would not change under the 2021 Project from levels described in the 2018 SEIR. Furthermore, the 2021 Project includes the Carson Country Mart, which would add additional recreational acreage to the City's existing park acreage, by providing a new private park and open space area available for current and future residents.

Even with the addition of the Carson Country Mart, the Applicant would be required to pay a one-time Development Impact Fee (DIF), as required by Mitigation Measure I.4-1, with the funds used for the following six capital improvement components: (1) traffic; (2) parks; (3) beautification; (4) general government facilities (e.g., City Hall and the Corporate Yard); (5) transportation infrastructure, and (6) Utilities and Sustainability. In addition, the 2021 Project would also be required to implement Mitigation Measures 1.4-2 and I.4-3 for park impacts related to residential uses provided in PA1 and, if proposed, in PA2, as with the 2018 Project.

The 2021 Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered park facilities (other than those proposed as part of the 2021 Project), the construction of which could cause significant environmental impacts in order

to maintain acceptable service ratios or other performance objectives. Thus, impacts related to parks would be similar to those identified in the 2018 SEIR. Impacts would remain less than significant with implementation of the identified mitigation measures.

**Finding**

The City finds based on substantial evidence that project and cumulative construction related public services (parks) impacts would be less than significant. Implementation of Mitigation Measures I.4-1 through I.4-3 would further reduce the severity of already less than significant construction related project and cumulative public services (parks) impacts.

***e. Other Public Facilities?***

**Facts**

The Project Site is within the service area of the Carson Regional Library, located approximately 1.5 miles south of the Project Site (2018 SEIR p. VI 24). The Carson Library service area includes the southern half of the City and nearby unincorporated areas of the County. Library demand is primarily based on residential population. Since the 2021 Project would not change the residential units included in PA1, there would be no change in the demand for library services in comparison to the conclusions reached under the 2018 SEIR for the 2018 Project. As stated in the 2018 SEIR, the 2018 Project could increase demand on the library system and would incorporate Mitigation Measure I.5-1, which requires the payment of its fair-share contribution for the improvement of library facilities to off-set potential impacts. Specifically, payment of annual fees by the Applicant(s) for CFD No. 2012-2 supports public on-site and off-site improvements related to potential impacts specifically occurring as a result of the 2021 Project, which includes fees to improve library facilities.

The 2021 Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered library facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios or other performance objectives. As such, impacts to library services would remain less than significant with implementation of the identified mitigation measures.

**Finding**

The City finds based on substantial evidence that project and cumulative construction related public services (other public facilities) impacts would be less than significant. Implementation of Mitigation Measure I.5-1 would further reduce the severity of already less than significant construction related project and cumulative public services (other public facilities) impacts.

## p. Recreation

### *i. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

### *ii. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

**Facts**

Since the number of residential units would not change from the 2018 Project, residential demand for parks and recreational areas under the 2021 Project would not change from that described in the 2018 SEIR. Furthermore, the 2021 Project includes the Carson Country Mart, which would add 6.29 acres of private park amenities and active and passive open space to the City's existing public parkland acreage, which would increase the available parkland and recreational facilities available to residents of the City and other visitors to the Project Site. Of the 6.29 acres, 2.36 acres would be open space/parks and 3.93 acres would programmed spaces, including: a 6,365-square-foot (sf) arrival plaza, 26,265 sf food and beverage plaza area, 22,740 sf dog park, 3,343 sf performance pavilion, 19,400 sf botanic garden, 25,400 sf children's play area, 19,490 sf bioretention garden, 1,800 sf beer garden, 2,990 games terrace, 35,210 sf event lawn, 2,975 sf sculpture garden, 4,425 sf water feature and iconic element, 570 sf arrival area of pedestrian community bridge, 50,774 sf of planted open spaces, and 52,159 sf of planted buffer areas on the western and southern portions of the Carson Country Mart. Any potential environmental impacts that could occur as a result of construction and operation of the Carson Country Mart are addressed in the 2021 SEIR.

All uses included within the 2021 Specific Plan Amendment will be required to pay in-lieu Development Impact Fees (DIF) to the City to ensure the City's park and recreational facilities are provided as described in Mitigation Measure I.4-1. In addition, the 2021 Project would also be required to implement Mitigation Measure I.4-2, which would require the 2021 Project to meet the intent of Carson Municipal Code Sections 9128.15 and 9128.54, which specify requirements to provide private open space and common recreational facilities to meet the recreational needs of Project residents. Mitigation Measure I.4-3 would mitigate potential park impacts related to the residential uses provided in PA1 (as was the case in the 2018 SEIR with respect to the 2018 Project). This mitigation measure would ensure that specific common open space is provided for residential uses of the 2021 Project on a per-unit basis.

The 2021 Project would not require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment or result in a substantial or accelerated physical deterioration of existing neighborhood or regional parks or other recreational facilities. Additionally, given the fact that the 2021 Project would include park and recreational amenities proposed in connection with the Carson Country Mart, the 2021 Project would reduce the demand within the City for other parks or other recreational facilities. Nonetheless, as required for all new construction, the Developer would pay a one-time Developer Impact Fee (DIF), a portion of which would be allocated to finance land acquisition and infrastructure costs to meet demand for park space attributable to new development. The

Developer would also be required to pay an annual Citywide CFD fee, a portion of which would be allocated for the maintenance of parkways and open space within the City. Neither of these fees are required to mitigate any effects of the 2021 Project.

The 2021 Project would be consistent with SCAG's forecasted population growth projections and, as such, would not generate unplanned population growth within the City. In addition, implementation of the 2021 Project would not change the population growth as compared to the population growth projected in the 2018 SEIR as the proposed residential uses in PA1 would remain the same. Thus, the 2021 Project would not increase the number of residents within the City and would, therefore, not increase usage of existing parkland and recreational facilities by residents.

The 2021 Project would also develop new park and recreational amenities associated with the proposed Carson Country Mart on the Project Site, which would reduce the need within the City for other parks or other recreational facilities. While the number of employees under the 2021 Project would increase as compared to the 2018 Project (by 1,341 total employees), which are attributable to the uses at PA3, the nearby Carson Country Mart would fulfill any need for nearby recreational and open space opportunities for nearby employees.

The 2021 Project would also be required to implement Mitigation Measures I.4-1 through I.4-3, which would ensure compliance with the City's codes related to the provision of private and public open spaces. Compliance with these mitigation measures would reduce impacts to parks and recreational facilities to a less-than-significant level. Therefore, the 2021 Project's contribution to an already less-than-significant cumulative impact would not be considered cumulatively considerable.

**Finding**

The City finds based on substantial evidence that project and cumulative construction related recreation impacts would be less than significant. Implementation of Mitigation Measures I.4-1 through I.4-3 would further reduce the severity of already less than significant construction related project and cumulative recreation impacts.

## q. Transportation

### *i. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?*

**Facts**

The 2021 Project would not conflict with the addition of planned improvements to the City's circulation system as described in applicable City regulatory documents including the 2021 Specific Plan Amendment, the City of Carson General Plan, and the Master Plan of Bikeways. The 2021 Project will not degrade facilities on the existing circulation system. Refer also to Table IV.A-1, *2021 Project Consistency with City of Carson General Plan*, of the 2021 SEIR for a detailed description of the 2021 Project's consistency with the City of Carson General Plan.

The 2021 Project is located adjacent to freeway interchanges and along truck routes to ensure that trucks do not need to travel on local streets not designated as truck routes. As part of the 2021 Specific Plan Amendment, the portion of Avalon Boulevard near the I-405 Freeway interchange will be designated as a truck route to allow direct heavy truck access between the freeway and the Project Site.

**Finding**

The City finds based on substantial evidence that project and cumulative construction related transportation (conflict with policy) impacts would be less than significant.

### *ii. Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?*

**Facts**

The total VMT per service population for the 2021 Project is 39.1. This result exceeds the impact threshold for total VMT per service population and, thus, a significant and unavoidable transportation impact would occur. However, a new mitigation measure, Mitigation Measure C-18, has been identified to reduce VMT impacts through creation and implementation of a Transportation Demand Management (TDM) program for PA1 and PA3 that would be subject to review and approval by the City of Carson Department of Public Works prior to the issuance of building permits. Because the effectiveness of this program cannot be guaranteed, the impact is assumed to remain significant and unavoidable. In addition, while the analysis of VMT does not include construction trips, Mitigation Measure C-1, which requires preparation of a Construction Traffic Management Plan, was proposed in the 2018 SEIR and would continue to be implemented as part of the 2021 Project to reduce construction-related truck and vehicle trips.

VMT impact analysis was not required at the time of preparation for the 2018 SEIR, however, in order to provide for a comprehensive transportation impact analysis, a comparison of VMT between the 2018 Project and the 2021 Project is included in the VMT impact analysis for informational purposes. The land uses for the 2018 Project were coded into the 2016 RTP/SCS SCAG model to generate VMT results. Based on this model run, the 2018 Project generates total VMT per service population of 47.7. Therefore, although the 2021 Project has a significant and unavoidable VMT impact, it should be noted that the 2021 Project would generate about 18 percent less total VMT per service population than would be generated by the 2018 Project.

Based on OPR guidance, a project's cumulative VMT impact assessment aligns with the project-level impact assessment if one of the recommended efficiency metrics (VMT per capita, VMT per employee or VMT per service population) is used as the basis for the analysis. The VMT threshold of significance used in this analysis (i.e., total VMT per service population 15 percent below the existing citywide average) was developed to align with Statewide long-term environmental goals and relevant plans. Therefore, a project-level significant VMT impact also implies a cumulative VMT impact.

**Finding**

Although Mitigation Measures C-1 and C-18 will reduce the severity of project-level and cumulative VMT impacts, they will not reduce the impacts to less-than-significant levels. Despite incorporation of these mitigation measures, impacts resulting from project-level and cumulative VMT impacts emissions remain significant and unavoidable.

### *iii. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

**Facts**

The 2018 SEIR concluded that there are no existing hazardous design features, such as sharp curves or dangerous intersections, on site or within the vicinity of the Project Site. The proposed site plan for the 2021 Project is similar to that of the 2018 Project. All driveways and internal roadways would be designed to all applicable local, state, and federal roadway regulations to ensure that there would be no traffic hazards related to geometric design features (e.g., sharp curves or dangerous intersections), as further supported by the Transportation Impact Analysis. Moreover, as with the 2018 Project, implementation of the 2021 Project would not introduce incompatible uses, such as a housing development located along a rural road frequently used by slow-moving farming vehicles or an arena or coliseum located in a low-density residential area. For these reasons, the site design would not include the creation of any geometric design features or include any uses that are incompatible with normal traffic operations. As with the 2018 Project, impacts under the 2021 Project related to traffic hazards would remain less than significant.

As with the 2021 Project, proposed uses under the cumulative projects are those typical of the area (e.g., residential, industrial, and commercial), and all proposed driveways and internal roadways under the cumulative projects would be designed to all applicable local, state, and federal roadway regulations to ensure there would be no traffic hazards related to geometric design features. In addition, similar to the 2021 Project, all cumulative projects would include roadways and access features in order to meet the requirements of the LACoFD. As such, the 2021 Project would not combine with cumulative projects to generate cumulative traffic hazard impacts.

**Finding**

The City finds based on substantial evidence that project and cumulative construction related transportation (design hazards) impacts would be less than significant.

### *iv. Result in inadequate emergency access?*

**Facts**

The 2018 SEIR concluded that the 2018 Project would not significantly impact the City's adopted emergency response plan/emergency plan and would include roadways and access features in order to meet the requirements of the LACoFD as required by Mitigation Measure I.1-2 (2018 SEIR p. VI 26). As described in the Safety Element of the City's 2004 General Plan, the City prepared a Multi-Hazard Functional Plan for emergency response, which meets the

State's SEMS requirements of state law. The City also complies with the Los Angeles County Emergency Management Plan. In addition, the Safety Element of the General Plan identifies emergency response and recovery efforts, as well as evacuation routes and strategies.

As with the 2018 Project, the 2021 Project would also be consistent with the City's adopted emergency response plan/emergency plans as articulated in the Safety Element of the 2004 General Plan. All driveways into the Project Site would be designed and approved by LACoFD to ensure they are adequate to allow emergency vehicles clearance and access into the Project Site during an emergency. Additionally, the 2021 Project would continue to adhere to the requirements of all applicable codes within the County Fire Code and would install all applicable emergency systems and features throughout the Project Site. Impacts related to emergency access would be the same as those disclosed in the 2018 SEIR and would remain less than significant with implementation of the identified mitigation measure.

As with the 2021 Project, proposed uses under the cumulative projects are those typical of the area (e.g., residential, industrial, and commercial), and all proposed driveways and internal roadways under the cumulative projects would be designed to all applicable local, state, and federal roadway regulations to ensure there would be no traffic hazards related to geometric design features. In addition, similar to the 2021 Project, all cumulative projects would include roadways and access features in order to meet the requirements of the LACoFD. As such, the 2021 Project would not combine with cumulative projects to generate cumulative traffic hazard and emergency access impacts.

**Finding**

The City finds based on substantial evidence that project and cumulative construction related transportation (emergency access) impacts would be less than significant. Implementation of Mitigation Measure I.1-2 would further reduce the severity of already less than significant project and cumulative transportation (emergency access) impacts.

## r. Tribal Cultural Resources

### *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 Section 5020.1(k)?*

### *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 Resources Code Section 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.*

**Facts**

Pursuant to the requirements of Senate Bill (SB 18) and Assembly Bill (AB 52), the City requested a "consultation list of tribes" from the Native American Heritage Commission (NAHC). The NAHC provided the list on July 20, 2020, and the City initiated consultation on July 20, 2020, sending letters to all tribes provided by the NAHC, including: San Gabrieleno Band of

Mission Indians – Kizh Nation (Kizh Nation); Gabrieleno/Tongva San Gabriel Band of Mission Indians; Gabrielino-Tongva Nation; Gabrielino Tongva Indians of California Tribal Council; Gabrieleno/Tongva Tribe; and Soboba Band of Luiseno Indians. In response, only one tribe responded, the Kizh Nation, on July 29, 2020. Formal government-to-government consultation was held on October 1, 2020, with representatives from the City and the Kizh Nation pursuant to a telephone conference meeting. As discussed during this 2020 consultation meeting, the tribe wanted to understand the depth of the landfill to confirm that the 2021 Project would not cause further ground disturbance. The City confirmed that grading and pile driving activities for the 2021 Project are the same as what was proposed for the 2018 Project. The tribe stated that no further consultation would be required provided that development activities did not require excavation beyond what was previously proposed.

No identified tribal cultural resources as defined in PRC Section 21074(a)(1) that are 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 Section 5020.1(k) have been identified within the Project Site. Due to previous landfill activities, grading, and ground disturbance on the Project Site, the likelihood of encountering unknown tribal cultural resources is very low. Furthermore, ground disturbance, beyond the installation of a limited number of piles, is not anticipated to extend to any sediments buried below the landfill materials or native soils, and the grading activities proposed in 2021 (mass grading and installation of piles) is the same as proposed for the 2018 Project. Therefore, the 2021 Project would result in no impact to tribal cultural resources based upon the consultation provided in 2017 and 2020.

Because the 2021 Project would result in no impacts to tribal cultural resources as defined in PRC Section 21074(a)(1) that are 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 Section 5020.1(k), the 2021 Project would not combine with other projects to cause related impacts. No cumulative impacts would occur.

**Finding**

The City finds based on substantial evidence that project-level and cumulative tribal cultural resources impacts would be less than significant.

## s. Utilities and Service Systems

### *i. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

**Facts**

The Project Site is served by a 12-inch water main located in Main Street and a 16-inch water main located both on Del Amo Boulevard and Lenardo Drive. The pipeline ends at the Lenardo Drive and Stamps Drive intersection, and the 2021 Project proposes to continue the 16-inch water main along Lenardo Drive to the south.

Within the Project Site, the water system consists of a 16-inch water main buried under Lenardo Drive and a 12-inch PVC water main buried under Stamps Drive and the existing on-site access/haul roads within PA1, PA2, and PA3. This backbone distribution of mains and fire hydrants was engineered for future commercial/industrial uses and was approved by the Los Angeles County Department of Public Works.

The 2021 Project would also incorporate water conservation methods such as ultralow-flow toilets, low-flow showerheads, low-flow fixtures and water saving appliances, as required by existing regulations. The 2021 Specific Plan Amendment will include provisions for the installation of a reclaimed water infrastructure system for irrigation and proposed water features. Additionally, it is proposed to connect the on-site system to the West Basin Recycling Facility to decrease the potable water demand and enhance the water conservation efforts for the development.

In summary, as compared to the 2018 Project, the 2021 Project would reduce water demand and wastewater generation due to the changes in land uses proposed for PA3. The 2018 Project, including DD3 for comparison purposes, was projected to generate 692,158 gallons per day (gpd) of wastewater. With the land use changes proposed by the 2021 Project within PA3, the 2021 Project, along with those previously developed within DD3, would generate 588,711 gpd of wastewater, which is a reduction of 103,447 gpd of wastewater from the 2018 Project.

In April 2021, Michael Baker International (MBI) reviewed the existing water distribution system within PA1, PA2, and PA3 to determine its ability to supply water during average day demands and fire flow demands. Because the water distribution system was determined to meet maximum day demands of the 2018 Project, and total water demand have decreased under the 2021 Project as compared to the 2018 Project, MBI determined that the water distribution system is also sufficient to meet maximum day demands for the 2021 Project.

With respect to any new construction in the City, all projects shall comply with LACoFD review of fire access and fire flow requirements, including fire flow demands, static pressure, residual pressure, fire hydrant locations, sprinkler information, and fire water connections. As part of final design approval, the Applicant(s) must provide evidence to the LACoFD that the 2021 Project meets all LACoFD fire flow requirements. In addition, the Applicant(s) must also provide evidence to the LACoFD that the 2021 Project provides adequate fire flow access, including unobstructed widths and vehicular access, and distance from fire hydrants to property lines.

Furthermore, the 2018 SEIR included Mitigation Measures J.1-1 through J.1-8 and J.2-3, which require various design features and/or compliance with existing laws or regulations that reduce the 2018 Project's demand on water supply, such the use of reclaimed water, installation of water efficient features and landscaping, and ensuring water lines and fire hydrants are sized and located correctly to meet the fire flow requirements established by the LACoFD. These mitigation measures will also apply to the 2021 Project. PA1 and PA3 would also be subject to the 2019 CALGreen requirements, which may include more stringent sustainability and efficient requirements as compared to the 2018 Project. The 2021 Project would generate less demand for water as compared to the 2018 Project; in addition, the 2021 Project would not exceed water distribution infrastructure capabilities and would result in similar impacts as those stated in the 2018 SEIR.

There is a backbone reclaimed (or recycled) water system in place on the northern side of the I 405 Freeway and Dominguez Channel, which is operated by the West Basin Municipal Water District (WBMWD). The WBMWD currently implements a program for water recycling in the South Bay area. The 2021 Project would be served by an existing 6-inch recycled water line in Lenardo Drive, with recycled water also supplied by the West Basin Municipal Water District. Recycled water would be used for landscape irrigation and other uses, such as street sweeping and toilet flushing (2018 SEIR p. VI 27).

2018 SEIR Mitigation Measures J.1-3, J.1-6, J.1-7, and J.2-4 require that the 2018 Project must provide reclaimed water for use during grading/construction activities and during operation of the site, such as for landscaping and that cooling system water is recycled. These mitigation measures will also apply to the 2021 Project.

The 2021 Project does not propose any changes to the existing or proposed reclaimed water system as assumed under the 2018 Project and evaluated in the 2018 SEIR. Thus, the 2021 SEIR does not modify the conclusions under the 2018 SEIR with respect to reclaimed water impacts.

On May 6, 2021, the Los Angeles County Sanitation Districts (Districts) submitted a comment letter on the Notice of Preparation for the 2021 SEIR related to wastewater (or sewerage service). The comment letter offers information regarding the nearby wastewater systems and identified several permitting processes and/or fees that would be required of the 2021 Project.

The Project Site will be served by an existing 18-inch sewer pipeline in Lenardo Drive and another pipeline within PA3. The sewer pipeline in PA3 starts south of Lenardo Drive with an 8-inch pipe, which gradually increases to a 10-inch, 12-inch, 15-inch, and 18-inch as it reaches north to join the 18-inch line in Lenardo Drive (at Stamps Drive). Flows continue east in the 18-inch pipe in Lenardo Drive, where it ultimately discharges into the Districts' sewer in Main Street.

In summary, as compared to the 2018 Project, the 2021 Project would reduce wastewater generation due to the changes in land uses proposed for PA3, as shown in 2021 SEIR Table VI-2, Projected Wastewater Generation. The 2018 Project, including DD3 for comparison purposes, was projected to generate 692,158 gallons per day (gpd) of wastewater. With the land use changes in PA3, the 2021 Project, along with those previously developed within DD3, would generate 588,711 gpd of wastewater, which is a reduction of 103,447 gpd of wastewater from the 2018 Project.

A sewer capacity analysis was completed by MBI for the 2018 Project in May 2019, which approved by Los Angeles County Public Works (LACPW). The report analyzed the wastewater generated by the 2018 Project using hydraulic modeling software to determine whether the existing sewer collection system that was installed in compliance with approved utility plans and concluded that the existing wastewater collection system was sufficient to serve the 2018 Project. Because the wastewater collection system was determined to meet the maximum day demands of the 2018 Project, and total wastewater generation decreased under the 2021 Project as compared to the 2018 Project, MBI determined that the wastewater collection system is also sufficient to meet maximum day demands for the 2021 Project.

Furthermore, the 2018 SEIR included Mitigation Measures J.2-1 and J.2-2, which require that all sewer improvements are designed and constructed according to the standards of the City of Carson and County of Los Angeles and all required fees are paid prior to the issuance of a permit to connect to District facilities. These mitigation measures will also apply to the 2021 Project. The 2021 Project would generate less wastewater as compared to the 2018 Project; in addition, the 2021 Project would not exceed wastewater distribution infrastructure capabilities and would result in similar impacts as those stated in the 2018 SEIR. Thus, the 2021 SEIR does not modify the conclusions under the 2018 SEIR with respect to wastewater impacts.

In furtherance of the SUSMP, a portion of the backbone storm drain system has been constructed within the former haul roads, which do not contain landfill waste. All stormwater from the 2021 Project would continue to be contained in an on-site drainage system and discharged to the Torrance Lateral in compliance with the City's drainage control requirements of the 2009 SUSMP and the City's Storm Water Pollution Control Measures for New Development Projects, which contains more stringent regulatory requirements than assumed in 2006 FEIR and 2018 SEIR.

The 2021 Project does not propose any changes to the existing or proposed stormwater system as assumed under the 2018 Project and evaluated in the 2018 SEIR. Thus, the 2021 SEIR does not modify the conclusions under the 2018 SEIR with respect to stormwater impacts.

Additionally, new electrical, natural gas, and telecommunication lines would be installed on the Project Site during construction of the 2021 Project, similar to what was assumed for the 2018 Project. The electrical, natural gas, and telecommunication systems would be designed and sized to meet the needs of the land uses proposed under the 2021 Project and would be provided by existing service providers within the current networks and grids, as was assumed for the 2018 Project. Thus, the 2021 SEIR does not modify the conclusions under the 2018 SEIR with respect to electrical, natural gas, or telecommunication system impacts.

Therefore, as with the 2018 Project, the 2021 Project would be served by existing off-site utilities conveyance systems and upgraded on-site utilities conveyance systems and would not necessitate the construction of new or expanded off-site facilities. However, as required for all new construction, the Developer for PA1 and PA3 would pay a one-time DIF fee which would help to finance the expansion, design, and construction of Citywide utilities; however, this fee is not required to mitigate any effects of the 2021 Project. Thus, impacts related to potential environmental impacts associated with the expansion of current or construction of new utilities systems and/or facilities under the proposed 2021 Project would remain less than significant with implementation of the identified mitigation measures.

## Finding

In accordance with CEQA Guideline Section 15091(a)(1), the City finds that with implementation of Mitigation Measures J.1-1 through J.1-8 and J.2-1 through J.2-4, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect with regard to utilities and service systems (expansion of current or construction of new utilities systems and/or facilities). Thus, after implementation of these

mitigation measures utilities and service systems (expansion of current or construction of new utilities systems and/or facilities) impacts would be reduced to a level of less than significant.

### *ii. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?*

**Facts**

Water service in the City of Carson is provided by the California Water Service Company (Cal Water) and the Southern California Water Company (SCWC). The Project Site is served by Cal Water, which serves a 35-square-mile area, including most of the City of Carson. Water supplies for Cal Water are from two principal sources: local groundwater and purchased imported water.

In accordance with the requirements of Senate Bill 610 and California Water Code Section 10912(a), Cal Water, as the designated water supplier, prepared a WSA to assess whether the projected water demands for the 2006 Project could be met by its projected water supply. The WSA is provided as Appendix H to the 2006 FEIR. The WSA determined the projected water demand for the 2006 Project and compared that demand with the projected water supply for the Dominguez District for a 20-year period from 2005 to 2025 under normal, single-dry-year, and multiple-dry-year conditions. The WSA determined that Cal Water had adequate water supplies to meet the projected demands of the 2006 Project in addition to those of its existing customers and other anticipated future water users in the Dominguez District for the 20-year period under all conditions.

As part of the 2018 SEIR, a technical memorandum was prepared to calculate the projected water demand for the 2018 Project and to demonstrate that the WSA for the 2006 Project was still valid in stating that the Dominguez District had adequate water supply to service the 2018 Project. In the technical memorandum, the projected water demand and supply rates within the 2015 UWMP for the Dominguez District prepared by Cal Water were reviewed (2018 SEIR p. VI 30). Since the 2015 UWMP accounted for the water generated by the 2006 Project and indicated that the Dominguez District has an adequate projected water supply to cover the projected water demand until 2040, and the 2018 Project would result in a decrease in water demand compared with the 2006 Project due to land use changes and incorporation of water efficient features, there was reasonable basis to conclude that there is adequate water supply to serve the 2018 Project (2018 SEIR p. VI 30). Furthermore, the 2018 Project did not cause a substantial change in circumstance or conditions that would affect Cal Water's ability to provide adequate water supply to its service area. For these reasons, the 2018 SEIR concluded that the 2018 Project did not trigger the necessity to prepare a new WSA analysis under California Water Code Section 10910(h), and the WSA prepared for the 2006 Project remained a valid assessment of the water supplies and water demands for the 2018 Project (2018 SEIR p. VI 30). Impacts with regard to water supply were determined to be less than significant under the 2018 Project.

Based on the land use changes in PA3, the 2021 Project, including DD3 for comparison purposes, is anticipated to require 502,467 gpd or 564 acre-feet per year (afy). The 2018 Project was projected to have a water demand of 690,345 gpd or 774 afy. Compared to the

2018 Project, the 2021 Project would reduce water demand by 187,878 gpd or 210 afy. Therefore, the 2021 Project would require less water than previously projected for the 2018 Project and would not trigger the necessity to prepare a new WSA under California Water Code Section 10910(h).

In addition, the 2018 SEIR included Mitigation Measures J.1-1 through J.1-8, which provide various design features and/or compliance with existing laws or regulations that reduce the 2018 Project's demand on water supply, such the use of reclaimed water and installation of water efficient features and landscaping and ensuring water lines and fire hydrants are sized and located correctly to meet the fire flow requirements established by the LACoFD. These mitigation measures would also be implemented by the 2021 Project to further reduce water demand.

**Finding**

In accordance with CEQA Guideline Section 15091(a)(1), the City finds that with implementation of Mitigation Measures J.1-1 through J.1-8, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect with regard to utilities and service systems (water supply). Thus, after implementation of these mitigation measures utilities and service systems (water supply) impacts would be reduced to a level of less than significant.

### *iii. 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?*

**Facts**

Wastewater generated on the Project Site would be treated at the JWPCP, located at 24501 South Figueroa Street in the City of Carson. The JWPCP is one of the largest wastewater treatment plants in the world and is the largest of the Districts' wastewater treatment plants. The facility provides both primary and secondary treatment for approximately 260 mgd of wastewater and has a total permitted capacity of 400 mgd.

The 2018 SEIR determined that the 2018 Project, including DD3 for comparison purposes, would require a 692,158 gpd of wastewater, which equates to 253 million gallons per year and would not exceed the available wastewater capacity at the JWPCP. Compared to the 2018 Project, the 2021 Project is expected to reduce wastewater generation as the 2021 Project, including DD3, would generate 588,711 gpd of wastewater or 214.9 million gallons per year. The 2021 Project would reduce wastewater generation by approximately 103,447 gpd or 37.8 million gallons per year.

As was anticipated for the 2018 Project, wastewater would continue to be conveyed to, and treated at, the JWPCP for the 2021 Project. The JWPCP has a design capacity of 400 mgd and, based on 2021 information, currently processes an average flow of 260 mgd. The 2021 Project would districts' utilize approximately 0.22 percent of the JWPCP's daily capacity.

In addition, the City contracts with the Los Angeles County Public Works Department (LACPWD) to maintain the local sewer lines that run in the street to the Districts' trunk sewer lines. Wastewater conveyance in the Project Site area is under the jurisdiction of the Districts, which is part of LACPWD. The Districts own, operate and maintain the large trunk sewer that form the backbone of the regional wastewater conveyance system. The City of Carson continues to contract with the Districts to maintain the trunk sewer lines within the City of Carson. According to the Districts' service area map, the Project Site remains located within the jurisdictional boundaries of District No. 8. The Los Angeles County Wastewater Ordinance and Districts Connection Fee Ordinance and Program discussed in the 2018 SEIR also remain in place.

The 2018 SEIR also determined that all wastewater from the 2018 Project would flow to the Main Street Relief Sewer. While no known capacity constraints have been identified for the Main Street Relief Sewer, capacities would be verified at the time actual new connections are made. As a matter of course, the Districts review projects at the time building permits are issued and new sewer connection permits are requested. Connections to trunk lines require that the Districts issue a Trunk Sewer Connection Permit and that connection fees be paid at the time of permit issuance, where fees will be utilized by the District to construct incremental expansions of the sewerage system to mitigate any potential impact of projects on the existing wastewater system. As with the 2018 Project, the 2021 Project would be subject to the same permitting processes and fee programs as discussed in the 2018 SEIR.

Additionally, as discussed in the 2018 SEIR, all expansions of the Districts' facilities are sized and service is phased in a manner that is consistent with the SCAG regional growth forecast. The 2021 Project would be consistent with SCAG regional forecasts for the South Bay Cities sub-region.

Furthermore, the 2018 SEIR incorporated Mitigation Measures J.2-1 through J.2-4 to ensure that all wastewater facilities would be designed and constructed in accordance with all applicable City and County regulations, ensure payment of all applicable wastewater development fees, and ensure that reclaimed water would be utilized throughout the 2018 Project to help reduce use of potable water sources in order to help further reduce impacts to the wastewater system. These mitigation measures would also be applicable to the 2021 Project to further reduce impacts to the existing wastewater system.

Implementation of the 2021 Project would not exceed the wastewater treatment capacity of the JWPCP, either individually or in combination with the Districts' existing commitments, as with the 2018 Project. Therefore, impacts to the wastewater conveyance system would remain less than significant with implementation of the identified mitigation measures.

## Finding

In accordance with CEQA Guideline Section 15091(a)(1), the City finds that with implementation of Mitigation Measures J.2-1 through J.2-4, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect with regard to utilities and service systems (wastewater). Thus, after implementation of

these mitigation measures utilities and service systems (wastewater) impacts would be reduced to a level of less than significant.

***iv. 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?***

***v. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?***

**Facts**

Overall, the 2018 Project was estimated to generate approximately 10,828 tons of construction debris, while the 2021 Project would generate approximately 12,900 tons of construction debris, which is an increase since the 2018 SEIR that is attributable to the overall increase in square footage.

Effective January 1, 2017, the State requires 65 percent diversion of construction waste to be recycled. With implementation of the mandatory diversion of construction and demolition debris, a minimum of 65 percent of the 2021 Project-generated construction waste would be diverted, and thus, not be disposed of at landfill facilities. Therefore, the total amount of construction debris disposed of at a landfill would be approximately 4,515 tons. As of 2019, Azusa Land Reclamation is the only permitted Inert Waste Landfill in the County that has a solid waste facility permit. The remaining capacity of this landfill is estimated at 55.71 million tons, or 44.56 million cubic yards. Given the remaining permitted capacity and the average disposal rate of 1,057 tons per day in 2017, this landfill's capacity will be exhausted in 132 years. As the 2021 Project construction debris would represent approximately 0.008 percent of remaining inert landfill capacity, the Azusa Land Reclamation facility would be able to service the 2021 Project during construction. In addition, Mitigation Measure J.3-6 requires that all construction debris is recycled in a practical, available, and accessible manner. In summary, while the 2021 Project would generate a greater amount of construction debris compared to the 2018 Project, impacts related to solid waste during construction would remain less than significant with implementation of the identified mitigation measure.

The 2018 SEIR determined that the 2018 Project, without DD3 included, would generate approximately 11,964 tons per year of solid waste, which would increase to approximately 12,225 tons per year if DD3 is included (2018 SEIR p. IV.J 19). The 2021 Project, without DD3 included, would generate approximately 9,166 tons per year of solid waste, which would increase to approximately 9,388 tons per year if DD3 is included. Therefore, since overall solid waste generation would decrease from the 2018 Project by about 2,837.38 tons per year, impacts related to the solid waste would be reduced under the 2021 Project as compared to the 2018 Project. In addition, Mitigation Measure J.3-5 requires that compaction facilities for non-recyclable materials are provided in every occupied building greater than 20,000 sf to reduce the total volume of solid waste produced, as well as the number of trips required for collection. Therefore, this mitigation measure would likely further reduce the amount of solid waste.

Moreover, when considering the 2021 Project's contribution to the Los Angeles County's solid waste system, the amount of solid waste generated during operation of the 2021 Project would

constitute a very small fraction of the amount of solid waste generated in Los Angeles County on an annual basis. Specifically, buildout of the 2021 Project would constitute approximately 0.06 percent of the 10.3 million tons of solid waste disposed in landfills in Los Angeles County in 2017.

Municipal solid waste generated within the City of Carson is primarily disposed of at the El Sobrante Landfill located in Riverside County or H.M. Holloway Landfill in Kern County. The El Sobrante Landfill has a remaining capacity of 132,130,376 tons and a maximum permitted throughput of approximately 10,000 tons per day. Based on current disposal rates, the El Sobrante Landfill is projected to remain open for another 39 years, from 2019 to 2058. The H.M. Holloway Landfill has a remaining capacity of 4 million tons and a lifespan of 5 years from 2021 (to 2026). While the El Sobrante Landfill has adequate capacity to serve the 2021 Project, the H.M. Holloway Landfill would only be operational for a few years during operation of the 2021 Project, presuming operation of the Project Site begins in 2024. However, once the H.M. Holloway Landfill closes, the 2021 Project will use the El Sobrante landfill. Therefore, even without the H.M. Holloway Landfill be an available option for the 2021 Project, there is adequate capacity at the El Sobrante Landfill and other existing landfills to service the 2021 Project.

In addition, the 2021 Project would also be required to comply with all applicable laws and regulations related to disposal of operational solid waste, including recycling requirements. The 2018 SEIR also identified Mitigation Measures J.3-1 through J.3-4 to ensure the maximum amount of recycling is incorporated throughout the lifetime of the 2018 Project to further reduce impacts to the solid waste system. These mitigation measures would also be applicable to the 2021 Project. Therefore, impacts related to solid waste would remain less than significant with implementation of the identified mitigation measures.

**Finding**

In accordance with CEQA Guideline Section 15091(a)(1), the City finds that with implementation of Mitigation Measures J.3-1 through J.3-6, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect with regard to utilities and service systems (solid waste). Thus, after implementation of these mitigation measures utilities and service systems (solid waste) impacts would be reduced to a level of less than significant.

## t. Wildfire

### *i. Substantially impair an adopted emergency response plan or emergency evacuation plan?*

**Facts**

The 157 Acre Site was a former land fill in a heavily developed area of the City of Carson. The 157 Acre Site is not located in or near any State Responsibility Areas or lands classified as Very High Fire Hazard Severity Zones.

**Finding**

The City finds based on substantial evidence that project and cumulative impacts to related to wildfire would be less than significant.

***ii. 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?***

**Facts**

The 157 Acre Site was a former land fill in a heavily developed area of the City of Carson. The 157 Acre Site is not located in or near any State Responsibility Areas or lands classified as Very High Fire Hazard Severity Zones.

**Finding**

The City finds based on substantial evidence that project and cumulative impacts to related to wildfire would be less than significant.

***iii. 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?***

**Facts**

The 157 Acre Site was a former land fill in a heavily developed area of the City of Carson. The 157 Acre Site is not located in or near any State Responsibility Areas or lands classified as Very High Fire Hazard Severity Zones.

**Finding**

The City finds based on substantial evidence that project and cumulative impacts to related to wildfire would be less than significant.

***iv. 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?***

**Facts**

The 157 Acre Site was a former land fill in a heavily developed area of the City of Carson. The 157 Acre Site is not located in or near any State Responsibility Areas or lands classified as Very High Fire Hazard Severity Zones.

**Finding**

The City finds based on substantial evidence that project and cumulative impacts to related to wildfire would be less than significant.

## u. Significant Irreversible Environmental Changes

### Facts

CEQA Guidelines Section 15126.2(c) requires a discussion of any significant irreversible environmental changes that would be caused by a project. Specifically, CEQA Guidelines Section 15126.2(c) states:

> *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 a 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 ensure that such current consumption is justified.*

As stated in CEQA Guidelines Section 15126.2(d), the use of nonrenewable resources during initial or continued phases of the 2021 Project may be irreversible if a large commitment of such resources makes removal or non-use thereafter unlikely.

The 2021 Project would necessarily consume limited, slowly renewable and non-renewable resources. This consumption would occur during the construction phase of the 2021 Project and would continue throughout the operational lifetime of the 2021 Project. Development of the 2021 Project would require a commitment of resources that would include: (1) building materials, (2) fuel and operational materials/resources, and (3) the transportation of goods and people to and from the Project Site. Project construction would require the consumption of resources that are non-replenishable or may renew so slowly as to be considered non-renewable. These resources would include the following construction supplies: certain types of lumber and other forest products; aggregate materials used in concrete and asphalt such as sand, gravel and stone; metals such as steel, copper, and lead; petrochemical construction materials such as plastics; and water. Furthermore, nonrenewable fossil fuels such as gasoline and oil would also be consumed in the use of construction vehicles and equipment, as well as the transportation of goods and people to and from the Project Site.

Throughout the life of the 2021 Project, the consumption of nonrenewable resources that are currently consumed within the City would continue. These include energy resources such as electricity and natural gas, petroleum-based fuels required for vehicle-trips, fossil fuels, and water. Fossil fuels would represent the primary energy source associated with both construction and ongoing operation of the 2021 Project, and the existing, finite supplies of these natural resources would be incrementally reduced. Energy resources would be used for heating and cooling of buildings, lighting, and transporting of patrons to and from the Project Site during operation.

Operation of the 2021 Project would occur in accordance with California Code of Regulations Title 24, Part 6, and Building Standards Code Title 24, Part 11, commonly referred to as CALGreen Code, as well as specific energy conservation measures incorporated in the 2021 Specific Plan Amendment that set forth conservation practices to limit the amount of energy

consumed by the 2021 Project. Although consumption of resources would necessarily occur, the 2021 Project would be an infill development designed and operated to reduce the necessary consumption of nonrenewable resources.

The Applicants have committed to providing a range of construction and operational PDFs that will reduce GHG emissions, air quality emissions, and energy use, all of which reduce the use of nonrenewable resources. For example, 576 passenger electric vehicle (EV) charging stations will be provided in PA1, PA3, and/or in other areas of the City and 25 percent of all trucking parking spaces in PA3(a) would be equipped for EV charging (refer to 2021 SEIR PDF O-7). In addition, for the light industrial uses within PA3(a), leasing preference shall be given to prospective tenants with facility-owned and operated fleet that is alternative/zero-emissions, and all owned or contracted fleets shall meet or exceed the 2014 model-year emissions equivalent engine standards as currently defined in California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.5, Section 2025. Industrial tenants shall ensure that of all trucks of model year 2021 and newer, 75 percent will be zero- or near-zero-emissions vehicles by 2035 and 100 percent zero- or near-zero-emissions vehicles by 2040. In addition, no diesel TRUs shall be permitted in PA3(a); however, due to the nature of deliveries for the restaurant uses in PA3(b), while diesel TRU trucks could access the site, the TRU units would not be allowed to be running while the deliveries are being made.

The 2021 Project would also incorporate water conservation methods, such as ultralow-flow toilets, low-flow showerheads, low-flow fixtures and water saving appliances, as required by existing regulations. The 2021 Specific Plan Amendment will include provisions for the installation of a reclaimed water infrastructure system for irrigation and proposed water features. Additionally, it is proposed to connect the on-site system to the West Basin Recycling Facility to decrease the potable water demand, and enhance the water conservation efforts for the development. In addition, 2021 Mitigation Measures J.1-1 through J.1-8 provide various design features and/or compliance with existing laws or regulations that reduce the 2021 Project's demand on water supply, such as compliance with the City's Water Efficient Landscape Ordinance; the use of reclaimed water for non-potable water needs (e.g., landscaping and during grading/construction activities), to the maximum extent feasible; the use of automatic irrigation systems that are set for watering in the early morning or evening hours; and recycling all water used in cool systems to the maximum extent possible.

VMT associated with operation of the 2021 Project would be reduced through the mix of proposed uses, the Project Site's proximity to the I-405 and I-110 Freeways and the Ports of Long Beach and Los Angeles, the distance to anticipated end users (i.e., recipients of delivery items originating from the Project Site), and the provision of or connections to alternate modes of transportation, which would also reduce the consumption of non-renewable resources (e.g., petroleum products).

Consistent with the objectives, goals, and policies of the City's Land Use Element, the 2021 Project would adaptively and productively reuse a former landfill and provide sufficient funding for remediation activities, as well as ongoing and future O&M costs. Development of the site has long been envisioned and pursued. The 2021 Project, including its recommended mitigation measures and PDFs, provide a comprehensive program to reduce the use of nonrenewable resources.

While the 2021 Project would minimize the amount of nonrenewable resources used during construction and operational activities, the use of such resources would continue to represent a long-term commitment of nonrenewable resources. The commitment of nonrenewable resources required for the construction and operation of the 2021 Project would "generally commit future generations to similar uses," as defined by CEQA Guidelines Section 15126.2(d); while implementation of any project on the Project Site would result in a commitment of nonrenewable resources, the 2021 Project provides a substantial commitment to the reduction of nonrenewable resources.

Further, when compared to existing developments within the City that are currently consuming energy and nonrenewable resources, including other existing warehouse and logistics facilities, implementation of the 2021 Project would incorporate newer technologies to reduce usage of energy and nonrenewable resources and would comply with more stringent laws and regulations to further reduce such uses.

Development of the Project Site with the land uses proposed under the 2021 Project would likely commit the use of the Project Site to developed land uses for future generations. It is unlikely that the Project Site would be converted to undeveloped uses in the future, given its location in an urbanized area and adjacent to the I-405 Freeway and the requirement by DTSC to ultimately formally close the landfill, which involves the installation of remedial systems on the site.

While implementation of the 2021 Project would increase the use of nonrenewable resources compared to the existing vacant condition of the Project Site, development of the 2021 Project would enable the final remediation of the Project Site from its former use as a landfill and its current contaminated state, which has long been a goal of the City. The 2021 Project would also require compliance with a wide variety of PDFs, mitigation measures, and regulatory controls that would reduce the use of nonrenewable resources and reduce air quality emissions, GHG emissions, and energy use.

In addition, the 2021 Project would provide for an infill development that would minimize VMT and the consumption of non-renewable resources. In addition, the use of energy and nonrenewable resources under the 2021 Project would be similar to, or likely less than, the consumption of nonrenewable resources that are currently consumed within the City, including existing warehouse and logistics facilities, given the robust PDFs, mitigation measures, and regulatory controls that would be required for implementation of the 2021 Project.

Environmental accidents could occur at the Project Site during the remediation, construction, or operation phases, which could result in irreversible damage to the environment. However, all subsurface remediation activities are subject to a variety of regulatory controls under the oversight of the DTSC, including the RAPs; the 206 Compliance Framework Agreement (as amended in 2007, the CFA); various Consent Decrees (dated December 1995, October 2000, and January 2004); the Management Approach to Phased Occupancy (File No. 01215078.02), approved by DTSC in April 2018 (the MAPO); a letter regarding phased development matters, issued by DTSC to the Carson Reclamation Authority, dated October 17, 2017 (Phased Development Letter). Due to the highly regulated nature of the remediation process, the potential for an accidental release of hazardous materials on the Project Site into the

environment would be very low. In the unlikely event that an accident were to occur, all applicable contingency plans and/or procedures established in regulatory controls would be implemented in order to contain the release as quickly as possible so as to avoid any large-scale environmental accident. Furthermore, all other applicable laws and regulations would be implemented to further reduce the potential for an environmental accident.

Construction of the 2021 Project would require the transport, storage, use, and disposal of small amounts of hazardous materials, including but not limited to fuels (e.g., gasoline, diesel), hydraulic fluids, oils and lubricants, paint, and other similar materials in varying quantities on the Project Site. However, the 2021 Project would not use, store, or transport CalARP substances above the allowed regulatory standards; CalARP substances are those that that pose the greatest risk of immediate harm to the public and the environment.

Hazardous materials used, transported, or stored under the 2021 Project would be required to adhere to existing local, state, and federal regulatory requirements (e.g., California Highway Patrol hazardous materials transportation regulations, Cal/OSHA worker safety requirements, Hazardous Materials Unified Program requirements, RCRA requirements, and California Health and Safety Code requirements that call for preparation of a Hazardous Materials Business Plan). These regulations serve to minimize emissions and exposure risks associated with operational activities related to the routine transport, storage, and disposal of hazardous materials and wastes and the potential for accidental release and upset conditions.

The 2021 Project would also be required to comply with all relevant and applicable federal, state, and local laws and regulations that pertain to the transport, storage, and disposal of hazardous materials and waste during construction. In the event of an accidental release during construction, containment and clean up would be conducted in accordance with existing regulatory requirements. Each contractor that handles hazardous materials would be required to have a Hazardous Materials Business Plan that would require that hazardous materials used for construction are stored in appropriate containers, with secondary containment to contain a potential release. Furthermore, installation and implementation of the Stormwater Pollution Prevention Plan (SWPPP) would ensure that any accidental release of hazardous materials is contained on site and would be able to be cleaned up accordingly. The potential for an environmental accident during construction would be low.

Operation of the 2021 Project would include the limited use of potentially hazardous materials contained in typical cleaning agents and pesticides for landscaping, which would be used, handled, stored, and disposed of in accordance with applicable government regulations and standards. Additionally, there is a potential for hazardous materials to be stored and distributed as part of the e-commerce/distribution uses proposed within PA3(a); however, the type of hazardous materials that could be present on site would be regulated in accordance with all applicable laws and regulations and would not permit large quantities of dangerous hazardous materials on site. All use, transport, storage, and disposal of hazardous materials on site would be stringently regulated to reduce the likelihood of irreversible damage caused by an accidental release. Compliance with all applicable laws, regulations, and plans would serve to protect against a significant and irreversible environmental change resulting from the accidental release of hazardous materials.

**Finding**

The City finds based on substantial evidence that although irreversible environmental changes would result from the Project, such changes would be less than significant.

## v. Growth Inducing Impacts/Other CEQA Considerations

As required by the CEQA Guidelines Section 15126.2(e), an EIR must include a discussion of ways in which a project could directly or indirectly foster economic or population growth or the construction of additional housing and how that growth would, in turn, affect the surrounding physical environment (CEQA Guidelines Section 15126.2(d)).

Implementation of the 2021 Project would develop the currently vacant Project Site into a mixed-use development that would support residential, commercial, light industrial, and open space uses, which would result in direct on-site growth.

Direct population growth would occur from development of the residential uses proposed under the 2021 Project. Since the number of residential units (i.e., up to 1,250 residential units) would remain the same under the 2021 Project as with the 2018 Project, direct population growth as compared to the 2018 SEIR would also remain the same. For this reason, anticipated residential population growth of approximately 4,550 persons from the residential uses under the 2018 Project would remain the same for the 2021 Project. Furthermore, since the 2018 Project and 2018 SEIR were approved and certified, the growth anticipated from the 2018 Project has been incorporated into the Southern California Association of Governments' (SCAG) Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) growth projections for the South Bay Cities Subregion (subregion). Since the 2021 Project would allow for the same direct population growth associated with the residential uses as the 2018 Project, the direct population growth under the 2021 Project would also be within SCAG's forecasted short- and long-term growth for the subregion. Therefore, development of the 2021 Project would not result in direct unplanned population growth within the subregion.

In addition, the current 2014 Housing Element of the City's General Plan projected an increase of approximately 5,786 residents from 2010 to 2020 to a total of approximately 103,286 residents, which equates to an approximately 6.3 percent increase in the City's population over the 10-year period. The 2014 Housing Element also projected the City's population to increase to approximately 160,000 residents by 2035, which would be an increase of approximately 56,714 residents over 15 years. Assuming full buildout of the 2021 Project by 2035, the additional 4,550 residents generated by the 2021 Project would represent 8.0 percent of the total City's forecasted population growth by 2035. Therefore, implementation of the 2021 Project would not substantially increase the City's population between 2020 and 2035. Therefore, development of the 2021 Project would not result in direct unplanned population growth within the City.

Furthermore, the 2021 Project would be infill development on the Project Site within a larger metropolitan area, which would serve growth that is ongoing and anticipated in the Southern California area and the subregion in particular. The 2014 Housing Element provides for the City's housing needs and strategies through 2021. The Housing Element is being updated as

required by State law as part of the General Plan Update. The City's 2021 RHNA identifies a need for 5,618 additional housing units for the City that would be required between 2021 and 2029. The proposed 1,250 residential units within PA1, which would add to the range and mix of housing available in the City, would also bring much needed housing to the City and would contribute to meeting the City's RHNA allocation for the sixth RHNA Cycle. Therefore, development of the 2021 Project would help to increase the available housing stock within the City for existing and future residents.

The 2021 Project has the potential to induce indirect population growth by increasing the employment opportunities for City residents and residents within Los Angeles County as a whole. Because PA1 would be designated for residential uses, it is not assumed to result in the generation of employees. The employees anticipated for the land uses within PA2 would also remain the same under the 2021 Project as for the 2018 Project, which would total approximately 1,089 employees (2018 SEIR Appendix J, Solid Waste Calculations). However, due to the changes in land uses in PA3, the projected number of employees in this planning area would increase from 3,299 employees from the proposed commercial uses (2018 SEIR Appendix J, Solid Waste Calculations) to 4,640 employees from the light industrial and commercial uses due to the provision of higher employment-generating fulfillment and distribution uses. Overall, total employees would increase from 4,388 employees under the 2018 Project to 5,729 employees under the 2021 Project, resulting in an increase of 1,341 employees due to the provision of the higher employee-generating fulfillment and distribution uses in PA3.

While implementation of the 2021 Project would provide a total of 5,729 jobs anticipated for the Project Site during operation, future employees are anticipated to come from the existing local and regional labor force for (i) the light industrial uses within PA3(a), which would employ truckers and warehouse employees, and (ii) the commercial/retail and restaurant uses within PA3(b). These jobs are not anticipated to draw new residents to the City or surrounding area since they do not require a highly specialized workforce. Therefore, even though the 2021 Project would increase the employment opportunities within the City, population growth within the City would be consistent with SCAG's population forecasts.

The impacts of direct and indirect growth on the physical environment are accounted for in the analysis provided in Chapter IV, *Environmental Impact Analysis*, of the 2021 SEIR; and the limited amount of growth attributable to the 2021 Project would not be classified as induced growth beyond expected levels in the region or the subregion.

A portion of the demand for housing in the City could be accommodated by the residential uses proposed under the 2021 Project. Parts of the on-site resident and employee populations are expected to seek employment and housing, respectively, in areas surrounding the Project Site and at greater distances, just as existing off-site residents and employees would be expected to seek employment or housing within the Project Site. Furthermore, the 2021 Project would be consistent with SCAG's subregional projections, and would help to absorb existing demand, rather than create new demand.

While the 2021 Project itself represents growth, the provision of new housing and employment opportunities would not indirectly encourage substantial new growth in the City that has not

previously been projected. The 2021 Project would provide much-needed housing accommodate the City's workforce, as well as the region. The 2021 Project would also provide substantial employment opportunities that would be drawn from the local and regional workforce.

Therefore, the mix of 2021 Project uses and generated residential, employment, and visitor population would not be considered growth-inducing. The 2021 Project would not provide uses that are not otherwise already occurring in the area as part of the overall anticipated growth pattern, but rather would provide a mixed-use development that provides for some demand to be met internally, and the 2021 Project would absorb, and therefore minimally reduce anticipated demand, rather than create new demand.

The Project Site is located in an urbanized area, with water, wastewater, electric power, natural gas, telephone, and transportation infrastructure provided both on the Project Site and in the surrounding area. Further, the 2021 Project would connect to existing off-site City infrastructure, with new infrastructure only provided on the Project Site. The 2021 Project would not require the off-site extension of roads or infrastructure improvements or an increase in infrastructure capacity (e.g., water, wastewater, stormwater) that could cause indirect population growth. Therefore, there is no potential for leapfrog development with implementation of the 2021 Project.

The 2021 Project is a modification of the already approved 2018 Project and is, thus, a component of anticipated, ongoing regional growth. Furthermore, the 2021 Project does not include features that would notably cause new growth not otherwise anticipated that would result in substantial increases in population above that which was part of the previously approved 2018 Project. While the 2021 Project would consist of a mix of uses that would be attractive for potential future residents as well as commercial, light industrial, and open space uses, the 2021 Project would also capture a significant portion of the existing demand for such uses in the area. No additional capacity in existing service and utility systems beyond that stated in the 2018 SEIR would be required by the 2021 Project. Therefore, growth related impacts would not be substantial in nature and thus, are concluded to be less than significant.

## F. Alternatives

In accordance with CEQA Guidelines Section 15126.6(a), an EIR must describe and compare a range of reasonable alternatives to a project, or alternative locations for a project, that could feasibly attain most of the basic project objectives but avoid or substantially lessen any significant environmental impacts associated with a project and evaluate the comparative merits of such alternatives. An EIR must consider a reasonable range of feasible alternatives to facilitate informed decision making and public participation. An EIR need not consider every conceivable alternative to a project and is not required to consider alternatives that are infeasible. The lead agency shall select a range of project alternatives and disclose its reasoning for selecting those alternatives. The selection of such alternatives is governed by the rule of reason, which requires that an EIR set forth only those alternatives necessary to permit a reasoned choice. The Draft SEIR Alternatives Analysis, therefore, identified a reasonable range of project alternatives focused on avoiding or substantially reducing the Project's significant impacts.

## a. Project Objectives

CEQA Guidelines Section 15124(b) states that the Project Description shall contain a statement of the objectives sought by the proposed project. In addition, CEQA Guidelines Section 15124(b) further states that the statement of objectives should include the underlying purpose of the project. The following is a list of Project Objectives:

1. Provide a diversity of both short-term and long-term employment opportunities for local residents by approving a project that will generate substantial construction work opportunities and long-term light industrial and commercial jobs.
2. Improve the housing stock by approving a project that includes a substantial residential component.
3. Provide a project that contributes to the creation of a vibrant urban core for the City and takes advantage of the Project Site's proximity to the San Diego Freeway (I-405 Freeway).
4. Develop the Project Site in a manner that enhances the attractiveness of the City's freeway corridor and the major arterials that adjoin the Project Site.
5. Provide a project that includes a variety of residential, commercial, and retail uses with the potential to generate increased sales and property tax revenue.
6. Develop a project with a balanced mix of land uses that stimulate economic activity, commerce, and new development opportunities in and around the Project Site.
7. Promote an economically viable development at the Project Site that will enable the Developer/Applicant(s) to pay for the substantial costs associated with environmental remediation and development of a former landfill, as well as construction and maintenance of required infrastructure improvements.
8. Provide a project that contains vibrant and attractive community amenities, passive and active park/recreational areas, and gathering spaces that are directly accessible to residents and constitute a regional draw for other visitors to the Project Site.
9. Develop a project that is consistent with a live, work, and play environment through uses that provide for residential occupancy, substantial job opportunities, and attractive recreational/retail amenities.

## b. Alternatives Rejected as Being Infeasible

CEQA Guidelines Section 15126.6(c) requires that an EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. CEQA Guidelines Section 15126.6(f)(2) also requires the evaluation of an alternative location if it would avoid or substantially lessen any of the significant effects of a proposed project. If the lead agency concludes that no feasible alternative locations exist, it must disclose the reasons for this conclusion, and should include the reasons in the EIR.

Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR is (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to offer substantial environmental advantages over a project proposal (CEQA Guidelines

Section 15126.6(c)). CEQA Guidelines Section 15126.6(f)(1) states that 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 (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent).

## c. Alternative Sites Rejected as Being Infeasible

Both the 2006 FEIR and 2018 SEIR identified the approximately 100-acre Shell Refinery Site as the selected alternative project site. Given the size of the Shell Refinery Site, which is smaller than the Project Site, the proposed uses under the Project could not be built at the same intensity as proposed and would therefore have a reduction in total square footage. In addition, the Shell Refinery Site is not in a viable location as the Shell Refinery Site would not provide ease of freeway access, which would help to create a regional draw. As such, Objectives 1 through 9 would not be met in comparison to the Project. Overall, the Shell Refinery Site would not reduce or avoid Project impacts associated with construction (e.g., air quality, greenhouse gases (GHG), energy, and noise) or operation (e.g., traffic, air quality, GHG, and noise). Further, the City does not own the Shell Refinery Site and does not currently have the right to develop this site. Development on the Shell Refinery Site would also not achieve any of the City's goals and policies related to development and remediation of the Project Site, which is fundamental to the City's and the CRA's objectives and obligations for the Project Site. For these reasons, similar to the 2006 FEIR and 2018 SEIR, the Alternative Off-Site Location Alternative (Shell Refinery Site) is considered and rejected for the Project.

## d. Alternatives Analyzed in the Draft EIR

### *i. Alternative 1A: No Project – No Development*

#### *a. Description of Alternative*

CEQA Guidelines Section 15126.6(e)(1) requires an analysis of the No Project Alternative, which can either be the continuation of an existing land use or regulatory plan or the circumstance under which a project does not proceed. The purpose of describing and analyzing the No Project Alternative is to allow decision-makers to compare the impacts of approving a proposed project with the impacts of not approving a proposed project.

Where a proposed project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the No Project Alternative will be the continuation of the existing plan, policy or operation into the future (CEQA Guidelines Section 15126.6(e)(3)(A)). Where the No Project Alternative evaluates the circumstance under which a proposed project does not proceed, CEQA Guidelines Section 15126.6(e)(3)(b) requires the evaluation of the environmental effects of the property remaining in its existing state against environmental effects which would occur if a proposed project is approved, as described in CEQA Guidelines Section 15126.6(e)(3)(B). However, if disapproval of a proposed project under consideration would result in predictable actions by others, such as the proposal of some other project, this "no project" consequence should be discussed.

The No Project Alternatives in the Draft SEIR include both no project options: (1) future conditions on the Project Site if current planning controls continued in the future, as allowed by the 2018 Specific Plan, and (2) the circumstance under which no development proceeds within the Project Site.

The No Project – No Development Alternative (Alternative 1A) assumes that the Project would not be developed and that no vertical development would occur. However, the Project Site would require remediation as set forth by the Department of Toxic Substances (DTSC) requirements/regulations, including the Remedial Action Plan (RAP). Since the 2018 SEIR, the Project Site has undergone, and continues to undergo, remediation, capping, and maintenance of the former landfill consistent the RAP. This alternative would involve completion of the remediation required for the Project Site, including the capping of existing waste materials at the former Cal Compact Landfill site, as required under the RAP and other DTSC-imposed regulatory requirements applicable to the Project Site. This alternative would also require the Carson Reclamation Authority (CRA) to find an alternate means of funding to complete the required remediation for the Project Site, including long-term operation and maintenance (O&M) costs associated with the Project Site (based upon applicable regulatory requirements imposed on the site given the fact that it is a former landfill site). The CRA currently does not have sufficient funds available to cap off and remediate the Project Site and/or fund the ongoing O&M costs associated with the Project Site indefinitely. The evaluation of Alternative 1A addresses the requirements of CEQA Guidelines Section 15126.6(e)(3)(B).

### *b. Impact Summary of Alternative 1A:*

Alternative 1A would have less impacts as compared to the 2021 Project and would avoid the 2021 Project's significant and unavoidable impacts associated with aesthetics, transportation, air quality, and noise. However, less-than-significant land use and planning impacts related to physically dividing an established community and aesthetic impacts related to view resources would be similar under Alternative 1A. In addition, less-than-significant land use and planning impacts related to consistency with applicable land use plan, policies, and regulations impacts, would be greater under Alternative 1A.

### Finding

The No Project – No Development Alternative (Alternative 1A) would continue to implement the approved RAP and would partially meet only one of the nine 2021 Project Objectives (i.e., Objective 7, promote an economically viable development at the Project Site that will enable the Developer to pay for the substantial cost of associated with environmental remediation and development of a former landfill). While Alternative 1A might possibly achieve some of basic objectives of the City and the CRA of remediating the environmental conditions afflicting the Project Site, the CRA would be required to find an alternate means of funding to complete the required remediation for the Project Site, which is entirely speculative, since the CRA does not currently have available funds to ensure such remediation in accordance with DTSC requirements. Thus, while Alternative 1A would potentially allow for the remediation the Cal-Compact landfill, this alternative would not meet the rest of the 2021 Project Objectives (Objectives 1 through 6 and 8 through 9).

While Alternative 1A would avoid the 2021 Project's significant and unavoidable impacts associated with aesthetics, transportation, air quality, and noise, Alternative 1A does not meet the majority of the 2021 Project Objectives, and may prevent the City and CRA from fulfilling the basic objective it has for the Project Site in ensuring the full and final remediation of the 157-Acre Site in accordance with DTSC requirements. While Alternative 1A would substantially lessen significant environmental impacts associated with the 2021 Project, it does not feasibly attain most (or any) of the basic 2021 Project Objectives.

#### *c. Reference*

For a complete discussion of impacts associated with Alternative 1A, please see Section V of the 2021 SEIR.

### *ii. Alternative 1B: No Project – Development under 2018 Project/Existing 2018 Specific Plan and Zoning*

#### *a. Description of Alternative*

CEQA Guidelines Section 15126.6(e)(1) requires an analysis of the No Project Alternative, which can either be the continuation of an existing land use or regulatory plan or the circumstance under which a project does not proceed. The purpose of describing and analyzing the No Project Alternative is to allow decision-makers to compare the impacts of approving a proposed project with the impacts of not approving a proposed project.

Where a proposed project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the No Project Alternative will be the continuation of the existing plan, policy or operation into the future (CEQA Guidelines Section 15126.6(e)(3)(A)). Where the No Project Alternative evaluates the circumstance under which a proposed project does not proceed, CEQA Guidelines Section 15126.6(e)(3)(b) requires the evaluation of the environmental effects of the property remaining in its existing state against environmental effects which would occur if a proposed project is approved, as described in CEQA Guidelines Section 15126.6(e)(3)(B). However, if disapproval of a proposed project under consideration would result in predictable actions by others, such as the proposal of some other project, this "no project" consequence should be discussed.

The No Project Alternatives in the Draft SEIR include both no project options: (1) future conditions on the Project Site if current planning controls continued in the future, as allowed by the 2018 Specific Plan, and (2) the circumstance under which no development proceeds within the Project Site.

The No Project – Development under 2018 Project/Existing 2018 Specific Plan and Zoning Alternative (Alternative 1B) assumes that the 2018 Project analyzed in the 2018 SEIR would be developed on the 157-Acre Site pursuant to the 2018 Specific Plan. Maximum development on the Project Site, would consist of a total of 1,834,833 sf of commercial uses and up to 1,250 residential units. Specifically, under the 2018 Specific Plan, PA1 included the provision for up to 1,250 residential units and/or commercial uses pursuant to Mixed-Use Marketplace (MU-M) zoning. PA2 included the allowance for up to 714,000 sf of regional commercial uses and up to 15,000 sf of restaurant uses within a Commercial Marketplace (CM) zone. PA3 included

1,123,333 sf of regional retail, neighborhood-serving retail, restaurant, entertainment, and hospitality uses (e.g., theater, gym, hotel, etc.) within a CM zone. Under Alternative 1B, the Project Site would continue to undergo remediation, capping, and maintenance and operation as required under the RAP and the other applicable regulatory requirements set forth under 2018 SEIR.

### *b. Impact Summary of Alternative 1B:*

Alternative 1B would have similar impacts as compared to the 2021 Project, with a few exceptions. For land use impacts related to consistency with applicable land use plans, policies, and regulations, impacts under Alternative 1B would be less than the impacts of the 2021 Project. Alternative 1B would also avoid the 2021 Project's cumulative operational traffic noise impacts for all impacted roadway segments. However, transportation impacts as it relates to consistency with programs, plans, ordinances, or policy impacts, VMT impacts; and regional air quality impacts during construction of Alternative 1B would result in greater impacts as compared to the 2021 Project.

## Finding

The No Project – Development under 2018 Project/Existing 2018 Specific Plan and Zoning would continue to implement the RAP and develop the Project Site as described in the 2018 SEIR. Implementation of Alternative 1B would fully satisfy all but two of the 2021 Project Objectives. Specifically, while Alternative 1B could include outdoor community amenities, reactional spaces and, gathering areas, it is unknown at this time to what scale such uses would be provided in this Alternative. In comparison, the 2021 Project includes the development of 6.29 acres of vibrant and attractive community amenities, passive and active park/recreational areas, and gathering spaces that are directly accessible to residents and constitute a regional draw for other visitors to the Project Site. As such, Alternative 1B would only partially meet Objective 8 (i.e., "provide a project that contains vibrant and attractive community amenities, passive and active park/recreational areas, and gathering spaces that are directly accessible to residents and constitute a regional draw for other visitors to the Project Site"). Alternative 1B would also only partially meet Objective 1 (i.e., "provide a diversity of both short-term and long-term employment opportunities for local residents by approving a project that will generate substantial construction and long-term light industrial and commercial jobs"), as Alternative 1B would provide fewer operational employment opportunities. Thus, Alternative 1B would meet Objectives 1 and 8 to a lesser degree than the 2021 Project.

Alternative 1B would also eliminate one significant and unavoidable impact (cumulative operational traffic noise) as compared to the 2021 Project. However, while Alternative 1B reduces impacts (regarding cumulative operational traffic noise) in 2026, the 2021 Project's PDFs would reduce long term impacts (in 2040) to below those proposed by Alternative 1B. Separately, Alternative 1B would result in greater impacts for two significant and unavoidable impacts (VMT and regional air quality impacts during construction). Therefore, Alternative 1B would not substantially lessen significant environmental impacts associated with the 2021 Project. The change in uses under this Alternative also serve to reduce the beneficial effects of the 2021 Project.

### *c. Reference*

For a complete discussion of impacts associated with Alternative 1B, please see Section V of the 2021 SEIR.

## *iii. Alternative 2: Reduced 2021 Project (25 Percent Reduction of Commercial, Retail, and Industrial Uses in PA3)*

### *a. Description of Alternative*

The Reduced 2021 Project (25 Percent Reduction of Commercial, Retail, and Light Industrial Uses in PA3) Alternative (Alternative 2) assumes that the square footage the 2021 Project would be reduced by 25 percent reduction within PA3 only. The land uses in PA1 and PA2 would remain the same (i.e., up to 1,250 residential units in PA1 and 696,500 sf of regional commercial and 15,000 sf of restaurant uses in PA2).

The proportionate mix of neighborhood serving commercial, restaurant, and light industrial uses proposed within PA3 would be the same under the 2021 Project; however, maximum development would be reduced by 25 percent and thus, would consist of 7,500 sf of neighborhood serving commercial uses; 17,850 sf of restaurant use; and 1,175,218 sf of light industrial uses for a total floor area of 1,200,668 sf in PA3. Light industrial uses, as with the 2021 Project, would be approximately 50 percent e-commerce and fulfillment center uses and 50 percent traditional distribution center and parcel hub type uses similar to the 2021 Project. The Carson Country Mart would still occupy the same acreage as the 2021 Project (11.12 acres), but commercial development within the Carson Country Mart would be reduced by 25 percent. The park/open space provided under Alternative 2 would be similar to the 2021 Project's proposed 6.29 acres of park/open space. This alternative would also include the 0.62 acres of Enhanced Parkway located northwest of the proposed light industrial uses along Lenardo Drive. The 157-Acre Site would continue to undergo remediation, capping, and maintenance as required under the RAP and applicable regulatory requirements. It is assumed that similar heights and the number of light industrial and commercial buildings proposed would be similar under Alternative 2 as with the 2021 Project; however, given the smaller building square footages, it is assumed that building setbacks would be greater.

### *b. Impact Summary of Alternative 2:*

Implementation of Alternative 2 would result in a reduction of impacts regarding shade/shadow, light/glare, air quality (during construction), noise during operation, energy, and GHG emissions impacts, in comparison to the 2021 Project. Alternative 2 would also serve to reduce the significant and unavoidable operational air quality impacts proposed by the 2021 Project due to the reduction in building square footage under Alternative 2. In addition, Alternative 2 would reduce significant and unavoidable cumulative roadway noise impacts for two of the three intersections that would otherwise occur as part of the 2021 Project, resulting in fewer significant and unavoidable cumulative impacts (although one significant and unavoidable impact would remain at Lenardo Drive between I-405 Freeway southbound ramp and Avalon Boulevard). All other impacts would be similar as those anticipated under the 2021 Project. No

significant and unavoidable impacts posed by the 2021 Project would be eliminated under Alternative 2.

**Finding**

Alternative 2 would not substantially lessen significant environmental impacts associated with the 2021 Project. Alternative 2 would continue to implement the RAP and assumes that the scale of the 2021 Project would be reduced through a 25 percent reduction to the industrial, commercial and retail land uses within PA3. Alternative 2 would meet the 2021 Project's Objectives, but to a lesser extent as compared to the 2021 Project due to the reduction in total building square footage provided under Alternative 2. The 25 percent reduction of the land uses in PA3 proposed by Alternative 2 would reduce the economic viability of the Project Site as the reduction in the square footage would reduce the amount of revenue and/or property tax that could be generated on site as well the number of employment opportunities offered on the Project Site. Specifically, the 25 percent reduction in square footage within PA3 would not achieve the same level of productive reuse of a large brownfield site as the 2021 Project. The 2021 Project would provide a project capable of generating the revenue necessary to pay for and effectuate remediation of the environmental conditions afflicting the Project Site, whereas Alternative 2 would reduce the overall remediation funding generated by the development.

***c. Reference***

For a complete discussion of impacts associated with Alternative 2, please see Section V of the 2021 SEIR.

### *iv. Alternative 3: Reduced 2021 Project with Reduction of Light Industrial (E-Commerce/Fulfillment Only) Uses in PA3*

***a. Description of Alternative***

The Reduced 2021 Project with Reduction of Light Industrial (E-Commerce/Fulfillment Only) Uses in PA3 Alternative (Alternative 3) assumes that PA3 would exclusively include light industrial uses, but with a reduction in square footage as compared to the 2021 Project light industrial uses. This alternative would not include the Carson Country Mart or any associated neighborhood serving commercial, restaurant, or park uses within PA3(b) or the Enhanced Parkway in PA3(a). The entire developable acreage of PA3 would be used for light industrial uses. The land uses in PA1 and PA2 would remain the same as the 2021 Project (i.e., up to 1,250 residential units in PA1 and 696,500 sf of regional commercial and 15,000 sf of restaurant uses in PA2).

Specifically, this alternative would include up to 1,000,000 sf of light industrial uses, with the light industrial uses consisting of exclusively e-commerce and/or fulfillment center uses (and no distribution center/parcel hub uses). The 157-Acre Site would continue to undergo remediation, capping, and maintenance as required under the RAP and applicable regulatory requirements. It is assumed that one light industrial building would be developed under this alternative. The building height of the proposed light industrial building is assumed to be similar to the heights proposed under the 2021 Project (i.e., maximum of 55 feet); however, given the reduction in building square footage, the building setbacks would be greater from the western boundary of

the Project Site. Vehicular parking spaces would be provided adjacent to the northern, northwestern and southeastern portion of the proposed light industrial building. Loading docks provided on the southwestern portion of the proposed light industrial building and trailer parking spaces located adjacent to the loading dock area, between the proposed light industrial building and the Torrance Lateral. A screen wall of 12 feet will be provided for the trailer parking area.

### *b. Impact Summary of Alternative 3:*

Implementation of Alternative 3 would result in reduced less than significant shade/shadow, light/glare, air quality during construction, noise during operation, energy, and GHG impacts. Alternative 3 would also reduce significant and unavoidable VMT impacts due to the reduction in building square footage as compared to the 2021 Project. In addition, Alternative 3 would reduce significant and unavoidable cumulative roadway noise impacts for two of the three intersections that would otherwise occur as part of the 2021 Project, resulting in fewer significant and unavoidable cumulative impacts (although one significant and unavoidable impact would remain at Lenardo Drive between I 405 Freeway southbound ramp and Avalon Boulevard). Alternative 3 would have a greater impact as it relates to regulations governing scenic quality during operation of the alternative due to the proposed expansive stretch of the single proposed light industrial building and truck parking proposed under Alternative 3. All other impacts would be similar as those anticipated under the 2021 Project. While overall air quality impacts during construction of Alternative 3 would be similar to those for the 2021 Project, it should be noted that Alternative 3 would observe further reductions to health risk from the reductions to diesel truck use and the potentially shortened construction schedule associated with a reduction in building square footage in PA3. No significant and unavoidable impacts posed by the 2021 Project would be eliminated under Alternative 3.

## Finding

Alternative 3 would not substantially lessen significant environmental impacts associated with the 2021 Project. Alternative 3 would continue to implement the RAP consistent with the requirements for the 2021 Project. Alternative 3 would be the same as the 2021 Project for PA1 and PA2 but would restrict the proposed land uses in PA3 to solely light industrial uses (e-commerce) and would reduce PA3's total square footage by 38 percent. While this alternative would achieve most of the 2021 Project Objectives, it would not achieve Objective 8 (i.e., "provide a project that contains vibrant and attractive community amenities, passive and active park/recreational areas, and gathering spaces that are directly accessible to residents and constitute a regional draw for other visitors to the Project Site") as it would not provide vibrant and attractive community amenities, passive and active park/recreational areas, and gathering spaces that are directly accessible to residents and constitute a regional draw for other visitors to the Project Site as the Carson Country Mart would not be developed under this alternative. In addition, the restriction to light industrial and associated 38 percent reduction of the square footage in PA3 would reduce the economic viability of the Project Site as the reduction in the land uses would reduce the amount of revenue and/or property tax that could be generated on site. Specifically, the 38 percent reduction in square footage within PA3 would not achieve the same level of productive reuse of a large brownfield site as the 2021 Project. The 2021 Project would provide a project more capable of generating sufficient revenue to pay for and effectuate remediation of the environmental conditions on the Project Site as compared to Alternative 3.

### *c. Reference*

For a complete discussion of impacts associated with Alternative 3, please see Section V of the 2021 SEIR.

## *v. Alternative 4: Commercial/Industrial PA3 Hybrid*

### *a. Description of Alternative*

The Commercial/Industrial PA3 Hybrid Alternative (Alternative 4) assumes that the total square footage under PA3 would be the same as proposed under the 2021 Project (i.e., 1,600,890 sf), but the uses would be 50 percent light industrial pursuant to a new light industrial land use designation, and 50 percent commercial uses pursuant to the CM uses allowed under the 2018 Specific Plan. The land uses in PA1 and PA2 would remain the same (i.e., up to 1,250 residential units in PA1 and 696,500 sf of regional commercial and 15,000 sf of restaurant uses in PA2).

Light industrial uses in PA3 would total 800,445 sf under this alternative and would consist of approximately 50 percent e-commerce and fulfillment center uses (approximately 400,223 sf) and 50 percent traditional distribution center and parcel hub type uses (approximately 400,222 sf), as with the 2021 Project. The commercial uses in PA3 would consist of neighborhood serving commercial, restaurant, studio, and self-storage uses. Specifically, Alternative 4 includes: 100,000 sf of neighborhood serving commercial, including 40,000 sf of grocery uses and 20,000 sf of gym uses, 50,000 sf of restaurant uses, 520,000 sf of studio uses, and 130,000 sf of self-storage uses. While the Carson Country Mart and Enhanced Parkway would both not be developed as part of this alternative, Alternative 4 does assume some outdoor recreational amenities would be provided; however, no lawn and amphitheater spaces are assumed to be proposed as part of this alternative. The 157-Acre Site would continue to undergo remediation, capping, and maintenance as required under the RAP and applicable regulatory requirements. It is assumed that similar heights and building setbacks would be similar under Alternative 4 as with the 2021 Project.

### *b. Impact Summary of Alternative 4:*

Implementation of Alternative 4 would result in reduced operational noise impacts to adjacent sensitive receptors in comparison to the 2021 Project based upon the removal of certain noise sources associated with the Carson Country Mart. Under Alternative 4, the significant and unavoidable VMT impacts would be greater as compared to the 2021 Project due to the greater number of vehicle trips that would be generated as a result of proposed commercial uses under Alternative 4. In addition, construction-related air quality emissions associated with Alternative 4 would result in greater impacts, also related to an increase in vehicle trips. All other impacts would be similar as those anticipated under the 2021 Project. In summary, Alternative 4 would result in reduced operational noise impacts, but increased VMT and air quality impacts.

**Finding**

Alternative 4 would not substantially lessen significant environmental impacts associated with the 2021 Project. Alternative 4 would continue to implement the RAP as consistent with the

requirements for the 2021 Project. Alternative 4 would be the same as the 2021 Project for PA1 and PA2 but would consist of a hybrid of light industrial uses proposed under the 2021 Project and a mix of commercial uses as allowed by the 2018 Specific Plan. While this alternative would achieve most of the 2021 Project Objectives, it would only partially achieve Objective 8. Specifically, while Alternative 4 could include outdoor community amenities, reactional spaces and, gathering areas, it is unknown at this time to what scale this would be provided. Whereas the 2021 Project includes the development of 6.29 acres of vibrant and attractive community amenities, passive and active park/recreational areas, and gathering spaces that are directly accessible to residents and constitute a regional draw for other visitors to the Project Site. As such, Alternative 1B would only partially meet Objective 8 (i.e., "provide a project that contains vibrant and attractive community amenities, passive and active park/recreational areas, and gathering spaces that are directly accessible to residents and constitute a regional draw for other visitors to the Project Site").

### *c. Reference*

For a complete discussion of impacts associated with Alternative 4, please see Section V of the 2021 SEIR.

## e. Environmentally Superior Alternative

An EIR must identify the environmentally superior alternative. While Alternative 1A, No Project – No Development, would have a greater impact as compared to the 2021 Project regarding consistency with applicable land use plans, policies and regulations, it is identified as environmentally superior to the 2021 Project based on the minimization or avoidance of physical environmental impacts. However, Alternative 1A does not meet the majority of the 2021 Project Objectives. In addition, CEQA Guidelines (Section 15126.6(c)) requires that, if the environmentally superior alternative is the No Project – No Development Alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

A summary comparison of the potential impacts associated with the alternatives and the 2021 Project is provided in 2021 SEIR Table V-3, Summary Comparison of 2021 Project Alternatives Impacts. Based on this comparison, Alternative 2, Reduced 2021 Project (25 Percent Reduction of Commercial, Retail, and Industrial Uses in PA3), is the environmentally superior alternative because Alternative 2 would reduce the environmental effects compared to the 2021 Project more so than Alternatives 1B, 3, and 4. Implementation of Alternative 2 would result in a reduction of impacts regarding shade/shadow, light/glare, air quality (during construction), noise during operation, energy, and GHG emissions impacts, in comparison to the 2021 Project. Alternative 2 would also serve to reduce the significant and unavoidable operational air quality impacts proposed by the 2021 Project due to the reduction in building square footage under Alternative 2. Specifically, Alternative 2 reduces emissions of all air pollutants attributed to the 25 percent decrease in PA3 square footage whereas Alternative 3 would result in a reduction in NOx and DPM but potentially result in increased emissions of CO and non-diesel PM10 and PM2.5 due to the changes to land use and corresponding increase in passenger vehicles trips. In addition, Alternative 2 would reduce significant and unavoidable cumulative roadway noise impacts for two of the three intersections that would otherwise occur as part of the 2021 Project, resulting in fewer significant and unavoidable cumulative impacts (although one significant and

unavoidable impact would remain at Lenardo Drive between I 405 Freeway southbound ramp and Avalon Boulevard).

However, Alternative 2 would reduce the economic viability of the Project Site as the reduction in the square footage would reduce the amount of revenue and/or property tax that could be generated on site as well the number of employment opportunities offered on the Project Site. Consequently, Alternative 2 would not allow the City to achieve the most productive reuse of a large brownfield site by approving a project capable of generating the revenue necessary to pay for and effectuate remediation of the environmental conditions on the Project Site. In addition, since Alternative 2 would reduce all uses by 25 percent, it would not provide the same level of pedestrian traffic or vibrancy as the 2021 Project due to the reduction of commercial uses within the Carson Country Mart.

## G. Significant and Unavoidable Impacts

All of the relevant mitigation measures set forth in the Final SEIR for the Project would be implemented as set forth therein and in the Mitigation Monitoring and Reporting Plan. Notwithstanding the foregoing, the 2021 SEIR determines and the City finds that certain impacts of the Project will have significant and unavoidable environmental effects, and therefore, these Findings conclude that certain project related impacts of the Project are significant and unavoidable impacts and that certain cumulative impacts of the Project, which take into account the related projects listed in the 2021 SEIR, are also cumulatively considerable and have significant and unavoidable impacts. The Final EIR determined and the City hereby finds that the following significant and unavoidable impacts:

Aesthetics (Conversion of the Appearance of the Site and Cumulative Contribution Related to the Conversion of the Appearance of the Site);

Air Quality (Regional Operational Emissions, Regional Concurrent Construction and Operational Emissions, and Cumulative Regional Operational Emissions);

Noise (Construction Noise, Cumulative Construction Noise, and Cumulative Operational Noise – Contribution to Roadway Noise);

Transportation (VMT and Cumulative VMT).

The City hereby finds that in accordance with CEQA Guideline Section 15091(a)(1) that all feasible mitigation measures to substantially reduce or avoid the Project's significant impacts and significant cumulative impacts have been incorporated into the Project. Despite these measures, Project impacts and cumulative impacts as set forth above will remain significant and unavoidable.

In accordance with CEQA Guideline Section 15091(a)(3), the City further finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible, any mitigation measures or project alternatives that would reduce or avoid any of the Project's significant impacts.

# H. Statement of Overriding Considerations

As provided by CEQA Guidelines Section 15093, 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 proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable." The lead agency hereby determines that the following economic, legal, social, technological or other benefits of the Project outweigh the significant and unavoidable environmental impacts identified in the 2021 SEIR:

## a. Need for Remediation Activities in the City

### *i. Land Use Element Principles, Goals, and Policies Regarding City of Carson Brownfields Sites*

The City's Land Use Element's Guiding Principle specifically states that:

> *The City of Carson is committed to providing a sustainable balance of land uses, including residential, commercial, industrial, educational, recreational, and open space. The City is also committed to providing quality development that incorporates features such as integrated, walkable, and mixed-use neighborhoods. Furthermore, the City is committed to facilitating the adaptive reuse of former landfills and contaminated sites. The City of Carson is committed to creating an attractive environment for its citizens by developing, implementing and enforcing community design guidelines which will assure quality development and the maintenance and beautification of properties.*

In addition, Goal LU-1 of the Carson General Plan Land Use Element (and its associated policies) address the need for the productive reuse of brownfield sites, which includes the Project Site. Implementation of the 2021 Project would result in the productive reuse of a brownfield site.

### *ii. Project Site Remediation Background and Project Need*

The Carson Reclamation Authority (CRA), as the current owner of the Project Site, is obligated to comply with the Department of Toxic Substances Control (DTSC) regulations and requirements applicable to the Project Site, including, among others, the approved Remedial Action Plans (RAPs), the 2006 Compliance Framework Agreement (as amended in 2007, the CFA) and various Consent Decrees (dated December 1995, October 2000, and January 2004), all of which require the CRA to remediate the Project Site to ensure: (1) ongoing operations and maintenance activities are performed on the Project Site such that there are no releases of hazardous materials or substances from the former Cal Compact landfill, and (2) the health and human safety of nearby residents and those working on the Project Site is protected.

The CRA was formed in 2015 to help facilitate the development of the 157-Acre Site into an NFL stadium for the then-San Diego Chargers and Oakland Raiders. The owner of the Project

Site at the time, Carson Marketplace LLC (CM), was willing to convey the 157-Acre Site to the CRA for the stadium because it had had difficulty developing its own proposed project given the changes in retail economics after the 2008 recession and the significant remedial costs of developing on a former landfill, despite the fact that the Carson Redevelopment Agency (RDA) had pledged and or expended up to $120,000,000 in order to assist CM with the remedial and infrastructure costs of its development. Thus, in 2015, Carson Marketplace LLC offered to convey the Project Site to the City at no cost, but sought indemnification from the City from any environmental liability associated with the former Cal Compact Landfill. The City determined that it would need a governmental agency to oversee the remediation and development of the 157-Acre Site, given the 50-year history of failed development and remediation of the former Cal Compact Landfill. Development of the Project Site was first proposed in the 1980s after ownership was transferred from the former landfill operator to a real estate developer in 1980, but since then ownership was transferred to various Developers each of whom were unable to ultimately develop the Project Site primarily due to the substantial costs of, and liability for, the environmental cleanup required to enable the Project Site to be developed. However, the City was unwilling to take on the environmental liability associated with the Project Site and, therefore, incorporated a separate agency, the CRA (through the Housing Authority and two separate Community Facilities Districts [CFDs] as members), as a separate legal entity to take over the responsibilities of CM for the environmental liabilities and remediation obligations associated with the Project Site.

However, the CRA was originally capitalized with the former RDA funds (2015B Bond Funds) and assets that were acquired through a separate grant from the California Pollution Control Financing Authority's (CPCFA) Cal ReUSE Program. Given the ongoing costs of operations and maintenance (O&M) of the Project Site, the available funds of the CRA will ultimately be exhausted. Ultimately, under the RAP and other DTSC requirements, the CRA must either cap the Project Site at a cost of tens of millions of dollars, which the CRA does not have, or coordinate with one or more developers for the Project Site that would provide for a development project with uses that are economically viable to pay for the costs of development on a former landfill (including the remedial systems required for any development project, and other site development improvements required for the development of a landfill site (i.e., structural piles required for any project development, foundations, and associated infrastructure).

### *iii. Productive Reuse of the Project Site*

The City of Carson and the CRA have engaged with various developers for many years in an attempt to realize the potential for public benefit associated with completion of the legally mandated environmental remediation through development of the Project Site. The development efforts included direct negotiations with an entity representing the San Diego Chargers and the Oakland Raiders (i.e., Cardinal Calvary), commencing in 2015 for the proposed development of an NFL Stadium on the Project Site. The project ultimately failed due to the decision of the NFL ownership group to go forward with an NFL Stadium in Inglewood for the Rams/Chargers (now known as the SoFi Stadium).

The CRA acquired the Project Site from the then-owner (CM) during the City's negotiations with Cardinal Calvary, since the City determined there was a need to establish an entity to

coordinate future development of the Project Site and ensure the performance of site remediation in accordance with DTSC requirements, operate the remedial systems established for the Project Site, and perform site maintenance in accordance. But the City was unwilling to put its general fund and taxpayer dollars at risk for the environmental liability associated with the Project Site (given its operation as a former landfill), the cleanup expenses and remediation costs required for the Project Site, which would have the potential to divert City funds and resources from core municipal resources and functions.

Following the determination of the NFL ownership group to reject the Carson NFL stadium proposal, the CRA has issued numerous RFPs/RFQs for the development of the Project Site. However, negotiations with all such developers for development of all or a portion of the Project Site have also failed due to the economic complications and liability associated with developing a project on a former landfill (except with respect to the LAPO Project, as defined below).

Prior to the CRA's ownership of the Project Site, and at the direction of the DTSC, two Community Facilities Districts (CFDs) were formed for the Project Site (CFD 2012-1 and 2012-2) in order to pay for the operations and maintenance (O&M) and infrastructure costs associated with the former landfill site. However, the CFDs can only be funded by actual development projects established on the Project Site (i.e., since no development has been achieved on the Project Site to date, there are no funds running through the CFDs to pay for O&M or infrastructure costs – since 2015 the CRA has been paying for such costs, primarily on its own behalf, but also with some contributions from proposed developers for the Project Site). The CFDs provide for funding with differential rates based on the type of project and with funds received only once such developments are realized.

The CRA was able to enter into agreements (PA2 Agreements) with CAM-Carson LLC (CAM) in September 2018 that would enable remediation and development of a project on PA2. The project proposed by CAM is known as the Los Angeles Premium Outlets Project (LAPO Project), and it was evaluated and environmentally cleared in the 2018 SEIR and approved as part of the 2018 Specific Plan. However, under the LAPO Project, and pursuant to the PA2 Agreements, the CRA was responsible for funding and constructing the remedial systems necessary to enable the development of the LAPO Project. Therefore, the LAPO Project on PA2 includes a significant financial commitment by the CRA to cover remediation costs, as well as a sales tax-sharing arrangement to enable the LAPO Project's economic feasibility. Initial development for the LAPO Project commenced in 2018, but was halted in 2019 due to the cost escalations incurred by the CRA with respect to the installation of the remedial systems necessary to support the LAPO Project and certain disputes between the CRA and CAM with respect to CAM's outstanding and unpaid reimbursements to the CRA for work the CRA was performing on CAM's behalf in order to realize the LAPO Project.

The 2021 Project is only the second project proposal over the last 6 years of the CRA's attempts to realize development on the Project Site that has advanced to the stage of an actual development proposal that requires CEQA review

The 2021 Project would put to productive reuse a former toxic/brownfield site through a mix of uses that would be sufficient to fund ongoing and future O&M costs associated with the Project Site, which is consistent with the guiding principles, goals, and policies of the Land Use Element

of the City's General Plan. The CRA, as the owner of the Project Site, cannot fund remediation and O&M costs associated with the Project Site indefinitely, based on its existing financing and funding sources, which is why the CRA has sought developer-partners to develop the Project Site.

The 2021 Project proposes new light industrial uses that are sufficient to produce the revenue and/or income required to pay for the costs of remediation and the site development improvements required in order to develop a former landfill site. Development of the Project Site pursuant to the 2021 Project would adaptively reuse a former landfill, which is highly contaminated. The uses proposed by the 2021 Project would be sufficient to enable the full remediation of PA3, including funding for a majority of the ongoing and future O&M costs associated with the Project Site, which has long been the goal of the CRA and City. Further, the 2021 Specific Plan Amendment will provide development standards and design guidelines, including artistic features and landscaping themes, that would ensure a consistent, coordinated, and high-quality built environment for 2021 Project.

In addition, the Developer of the 2021 Project must not only complete and pay for the remediation obligations imposed by DTSC on the PA3 portion of the Project Site, thus, relieving the CRA of such responsibilities (as the owner of the Project Site), but also, the Developer's financial consideration for acquisition of PA3 will be crucial to ensuring the CRA's ability to complete its legally mandated PA2 remediation obligation. In addition, the PA3 purchase price would help the CRA pay for its ongoing O&M costs it continues to incur with respect to the Project Site, with most costs being attributable to the remedial systems necessary to prevent the release of hazardous materials/substances into the air surrounding the Project Site and/or into the groundwater.

#### *iv. Financial Support for Future Development.*

Once the Applicant's requested entitlements are approved by the City Council (including, among others, a General Plan Amendment and Development Agreement), the Applicant will be required to pay over thirty-two-million dollars to the CRA (as set forth in the terms and conditions of that certain Option Agreement between the CRA and Faring Capital, LLC, dated December 17, 2020). Such funds will be used by the Authority to support future development on the remaining Cells (including Cell 2 with the proposed LAPO Project). Without such funds, it is unlikely that there would be any development on Cells 1 (i.e., the proposed housing development thereon) or 2 (i.e., the LAPO Project). Accordingly, the possibility of achieving important new housing units and retail development to support the City's tax base are enhanced by the City's potential approval of the Project, notwithstanding the significant and unavoidable environmental impacts identified in the 2021 SEIR.

### b. Housing and Employment

The 2021 Project would add up to 1,250 residential units from high density residential to urban residential, which would assist the City in achieving its 2021 Regional Housing Needs Assessment (RHNA) allocation of 5,618 housing units. The 2014 Housing Element indicates that the City's 2010 housing stock is comprised of 80 percent single-family residential units, and

by providing multifamily residential units, the 2021 Project would increase the variety of housing opportunities within the City.

The 1,250 residential units provided under the 2021 Project would also be located in close proximity to commercial and light industrial and recreational uses, which provide nearby employment opportunities, and live-work housing is permitted in portions of the Project Site.

### c. Local and Regional Destination

The 2021 Project would provide both neighborhood-serving and regional commercial uses, as well as a privately maintained, publicly accessible open space and community commercial uses and amenity areas described as the Carson Country Mart in PA3(b), which would provide a local activity center.

As discussed further in Chapter II, *2021 Project Description*, of the 2021 SEIR, the commercial and community amenity area programmed for the Carson Country Mart will encompass 11.12 acres and will include a variety of passive and active open spaces, programmed areas, and community-serving commercial uses intended to serve local City residents and to activate the area to draw visitors to the area. Hours of operation for all uses within PA3(b) will be from 6 a.m. to 11 p.m.

The Carson Country Mart will provide for approximately 273,906 sf (or 6.29 acres) of programmed spaces and open space/amenity areas that would include an arrival plaza; food and beverage plaza area; dog park; performance pavilion and event lawn; botanic garden; children's play area; bioretention garden; beer garden; games terrace; sculpture garden; water feature; arrival area for a potential pedestrian community bridge; and planted open spaces and planted buffer areas on the western and southern portions of the Carson Country Mart.

The Carson Country Mart will also include 33,800 sf total of commercial/retail uses, including 10,000 sf provided in a single retail use catered to pets and animals; four restaurants (with drive-through capability) totaling 12,600 sf; 9,000 sf of food and beverage kiosks; and a 2,200 sf cafe adjacent to the dog park. The Carson Country Mart will also include tables and seating areas for people to eat and drink in a social setting and green environment. The sale of alcoholic beverages will be permitted. Amplified music will occur in the Carson Country Mart's programmed event space (i.e., the performance pavilion and event lawn area). The restaurant components of the Carson Country Mart will operate from 7:00 A.M. until 11:00 P.M. The retail uses will likely open later and close earlier.

Pedestrian and bicycle pathways will be provided throughout the Project Site that would connect the Carson Country Mart to the City's street bicycle system (in accordance with the City's Master Plan of Bikeways, adopted August 2013). The 2021 Project also includes connections to nearby public transit routes, thereby providing a variety of local and regional transportation options that would contribute to mobility and accessibility to/from and around the Project Site.

## d. Project Siting and Project Design Features Relative to the Reduction of Air Quality and Greenhouse Gas Emissions

### *i. Reduction in VMT*

The location/placement of light industrial and commercial uses in the design of the 2021 Project serves the objective of reducing mobile source air quality pollutant emissions from trucks associated with the industrial uses in PA3(a) due to the Project Site's location, which allows for quick, safe and easy access to and from the regional transportation system. The Project Site is also located in close proximity to the Port of Los Angeles and the Port of Long Beach, with convenient access to Los Angeles and Orange County. Truck trip lengths from the Project Site to end users are expected to be relatively short, within 32.5 miles and 40 miles, depending on whether the deliveries are related to the distribution or fulfillment uses. These truck trip lengths reflect the Project Site's central location relative to anticipated end users, rather than truck trip lengths that would likely result if the 2021 Project was located in more remote locations, such as the Inland Empire. The truck trip lengths would also result in reduced truck-related VMT and GHG emissions.

The 2021 Project would also promote a reduction in mobile source emissions and GHG emissions by providing a supply of housing, employment, retail and dining opportunities within close proximity to one another, as well as to existing off-site residential uses, making it possible for an individual to both reside and work/shop/dine within the Project Site. While VMT was found to be a significant and unavoidable impact, as provided in Section IV.C, *Transportation*, of the 2021 SEIR, the 2021 Project would generate about 18 percent less total VMT per service population than would be generated by the 2018 Project.

The 2021 Project includes pedestrian and bicycle connections within the Project Site that would be linked to nearby public transit routes, thereby providing a variety of local and regional transit options that would contribute to non-vehicular mobility and accessibility to/from and around the Project Site, which would also reduce VMT and associated air quality and GHG emissions.

In summary, notwithstanding the significant and unavoidable environmental impacts disclosed in the 2021 SEIR, through the mix of proposed uses, the Project Site's proximity to the I 405 and I 110 Freeways and the Ports, the distance to anticipated end users (i.e., recipients of delivery items originating from the Project Site), and the provision of or connections to alternate modes of transportation, the 2021 Project would improve mobility and accessibility of people and goods, thereby reducing VMT and associated air quality and GHG emissions.

### *ii. Project Design Features that Reduce GHG Emissions, Air Quality Emissions, and Energy Use*

The Developer has committed to providing a range of construction and operational PDFs that will reduce GHG emissions, air quality emissions, and energy use. In summary, these PDFs describe various construction and operational methods and features, including but not necessarily limited to the type of construction equipment that will be used; maximum length of construction truck idling; the use of electricity rather than gas or diesel for some or all on-site equipment (e.g., landscaping, forklifts, transport refrigeration units); the use of non-diesel

generators or Tier 4 diesel generators; the use of skylights and solar photovoltaic arrays for lighting; provision of passenger vehicle and truck vehicle charging stations substantially in excess of regulatory (CALGreen) requirements; compliance with Title 24 energy efficiency standards; and the implementation of trip reduction (or travel demand) measures. In addition, the Developer has committed to providing a range of construction and operational PDFs that will reduce GHG emissions, air quality emissions, and energy use, all of which reduce the use of nonrenewable resources. For example, 576 passenger electric vehicle (EV) charging stations will be provided in PA1, PA3, and/or in other areas of the City and 25 percent of all trucking parking spaces in PA3(a) would be equipped for EV charging (refer to 2021 SEIR PDF O-7).

The incorporation of the 2021 Project's PDFs, specifically with respect to the introduction of the zero-emissions truck fleets and incorporation of EV charging stations and infrastructure substantially in excess of regulatory obligations, and increases in regulatory efficiency/reduction requirements, would specifically reduce the 2021 Project GHG emissions below 2018 Project levels by 2040, which further demonstrate the 2021 Project's compliance and consistency with applicable GHG reduction plans.

These PDFs and are assumed as part of the 2021 Project and are taken into account in the analyses of potential impacts. Each of these PDFs is described in detail in Section IV.D, *Air Quality* (pp. IV.D-37 through IV.D-42); Section IV.G, *Energy* (pp. IV.G-25 to IV.G-29); and Section IV.H, *Greenhouse Gas Emissions* (pp. IV.H-43 to IV.H-47) of the 2021 SEIR. These PDFs are also identified in 2021 SEIR Table I-4, *District at South Bay 2021 Project: Summary of Impacts, Mitigation Measures, and Significance Conclusions*, as provided in Chapter I, *Summary*, of the 2021 SEIR and will be tracked in the 2021 Project's Mitigation Monitoring and Reporting Program (MMRP).

### e. Substantial Development Agreement Public Benefits Package.

In addition to the public benefits described above, numerous and substantial additional benefits are proposed as part of the Project's negotiated Development Agreement. The following benefits further support approval of the Project notwithstanding the significant and unavoidable impacts identified in the 2021 SEIR:

*Public Art.* The Project shall implement on-site public art features as set forth in the Specific Plan. The Developer shall submit a comprehensive public art plan for the Carson Country Mart to the Director for his or her review and approval prior to issuance of a building permit for the Project.

*Private Security Services.* Developer shall provide private security sufficient to serve the Property (or coordinate with the City to have the Los Angeles County Sheriff's Department provide security services for the Property (and/or for specific events), and in all cases Developer shall coordinate with the Sheriff in security matters with respect to the Project. Developer shall pay for any and all supplemental or overtime services that are requested by Developer or required for the Project.

*Affordable Housing.* The City, by its General Plan and state law, is committed to increasing its supply of affordable housing. Prior to the issuance of a certificate of occupancy for the last light industrial building constructed on the Property, the Developer shall in its sole and

absolute discretion agree to one of the following affordable housing public benefit options: (i) participate in any adopted City-wide affordable housing program, (ii) record a deed restriction committing to construct at least 100 units of Lower Income (at or below 80 percent of the Area Median Income) affordable housing off-site either within the Specific Plan area (e.g., PA1 or PA2) or at another off-site location anywhere else in the City, or (iii) pay an in lieu affordable housing fee of $3.11 per square foot of the Project's light industrial floor area.

*Avalon Wall.* Prior to issuance of the first certificate of occupancy for the first light industrial building proposed as part of the Project, Developer shall pay a fair share contribution to the rehabilitation and beautification of the wall along the east side of Avalon Blvd. from E. University St. to Elsmere Dr., not to exceed 30 percent of the total cost and in no case in excess of $3,000,000. Developer shall also advance $100,000 of the Avalon Wall contribution funds to the City prior to issuance of a building permit for the Project to fund the development of plans and specifications for the Avalon Wall.

*Fair-Share Off-Site Improvement Funding.* Developer shall commit to paying its fair share to support the implementation of certain "Offsite Improvements" which includes infrastructure, utilities and other improvements and upgrades to serve the Project Site.

## I. Mitigation Monitoring and Reporting Program

The Mitigation Monitoring and Reporting Program (MMRP) includes all of the mitigation measures and PDFs identified in the Final SEIR and adopted by the City in connection with the approval of the Project and has been designed to ensure compliance with such measures during implementation of the Project. In accordance with CEQA, the MMRP provides the means to ensure that the mitigation measures are fully enforceable. In accordance with the requirements of Public Resources Code §21081.6, the City hereby adopts the MMRP and finds that the impacts of the Project have been mitigated to the extent feasible by the mitigation measures identified in the MMRP, incorporated by reference and located in the administrative file, and finds that the Project meets the mitigation monitoring program requirement of Public Resources Code Section 21081.6. The City reserves the right to make amendments and/or substitutions of mitigation measures if the City determines that the amended or substituted mitigation measure will mitigate the identified potential environmental impacts to at least the same degree as the original mitigation measure, and where the amendment or substitution would not result in a new significant impact on the environment which cannot be mitigated.

## J. Consideration of Record; Independent Judgment

In approving the Project, the City decision-makers have reviewed and considered the Draft SEIR and appendices, the Final SEIR and appendices, and all other pertinent evidence in the record of proceedings.

The City's consultants prepared the screen check versions of the Draft SEIR, Final SEIR and technical studies. All such materials and all other materials related to the 2021 SEIR were extensively reviewed and, where appropriate, modified by City representatives. As such, the City finds that the Draft SEIR, Final SEIR, technical studies, and all other related materials reflect the independent judgment and analysis of the Lead Agency.

## K. Substantial Evidence

The City finds and declares that substantial evidence for each and every finding made herein is contained in the Draft SEIR, Final SEIR, technical studies, and other CEQA related materials, the administrative record, staff reports, conditions of approval, information provided by the Applicant, each and all of which are incorporated herein by this reference. Moreover, the City finds that where more than one reason exists for any finding, each reason independently supports such finding, and that any reason in support of a given finding individually constitutes a sufficient basis for that finding.

## L. Relationship of Findings to SEIR

These Findings are based on the most current information available. Accordingly, to the extent there are any apparent conflicts or inconsistencies between the Draft SEIR and the Final SEIR, on the one hand, and these Findings, on the other, these Findings shall control and the Draft SEIR and Final SEIR or both, as the case may be, are hereby amended as set forth in these Findings.

## M. Project Conditions of Approval

Each of the PDFs and mitigation measures referenced in these Findings and the MMRP shall be conditions of Project approval to be monitored and enforced by the City and other governmental agencies as set forth in the Mitigation Monitoring and Reporting Program. To the extent feasible, each of the other findings and conditions of approval made by or adopted by the City in connection with the Project are also incorporated herein by this reference.

## N. Custodian of Documents

The custodian of the documents or other material which constitutes the record of proceedings upon which the City's decision is based is the City of Carson, located at 701 East Carson Street, Carson, California 90745.

## O. Recirculation Not Required

CEQA Guideline Section 15088.5 requires the lead agency to recirculate an EIR (or SEIR) when significant new information is added to the EIR/SEIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR/SEIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation include, for example, a disclosure showing that:

1. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
4. The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

However, recirculation is not required where the new information added to an EIR/SEIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR/SEIR.

### *i. The Final EIR and Response to Comments Do Not Require Recirculation of the 2021 SIER Pursuant to CEQA Guideline Section 15088.5*

The 2021 Final SEIR includes certain additions, corrections and changes to the Draft SEIR. The Final SEIR provides additional analysis that was not included in the Draft SEIR. Having reviewed the information contained in the Draft SEIR and the Final SEIR and in the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft SEIRs, the City finds that there is no new significant information in the record of proceedings, in the Final SEIR and finds that neither recirculation of the Draft SEIR, nor preparation of a supplemental or subsequent EIR is required. Specifically, the City finds that:

> The Responses To Comments contained in the Final SEIR fully considered and responded to applicable comments (for which the commentor requested a response) claiming that the Project would have significant impacts or more severe impacts not disclosed in the Draft EIR and include substantial evidence that none of these comments provided substantial evidence that Project would result in changed circumstances, significant new information, considerably different mitigation measures, or new or more severe significant impacts than were discussed in the Draft EIR.
>
> The City has thoroughly reviewed the public comments received regarding the Project and the Final SEIR as it relates to the Project to determine whether under the requirements of CEQA, any of the public comments provide substantial evidence that would require recirculation of the EIR prior to its adoption and has determined that recirculation of the EIR is not required with respect to the Project.

The Responses To Comments contained in the Final SEIR fully considered and responded to applicable comments (for which the commentor requested a response) claiming that the Project would have significant impacts or more severe impacts not disclosed in the Draft EIR and include substantial evidence that none of these comments provided substantial evidence that Project would result in changed circumstances, significant new information, considerably different mitigation measures, or new or more severe significant impacts than were discussed in the Draft EIR.

The City has thoroughly reviewed the public comments received regarding the Project and the Final SEIR as it relates to the Project to determine whether under the requirements of CEQA,

any of the public comments provide substantial evidence that would require recirculation of the Draft SEIR prior to its adoption and has determined that recirculation of the SEIR is not required with respect to the Project.

### *ii. The Condition of Approval Added to Prohibit Truck Traffic Along Avalon Boulevard Does Not Require Recirculation of the 2021 SEIR Pursuant to CEQA Guideline Section 15088.5*

Consistent with the methodology for the 2018 Project, the significance of air quality impacts for the 2021 Project is determined based on comparison to South Coast Air Quality Management District (SCAQMD) thresholds of significance. Similarly, consistent with the methodology for the 2018 Project, the significance of traffic-related noise impacts for the 2021 Project is determined based on the increase in traffic noise levels compared to the without 2021 Project condition. After release of the Draft SEIR and publication of the Final SIER the City Planning Department recommended a condition of approval to the Planning Commission that would prohibit heavy-duty truck trips on S Avalon Blvd. This change would re-route truck trips to Main Street and Del Amo Boulevard, but as discussed in detail below would not result in any new significant impacts or substantially greater impacts for air quality or roadway noise than previously identified in the 2021 Draft SEIR.

#### *a. Avalon Truck Prohibition - Air Quality*

**Facts**

Air quality impacts for the 2021 Project are described in Section IV.D, *Air Quality*, of the 2021 Draft SEIR. As discussed in Subsection IV.D.5.a(3), air quality impacts from localized operational emissions were evaluated based on the SCAQMD's Localized Significance Threshold Methodology. A dispersion modeling analysis was conducted and included vehicle emissions from 2021 Project related traffic in the 2021 Project Site vicinity.

Based on the dispersion modeling analysis in the 2021 Draft SEIR, the maximum localized operational air quality impacts from the 2021 Project would occur near the Project Site boundary, with some of the maxima occurring near the roadway intersections of E. Del Amo Boulevard and S. Main Street (located to the northwest of the Project Site) and S. Avalon Boulevard and the Interstate 405 Freeway (located to the southeast of the Project Site). The maximum impacts at these locations are a result of 2021 Project operational emissions occurring on the Project Site and emissions off the Project Site from the majority of the 2021 Project trucks traveling on these roadways.

Prohibiting heavy-duty truck trips from accessing S. Avalon Boulevard would redirect the 2021 Project's truck traffic in order to access regional freeway network. Trucks that would otherwise access the regional freeway network at the S. Avalon Boulevard and Interstate 405 Freeway ramps would be redirect onto E. Del Amo Boulevard and S. Main Street in order to access the Interstate 110 Freeway ramps, which connects to Interstate 405 in both the northbound and southbound directions.

As shown in the 2021 Draft SEIR, the combined construction and operational health risk assessment for toxic air contaminants (TACs) and the localized significance threshold (LST)

analyses for nitrogen dioxide ($NO_2$), PM10 (24-hour averaging period), and PM2.5 would result in maximum impacts located at a substantial distance away (approximately 400 meters [1,300 feet] or more) from the major intersections around the Project Site, such that redistributing truck trips would have negligible effects for these pollutants as determined by ESA, the City's environmental consultant. Additionally, the analyses for these pollutants resulted in impacts that would be well below their corresponding significance thresholds. Thus, a spatial redistribution of truck trips as a result of prohibiting 2021 Project truck trips during operations on S. Avalon Boulevard would not result in any changes to the significance conclusions presented in the 2021 Draft SEIR for TACs, $NO_2$, PM10 (24-hour averaging period), and PM2.5.

The PM10 (annual averaging period) LST analysis presented in the 2021 Draft SEIR showed impacts that would be relatively close to the thresholds with the maximum impact located near the corner of E. Del Amo Boulevard and S. Main Street. Additional air dispersion modeling using an emissions source distribution accounting for the prohibition of 2021 Project truck trips during operations on S. Avalon Boulevard was performed to determine any potential changes to the air quality impacts disclosed in the 2021 Draft SEIR. (See attached PM10 modeling performed by ESA, the City's environmental consultant). The results of the additional air dispersion modeling analysis demonstrated that operation of the 2021 Project with a prohibition of trucks on S. Avalon Boulevard would result in PM10 annual concentrations that would be below the SCAQMD LST of 1.0 microgram per cubic meter at sensitive receptors as defined by SCAQMD LST Methodology and SCAQMD Risk Assessment Procedures.[2,3]

Construction and operational health risk impacts would also remain less than significant, and less than SCAQMD thresholds, after restricting truck access along Avalon Boulevard.

**Additional Findings**

The 2021 Project operational air quality impacts were reviewed to determine any potential impacts for the redistribution of truck trips around the Project Site as a result of prohibiting 2021 Project trucks on S. Avalon Boulevard. Based on the analysis, recirculation of the 2021 Draft SEIR is not required pursuant to CEQA Guidelines Section 15088.5 as there would be no new significant impacts or substantially greater impacts to air quality compared to those presented in the 2021 Draft SEIR and no additional analysis or mitigation measures are required. The prohibition on truck traffic on Avalon merely clarifies or amplifies and/or makes insignificant modifications in an adequate EIR/SEIR.

### *b. Avalon Truck Prohibition – Roadway Noise*

**Facts**

Noise impacts for the 2021 Project are described in Section IV.E, *Noise*, of the 2021 Draft SEIR. As discussed in Subsection IV.E.5.c(1)(b), traffic-related noise impacts from 2021 Project

[2] SCAQMD. July 2008. *Final Localized Significance Threshold Methodology*. Available at: http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf?sfvrsn=2 Accessed April 2022.
[3] SCAQMD. September 1, 2017. *Risk Assessment Procedures for Rules 1401, 1401.1 and 212 Version 8.1*. Available at: http://www.aqmd.gov/docs/default-source/permitting/rule-1401-risk-assessment/riskassessproc-v8-1.pdf?sfvrsn=12 Accessed April 2022.

operations were evaluated based on the City's thresholds used in the 2006 FEIR and 2018 SEIR, which is an increase in traffic noise by 5 decibels A-weighted (dBA) Community Noise Equivalent Level (CNEL) within the City's Land Use Noise Compatibility Guidelines within the "normally acceptable" or "conditionally acceptable" categories, or by 3 dBA CNEL within the "normally unacceptable" or "clearly unacceptable" categories (see 2018 SEIR Table 45 [DEIR p. 422]).

As shown in the traffic noise modeling analysis in the 2021 Draft SEIR, the maximum incremental increase from the 2021 Project would be 4.5 dBA CNEL along Lenardo Drive between the Interstate 405 Southbound Ramp and Avalon Boulevard primarily due to this segment directly connecting to Interstate 405 and Project trucks using this direct access route. All other studies roadway segments would have an incremental increase of 2.0 dBA CNEL or less. Accordingly, no new significant operational roadway noise impacts would occur as the result of prohibiting truck traffic along Avalon Boulevard.

As shown in the traffic noise modeling analysis in the 2021 Draft SEIR, the maximum incremental increase from the 2021 Project in addition to cumulative projects would increase cumulative roadway-traffic noise in excess of the significance threshold of 3 dBA CNEL along two roadway segments (Main Street between Lenardo Drive and Torrance Boulevard; Del Amo Boulevard between Main Street and Stamps Drive) within the "normally unacceptable" or "clearly unacceptable" category and in excess of the significance threshold of 5 dBA CNEL along one roadway segment (Lenardo Drive between the Interstate 405 Southbound Ramp and Avalon Boulevard) within the "normally acceptable" or "conditionally acceptable" category. The greatest cumulative increase in roadway noise would be 11.1 dBA CNEL along Lenardo Drive between the Interstate 405 Southbound Ramp and Avalon Boulevard.

Prohibiting heavy-duty truck trips from operation of the 2021 Project on S. Avalon Boulevard would redirect the 2021 Project's truck traffic in order to access regional freeway network. Trucks that would otherwise access the regional freeway network at the S. Avalon Boulevard and Interstate 405 Freeway ramps would be redirect onto E. Del Amo Boulevard and S. Main Street in order to access the Interstate 110 Freeway ramps, which connects to Interstate 405 in both the northbound and southbound directions. Additional traffic noise modeling using truck traffic volumes accounting for the prohibition of 2021 Project truck trips during operations on S. Avalon Boulevard was performed to determine any potential changes to the traffic noise impacts disclosed in the 2021 Draft SEIR. (See attached roadway noise modeling performed by ESA, the City's environmental consultant). The results of the additional traffic noise modeling demonstrated that operation of the 2021 Project with a prohibition of trucks on S. Avalon Boulevard would result in traffic noise levels that would be below the City's thresholds of an increase in traffic noise by 5 dBA CNEL within the City's Land Use Noise Compatibility Guidelines within the "normally acceptable" or "conditionally acceptable" categories, or by 3 dBA CNEL within the "normally unacceptable" or "clearly unacceptable" categories.

When considering the 2021 Project in addition to cumulative projects, the cumulative roadway-traffic noise would be in excess of the significance threshold of 3 dBA CNEL along two same roadway segments similar to what is already identified in the 2021 Draft SEIR (Main Street between Lenardo Drive and Torrance Boulevard; Del Amo Boulevard between Main Street and Stamps Drive) within the "normally unacceptable" or "clearly unacceptable" categories and in

excess of the significance threshold of 5 dBA CNEL along one roadway segment (Lenardo Drive between the Interstate 405 Southbound Ramp and Avalon Boulevard) within the “normally acceptable” or “conditionally acceptable” categories.

**Additional Findings**

The 2021 Project operational traffic noise impacts were reviewed to determine any potential impacts for the redistribution of truck trips around the Project Site as a result of prohibiting 2021 Project trucks on S. Avalon Boulevard. Based on the analysis, recirculation of the SEIR is not required pursuant to CEQA Guideline Section 15088.5 as there would be no new significant impacts or substantially greater impacts to noise compared to those presented in the 2021 Draft SEIR and no additional analysis or mitigation measures are required. The prohibition on truck traffic on Avalon merely clarifies or amplifies and/or makes insignificant modifications in an adequate EIR/SEIR.

EXHIBIT “E”

Conditions of Approval for

DOR 1877-2021



**EXHIBIT NO. 8F**

**CITY OF CARSON**

**COMMUNITY DEVELOPMENT**

**PLANNING DIVISION**

**EXHIBIT "E"**

**CONDITIONS OF APPROVAL**

**DISTRICT AT SOUTH BAY SITE PLAN AND DESIGN REVIEW No. DOR 1877-2021**

These "Conditions of Approval" shall govern the development of Planning Areas (PA) 3(a) and 3(b) of the District at South Bay Specific Plan ("Specific Plan"), located at 20400 South Main St. in the City of Carson ("Project Site"). The "Project" consists of light industrial uses within PA3(a), and separate commercial uses, together with privately maintained, publicly accessible open space and community amenity areas known as the Carson Country Mart located on PA3(b). The Project is proposed by the "Applicant" which currently consists of Carson Goose Owner, LLC which term shall include the successors and assigns of the Applicant (aka, the "Developer).

## GENERAL CONDITIONS

1. The Applicant shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the City Council Resolution approving the amendment to the Specific Plan.

2. The adopted Ordinance approving the Specific Plan, including the Conditions of Approval contained herein, and the signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.

3. These Conditions of Approval shall be subject to the terms and conditions of the 2021 Specific Plan, 2022 Final Supplemental Environmental Impact Report (FSEIR), Mitigation Monitoring and Reporting Program (MMRP), Development Agreement (DA). In the event of a conflict between these Conditions of Approval and the Development Agreement the Development Agreement shall control.

4. The Applicant shall submit a complete set of electronic Construction Drawings that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to Building and Safety plan check submittal.

5. The Applicant shall comply with all City, county, state, and federal regulations applicable to the Project, including, without limitation. all DTSC requirements and regulations, including remedial systems, site improvements, Building Protection Systems (BPS) and other associated improvements.

6. The Applicant shall comply with all Mitigation Measures, Project Design Features, and Project Characteristics as described in the 2022 Final Supplemental Environmental Impact Report and MMRP.

7. The Applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission or City Council in order to comply with all the Conditions of Approval and applicable Specific Plan No. SPA 27-2021 provisions.

8. City Approvals. All approvals by City, the Carson Reclamation Authority (CRA), and the Department of Toxic Substance Control (DTSC) with respect to the Project and/or the Conditions of Approval set forth herein, unless otherwise specified, shall be by the department head of the department or agency requiring the applicable condition. All agreements, covenants, easements, deposits and other documents required herein where City is a party shall be in a form approved by the City Attorney. The Applicant shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to the First Amended and Restated Reimbursement Agreement, between the City, the Carson Reclamation Authority, and Faring Capital, LLC, dated December 18, 2020 (as amended or modified from time to time, the "Reimbursement Agreement").

9. Reimbursement Agreement. A trust deposit account shall be established and maintained pursuant to the Reimbursement Agreement.

10. Indemnification. The Applicant, and its tenant(s), for themselves and their successors in interest ("Indemnitors"), agree to defend, indemnify and hold harmless the City of Carson, its agents, officers and employees, and each of them ("Indemnitees") as set forth in the DA from and against any and all claims, liabilities, damages, losses, costs, fees, expenses, penalties, errors, omissions, forfeitures, actions, and proceedings (collectively, "Claims") against Indemnitees with respect to the Project entitlements or approvals that are the subject of these Conditions of Approval, and any Claims against Indemnitees which are in any way related to Indemnitees' review of or decision upon the Project that is the subject of these Conditions of Approval (including, without limitation, any Claims related to any finding, determination, or claim of exemption made by Indemnitees pursuant to the requirements of the California Environmental Quality Act, DTSC, or other local or State Agencies, and any Claims against Indemnitees which are in any way related to any damage or harm to people or property, real or personal, arising from Indemnitors' construction or operations of the Project, including remedial systems, site improvements, Building Protection Systems (BPS) and other associated improvements. or any of the Project entitlements or other approvals that are the subject of Conditions of the Approvals for the Specific Plan, Site Plan and Design Review and Tentative Tract Map. The City will promptly notify Indemnitors of any such claim, action or proceeding against Indemnitees, and, at the option of the City, Indemnitors shall either undertake the defense of the matter or pay Indemnitees associated legal costs or shall advance funds assessed by the City to pay for the defense of the matter by the City Attorney. In the event the City opts for Indemnitors to undertake defense of the matter, the City will cooperate reasonably in the defense, but retains the right to settle or abandon the matter without Indemnitors'

consent. Indemnitors shall provide a deposit to the City in the amount of 100% of the City's estimate, in its sole and absolute discretion, of the cost of litigation / Claims asserted, including the cost of any award of attorneys' fees, and shall make additional deposits as requested by the City to keep the deposit at such level. If Indemnitors fail to provide or maintain the deposit, Indemnitees may abandon the action and Indemnitors shall pay all costs resulting therefrom and Indemnitees shall have no liability to Indemnitors.

**SPECIAL CONDITIONS**

11. Prior to the issuance of a building permit, the Applicant shall pay a fair-share contribution for any off-site improvements identified in the Project's associated Level of Service (LOS) study which identifies the following intersection improvements:

    a. Main Street & I-405 Southbound On-Ramp: Conversion of the eastbound left-turn lane to a through/left-turn lane

    b. Main Street & I-405 Northbound Off-Ramp: Conversion of the westbound through-left turn lane to a westbound through-left-right lane, and conversion of the westbound through-right lane to a westbound right turn only lane

    c. Hamilton Avenue & Del Amo Boulevard: Conversion of the northbound through-right lane to a northbound right-turn only lane

    d. Figueroa Street & Del Amo Boulevard: Addition of a second westbound through lane; Convert southbound right-turn only lane to a southbound through-right lane; Add second eastbound through lane; Add second northbound right-turn only lane

    e. Hamilton Avenue & I-110 Southbound Ramps: Conversion of the eastbound left-right turn lane to an eastbound left lane and the addition of a dedicated eastbound right turn lane and a dedicated southbound right turn only lane

    f. Figueroa Street & I-110 Northbound Ramps: Conversion of the eastbound left-right turn lane to an eastbound left lane and the addition of a dedicated eastbound right turn lane and a dedicated southbound right turn only lane

    g. Avalon Boulevard & Carson Street: Conversion of the northbound and southbound shared through-right lanes to right turn only lanes

    h. The signal on Del Amo and Hamilton shall be modified to include a left turn arrow for the west bound Del Amo to south bound Hamilton (not included in the LOS study).

Any intersection or freeway ramp over which Caltrans has jurisdiction requires coordination and detailed design review with Caltrans to determine the feasibility of the improvement. For any intersections requiring additional Right-of-Way, the Developer shall be responsible for payment of the acquisition (capped at $3,000,000.00 (Three million dollars) in total for all acquisitions), however the City is responsible to secure the

additional Right-of-Way. Subject to reimbursement from other projects that are also required to pay a fair-share contribution to the above intersection improvements including the payment for acquisition of additional right-of-way, the Applicant shall work with City and use its best efforts to ensure that as many as the above referenced intersection improvements are funded and completed prior to issuance of any Certificate of Occupancy for the industrial buildings.

12. The following street segments shall by paved with concrete on all travel lanes prior to issuance of occupancy permits. Pavement improvements shall include the entire noted intersection and exclude any Caltrans Right-of-Way. The street improvement plans shall be submitted to and approved by the City Engineer prior to issuance of any building permits:

    a. All on site roads including Stamps Road and Lenardo Street

    b. Off-site roads including:

        i. Del Amo Boulevard from Main Street to Stamps Road

        ii. Main Street from Del Amo Boulevard to Lenardo Drive

        iii. Main Street north of Del Amo Boulevard measuring approximately 240 feet in length measured from the centerline of Del Amo Boulevard

        iv. Del Amo Boulevard west of Main Street measuring approximately 320 feet in length measured from the centerline of Main Street

        v. Figueroa Street south of Del Amo Boulevard measuring approximately 840 feet in length measured from the centerline of Del Amo Boulevard. Pavement shall include the intersection of Figueroa and the I-110 Freeway ramps outside of the Caltrans Right-of-Way

13. The development of the Project may be phased as described in The District at South Bay Specific Plan FSEIR and or the Development Agreement.

14. The Carson Country Mart (within PA 3(b)) shall be owned and maintained by the Applicant (and/or its successors and assigns) and must remain publicly accessible in perpetuity with a deed restriction recorded to this effect prior to issuance of any building permits. The maintenance shall be held to high standards as determined by the Community Development Director.

15. Prior to issuance of building permits, the Applicant shall provide plans to the Planning Division for approval of Electric Vehicle charging stations and infrastructure as required by the Specific Plan and the MMRP. Prior to issuance of occupancy permits for any building in PA 3(a) or 3(b), the Applicant shall install Electric Vehicle charging stations and infrastructure for that specific PA 3 sub-area, that are consistent with the approved Site Plan, Construction Drawings for said PA and the 2022 SEIR MMRP.

16. The Applicant shall achieve certification or the equivalent of compliance with LEED green building standards of at least silver standard.

17. Prior to issuance of building permits, the Applicant shall provide Construction Drawings to the Planning Division for approval to screen all utility boxes and fire equipment as permitted by the associated agencies with jurisdiction over said utility and/or equipment including but not limited to services related to electricity, water, sewer, cable, gas, telephone, and fire. Prior to issuance of occupancy permits for any building in PA 3(a) or 3(b) the Applicant shall install the screening consistent with the approved Construction Documents for said PA.

18. The Site Plan and Design Review approval shall not be effective until such time as the City Council approves the Specific Plan, and General Plan Amendment, and the Development Agreement and said documents are legally effective.

19. The final Construction Documents shall comply with the provisions and requirements of the Development Agreement and the Specific Plan and final approved Site Plan.

20. The Project shall comply with the Artistic Feature requirements described in the Specific Plan (and otherwise set forth under the Development Agreement). The artistic feature must be constructed prior to certificate of occupancy for first building constructed within the respective parcel.

21. Drive-thru tenants within the Carson Country Mart (PA3(b)) must conform to the conditions and requirements set forth in the Specific Plan.

22. A shared parking covenant between Building F of PA 3(a) and the Carson Country Mart (PA 3(b)) shall be recorded prior to issuance of building permit for any portion of PA3.

23. Architectural design and details shall be in substantial conformance with the approved Site Plan and Design Review documents. Any alteration shall be first approved by the Planning Division consistent with any applicable Specific Plan and/or Development Agreement provisions.

24. Bike parking stalls/racks shall be shown in the Construction Drawings for PA 3(a) and PA 3(b) prior to the issuance of building permits and shall conform to the Specific Plan and Carson Municipal Code requirements.

25. Any roof-mounted equipment shall be screened to the satisfaction of the Planning Division. Rooftop equipment and ground-mounted screening methods shall be identified in Construction Drawings and verified prior to issuance of building permit. In general, all roof mounted equipment shall be screened by the building parapets. Additional screening will be required if determined necessary.

26. Exterior building elevations showing building wall materials, roof types, exterior colors and appropriate vertical dimensions shall be included in the development Construction Drawings and shall be consistent with the approved Site Plan and Design Review documents.

27. Any light industrial buildings in PA 3(a) that are adjacent to and visible from the Carson Country Mart in PA 3(b) shall have enhanced elevations. Design, materials and colors shall be reviewed and approved by the Community Development Director prior to issuance of building permits.

28. Walls up to eight (8) feet in height shall be installed at the southern Property Line of PA 3(b), the Carson Country Mart, where residential uses are directly across the Torrance Lateral.

29. The Applicant and warehouse tenants/owners and/or operators shall ensure that all truck fleets accessing the 2021 Project's light industrial uses shall meet or exceed the 2014 model-year emissions equivalent engine standards as currently defined in California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.5, Section 2025. Light Industrial tenants shall ensure that of all trucks of model year 2021 and newer 75 percent will be zero- or near-zero-emissions vehicles by 2035, and 100 percent zero- or near-zero-emissions vehicles by 2040. Facility operators shall maintain records on site demonstrating compliance with this requirement and shall make records available to inspection by local jurisdiction, air districts, and the State upon request.

30. The Applicant shall send a notice of forthcoming construction activities to owners and tenants within 500 feet of the Project at least seven days prior to commencement of construction.

31. The Applicant shall ensure that the fugitive dust control program is implemented during construction. The program shall be depicted on the construction drawings/grading plans and the contractor shall be responsible for implementation.

32. The Applicant shall submit a report pursuant to the applicable provisions of the California Building Code, prepared by a licensed civil engineer designated by the applicant and approved by the City, which shall provide and include plans for a protective system or systems designated to eliminate or mitigate the potential hazards and environmental risks associated with the proposed use pursuant to Carson Municipal Code 9141.12. Otherwise, the Community Development Director can approve alternative methods to accomplish the same and to protect the health and safety issues associated with the development on a former landfill site and obtaining approval from the permitting agencies including but not limited to DTSC.

    a. The report shall require approval by the Building Official.

    b. All measures to eliminate or mitigate the hazards and environmental risks associated with the site proposed in the report approved by the Building Official shall be incorporated into the project. Such measures shall include monitoring, evaluation and control of methane gas produced by the site as the City shall determine to be necessary to protect the public health, safety or welfare with respect to the production or migration of methane gas.

c. Monitoring and regular inspections and reports by a licensed civil engineer designated by the applicant and monitored, evaluated and approved by the Building Official shall be done and filed with the City from time to time as directed by the Building Official at the applicant's cost.

33. Adequate measures shall be taken to eliminate odors during the grading operations as a result of the site being a former landfill to the satisfaction of the Community Development Director.

34. The applicant shall, at the applicant's own expense, carry public liability insurance during the existence of this permit, with a company and policy to be approved by the City Attorney, covering liability for injuries or death arising out of or in connection with the use of the site pursuant to said permit in an amount not less than $5,000,000. The City shall be named as an additional assured under such insurance policy or alternative insurance coverage as approved by the Community Development Director exceeding this requirement.

35. Hours of operation for the Light industrial areas will be generally permitted 24 hours per day. However, onsite outdoor activities and outdoor operations located in the following areas (the "Outdoor Restricted Areas") shall be restricted to 8:00 a.m. to 10:00 p.m.:

a. Areas in and around the loading docks of Buildings A and F;

b. Parking and access areas between Buildings A and D;

c. Parking and access areas between Building D and Lot 14; and

d. Parking and access areas between Lot 14 and Building F

No outdoor industrial activities or outdoor operations, including truck reverse motion alarm/beeping (other than routine ingress and egress into and around the facility) shall be permitted within the Outdoor Restricted Area between 10:00 p.m. and 8:00 a.m.

36. Hours of operation for the Carson Country Mart uses shall be limited to the hours of 7 a.m. to 11 p.m. daily.

37. The timing of the Carson Country Mart construction shall be consistent with the timing described in Development Agreement No. DA 29-2021.

**SPECIFIC PLAN AMENDMENTS FOR CHANGES TO PA3(A) PARKING:**

38. The following changes to PA3(a) vehicle and truck parking require a Specific Plan Amendment

a. An increase in the total number of vehicular and/or van parking spaces attributable to the warehouse/logistics based light industrial uses proposed throughout all of PA3(a) (i.e., increase in total van/vehicle parking spaces for Buildings A-F) by more than 10 percent. This limitation shall not apply

to an increase in parking stalls for any office or other non-warehouse/logistics uses proposed at PA3(a);

b. An increase in the total number of vehicular and/or van parking spaces attributable to the warehouse/logistics based light industrial uses by more than 10 percent within any individual PA3(a) building or parcel. This limitation shall not apply to an increase in parking stalls for any office or other non-warehouse/logistics uses proposed in any single PA3(a) building or parcel;

c. An increase in the in total number of truck parking stalls by more than 20% for the light industrial uses proposed throughout all of PA3(a) (i.e., total number of truck stalls for Buildings A-F).

d. An increase in the total number of truck parking stalls by more than 20% for any individual light industrial building or parcel located within PA3(a).

39. As part of an application for a Specific Plan Adjustment to change the amount of parking as described above, the applicant must include a site plan showing how the changes relate to the entire PA3(a) master planned area.

**COMPLIANCE WITH CITY HAZARDOUS MATERIALS ORDINANCE**

All future uses for PA3(a) shall comply with the City's Hazardous Materials Ordinance including but not limited to the following:

40. Uses involving CalARP Regulated Substances above threshold quantities shall prohibited.

41. Prior to issuance of building permits for tenant improvements, Applicant and perspective tenant(s) for PA3(a) shall file and receive approval of the City's Hazardous Materials Application which shall be approved by the Community Development Director if the following information is submitted with the application:

a. Types and quantities of CalARP or Regulated Materials used or stored;

b. Report any outstanding violations of State Unified Program regulations and status of efforts to correct same;

c. Agree to allow City inspectors to inspect at least once per year;

d. Payment of application fee to cover costs of administration.

42. Failure to update information or submit to inspections will cause permit to lapse;

43. False/fraudulent applications will be denied, and any permits issued are automatically deemed null and void;

44. If a permit lapses, permittee can apply for reinstatement two more times. Three strikes will result in the permit permanently forfeited.

**Conditions of approval to ensure public use of the Private Drive within PA3(a):**

45. The Applicant shall make the streetscape portion of the Private Drive available for certain limited "Public Use Activities" that include political and social advocacy and public protesting including, but not limited to, events sponsored by organized labor groups (the "Public Use Activity Area").

46. Notwithstanding the permitted Public Use Activities described above, the Applicant may prohibit certain uses of the Private Drive it deems incompatible with the Project, including, without limitation, any of the following:

    a. cooking, dispensing or preparing food;

    b. selling any item or engaging in the solicitation of money or other goods or services;

    c. parking, sleeping or remaining onsite past the hours of operation or overnight;

    d. engaging in any illegal, dangerous or other activity that is inconsistent with the uses of the Project , such as bicycle or skateboard riding or similar activity, being intoxicated, having shopping carts or other wheeled conveyances (except for wheelchairs and baby strollers/carriages); or

    e. blocking or impacting traffic within the Private Drive or preventing access by vehicles or trucks.

47. The Applicant shall retain the right to cause persons engaging in the prohibited conduct described above to be removed from the Public Use Activity Area. Should any such persons refuse to leave the Public Use Activity Area, they shall be deemed to be trespassing and be subject to arrest in accordance with applicable laws.

48. The Applicant shall be entitled to establish and post rules and regulations for use of the Public Use Activity Area. Such rules and regulations must be consistent with these conditions of approval and cannot limit the permitted use of the Public Use Activity Area which includes political and social advocacy and public protesting including, but not limited to, events sponsored by organized labor groups.

49. Nothing in these conditions of approval or in the development plan shall be deemed to mean that the Private Drive or Public Use Activity Area is a public park or is subject to legal requirements applicable to a public park or other public space. The Private Drive and Public Use Activity Area shall remain the private property of the Applicant with members of the public having only a limited license to occupy and use the space for Public Use Activities consistent with these conditions of approval.

**LANDSCAPE / IRRIGATION**

~~37.~~50. Landscaping shall conform to the provisions contained in the Specific Plan.

~~38.~~51. Prior to issuance of any building permit, the Applicant shall provide landscape plans to the Planning Division for approval for all areas, including the Carson Country Mart, the Light Industrial Area, open spaces, Landscape Theme Areas, Project Entries, streetscapes, parking lots and slopes. The Community Development Director may approve a phased landscape plan.

~~39.~~52. Installation, maintenance, and repair of all landscaping shall be the responsibility of the Applicant. All landscaping shall be installed prior to issuance of any occupancy permits. The Community Development Director may approve a phased installation of the landscaping.

~~40.~~53. Landscaping shall be provided with a permanently installed, automatic irrigation system and operated by an electrically-timed controller station set for early morning or late evening irrigation per the Specific Plan.

~~41.~~54. Installation of 6" high concrete curbs are required around all landscaped planter areas, except for areas determined by National Pollutant Discharge Elimination System (NPDES) permit or other applicable condition of approval that requires certain landscaped areas to remain clear of concrete curbs for more efficient storm water runoff flow and percolation as deemed necessary by the City Engineer. Revised landscaping and irrigation plans shall be reviewed and approved by the Planning Division should subsequent modifications be required by other concerned agencies regarding the removal of concrete curbs.

~~42.~~55. The proposed irrigation system shall include best water conservation practices.

~~43.~~56. Backflows shall be screened with min. 5' wide planters and landscape screen material, with plant material per the Specific Plan. Paint device green color similar to Frazee, aeroplate 'Forest Green' or equal. Transformers shall be screened with shrubs and ground covers, with plant material per the Specific Plan.

~~44.~~57. The Project shall comply with AB 325, the State Model Water Efficient Landscape Ordinance. Maximum Applied Water Allowance, MAWA, and Estimated Applied Water Use shall be calculated and submitted on all landscape construction documents.

~~45.~~58. All walls shall include creeping vines shall be installed on the project side of the wall and shall be passed through the walls to the opposite side by drilling holes on wall or by other method as approved by the Planning Division.

~~46.~~59. Show corner sight line distances on the landscape plan per Engineering Department Standard Drawings.

**WALLS/FENCES**

~~47.~~60. Prior to the issuance of a building permit, a Wall and Fence Plan shall be reviewed and approved by the Planning and Building Divisions. The plans shall indicate materials colors and height of proposed and existing walls and fences and shall include a cross section of walls and fences indicating adjacent grades. Walls shall be consistent with the requirements of the Specific Plan.

~~48.~~61. All walls in PAs 3(a) and 3(b) shall conform to those specified in the Specific Plan. The standard height of such walls is eight feet. However, due to the proximity to noise-sensitive uses, the height of certain walls associated with Buildings A, D, and F have been increased as described below:

a. Building A would include a concrete block wall up to 16-foot-high that encloses the northern (with a 10-foot-high truck access gate made of solid material such as steel) and western sides of the loading dock area. In addition, the western wall extends from the beginning of the truck drive aisle at the north to the parking area associated with Building D.

b. Building D would include a concrete block up to 14-foot-high wall enclosing the southeastern side of the loading dock with a 10-foot-high solid truck access gate.

c. Building F would include a concrete block wall up to 16-foot-high enclosing the south and southwestern sides of the loading dock area, a 10-foot-high solid truck access gate, and a 14-foot-high concrete block wall enclosing the northwestern and northern sides of the loading dock area.

d. A concrete block wall up to 16-foot-high extending from the Building F loading dock area wall to the edge of the utility lot would be provided for added noise attenuation.

~~49.~~62. All walls shall include graffiti-resistant coating.

**LIGHTING**

~~50.~~63. All exterior lighting and sign lighting shall be provided in compliance with the standards pursuant to the Specific Plan.

~~51.~~64. Two sets of lighting plans are to be drawn, stamped, and signed by a licensed lighting consultant and submitted and approved by the Planning Division prior to the issuance of any building permits

~~52.~~65. All lighting within the Project shall be directed on-site in such a manner as to not create a nuisance or hazard to adjacent streets and properties, which shall be subject to the approval of the Planning Division.

~~53.~~66. Prior to issuance of any building permits for lighting or sign lighting within PA3(b), a technical lighting study will be required by the Applicant to ensure that proposed lighting within the Carson Country Mart complies with both the

CALGreen requirements and the lighting/illuminance requirements contained in the Specific Plan and the MMRP contained in the FSEIR.

**SIGNAGE**

~~54.~~67. Prior to issuance of a building permit, the Applicant shall submit a Comprehensive Sign Program(s) for PA 3(a) and 3(b) (for each PA separately or together) that is consistent with the approved Specific Plan and Development Agreement and all applicable previously approved sign programs.

~~55.~~68. Prior to issuance of building permits, the Applicant shall provide plans to the Planning Division for approval of entry monument signage consistent with the Comprehensive Sign Program.

~~56.~~69. Prior to issuance of building permits, the Applicant shall provide plans to the Planning Division for approval of Directional/wayfinding signage consistent with the Comprehensive Sign Program.

~~57.~~70. Prior to issuance of any building permits~~.~~, a technical lighting study will be required by the project Applicant for all signs within PA3(b) to ensure that proposed signage lighting within the Carson Country Mart complies with both the CALGreen requirements and the lighting/illuminance requirements contained in the Specific Plan.

~~58.~~71. Show corner sight line distances on a site plan per Engineering Department Standard Drawings. All project freestanding signs shall comply with the sight line distance standards.

~~59.~~72. All signs shall be installed prior of issuance of occupancy permits.

**PARKING**

~~60.~~73. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.

~~61.~~74. All areas used for the movement parking, loading, repair or storage of vehicles shall be paved with either:

e. Concrete or asphaltic concrete to a minimum thickness of three and one-half inches over four inches of crushed aggregate base; or

f. Other surfacing material which, in the opinion of the Director of Public Works, provides equivalent life, service and appearance.

~~62.~~75. Light industrial tenants shall provide preferential parking for employees using vehicles displaying valid “clean air vehicles” decals issued by the California Department of Motor Vehicles. Percentage of parking to be allotted by facility shall be governed by City or CALGreen standards. The Applicant shall provide passenger vehicle charging stations for a minimum of 10 percent of parking

spaces. Compliance shall be in accordance with CALGreen Code applicable at the time building permits are issued.

**TRASH**

~~63.~~76. Trash collection shall comply with the requirements of the City's trash hauler.

**BUILDING AND SAFETY DIVISION**

~~64.~~77. Submit development plans for plan check review and approval prior to issuance of permits.

~~65.~~78. Obtain all appropriate permits and an approved final inspection for the proposed Project.

**ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON**

81. Any existing off-site improvements damaged during the construction shall be removed and reconstructed per City of Carson PW Standard Drawings and to the satisfaction of the City Engineer.

82. A construction permit is required for any work to be done in the public right-of-way.

83. The Applicant shall comply with street improvements and all other requirements included in the Development Agreement.

84. Truck Traffic Restrictions:

a) Truck access to and from Avalon Boulevard shall be prohibited. Appropriate signage shall be included in the Street Improvement Plans or other appropriate plans to prohibit any truck access to and from Avalon Boulevard (i.e., prohibition on trucks either entering or exiting the project site from Avalon Boulevard).

b) Trucks shall be prohibited from making right turns from the access driveways for the industrial buildings into Lenardo Drive with the exception of the driveway for building A. Appropriate signage shall be included in the Street Improvement Plans or other appropriate plans to prohibit trucks from making right turns from the access driveways for the industrial buildings into Lenardo Drive with the exception of the driveway for building A.

c) Trucks shall be prohibited from making right turns from Stamps to Del Amo Boulevard. Trucks shall also be prohibited from entering the site from west bound Del Amo Boulevard. Appropriate signage shall be included in the Street Improvement Plans or other appropriate plans to prohibit trucks from making right turn from Stamps to Del Amo Boulevard and from entering the site from west bound Del Amo Boulevard.

d) Trucks shall be prohibited from queuing on any public roads. Appropriate signage shall be included in the Street Improvement Plans (or other appropriate plans) intended to prohibit trucks from queuing on any public roads.

e) The aforementioned restrictions shall be added to the MMRP as Project Design Features including a requirement that all tenant leases include information about such restrictions.

85. The Applicant shall comply with all conditions and requirements imposed in connection with recordation of the Final Tract Map by the County of Los Angeles Department of Public Works, as approved by the City Engineer.

*Prior to Issuance of Building Permit*

86. Public Street Improvements Plans along Lenardo Drive and Stamps Drive shall (be):

a) include parkways, sidewalks, wheelchair ramps, bike lanes, landscaped medians, streetlights, etc.

b) per The District at South Bay Specific Plan.

c) per the City of Carson PW Standard Drawings.

d) submitted to and reviewed by County of Los Angeles, Department of Public Works for approval recommendations to the City Engineer.

87. Include the connection of Lenardo Drive to the existing I-405 Freeway Interchange in the Improvement Plans. Improvement Plans shall be approved by California Department of Transportation (Caltrans), if deemed necessary by the City Engineer. Prior to issuance of any building permits the developer shall prepare all necessary plans and obtain approval from the City engineer to ensure the signal at Lenardo/I-405 offramp is fully operational to accommodate the movements required by this project.

*Prior to Certificate of Occupancy*

88. The developer shall ensure the signal at the intersection of Lenardo Drive and the southbound I-405 offramp is operational, at the developer's expense, to the satisfaction of the City Engineer.

89. The Applicant shall comply with all requirements from L.A. County Sewer Maintenance Division for Maintenance of new and/or existing sewer main, relating to this development, prior to release of all improvement bonds.

90. The Applicant shall execute and provide to the City Engineer, a written statement from the water purveyor (Calwater) indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for

the development and that water service will be provided to each building. Comply with mitigation measures recommended by the water purveyor.

91. The Applicant shall construct and guarantee the construction of all required drainage infrastructures in accordance with the requirements and recommendations of the hydrology study, subject to the approval of the City Engineer.

92. If needed, easements shall be granted to the City, appropriate agency, or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed and handicap access for this development to the satisfaction of the City Engineer and or appropriate agency or entity.

93. All infrastructure necessary to serve the PA3 Project (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of Certificate of Occupancy of any building in PA3.

**PUBLIC WORKS – WATER QUALITY**

*Prior to Issuance of Building Permit*

94. Per City of Carson ordinance 5809 and SUSMP 2009, the Applicant shall comply with all applicable Low Impact Development ("LID") requirements and shall include Best Management Practices ("BMP") necessary to control storm water pollution from construction activities and facility operations to the satisfaction of the City Engineer.

95. Applicant shall complete and provide a BMP Reporting Template to City of Carson, Engineering Services Department.

96. Applicant shall provide contact information of the Qualified Storm Water Developer ("QSD") and/or Qualified SWPPP (Storm Water Pollution Prevention Plan) Developer ("QSP") for the Project Site.

97. Applicant shall submit digital copies of 2009 SUSMP/LID/NPDES/Grading Plans concurrently to City of Carson, Engineering Services Department and Los Angeles County Building & Safety Division.

98. Applicant shall complete, sign and return the Stormwater Planning Program LID Plan Checklist form and return to City of Carson Engineering Services Division.

*Prior to Certificate of Occupancy*

99. For any structural and/or treatment water quality control device installed, the Applicant, shall record a maintenance covenant pursuant to Section 106.4.3 of the County of Los Angeles Building Code and title 12, Chapter 12.80 of the Los Angeles County Code relating to the control of pollutants carried by storm water runoff. In addition, an exhibit shall be attached to such covenant to identify the location and maintenance information for any structural and/or treatment control device installed.

a) The Maintenance Covenant shall be reviewed and approved by the City Engineer prior to recordation with the Los Angeles County Registrar-Recorder/County Clerk.

b) RECORDATION of the Maintenance Covenant is the responsibility of the Applicant. Provide a copy of the recorded Covenant Agreement to City Engineer prior to certificate of occupancy for any building.

100. Inspection will be conducted once a year after any portions of the Project are constructed.

**FIRE DEPARTMENT**

101. The proposed development for the Project shall obtain approval and comply with all Los Angeles County Fire Department requirements.

~~**DEVELOPMENT IMPACT FEE - CITY OF CARSON**~~

~~102. Interim Development Impact Fee: In accordance with Article XI (Interim Development Impact Fee Program) of the Carson Municipal Code and the current Fiscal Year 2021-2022 fees (effective July 1, 2021 through June 30, 2022) the applicant, property owner, and/or successor to whom these project entitlements are assigned ("Developer") shall be responsible for payment of a one-time development impact fee at the rate of $2.63 per square foot of industrial building constructed and $4.71 per square foot of commercial building constructed. The proposed development includes development impact fees estimated at $6,402,910.41 [1,567,090 square feet (Proposed Industrial area) X $2.63 per square foot = $4,121,446.70 and 33,800 square feet (Proposed Commercial area) x $4.71 = $159,198.00. $4,121,466.70 + $159,198.00 = $4,280,644.70. If the Project increases or decreases in size, the development impact fee amount will be adjusted accordingly at the same rate.~~

~~Final development impact fee amounts are calculated and due prior to issuance of a building permit in one lump sum installment. Fees are subject to adjustments every July 1 based on State of California Construction Cost Index (Prior March to Current March Adjustment). No building permits shall be issued prior to the full payment of the required amount.~~

**CITYWIDE COMMUNITY FACILITIES DISTRICT**

102. The proposed development is required to mitigate its impacts on City services. The City adopted Community Facilities District (CFD No. 2018-01) to fund the ongoing costs of City services permitted by the CFD, including the maintenance of parks, roadways, and sidewalks and other eligible impacts of the Project within the CFD (the CFD Services). The City has used this mechanism for projects wanting to join the CFD as a means to satisfy the condition to mitigate impacts on services.

In 2019, the City undertook a Fiscal Impact Analysis by NBS, dated ("FIA"). City Staff have been using this analysis generally to determine the impacts in CFD No. 2018-

01. Based on the FIA, the impacts of this project fits into the “Industrial Zone 1” category. Based on a 73.53-acre development, the current estimated annual amount for ongoing services is $2,995.17 per acre per year or $220,234.85 annually subject to annual adjustments. Prior to recordation of final tract map or permit issuance, whichever comes first, Developer shall annex into the CFD.

EXHIBIT “F”

Conditions of Approval for VTTM 83481



**EXHIBIT NO. 8F**

**CITY OF CARSON**

**COMMUNITY DEVELOPMENT**

**PLANNING DIVISION**

**EXHIBIT "F"**

**CONDITIONS OF APPROVAL**

**DISTRICT AT SOUTH BAY VESTING TENTATIVE TRACT MAP 83481**

These "Conditions of Approval" shall govern the development of Planning Areas (PA) 3(a) and 3(b) of the District at South Bay Specific Plan ("Specific Plan"), located at 20400 South Main St. in the City of Carson ("Project Site"). The "Project" consists of light industrial uses within PA3(a), and separate commercial uses, together with privately maintained, publicly accessible open space and community amenity areas known as the Carson Country Mart located on PA3(b). The Project is proposed by the "Applicant" which currently consists of Carson Goose Owner, LLC which term shall include the successors and assigns of the Applicant (aka, the "Developer").

## GENERAL CONDITIONS

1. The Applicant shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the City Council Resolution approving the amendment to the Specific Plan.

2. The adopted Ordinance approving the Specific Plan, including the Conditions of Approval contained herein, and the signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.

3. These Conditions of Approval shall be subject to the terms and conditions of the Specific Plan, 2022 Final Supplemental Environmental Impact Report (FSEIR), Mitigation Monitoring and Reporting Program (MMRP), Development Agreement (DA). In the event of a conflict between these Conditions of Approval and the Development Agreement the Development Agreement shall control.

4. The Applicant shall submit a complete set of electronic Construction Drawings that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to Building and Safety plan check submittal.

5. The Applicant shall comply with all City, county, state, and federal regulations applicable to the Project, including, without limitation. all DTSC requirements and regulations, including remedial systems, site improvements, Building Protection Systems (BPS) and other associated improvements.

6. The Applicant shall comply with all Mitigation Measures, Project Design Features, and Project Characteristics as described in the 2022 Final Supplemental Environmental Impact Report and MMRP.

7. The Applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission or City Council in order to comply with all the Conditions of Approval and applicable Specific Plan No. SPA 27-2021 provisions.

8. City Approvals. All approvals by City, the Carson Reclamation Authority (CRA), and the Department of Toxic Substance Control (DTSC) with respect to the Project and/or the Conditions of Approval set forth herein, unless otherwise specified, shall be by the department head of the department or agency requiring the applicable condition. All agreements, covenants, easements, deposits and other documents required herein where City is a party shall be in a form approved by the City Attorney. The Applicant shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to the First Amended and Restated Reimbursement Agreement, between the City, the Carson Reclamation Authority, and Faring Capital, LLC, dated December 18, 2020 (as amended or modified from time to time, the "Reimbursement Agreement").

9. Reimbursement Agreement. A trust deposit account shall be established and maintained pursuant to the Reimbursement Agreement.

**~~DEVELOPMENT IMPACT FEE - CITY OF CARSON~~**

~~10. Interim Development Impact Fee: In accordance with Article XI (Interim Development Impact Fee Program) of the Carson Municipal Code and the current Fiscal Year 2021-2022 fees (effective July 1, 2021 through June 30, 2022) the applicant, property owner, and/or successor to whom these project entitlements are assigned ("Developer") shall be responsible for payment of a one-time development impact fee at the rate of $2.63 per square foot of industrial building constructed and $4.71 per square foot of commercial building constructed. The proposed development includes development impact fees estimated at $6,402,910.41 [1,567,090 square feet (Proposed Industrial area) X $2.63 per square foot = $4,121,446.70 and 33,800 square feet (Proposed Commercial area) x $4.71 = $159,198.00. $4,121,466.70 + $159,198.00 = $4,280,644.70. If the Project increases or decreases in size, the development impact fee amount will be adjusted accordingly at the same rate.~~

~~Final development impact fee amounts are calculated and due prior to issuance of a building permit in one lump sum installment. Fees are subject to adjustments every July 1 based on State of California Construction Cost Index (Prior March to Current March Adjustment). No building permits shall be issued prior to the full payment of the required amount. No building permits shall be issued prior to the full payment of the required amount.~~

**CITYWIDE COMMUNITY FACILITIES DISTRICT**

~~11.~~10. The proposed development is required to mitigate its impacts on City services. The City adopted Community Facilities District (CFD No. 2018-01) to fund the ongoing costs of City services permitted by the CFD, including the maintenance of parks, roadways, and sidewalks and other eligible impacts of the Project within the CFD (the CFD Services). The City has used this mechanism for projects wanting to join the CFD as a means to satisfy the condition to mitigate impacts on services.

In 2019, the City undertook a Fiscal Impact Analysis by NBS, dated ("FIA"). City Staff have been using this analysis generally to determine the impacts in CFD No. 2018-01. Based on the FIA, the impacts of this project fits into the "Industrial Zone 1" category. Based on a 73.53 acre development, the current estimated annual amount for ongoing services is $2,995.17 per acre per year or $220,234.85 annually subject to annual adjustments. Prior to recordation of final tract map or permit issuance, whichever comes first, Developer shall annex into the CFD.

The proposed development is required to mitigate its impacts on City services. The City adopted Community Facilities District (CFD No. 2018-01) to fund the ongoing costs of City services permitted by the CFD, including the maintenance of parks, roadways, and sidewalks and other eligible impacts of the Project within the CFD (the CFD Services). The City has used this mechanism for projects wanting to join the CFD as a means to satisfy the condition to mitigate impacts on services.

~~12.~~11. Indemnification. The Applicant, and its tenant(s), for themselves and their successors in interest ("Indemnitors"), agree to defend, indemnify and hold harmless the City of Carson, its agents, officers and employees, and each of them ("Indemnitees") as set forth in the DA from and against any and all claims, liabilities, damages, losses, costs, fees, expenses, penalties, errors, omissions, forfeitures, actions, and proceedings (collectively, "Claims") against Indemnitees with respect to the Project entitlements or approvals that are the subject of these Conditions of Approval, and any Claims against Indemnitees which are in any way related to Indemnitees' review of or decision upon the Project that is the subject of these Conditions of Approval (including, without limitation, any Claims related to any finding, determination, or claim of exemption made by Indemnitees pursuant to the requirements of the California Environmental Quality Act, DTSC, or other local or State Agencies, and any Claims against Indemnitees which are in any way related to any damage or harm to people or property, real or personal, arising from Indemnitors' construction or operations of the Project, including remedial systems, site improvements, Building Protection Systems (BPS) and other associated improvements. or any of the Project entitlements or other approvals that are the subject of Conditions of the Approvals for the Specific Plan, Site Plan and Design Review and Tentative Tract Map. The City will promptly notify Indemnitors of any such claim, action or proceeding against Indemnitees, and, at the option of the City, Indemnitors shall either undertake the defense of the matter or pay Indemnitees associated legal costs or shall advance funds assessed by the City to pay for the defense of the matter by the City Attorney. In the event the City opts for Indemnitors to undertake defense of the matter, the City will cooperate reasonably in

the defense, but retains the right to settle or abandon the matter without Indemnitors' consent. Indemnitors shall provide a deposit to the City in the amount of 100% of the City's estimate, in its sole and absolute discretion, of the cost of litigation / Claims asserted, including the cost of any award of attorneys' fees, and shall make additional deposits as requested by the City to keep the deposit at such level. If Indemnitors fail to provide or maintain the deposit, Indemnitees may abandon the action and Indemnitors shall pay all costs resulting therefrom and Indemnitees shall have no liability to Indemnitors.

**SPECIAL CONDITIONS**

~~13.~~12. The development of the Project may be phased as described in Specific Plan FSEIR and or the Development Agreement.

~~14.~~13. The Vesting Tentative Tract Map approval shall not be effective until such time the City Council approves the Specific Plan, General Plan Amendment, and the Development Agreement and said documents are legally effective.

~~15.~~14. The final Construction Documents shall comply with the provisions and requirements of the Development Agreement and the Specific Plan and final approved Site Plan.

~~16.~~15. A shared parking covenant between Building F of PA 3(a) and the Carson Country Mart (PA 3(b)) shall be recorded prior to issuance of building permit for any portion of PA3.

~~17.~~16. Developer shall achieve certification or the equivalent of compliance with LEED green building standards of at least silver standard.

~~18.~~17. The applicant shall ensure that the fugitive dust control program is implemented during construction. The program shall be depicted on the construction drawings/grading plans and the contractor shall be responsible for implementation.

~~19.~~18. The Applicant shall submit a report pursuant to the applicable provisions of the California Building Code, prepared by a licensed civil engineer designated by the applicant and approved by the City, which shall provide and include plans for a protective system or systems designated to eliminate or mitigate the potential hazards and environmental risks associated with the proposed use pursuant to Carson Municipal Code 9141.12. Otherwise, the Community Development Director can approve alternative methods to accomplish the same and to protect the health and safety issues associated with the development on a former landfill site and obtaining approval from the permitting agencies including but not limited to DTSC.

a. The report shall require approval by the Building Official.

b. All measures to eliminate or mitigate the hazards and environmental risks associated with the site proposed in the report approved by the Building Official shall be incorporated into the project. Such measures shall include monitoring, evaluation and control of methane gas produced by the site as

the City shall determine to be necessary to protect the public health, safety or welfare with respect to the production or migration of methane gas.

c. Monitoring and regular inspections and reports by a licensed civil engineer designated by the applicant and monitored, evaluated and approved by the Building Official shall be done and filed with the City from time to time as directed by the Building Official at the applicant's cost.

~~20.~~19. Adequate measures shall be taken to eliminate odors during the grading operations as a result of the site being a former landfill to the satisfaction of the Community Development Director.

~~21.~~20. The applicant shall, at the applicant's own expense, carry public liability insurance during the existence of this permit, with a company and policy to be approved by the City Attorney, covering liability for injuries or death arising out of or in connection with the use of the site pursuant to said permit in an amount not less than $5,000,000. The City shall be named as an additional assured under such insurance policy or alternative insurance coverage as approved by the Community Development Director exceeding this requirement.

**BUILDING AND SAFETY DIVISION**

~~22.~~21. Submit development plans for plan check review and approval prior to issuance of permits.

~~23.~~22. Obtain all appropriate permits and an approved final inspection for the proposed Project.

**ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON**

~~24.~~23. Any existing off-site improvements damaged during the construction shall be removed and reconstructed per City of Carson PW Standard Drawings and to the satisfaction of the City Engineer.

26. A construction permit is required for any work to be done in the public right-of-way.

27. Truck Traffic Restrictions:

a) Appropriate signage shall be included in the Street Improvement Plans or other appropriate plans to prohibit any truck access to and from Avalon Boulevard (i.e., prohibition on trucks either entering or exiting the project site from Avalon Boulevard).

b) Appropriate signage shall be included in the Street Improvement Plans or other appropriate plans to prohibit trucks from making right turn from the access driveways for the industrial buildings into Lenardo Drive with the exception of the driveway for Building A.

c) Appropriate signage shall be included in the Street Improvement Plans or other appropriate plans to prohibit trucks from making right turn from Stamps to Del Amo Boulevard. Trucks shall also be prohibited from entering the site from west bound Del Amo Boulevard.

d) Appropriate signage shall be included in the Street Improvement Plans (or other appropriate plans) intended to prohibit trucks from queuing on any public roads.

e) The aforementioned restrictions shall be added to the MMRP as Project Design Features including a requirement that all tenant leases include information about such restrictions.

28. The Applicant shall comply with all conditions and requirements recommended or imposed by the County of Los Angeles (Dept. of Public Works) in connection with Vesting Tentative Tract Map and / or the recordation of the Final Tract Map as approved by the City Engineer.

29. The Developer shall submit a copy of approved Grading plans on bond paper to the City of Carson – Engineering Division, prior to issuance of grading permits.

30. The Developer shall submit an electronic copy of approved plans (such as, Sewer, Street and/or Storm Drain Improvements, whichever applies), to the City of Carson – Engineering Division, prior to issuance of permit by Engineering Division.

31. Any existing off-site improvements damaged during the construction shall be removed and reconstructed per City of Carson PW Standard Drawings and to the satisfaction of the City Engineer.

32. A construction permit is required for any work to be done in the public right-of-way.

33. Construction bond for all work to be done within the public right-of-way shall be submitted to and approved by Engineering Division prior to issuance of permit by Engineering Division.

34. Proof of Worker's Compensation and Liability Insurance shall be submitted to the City prior to issuance of permit by Engineering Division.

35. Construction bond for all work to be done within the public right of way shall be submitted and approved by Engineering Division prior to approval of the Final Map.

36. Final Map prepared by, or under the direction of, a pre-1982 Registered Civil Engineer or Licensed Land Surveyor must be processed through the City Engineer prior to being filed with the County Recorder.

37. CC&R's (covenants, conditions, and restrictions) to address drainage responsibilities are required.

38. Private easements will not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication until after the Final Map is filed with the County Recorder. If easements are granted after the date of tentative map approval, a subordination must be executed by the easement holder prior to the filing of the Final Map.

39. Prior to tentative map approval, quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.

40. Provide suitable turnaround and label the driveways “Private Driveway and Fire Lane” on the Final Map to the satisfaction of the Fire Department.

41. Prior to tentative map approval, a soils report, sewer area study, drainage concept, hydrology study and stormwater quality plan shall be reviewed and approved. Tentative map approval will not be granted until the required soils, sewer, drainage concept, hydrology study and stormwater information have been received and found satisfactory.

42. Comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept, hydrology study and stormwater quality plan.

43. Prior to tentative map approval, the Developer shall submit a sewer area study to the Los Angeles County Department of Public Works (LACDPW) to determine if capacity is adequate in the sewerage system to be used as the outlet for the sewer of this development. If the system is found to have insufficient capacity, the problem must be addressed and resolved to the satisfaction of the L.A. County Sewer Department.

44. The Developer shall install separate sewer laterals to individually serve each building in the development. Installation and dedication of main line sewers may be necessary to meet this requirement.

45. The Developer shall submit drainage/grading plans, prepared by a registered Civil Engineer, to the Los Angeles County Department of Public Works (LACDPW) and obtain approvals to the satisfaction of the LACDPW.

46. The Developer shall comply with applicable LID requirements (Carson Municipal Code Section 5809) and shall include Best Management Practices necessary to control storm water pollution from construction activities and facility operations to the satisfaction of Building and Safety or as otherwise approved by the City Engineer.

47. A water system maintained by the water purveyor, with appurtenant facilities to serve all buildings in the development, must be provided. The system shall include fire hydrants of the type and location as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.

48. The Developer shall send a print of the development map to the County Sanitation District, to request for annexation. The request for annexation must be approved prior to Final Map approval.

49. A final guarantee will be required at the time of the filing of the Final Map with the County Recorder/County Clerk's Office.

*Prior to Issuance of Building Permit*

50. Public Street Improvements Plans along Lenardo Drive and Stamps Drive shall (be):

    a) include parkways, sidewalks, wheelchair ramps, bike lanes, landscaped medians, streetlights, etc.

    b) per The District at South Bay Specific Plan.

    c) per the City of Carson PW Standard Drawings.

    d) submitted to and reviewed by County of Los Angeles, Department of Public Works for approval recommendations to the City Engineer.

51. Include the connection of Lenardo Drive to the existing I-405 Freeway Interchange in the Improvement Plans. Improvement Plans shall be approved by California Department of Transportation (Caltrans), if deemed necessary by the City Engineer. Prior to issuance of any building permits the developer shall prepare all necessary plans and obtain approval from the City engineer to ensure the signal at Lenardo/I-405 offramp is fully operational to accommodate the movements required by this project.

52. Final Map shall be approved and recorded.

53. Drainage/Grading plan shall be submitted for approval of the Building and Safety Division. The Developer shall submit a copy of approved Drainage/Grading plans on bond paper to the City of Carson – Engineering Division.

54. The Developer shall submit improvement plans to the Engineering Division showing all the required improvements in the public right of way for review and approval of the City Engineer. A copy of approved conditions of approval shall be attached to the plans when submitted.

55. Off-site improvements (e.g., driveways, sidewalk, parkway drains, trees, curb/gutter, etc.) shown on the grading plans must provide a concurrent submittal to City of Carson Engineering Division. Off-site improvements may be shown on a separate set of street improvement plans. Prior to issuance of Grading permit, developer shall obtain clearance from City of Carson Engineering Division.

56. Per CMC §9161.4, the Developer shall provide an in-lieu fee in an amount determined by the City Engineer, per CMC §9161.7, to be sufficient to cover the costs of undergrounding all existing overhead utility lines, including telecommunication lines, 12 Kilovolts. The cash in- lieu payment shall be deposited in full amount before issuance of Building Permits. At the discretion of the City Engineer, the City may

accept an undergrounding cost estimate prepared by Southern California Edison in-lieu of the City's estimate

*Prior to Certificate of Occupancy*

57. The developer shall ensure the signal at the intersection of Lenardo Drive and the southbound I-405 offramp is operational, at the developer's expense, to the satisfaction of the City Engineer

58. The Applicant shall comply with all requirements from L.A. County Sewer Maintenance Division for Maintenance of new and/or existing sewer main, relating to this development, prior to release of all improvement bonds.

59. The Applicant shall execute and provide to the City Engineer, a written statement from the water purveyor (Calwater) indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for the development and that water service will be provided to each building. Comply with mitigation measures recommended by the water purveyor.

60. The Applicant shall construct and guarantee the construction of all required drainage infrastructures in accordance with the requirements and recommendations of the hydrology study, subject to the approval of the City Engineer.

61. If needed, easements shall be granted to the City, appropriate agency, or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed and handicap access for this development to the satisfaction of the City Engineer and or appropriate agency or entity.

62. All infrastructure necessary to serve the PA 3 Project (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of Certificate of Occupancy of any building in PA 3.

63. The Developer shall comply with all requirements from L.A. County Sewer Maintenance Division for maintenance of new and/or existing sewer main, relating to this development, prior to release of all improvement bonds.

64. The Developer shall execute and provide to the City Engineer, a written statement from the water purveyor indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for the development and that water service will be provided to each building.

65. Comply with mitigation measures recommended by the water purveyor.

66. The Developer shall construct and guarantee the construction of all required drainage infrastructures in accordance with the requirements and recommendations of the hydrology study, subject to the approval of the City Engineer.

67. All new utility lines, servicing the proposed development shall be underground to the satisfaction of the City Engineer.

68. Comply with any additional requirements, if any, as means of mitigating any traffic impacts as identified in the traffic study approved by the City Traffic Engineer.

69. Install striping and pavement legend per City of Carson PW Standard Drawings.

70. If needed, grant an easement(s) to the City or other appropriate agency or entity to the extent necessary for the construction and maintenance of all infrastructures required pursuant to the project approval and these conditions, and to facilitate ADA-compliant pedestrian and vehicular ingress and egress across driveways or other access points connecting the proposed development to the public right-of-way, or otherwise along the public right-of-way on or adjacent to the proposed development, to the satisfaction of the City Engineer and or appropriate agency or entity.

71. All infrastructures necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of Certificate of Occupancy.

72. The Developer shall annex the area to the L.A. County Lighting Maintenance District, for the purpose of operating and maintaining the streetlights to be installed. The annexation shall be to the satisfaction of L.A. County and shall be completed prior to the issuance of Certificate of Occupancy. Additional streetlight installation or upgrade to existing streetlights may be required as part of the annexation.

73. Relocate existing conflicting street light pole to the satisfaction of L.A. County Traffic and Lighting Division, the City of the City Engineer and/or appropriate agency or entity.

**PUBLIC WORKS – WATER QUALITY**

*Prior to Issuance of Building Permit*

74. Per City of Carson ordinance 5809 and SUSMP 2009, the Applicant shall comply with all applicable Low Impact Development (“LID”) requirements and shall include Best Management Practices (“BMP”) necessary to control storm water pollution from construction activities and facility operations to the satisfaction of the City Engineer.

75. Applicant shall complete and provide a BMP Reporting Template to City of Carson, Engineering Services Department.

76. Applicant shall provide contact information of the Qualified Storm Water Developer (“QSD”) and/or Qualified SWPPP (Storm Water Pollution Prevention Plan) Developer (“QSP”) for the Project Site.

77. Applicant shall submit digital copies of 2009 SUSMP/LID/NPDES/Grading Plans concurrently to City of Carson, Engineering Services Department and Los Angeles County Building & Safety Division.

78. Applicant shall complete, sign and return the Stormwater Planning Program LID Plan Checklist form and return to City of Carson Engineering Services Division.

*Prior to Certificate of Occupancy*

79. For any structural and/or treatment water quality control device installed, the Applicant, shall record a maintenance covenant pursuant to Section 106.4.3 of the County of Los Angeles Building Code and title 12, Chapter 12.80 of the Los Angeles County Code relating to the control of pollutants carried by storm water runoff. In addition, an exhibit shall be attached to such covenant to identify the location and maintenance information for any structural and/or treatment control device installed.

    a) The Maintenance Covenant shall be reviewed and approved by the City Engineer prior to recordation with the Los Angeles County Registrar-Recorder/County Clerk.

    b) RECORDATION of the Maintenance Covenant is the responsibility of the Applicant. Provide a copy of the recorded Covenant Agreement to City Engineer prior to certificate of occupancy for any building.

80. Inspection will be conducted once a year after any portions of the Project are constructed.

**FIRE DEPARTMENT**

81. The proposed development for the Project shall obtain approval and comply with all Los Angeles County Fire Department requirements.

Final Map

82. Submit the Final Map for review and approval prior to recordation. Submittals are to be made at epicla.lacounty.gov.

83. Label the driveway “Private Driveway and Fire Lane” on the Final Map and clearly depict the required Fire Department width as approved at the tentative map review.

84. Prior to building permit issuance, verification for compliance will be performed during the fire prevention engineering plan check unit architectural plan review.

**LOS ANGELES COUNTY DEPARTMENT PUBLIC WORKS**

Drainage

85. Comply with the hydrology study, which was recommended for approval on April 13, 2022, or the latest revision, to the satisfaction of Public Works

86. Comply with the City's water quality requirements

Geology and Soils

87. The final map must be approved by the Geotechnical and Materials Engineering Division (GMED) to assure that all geotechnical requirements have been properly depicted. For Final Map clearance guidelines refer to policy memo GS051.0 in the County of Los Angeles

Grading

88. Submit a grading plan for approval. Also, acknowledgment and/or approval from all easement holders may be required.

89. Prior to approval of the grading plan, provide approval of the latest hydrology study by the City.

90. Prior to approval of the grading plan, the subject grading plan must also be approved by Public Works, Geotechnical and Materials Engineering Division (GMED) or the City's Geotechnical Engineer.

91. Prior to approval of the grading plan, provide approval of any permits and/or letter of non-jurisdiction from all State and Federal Agencies as applicable. These agencies may include; the State of California Regional Water Quality Control Board, the State of California Department of Fish and Wildlife, the State of California Department of Conservation, the California Geologic Energy Management, and the Army Corps of Engineers.

Street

92. Construct driveway improvements (sidewalk, driveway, landings, etc.) that either serve or form part of a pedestrian access route and conform with current Americans with Disabilities Act guidelines.

93. Provide an irrevocable reciprocal easement through a separate recorded document for ingress/egress over any proposed common (shared) driveway to the satisfaction of the City Engineer.

94. Underground all new utility lines to the satisfaction of Public Works and Southern California Edison. Please contact Public Works, Construction Division, at (626) 458-3129 for new location of any above ground utility structure in the parkway.

95. Prior to final map approval, enter into an agreement with the City-franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench or provide documentation that steps to provide cable TV to the proposed subdivision have been initiated.

96. Comply with the street lighting conditions from Public Works, Traffic Safety and Mobility Division, and/or any City street lighting requirements.

97. Comply with the City's road conditions.

Sewer

98. The approved sewer area study for this proposed land division remains valid for two years from the date of approval. After this period, the applicant shall request the City to re-validate the existing approved sewer area study. Any modifications to the approved tentative map may invalidate this sewer area study. If warranted by Public Works or the City, an approved update of the area study shall be required.

Water

99. The Developer shall comply with the requirements as stipulated in the Will Serve letter from California Water Service.

Subdivision

100. Place a note on the final map, to the satisfaction of the City, indicating that this map is approved for add uses.

101. If determined necessary by the Fire Department, label driveways, multiple access strips, and any required vehicular turnarounds as "private driveways and fire lanes" and delineate them on the final map to the satisfaction of the Fire Department and the City.

102. If required by the City, reserve reciprocal easements for drainage, sewer, water, utilities, right to grade, and maintenance purposes, in a separate document over the common (shared) driveway.

103. If applicable, relocate or quitclaim any easements interfering with building locations.

104. Provide addressing information in Microsoft Excel format to the satisfaction of the City Engineer.

105. If required by the City, private easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication until after the final map is filed with the Registrar-Recorder/County Clerk's office. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the final map.

106. A final guarantee will be required at the time of the filing of the final map with the Registrar-Recorder/County Clerk's office.

107. Within 30 days of the approval date of this land use entitlement or at the time of the first plan check submittal, the applicant shall deposit the sum of $5,000 with Los

Angeles County Public Works to defray the cost of verifying conditions of approval for the purpose of issuing final map clearances.

Street Light Requirements

108. The project area will be required to be annexed to the County Lighting Maintenance District serving the City of Carson. Therefore, submit a street lighting plan showing existing streetlight for the annexation process.

109. Upon submittal of street lighting plans(s) (subdivision only), the applicant shall comply with conditions of annexation listed below in order for the light districts to pay for the future operation and maintenance of the streetlights. The annexation and the levy of assessment require the approval of the Board of Supervisors prior to Public Works approving street lighting plans. It is the sole responsibility of the owner/developer of the project to have all street lighting plans approved prior to the map recordation. The required street lighting improvements shall be the sole responsibility of the owner/developer of the project and the installation must be accepted per approved plans. If phasing of the project is approved, the required street lighting improvements shall be the sole responsibility of the owner/developer of the project and will be made a condition of approval to be in place for each phase.

Conditions of Annexation for County Lighting Maintenance District

110. Provide business/property owners name, mailing address, site address, Accessor Parcel Number, and Parcel Boundaries in either Microstation or Auto CADD format of territory to be developed to Street Lighting Section.

111. Submit map of the proposed project including any roadways condition for streetlights to Street Lighting Section. Contact Street Lighting Section for map requirements and/or questions at (626) 300-4726.

Conditions of Acceptance for Street Light Transfer of Billing

112. The area must be annexed into the lighting district and all streetlight in the project, or the approved phase of the project, must be constructed according to Public Works approved plans. The contractor shall submit one complete set of “as-built” plans. The lighting district can assume the responsibility for the operation and maintenance of the streetlights by July 1st of any given year, proved the above conditions are met, all streetlight in the project, or approved project phase, have been constructed per Public Works approved plan and energized and the owner/developer has requested a transfer of billing at least by January 1st of the previous year. The transfer of billing could be delayed one or more years if the above conditions are not met.