6.0 OTHER CEQA CONSIDERATIONS

A. SIGNIFICANT UNAVOIDABLE IMPACTS

Section 15126.2(b) of the State *CEQA Guidelines* requires that an EIR describe significant environmental impacts that cannot be avoided, including those effects that can be mitigated but not reduced to a less than significant level. Following is a summary of the impacts associated with the Project that were concluded to be significant and unavoidable. These impacts are also described in detail in Chapter 4, *Environmental Impact Analysis*, of this Draft EIR.

Historical Resources: As stated in Section 4.C.2, *Historical Resources*, and further evaluated in Section 4.G, *Noise and Vibration*, the Petroleum Building would be subject to vibration impacts that could exceed a vibration threshold. As described below, with the implementation of Mitigation Measure MM-NOISE-2, which requires the installation of continuously operational automated vibrational monitors on the Petroleum Building, vibration impacts during construction would be less than significant. However, this measure requires the consent of the property owner which has not yet been secured. Therefore, it is conservatively concluded that indirect impacts on the Petroleum Building are significant and unavoidable.

Noise and Vibration: As analyzed in Section 4.G, *Noise and Vibration*, Project construction would result in noise levels that exceed significance thresholds. As such, the Project would have a significant construction noise impact and would contribute to significant cumulative construction noise impacts at the upper floors (3rd floor and above) of the mixed use residential uses across S. Flower Street and future residential uses across 11th Street. Mitigation Measure MM-NOISE-1 provides for a fence with sound blankets that would achieve noise reductions of at least 14 dBA between the construction on the Project Site and the multi-family residential uses across S. Figueroa Street and 11 dBA between the construction on the Project Site and the future multi-family residential uses across W. 11th Street. Although the noise reduction provided by the noise barrier would be substantial, construction noise levels would still increase the daytime ambient noise level above the 5-dBA significance threshold at the upper floors (3rd floor and above) of the mixed-use residential uses (R3) across S. Flower Street and the future residential uses across W. 11th Street. Thus, construction noise impacts would be significant and unavoidable at these locations at both the Project- and cumulative-level.

During Project construction activity, the Petroleum Building, adjacent to the Project Site to the east, could be exposed to vibration velocities from construction activities that exceed the vibration significance threshold. With the implementation of Mitigation Measure MM-NOISE-2, vibration velocities in excess of the threshold would transmit an alarm to on-site personnel with authorization to halt work in the vicinity. Furthermore, in the event damage occurs to historic finish materials due to construction vibration, such materials would be repaired in a manner that meets the Secretary of the Interior's Standards. Although implementation of Mitigation Measure MM-NOISE-2, which requires the installation and maintenance of at least two continuously operational automated vibration monitors on the Petroleum Building, would ensure vibration impacts on the Petroleum Building would be less than significant, the consent of the property owner would be required, and that property owner may not agree. Therefore, construction vibration impacts on the historic Petroleum Building would be significant and unavoidable.

Transportation and Traffic: As evaluated in Section 4.J, *Transportation and Traffic*, the Project would add traffic to the local street system during construction and during operation that could disrupt traffic flow. The Project would not result in significant construction traffic impacts with the incorporation of Project Design Feature PDF-TRAF-1, Construction Management Plan. However, Project construction is likely to occur simultaneously with construction of several other nearby projects. Beyond compliance with City requirements regarding haul routes, notification, scheduling, and implementation of traffic controls and safety procedures, no other feasible mitigation measures have been identified. Therefore, due to potential for combined construction impacts with multiple nearby projects, cumulative construction traffic impacts are considered to be significant and unavoidable.

During Project operation, the Project would generate traffic that would exceed LADOT criteria for intersection service levels. Even with implementation of Mitigation Measures MM-TRAF-1 and MM-TRAF-2 requiring implementation of a TDM Program and physical improvements to Intersection No. 30, Grand Avenue/17th Street/I-10 Westbound On-Ramp, respectively; significant and unavoidable impacts would occur at the following intersections under Future with Project with Mitigation Conditions (Year 2020) – Phase 1:

No. 12: Figueroa Street/Olympic Boulevard (PM peak hour)

No. 13: Figueroa Street/11th Street (AM and PM peak hour)

No. 19: Flower Street/11th Street (PM peak hour)

Significant and unavoidable impacts would also occur at the following three intersections under Future With Project With Mitigation Conditions (Year 2023) – Full Buildout; even with implementation of the recommended mitigation measures, impacts would remain significant and unavoidable at the following intersections:

No. 12: Figueroa Street/Olympic Boulevard (PM peak hour)

No. 13: Figueroa Street/11th Street (AM and PM peak hour)

No. 19: Flower Street/11th Street (afternoon peak hour)

B. REASONS WHY THE PROJECT IS BEING PROPOSED, NOTWITHSTANDING SIGNIFICANT UNAVOIDABLE IMPACTS

In addition to identification of the Project's significant unavoidable impacts, Section 15126.2(b) of the State *CEQA Guidelines* also requires a description of the reasons why a project is being proposed, notwithstanding significant unavoidable impacts associated with the project. As described further below, this Project is being proposed, notwithstanding its significant unavoidable impacts, because: 1) the Project would achieve a considerable number of community objectives by providing a diversity of uses and intensifying development in the Downtown Center, adjacent to LA LIVE, Staples Center Arena, and the Los Angeles Convention Center; 2) the Project would provide 650 of needed housing stock to serve the local area and the region supporting Mayor Garcetti's Housing Initiative to build 100,000 housing units by 2021 and assist in alleviating 3.0

percent rental vacancy rate.[1] 3) the Project would provide a mix of uses and intensify development in an area well-served by public transit; 4) the Project would provide economic benefits to the community and would support revitalization of the Downtown area.

Furthermore, the Project's significant and unavoidable construction impacts related to noise, vibration, and cumulative traffic are short-term and have been mitigated to the extent feasible. Although the Project would result in significant unavoidable impacts at three Study Area intersections, the Project would be located within a transit priority area, near two Metro stations. Therefore, consistent with Senate Bill (SB) 743, the Project would reduce vehicle miles and greenhouse gas emissions by providing a mixed use development near public transit. However, because the Project's concentration of development occurs in a highly urbanized, high density area, the traditional thresholds for intersection traffic indicate more adverse intersection impacts; whereas, the concentration of development near public transit would result in fewer vehicle miles traveled (VMT). The Traffic Study for the Project, and finding of the significant intersection impacts, represents the traditional approach because the CEQA Guidelines for evaluating traffic impacts are still under development.

The Project Objectives include a number of components that are consistent with and contribute to implementation of City goals, objectives, and policies established in the City's General Plan Framework, Do Real Planning, Walkability Checklist, Central City Community Plan, and City Center Redevelopment Plan. The Project would promote development of residential uses in the Downtown area; meet commercial objectives and policies to attract new businesses; support existing businesses in the Downtown area; encourage an active 24-hour environment near LA LIVE, Staples Center Arena, and the Los Angeles Convention Center; provide additional job opportunities; and meet the needs of residents and visitors. By providing a mix of residential, hotel, commercial, and restaurant uses, a public plaza, and vibrant signage the Project would enliven the Downtown area and increase population density in an area served by the Metro Blue, Expo, Red, and Purple Lines; and multiple bus and shuttle lines. The Project would provide a public plaza along S. Figueroa Street that connects with LA LIVE and provide streetscape improvements along all street frontages. The Project would be designed and operated to exceed the standards of the LEED Silver Certification level, the City of Los Angeles Green Building Code, and CALGreen through the incorporation of green building techniques and other sustainability features, such as energy efficient appliances, water efficient irrigation and landscaping, and electric vehicle charging stations. The Project would be designed to step back from the adjacent historic Petroleum Building to maintain views of the architecturally distinguished primary facades along W. Olympic Boulevard and S. Flower Street.

Chapter 5, *Alternatives*, of this Draft EIR evaluates the potential of alternative development programs to reduce the Project's potential impacts. The analysis considers and rejects a number of alternatives, including development of the Project at an alternative site. Development at an alternative site is not feasible, would not so fully meet Project objectives and would not reduce Project impacts. Other rejected alternatives considered varied commercial/hotel/office use mixes, similar to much of the development in the Downtown area. However, these alternatives would not meet key Project Objectives, would not reduce Project impacts and could potentially result in greater impacts on the environment.

[1] *U.S. Census, Quarterly Vacancy and Homeownership Rates by State and MSA, First Quarter 2016: Table 4. Rental Vacancy Rates for the 75 Largest Metropolitan Statistical Areas: 2015 to 2016.*

Three alternatives were evaluated in the Draft EIR: 1) a No Project/No Build Alternative, 2) a Reduced Density Alternative, and 3) a Residential with Ground Level Commercial Alternative. The No Project/No Build Alternative evaluates impacts of the reasonably likely use of the Site in the event that the Project is not implemented. The No Project/No Build Alternative would avoid the Project's significant impacts, but would not achieve the Project's underlying purpose, which is to provide high density housing and mixed-use development in the Downtown's transit-rich area, nor would it achieve any of the Project objectives. Further, the No Project/No Build Alternative would not support the City policies regarding development of the Downtown area, and a Citywide development pattern that reduces vehicle miles traveled.

The Reduced Density Alternative and the Residential with Ground Level Commercial Alternative would reduce the direct impacts of development associated with lesser amounts of excavation and building construction; as well as reduced traffic and demand for the provision of services and utilities. At the same time, both of these alternatives would continue to have the same significant impacts as the Project. While the amount of construction would be less, a maximum day of construction activity (which is the basis for measuring construction impacts) would be similar to the Project. While the traffic generation of these alternatives would be reduced, both alternatives would continue to have significant intersection impacts. The Reduced Density Alternative would produce significant intersection impacts at the same three intersections as the Project and the Residential with Ground Level Commercial Alternative would continue to have significant impacts at two of the three intersections. These impacts are typical of all development in the Downtown area. Further, these alternatives would not achieve potential reductions in development impact associated with the provision of increased density in a High Quality Transit Area. The Reduced Density Alternative and the Residential with Ground Level Commercial Alternative would meet some Project Objectives to the same extent as the Project, but in other cases would not meet, or meet to a lesser extent the remaining Project Objectives. They would meet the design objectives regarding enhancement of the Project Site with a visually attractive development that contributes to the Project setting with pedestrian features and linkages to the surrounding area, as well as avoid adverse effects on historic resources. They would not meet, or meet to a lesser extent, the development objectives pertaining to the creation of a mixed-use project that contributes housing in the Downtown Housing Incentive Area, increases hotel rooms consistent with the Mayor's 2015 White Paper on the Future of the Los Angeles Convention Center, and would be compatible with and enhance connectivity with LA LIVE, Staples Center Arena, and the Los Angeles Convention Center.

Finally, the Project is being proposed because it would contribute to the economy of the local area and the region. The Project would create new jobs for both construction and long-term operations, and it would provide new population to support local businesses and increase revenue for the City.

C. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

According to Sections 15126(c) and 15126.2(c) of the State *CEQA Guidelines*, an EIR is required to address any significant irreversible environmental changes that would occur should the proposed Project be implemented. As stated in CEQA Guidelines Section 15126.2(c) indicates:

> *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 likely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with*

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

The Project would necessarily consume limited, slowly renewable and non-renewable resources. This consumption would occur during the construction phase of the Project and would continue throughout its operational lifetime. Project development 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.

Project operation would continue to expend nonrenewable resources that are currently consumed within the City. 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 Project, and the existing, finite supplies of these natural resources would be incrementally reduced.

At the same time, the Project would contribute to a land use pattern that would reduce reliance on private automobiles and the consumption of non-renewable resources when considered in a larger context. Most notably, the Project would provide high density housing, hotel, and commercial uses in the Downtown area in close proximity to cultural and entertainment, commercial, restaurant, and office activities. The Project site is located within a High Quality Transit Area, and an area identified as preferred for high density development to reduce vehicle miles traveled and related consumption of renewable resources, among other goals. Given its location, the Project would support pedestrian access to a considerable range of entertainment, employment, and commercial activities. The Project also provides excellent access to the regional transportation system as it is located in proximity to the Metro Pico Station and 7th Street/Metro Center Station and multiple bus and shuttle lines. These factors would contribute to a land use pattern that is considered to reduce the consumption of non-renewable resources.

Furthermore, the Project would be designed to achieve the equivalent of the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Silver Certification level. The Project would also comply with the Los Angeles Green Building Code, which builds upon and sets higher standards than those incorporated in the 2013 California Green Building Standard Code, or CALGreen. A sustainability program would be prepared and monitored by an accredited design consultant to provide guidance on Project design, construction and operations; and performance monitoring during Project operations to reconcile design and energy performance and enhance energy savings. Some of the Project's key design features that contribute to energy efficiency include the installation of energy efficient appliances, water efficient irrigation systems, water efficient indoor fixtures, and the installation of the conduit and panel capacity to accommodate future electric vehicle charging stations into 10 percent of the parking spaces. The Project would achieve several objectives of the City of Los Angeles General Plan Framework Element, Southern California Association of Governments Regional Transportation Plan, and South Coast Air

Quality Management District Air Quality Management Plan for establishing a regional land use pattern that promotes sustainability.

The Project would support pedestrian activity in the downtown Los Angeles area, and contribute to a land use pattern that addresses housing needs and reduces vehicle trips and air pollution by locating residential uses within an area that has public transit (with access to the Metro rail lines and existing regional bus service). Employment opportunities, restaurants and entertainment are within walking distance. Further, the Project's inclusion of bicycle parking, as discussed above, would encourage the use of alternative modes of transportation. Continued use of such non-renewable resources would be on a relatively small scale and consistent with regional and local growth forecasts in the area, as well as State and local goals for reductions in the consumption of such resources. Furthermore, the Project would not affect access to existing resources, nor interfere with the production or delivery of such resources. The Project Site contains no energy resources that would be precluded from future use through Project implementation. The Project's irreversible changes to the environment related to the consumption of nonrenewable resources would not be significant.

D. ENERGY

Section 21100(b) of the State *CEQA Guidelines* requires that an EIR include a detailed statement setting forth mitigation measures proposed to minimize a project's significant effects on the environment, including, but not limited to, measures to reduce the wasteful, inefficient, and unnecessary consumption of energy. Appendix F of the State *CEQA Guidelines* states that, in order to ensure that energy implications are considered in project decisions, the potential energy implications of a project shall be considered in an EIR, to the extent relevant and applicable to the project. Appendix F further states that a project's energy consumption and proposed conservation measures may be addressed, as relevant and applicable, in the Project Description, Environmental Setting and Impact Analysis portions of technical sections, as well as through mitigation measures and alternatives.

In accordance with the intent of Appendix F of the State *CEQA Guidelines,* which requires an EIR to include a discussion of the potential energy impacts of a proposed project with an emphasis on avoiding of reducing inefficient, wasteful, and unnecessary consumption of energy, this Draft EIR includes relevant information and analyses that address the energy implications of the Project. This section represents a summary of the Project's anticipated energy needs, impacts, and conservation measures. As is discussed further below, the Project would incorporate Project Design Features, such as PDF-AQ-1 (Green Building Measures), PDF-AQ-2 (Construction Measures), and PDF-TRAF-1 (Construction Management Plan), mitigation measures MM-TRAF-1 (Travel Demand Management Program), and land use characteristics that would reduce vehicle miles traveled (increased density, location efficiency, increased land use diversity and mixed uses, increased destination accessibility, increased transit accessibility, improved design of development, and pedestrian network improvements). Information found herein, as well as other aspects of the Project's energy implications, are discussed in greater detail elsewhere in this Draft EIR, including in Chapter 2, *Project Description*, and Sections 4.D, *Greenhouse Gas Emissions*, 4.J, *Transportation and Traffic*, and Appendix A, *Initial Study*, of this Draft EIR.

1. Construction-Related Energy Consumption

Estimated Energy Consumption

The Project would be constructed in two sequential phases over a period of approximately five years, starting as early as late 2017 and anticipated to end in early 2023. Construction energy consumption would result primarily from transportation fuels (e.g., diesel and gasoline) used for haul trucks, heavy-duty construction equipment, and construction workers traveling to and from the site. This analysis provides the estimated maximum construction energy consumption for the purposes of evaluating the associated impacts on energy resources, assuming a construction duration of approximately five years.

Based on the proposed development program and engineering estimates that form the basis of the construction-related impact analyses, it is estimated that a maximum of approximately 35,000 one-way truck trips would be required to haul the material to off-site reuse and disposal facilities over the five year construction period. It is conservatively estimated that a maximum of approximately 117,600 one-way vendor truck trips would be required to deliver building materials and supplies to the site over the five-year construction period. Based on the California Air Resources Board (CARB) on-road vehicle emissions model, EMFAC2014, heavy-duty trucks operating in the South Coast Air Basin would have an estimated fuel economy of approximately 6.1 miles per gallon averaged over the five-year construction time frame (in order to provide a conservative air quality and GHG assessment, this is modeled as late 2017 through early 2023). Based on the information described above, construction of the Project would use a total of approximately 245,600 gallons of diesel fuel for haul truck and vendor delivery trips. On an annual average basis, haul trucks and vendor delivery trips associated with construction would use approximately 49,150 gallons of diesel fuel per year during the five-year timeframe.

Heavy-duty construction equipment associated with demolition, grading, utilities, paving, and building construction would include equipment such as excavators, graders, tractors/loaders/backhoes, dozers, scrapers, bore/drill rigs, air compressors, cranes, forklifts, generators, pumps, welders, rollers, trenchers and pavers. The majority of the equipment would likely be diesel-fueled; however, smaller equipment, such as welders and pumps may be electric-, gasoline-, or natural gas-fueled and tower cranes would likely be electric. However, this assessment assumes all equipment would be diesel-fueled, due to the speculative nature of specifying the amounts and types of non-diesel equipment that might be used, and the difficulties in calculating the energy which would be consumed by this non-diesel equipment. The use of diesel fuel for all equipment also represents the most conservative scenario for maximum potential energy use during construction. Based on the number and type of construction equipment that would be used during Project construction, and based on the estimated duration of construction activities, the Project would use approximately 238,800 gallons of diesel fuel for heavy-duty construction equipment.[2] On an annual average basis, heavy-duty construction equipment would use approximately 47,800 gallons of diesel fuel per year.

The number of construction workers that would be required would vary based on the phase of construction and activity taking place. The transportation fuel required by construction workers to travel to and from the Project site would depend on the total number of worker trips estimated for the duration of construction activity. According to the EMFAC2014 model, passenger vehicles operating in the South Coast Air Basin

[2] *Fuel consumption is estimated based on fuel consumption factors in the OFFROAD2011 emissions model and the equipment horsepower and load factor ratings in CalEEMod.*

would have an average fuel economy of approximately 25.8 miles per gallon averaged over the 2017 through 2023 construction timeframe. Assuming construction worker automobiles have an average fuel economy consistent with the EMFAC2014 model and given the total vehicle miles traveled for construction workers, based on engineering estimates provided in the California Emissions Estimator Model (CalEEMod) used for the air quality and greenhouse gas emissions assessment, workers would travel a total of 11.5 million miles and would use approximately 446,200 gallons of fuel (primarily gasoline) for construction worker trips. On an annual average basis, construction workers would use approximately 89,250 gallons of fuel (primarily gasoline) per year. The Project would seek to hire construction workers from the local workforce, which would minimize commuting distances and overall vehicle miles traveled. Hiring from the local workforce would reduce fuel consumption and reduce the wasteful, inefficient, and unnecessary consumption of energy.

In 2014, California consumed a total of 343,568 thousand barrels of gasoline for transportation, which is equivalent to a total annual consumption of 14.4 billion gallons by the transportation sector.[3] For diesel, California consumed a total of 79,756 thousand barrels for transportation, which is equivalent to a total annual consumption of 3.3 billion gallons by the transportation sector.[4]

Based on the conservatively estimated fuel usage amounts presented above, construction of the Project would use approximately 89,250 gallons of gasoline and 96,900 gallons of diesel on an annual average basis during the 2017 through 2023 construction timeframe, assuming worker automobiles are primarily gasoline fueled and heavy-duty construction equipment and trucks are primarily diesel-fueled. To put these numbers into perspective, the estimated annual average construction fuel usage would represent a very small fraction of the State's annual fuel usage (about 0.001 percent of the Statewide annual gasoline consumption and 0.003 percent of the Statewide annual diesel consumption). The closure of the existing Luxe Hotel during Phase 2 of Project construction would offset a portion of the Project's operational and construction energy usage as the existing building would no longer consume energy for heating, cooling, lighting, water, and miscellaneous energy loads, and the existing trips would no longer occur.

Electricity used during construction to provide temporary power for lighting and electronic equipment (e.g., computers, etc.) and to power certain construction equipment would generally not result in a substantial increase in on-site electricity use. Certain heavy-duty construction equipment could be electric or alternatively fueled, such as tower cranes, based on commercial availability. The Project would utilize electric or alternatively fueled equipment as available and as feasible. Electricity use during construction would be variable depending on lighting needs and the use of electric-powered equipment and would be temporary for the duration of construction activities. Therefore, it is expected that construction electricity use would generally be considered as temporary and negligible over the long-term.

Energy Conservation: Regulatory Compliance

The Project would utilize construction contractors who demonstrate compliance with applicable CARB regulations governing the accelerated retrofitting, repowering, or replacement of heavy duty diesel on- and

[3] *U.S. Energy Information Administration, Table F3: Motor Gasoline Consumption, Price, and Expenditure Estimates, 2014, http://www.eia.gov/state/seds/data.cfm?incfile=/state/seds/sep_fuel/html/fuel_mg.html&sid=US. Accessed March 2016.*

[4] *U.S. Energy Information Administration, Table F3: Motor Gasoline Consumption, Price, and Expenditure Estimates, 2012, http://www.eia.gov/state/seds/data.cfm?incfile=/state/seds/sep_fuel/html/fuel_use_df.html&sid=US. Accessed March 2016.*

off-road equipment, as specified in Project Design Feature PDF-AQ-2, Construction Measures (see Section 4.B, *Air Quality*, and Section 4.D, *Greenhouse Gas Emissions*, in this Draft EIR). As discussed in Section 4.B, *Air Quality*, of this Draft EIR, CARB has adopted an Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other toxic air contaminants. This measure prohibits diesel-fueled commercial vehicles greater than 10,000 pounds from idling for more than five minutes at any given time. CARB has also approved the Truck and Bus regulation (CARB Rules Division 3, Chapter 1, Section 2025, subsection (h)) to reduce NO_X, PM_{10}, and $PM_{2.5}$ emissions from existing diesel vehicles operating in California. This regulation will be phased in, with full implementation for large and medium fleets by 2023 and for small fleets by 2028. In addition to limiting exhaust from idling trucks, CARB recently promulgated emission standards for off-road diesel construction equipment of greater than 25 horsepower. The regulation aims to reduce emissions by requiring the installation of diesel soot filters and encouraging the retirement, replacement, or repower of older, dirtier engines with newer emission-controlled models. Implementation began January 1, 2014, and the compliance schedule requires that best available control technology turnovers or retrofits be fully implemented by 2023 for large and medium equipment fleets and by 2028 for small fleets.

While intended to reduce construction criteria pollutant emissions, compliance with the above anti-idling and emissions regulations would also result in efficient use of construction-related energy and the minimization or elimination of wasteful and unnecessary consumption of energy. It is not possible to accurately quantify the amount of energy that construction of a Project would save by complying with these regulations due to the difficulties in estimating idling times and technology turnovers in the absence of the regulations. Nonetheless, idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption.

With respect to solid waste, the Project would implement a construction waste management plan to recycle and/or salvage nonhazardous construction debris consistent with the Los Angeles City Council approved Ordinance 181519, Council File 09-3029. The Project would require and utilize construction contractors that can demonstrate compliance with the construction waste management plan requirements. The Project would achieve a high waste recycling and reuse rate for construction and demolition debris, and minimize wasteful or unnecessary consumption of energy for the production of virgin raw materials.

Energy Conservation: Project Design Features

The Project would implement a Construction Management Plan, as described in Project Design Feature PDF-TRAF-1 in Section 4.J, *Transportation and Traffic*, of this Draft EIR. Project Design Feature PDF-TRAF-1 would minimize construction worker travel and construction equipment transport to and from the Project Site, and would help ensure efficient construction deliveries, reducing associated fuel consumption. The Construction Management Plan would specify street closures and detours, truck haul routes, construction staging, and other requirements to minimize adverse impacts to the local and regional traffic system throughout construction, which reduces congestion and therefore fuel consumption.

Conclusion

Construction would utilize energy for necessary on-site activities and to transport materials, soil, and debris to and from the Project. The amount of energy used would not represent a substantial fraction of the available energy supply in terms of equipment and transportation fuels. Furthermore, compliance with the previously discussed anti-idling and emissions regulations would result in a more efficient use of

construction-related energy and the minimization or elimination of wasteful and unnecessary consumption of energy. The Project would also implement a construction waste management plan and achieve a high level of waste diversion. Idling restrictions, the use of newer engines and equipment, and diverting waste would result in less fuel combustion and energy consumption. The Project would also utilize newer equipment that meet stringent emissions standards and provide opportunities for future energy efficiency by using electric or alternatively-fueled equipment as available and feasible. Therefore, construction of the Project would not result in the wasteful, inefficient, and unnecessary consumption of energy and would not preempt opportunities for future energy conservation.

2. Operation and Maintenance Energy Consumption

Anticipated Energy Consumption

Operational energy consumption would occur from building energy needs and from transportation fuels (e.g., diesel and gasoline) used for vehicles traveling to and from the Site. This analysis provides the estimated maximum operational energy consumption for the purposes of evaluating the associated impacts on energy resources.

The Project must comply with the applicable portions of the Title 24 Building Standards Code and California Green Building (CALGreen) Code. The Project would incorporate Project Design Features in a manner to achieve the reductions in energy and water usage, as well as encourage recycling and waste diversion, above and beyond State regulatory requirements. Physical and operational Project characteristics for which sufficient data are available to quantify the reductions from building energy and resource consumption have been included in the quantitative analysis, and include but are not limited to the measures discussed in Project Design Feature PDF-AQ-1, Green Building Measures (see Section 4.B, *Air Quality*, and Section 4.D, *Greenhouse Gas Emissions*, in this Draft EIR).

The daily operation of the Project would generate demand for electricity, natural gas, and water supply, as well as generating wastewater requiring conveyance, treatment, and disposal off-site, and solid waste requiring disposal off-site. Based on engineering estimates used as the basis for greenhouse gas (GHG) emissions calculations, the Project would have an electricity demand of approximately 8.7 million kilowatt-hours (kWh), which is inclusive of approximately 0.4 million kWh for water supply and wastewater treatment.[5] To put this number into perspective, the value is compared to the Los Angeles Department of Water and Power (LADWP) network demand, which is the utility provider for the City of Los Angeles. In the 2014 year, LADWP had an annual electric sale to customers of approximately 24,100 million kWh. The Project represents approximately 0.04 percent of the LADWP network sales for the 2014 year, which is a relatively very small fraction.

Based on engineering estimates used as the basis for GHG emissions calculations, the initial operational year of the Project would have a natural gas demand of approximately 16.8 million kilo British thermal units (kBtu) per year.[6] To put this number into perspective, the value is compared to the Southern California Gas

[5] *Values are based on the Title 24 (2016) standards. Compliance with future updated Title 24 standards in effect at the time of building permit issuance could result in further reduced energy demand.*

[6] *Values are based on the Title 24 (2016) standards. Compliance with future updated Title 24 standards in effect at the time of building permit issuance could result in further reduced energy demand.*

Company network demand, which is a regional utility provider for much of Southern California, including the City of Los Angeles. In 2015, the Southern California Gas Company had natural gas sales of approximately 291 billion cubic feet, equivalent to approximately 306 billion kBtu. The Project represents approximately 0.006 percent of the Southern California Gas Company network demand for the 2015 year, which is a very small fraction of the Southern California Gas Company network.

As discussed in Section 4.D, *Greenhouse Gas Emissions*, of this Draft EIR, Executive Orders S-3-05 and B-30-15 are orders from the State's Executive Branch for the purpose of reducing Statewide GHG emissions. These Executive Orders establish the goals to reduce GHG emissions to 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050. These goals have not yet been codified. However, in order to meet the 2030 and 2050 targets, aggressive technologies in the transportation and energy sectors, including electrification and the decarbonization of fuel, will be required. In its *Climate Change Scoping Plan*, CARB acknowledged that the measures needed to meet the 2050 goal are too far in the future to define in detail. Although the State has yet to identify specific technologies and measures, in particular for meeting the 2050 target, it is reasonable to conclude that the Project's post-2020 emissions trajectory, and associated energy use, is expected to follow a declining trend, consistent with Statewide efforts to meet these future year targets.

Alternative Energy Considerations

The use of energy provided by alternative (i.e., renewable) resources, off-site and on-site, to meet the Project's operational demands is constrained by the energy portfolio mix managed by LADWP and limitations on the availability or feasibility of on-site energy generation. The existing Luxe Hotel does not have on-site alternative energy or electric vehicle supply equipment.

LADWP is required to commit to the use of renewable energy sources for compliance with the Renewables Portfolio Standard. LADWP is required to meet the requirement to procure at least 33 percent of its energy portfolio from renewable sources by 2020 through the procurement of energy from eligible renewable resources, to be implemented as fiscal constraints, renewable energy pricing, system integration limits, and transmission constraints permit. SB 350 (Chapter 547, Statues of 2015) further increased the Renewables Portfolio Standard to 50 percent by 2030. The legislation also included interim targets of 40 percent by 2024 and 45 percent by 2027. Eligible renewable resources are defined in the Renewable Portfolio Standard to include biodiesel; biomass; hydroelectric and small hydro (30 Mega Watts [MW] or less); Los Angeles Aqueduct hydro power plants; digester gas; fuel cells; geothermal; landfill gas; municipal solid waste; ocean thermal, ocean wave, and tidal current technologies; renewable derived biogas; multi-fuel facilities using renewable fuels; solar photovoltaic; solar thermal electric; wind; and other renewables that may be defined later. LADWP provided approximately 20 percent of its 2010 through 2013 average electric supply from renewable power. This represents the available off-site renewable sources of energy that would meet Project demand.

With respect to on-site renewable energy sources, because of the Project's location, there are no local on-site sources of energy from the following sources: biodiesel, biomass hydroelectric and small hydro, digester gas, fuel cells, geothermal energy, landfill gas, municipal solid waste, ocean thermal, ocean wave, and tidal current technologies, or multi-fuel facilities using renewable fuels.

Solar and wind power represent variable-energy, or intermittent, resources that are generally used to augment, but not replace, natural gas-fired (or other non-renewable fuel) energy power generation, since reliability of energy availability and transmission is necessary to meet demand, which is constant.

Wind-powered energy is not feasible on the Project site due to the lack of sufficient wind in the Los Angeles basin. The California Energy Commission (CEC) studied the State's high wind resource potential. Based on a map of California's wind resource potential, the Project site is not identified as an area with wind resource potential. Wind resource areas with winds above 12 mph within Los Angeles County are located in relatively remote areas in the northwestern portion of the County.

Similarly, solar energy is highly variable in the Los Angeles area, particularly in proximity to the coastline where there is increased cloud cover and an intermittent marine layer, and is therefore not cost-effective or reliable as a primary source of energy. The CEC has identified areas within the State with high potential for viable solar, wind, and geothermal energy production. The CEC rated California's solar potential by county using insolation values available to typical photovoltaic system configurations, as provided by the National Renewable Energy Laboratory. Although Los Angeles as a County has a relatively high photovoltaic potential of 3,912,346 megawatt-hours (MWh)/day, inland counties such as Inyo (10,047,177 MWh/day), Riverside (7,811,694 MWh/day), and San Bernardino (25,338,276 MWh/day) are more suitable for large-scale solar power generation. In addition, most of the high potential areas of greater than 6 KWh/sqm/day in Los Angeles County are concentrated in the northeastern corner of the county around Lancaster, approximately 60 miles to the north of the Project Site. These facts alone do not preclude its use in the Project area or on the Project Site. The Project would support regional efforts to promote solar installations by incorporating building design elements that include solar ready rooftops for photovoltaic panels, as provided in Project Design Feature PDF-AQ-1. As such, the Project would promote solar electrical systems. It is not possible to accurately quantify the energy savings from the use of photovoltaic panels because the extent that such equipment would be installed is unknown. Consequently, this analysis conservatively assumes no such installation.

Energy Conservation: Regulatory Compliance

The CEC first adopted the Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the state. Part 11 of the Title 24 Building Standards Code is referred to as the CALGreen Code. The purpose of the CALGreen Code is to "improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality." As of January 1, 2011, the CALGreen Code is mandatory for all new buildings constructed in the State. The CALGreen Code establishes mandatory measures for new residential and non-residential buildings, which includes requirements for energy efficiency, water conservation, material conservation, planning and design, and overall environmental quality. The CALGreen Code was most recently updated in 2013 to include new mandatory measures for residential as well as nonresidential uses. The new measures took effect on January 1, 2014 (the energy provisions took effect on July 1, 2014). The Project would comply with or exceed the applicable provisions of Title 24 and the CALGreen Code in affect at the time of building permit issuance. According to the CEC, the Title 24 (2016) standards use 5 percent less energy for nonresidential lighting, heating, cooling, ventilation,

and water heating compared to the Title 24 (2013) standards. It is expected that future updates to the Title 24 standards would result in increased energy efficiency. However, it is not possible to accurately predict the increased level of energy efficiency associated with future updates to the Title 24 standards. As discussed in Section 4.D, *Greenhouse Gas Emissions*, of this Draft EIR, Project design feature PDF-AQ-1 includes achievement by the Project of USGBC LEED Silver Certification level or its equivalent, which will allow the Project to achieve an anticipated 14 percent greater energy efficiency than current Title 24 standards. This also represents an efficiency of about nine percent greater than the anticipated 2016 Title 24 standards.

With respect to solid waste, the Project is required to comply with applicable regulations, including those pertaining to waste reduction and recycling. Waste haulers serving the Project Site would divert Project-generated municipal waste in accordance with applicable ordinances, as well as future updates to the ordinances in effect at the time of construction and operation.

Operational Transportation Energy Consumption

Operation of the Project would result in transportation energy use. Transportation fuels, primarily gasoline and diesel, would be provided by local or regional suppliers and vendors. As discussed previously, in 2014, California consumed a total of 14.4 billion gallons of gasoline and 3.3 billion gallons of diesel in the transportation sector.[7,8] Vehicles would require a fraction of a percent of the total state's transportation fuel consumption. According to the EMFAC2014 model, the vehicle fleet average fuel economy for all vehicle types in the South Coast Air Basin region in 2023 is predicted to be 24.8 miles per gallon for gasoline and 8.7 miles per gallon for diesel with gasoline vehicles accounting for 89.2 percent of the total VMT and diesel vehicles accounting for 7.5 percent of the total VMT. Electric vehicles are predicted to account for 3.3 percent of the total VMT.

Based on the Project's maximum estimated VMT of 12.9 million miles per year, passenger vehicles would use approximately 464,600 gallons of gasoline and 111,300 gallons of diesel fuel in a year. This would represent about 0.003 percent of the Statewide gasoline consumption and about 0.003 percent of the Statewide diesel consumption, which represents a very small fraction of the state's annual fuel usage. As stated in Section 4.D, *Greenhouse Gas Emissions*, the Project would include pre-installation or installation of electric vehicle supply equipment, which would eliminate infrastructure roadblocks for passengers that purchase electric or electric-hybrid vehicles. As a result, the Project would support Statewide efforts to improve transportation energy efficiency and reduce wasteful or inefficient transportation energy consumption with respect to private automobiles. In addition, the closure of the existing Luxe Hotel during Phase 2 of Project construction would offset a portion of the Project's transportation energy usage as the existing trips would no longer occur.

Alternative-fueled, electric, and hybrid vehicles, to the extent these types of vehicles would be utilized by passengers, would reduce the Project's consumption of gasoline and diesel; however, the effect may be minimal in the current vehicle market. According to the EMFAC2014 model, electric vehicles are predicted

[7] *U.S. Energy Information Administration, Table F3: Motor Gasoline Consumption, Price, and Expenditure Estimates, 2014, http://www.eia.gov/state/seds/data.cfm?incfile=/state/seds/sep_fuel/html/fuel_mg.html&sid=US. Accessed March 2016.*

[8] *U.S. Energy Information Administration, Table F3: Motor Gasoline Consumption, Price, and Expenditure Estimates, 2012, http://www.eia.gov/state/seds/data.cfm?incfile=/state/seds/sep_fuel/html/fuel_use_df.html&sid=US. Accessed March 2016.*

to account for 3.3 percent of the vehicle fleet total VMT in 2023 in the region. Based on the estimate above, this would translate to a fuel savings of up to about 17,100 gallons of fuel (primarily gasoline, assuming electric vehicles replace gasoline-fueled passenger vehicles) per year.

Energy Conservation: Land Use Characteristics and Project Design Features

The Project would represent an urban infill development, since it would be undertaken on a currently developed site, and would be located near existing off-site commercial and retail destinations and in close proximity to existing public transit stops, which would result in reduced vehicle trips and VMT. The land use characteristics listed below would reduce vehicle trips to and from the Project Site and would therefore result in a corresponding reduction in VMT and associated fuel usage and emissions. Additional details are provided in Section 4.B, *Air Quality*, and Section 4.D, *Greenhouse Gas Emissions*, in this Draft EIR.

- **Increased Density:** Increased density, measured in terms of persons, jobs, or dwelling units per unit area, reduces emissions associated with transportation as it reduces the distance people travel for work or services and provides a foundation for the implementation of other strategies such as enhanced transit services.
- **Location Efficiency:** Location efficiency describes the location of a project relative to the type of urban landscape such as an urban area, compact infill, or suburban center. In general, compared to the Statewide average, a project could realize VMT reductions up to 65 percent in an urban area, up to 30 percent in a compact infill area, or up to 10 percent in a suburban center for land use/location strategies.[9] Factors that contribute to VMT reductions under this characteristic include the geographic location of the project within the region. The Project Site represents an urban infill location within the Downtown area of the City of Los Angeles. The Project Site is served by existing public transportation located within a quarter-mile. The Project Site is within an active urban center with many existing off-site commercial, entertainment, hotel, and residential buildings. As discussed in Section 4.J, *Transportation and Traffic* of this Draft EIR, the walkability of existing facilities is based on the availability of pedestrian routes necessary to accomplish daily tasks without the use of an automobile. These attributes are quantified by WalkScore.com and assigned a score out of 100 points. With the various commercial businesses and entertainment facilities adjacent to residential neighborhoods of the Downtown area and proximity to public transit, the walkability of the Downtown area is approximately 90 points;[10] this compares to the Citywide score of 64 points. The location efficiency of the Project Site would result in synergistic benefits that would reduce vehicle

[9] *CalEEMod, by default, assumes that trip distances in the South Coast Air Basin are slightly longer than the Statewide average. This is due to the fact that commute patterns in the South Coast Air Basin involve a substantial portion of the population commuting relatively far distances, which is documented in the Southern California Association of Governments 2016 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS). The RTP/SCS shows that, even under future Plan conditions, upwards of 50 percent of all work trips are 10 miles or longer (SCAG, Performance Measures Appendix, p. 7, 2012). The RTP/SCS does not specify the current percentage of work trips greater than 10 miles in the region, but it can be assumed that the percentage is currently greater than 50 percent since the goal of the RTP/SCS is to reduce overall VMT in the region. It is thus reasonable to assume that the trip distances in South Coast Air Basin are analogous to the Statewide average given that the default model trip distances in the South Coast Air Basin are slightly longer but still generally similar to the Statewide average. Therefore, projects could achieve similar levels of VMT reduction (65 percent in an urban area, 30 percent in a compact infill area, or 10 percent for a suburban center) compared to the South Coast Air Basin average.*

[10] *WalkScore.com(www.walkscore.com) rates the Project Site(1020 S. Figueroa Street) with a score of 90 of 100 possible points(scores accessed on March 16, 2016 for the Downtown Los Angeles district). Walk Score calculates the walkability of specific addresses by taking into account the ease of living in the neighborhood with a reduced reliance on automobile travel.*

trips and VMT compared to the Statewide and South Coast Air Basin average and would result in corresponding reductions in fuel usage and transportation-related emissions.

- **Increased Land Use Diversity and Mixed-Uses:** Locating different types of land uses near one another can decrease VMT because trips between land use types are shorter and could be accommodated by alternative modes of transportation, such as public transit, bicycles, and walking. Factors that contribute to VMT reductions under this measure include the percentage of each land use type in the project. The Project would co-locate complementary commercial and residential land uses in close to proximity to existing off-site commercial and residential uses. The Project would include on-site retail and residential land uses and would be located within a quarter-mile of off-site commercial and residential uses, as well as major transit facilities. The increases in land use diversity and mix of uses on the Project Site, as well as proximity to transit, would reduce vehicle trips and VMT by encouraging walking and non-automotive forms of transportation, which would result in corresponding reductions in fuel usage and transportation-related emissions.
- **Increased Destination Accessibility:** Factors that contribute to VMT reductions under this characteristic include the distance to downtown or major job center. The Project would be located in an area that offers access to multiple other nearby destinations, including restaurant, bar, office, retail, entertainment, movie theater, and residential uses. The Project Site is also located near other job centers in the region and within the Downtown area itself. The access to multiple destinations in close proximity to the Project Site would reduce vehicle trips and VMT compared to the Statewide and South Coast Air Basin average, encourage walking and non-automotive forms of transportation, and would result in corresponding reductions in fuel usage and transportation-related emissions.
- **Increased Transit Accessibility:** Locating a project with high density near transit facilities encourages the use of transit by people traveling to or from a project site. Factors that contribute to VMT reductions under this measure include the distance to transit stations near the Project. The Project would be located within a quarter-mile of public transportation, including existing Metro bus routes (e.g., 4, 28, 81, 442, 460, 701, 721, 728, 910/950, Commuter Express 422/423/438/448/534, DASH F) and the Metro Blue and Expo Lines, and nearby access to the Metro Red and Purple Lines within one-half mile. The Project would provide access to on-site uses from existing pedestrian pathways. The Project would also provide parking for bicycles on-site to encourage utilization of alternative modes of transportation. The increased transit accessibility would reduce vehicle trips and VMT versus the Statewide and South Coast Air Basin average, encourage walking and non-automotive forms of transportation, and would result in corresponding reductions in fuel usage and transportation-related emissions.
- **Improve Design of Development:** Improved street network characteristics within a neighborhood enhance walkability and connectivity. Characteristics include street accessibility usually measured in terms of number of intersections (e.g., four-way intersections) per square mile. The Project would be located in a highly street-accessible area with approximately 76 four-way intersections within a one mile area of the Project Site, which exceeds the standard intersection density assumed in baseline VMT modeling. The increased intersection density would reduce vehicle trips and VMT versus the Statewide and South Coast Air Basin average, encourage walking and non-automotive forms of transportation, and would result in corresponding reductions in fuel usage and transportation-related emissions.
- **Provide Pedestrian Network Improvements:** Providing pedestrian access that minimizes barriers and links a project site with existing or planned external streets encourages people to walk instead of

drive. Factors that contribute to VMT reductions under this measure include pedestrian access connectivity within the project and to/from off-site destinations. As discussed in Section 4.J, *Transportation and Traffic*, the walkability of existing facilities is based on the availability of pedestrian routes necessary to accomplish daily tasks without the use of an automobile. These attributes are quantified by WalkScore.com and assigned a score out of 100 points. With the various commercial businesses and entertainment facilities adjacent to residential neighborhoods of the Downtown area and proximity to public transit, the walkability of the Downtown area is approximately 90 points;[11] this compares to the Citywide score of 64 points. As discussed in Chapter 2, *Project Description*, the Project would improve the street-level pedestrian environment and connectivity within the LA LIVE, Staples Center Arena, the Los Angeles Convention Center and the surrounding streetscape, with the creation of new pedestrian scale features such as a public plaza along S. Figueroa with street level retail/restaurant uses, street trees and landscaping, public art, and signage and lighting. The Project would promote pedestrian activities and connections to interior uses. Pedestrian access to the Hotel Tower and lobby would be from a hotel motor-court on 11th Street and from the hotel lobby fronting S. Figueroa Street. Pedestrian access to the two stories of commercial and restaurant frontage along the periphery of the Podium fronting 11th Street, S. Figueroa Street, S. Flower Street, and W. Olympic Boulevard would be directly from those streets at the ground level or via elevators, stairs, or escalators. Pedestrian access to the lobby for Residential Tower 1 at the corner of 11th Street and S. Flower Street would be from S. Flower Street. Pedestrian access to the lobby of Residential Tower 2 at the corner of S. Figueroa Street and W. Olympic Boulevard would be from W. Olympic Boulevard. Pedestrian access to the residential units in the Podium at the street level would be via either the Residential Tower 1 or Residential Tower 2 residential lobbies. In summary, the Project would provide an internal pedestrian network for Project visitors and residents that links to the existing off-site pedestrian network including existing off-site sidewalks, and would therefore result in a small reduction in VMT, fuel usage, and associated transportation-related emissions.

The Project would be designed and operated to meet or exceed the applicable requirements of the State of California Green Building Standards Code and the City of Los Angeles Green Building Code and achieve the equivalent of the USGBC LEED Silver Certification level. Measures that would contribute to energy efficiencies are described in Project Design Feature PDF-AQ-1 in Section 4.B, *Air Quality*, and Section 4.D, *Greenhouse Gas Emissions*, in this Draft EIR.

In addition to the land use characteristics described above, the Project would incorporate mitigation measure MM-TRAF-1, which requires the implementation of a comprehensive TDM Program that would promote non-auto travel and reduce the use of single-occupant vehicle trips by incorporating measures such as providing a transportation information center, educational programs, kiosks and/or other measures, promotion and support of carpools and rideshare programs, and bicycle amenities such as racks and showers. Implementation of MM-TRAF-1 would further minimize and reduce mobile source GHG emissions. Additional information regarding MM-TRAF-1 is provided in Section 4.J, *Transportation and Traffic*, in this Draft EIR.

[11] *WalkScore.com(www.walkscore.com) rates the Project Site(1020 S. Figueroa Street) with a score of 90 of 100 possible points(scores accessed on March 16, 2016 for the Downtown Los Angeles district). Walk Score calculates the walkability of specific addresses by taking into account the ease of living in the neighborhood with a reduced reliance on automobile travel.*

Conclusion

Operation of the Project would utilize energy for necessary on-site activities and off-site transportation associated with vehicles traveling to and from the Site. The amount of energy used would not represent a substantial fraction of the available energy supply in terms of equipment and transportation fuels. Furthermore, the Project would incorporate green building measures consistent with and exceeding energy efficiency standards in City policy and CALGreen. The Project would also provide opportunities for future energy efficiency by promoting solar power and electric or alternatively-fueled vehicles and would do so at a substantially greater rate than existing facilities on the Project Site. As the Project would achieve greater than required energy efficiency, it would not result in the wasteful, inefficient, and unnecessary consumption of aircraft and supporting equipment energy, and future growth that would occur with or without the Project could provide opportunities for improving overall fuel efficiency. Therefore, operation of the Project would not result in the wasteful, inefficient, and unnecessary consumption of energy and would not preempt opportunities for future energy conservation.

E. GROWTH-INDUCING IMPACTS

Section 15126.2(d) of the State *CEQA Guidelines* requires an EIR to discuss the ways a proposed project could foster economic or population growth or the construction of additional housing, directly or indirectly, in the surrounding environment. Growth-inducing impacts include the removal of obstacles to population growth (e.g., the expansion of a wastewater treatment plant allowing more development in a service area) and the development and construction of new service facilities that could significantly affect the environment individually or cumulatively. In addition, pursuant to CEQA, growth must not be assumed as beneficial, detrimental, or of little significance to the environment.

The Project would provide 650 residential condominium units, 300 hotel rooms, and approximately 80,000 square feet of retail, restaurant, and other commercial uses. The mixed-use Project would provide new housing and employment opportunities within the Downtown Center, an area targeted for high-density residential development and near existing employment centers. The Project would provide housing for 1,060 new residents and provide 438 net new permanent employment positions. During construction, the number of employees is estimated to range from 10 temporary employees to a maximum of 700 temporary employees. However, the Project would not have indirect effects on growth through such mechanisms as the extension of roads and infrastructure, since the infill Project would utilize the existing transportation and utility infrastructure to serve the Project. The Project would include a mix of uses that would be compatible with adjacent uses and representative of the type of high density and mixed use development anticipated under the existing Downtown Center designation. The Project's new development is within the range of development anticipated within the established SCAG regional forecast for the City of Los Angeles and Central City area. The Project would not increase or induce residential density growth not otherwise anticipated.

The Project Site is located in an urbanized area that is served by current infrastructure (e.g., roads and utilities), and community service facilities. The Project's only off-site infrastructure improvements would consist of tie-ins to the existing utility main-lines already serving the Project area. The Project would not require the construction of off-site infrastructure that would provide additional infrastructure capacity for other future development. It would not open inaccessible sites to new development other than existing opportunities for development that are already available.

Therefore, the Project would not spur additional growth other than that already anticipated and would not eliminate impediments to growth. Consequently, the Project would not foster growth inducing impacts.

F. POTENTIAL SECONDARY EFFECTS

Section 15126.4(a)(1)(D) of the State *CEQA Guidelines* requires mitigation measures to be discussed in less detail than the significant effects of the proposed Project if the mitigation measure(s) would cause one or more significant effects in addition to those that would be caused by the Project as proposed. The analysis of Project impacts in Chapter 4, of this Draft EIR resulted in recommended mitigation measures for several environmental topics, which are identified below. The following provides a discussion of the potential secondary effects on those topics that could occur as a result of implementation of the required mitigation measures. For the reasons stated below, it is concluded that the Project's mitigation measures would not result in significant secondary impacts.

1. Cultural Resources – Archaeological and Paleontological Resources

Mitigation Measures MM-ARCH-1 through MM-ARCH-3 and MM-PALEO-1 through MM-PALEO-4 establish protections for cultural resources through monitoring plans to identify cultural resources should they be present on the Project Site and treatment and reporting of resources should they be encountered. The mitigation measures assure that resources would be treated consistent with State *CEQA Guidelines* and regulatory provisions for the protection of resources. They would require no construction for their implementation. They would have no secondary impacts on the environment.

2. Hazards and Hazardous Materials

Mitigation Measure MM-HAZ-1 requires the preparation of a Soil Management Plan. The Soil Management Plan would be implemented during excavation and grading activities and would ensure that any contaminated soils are properly identified, excavated, and disposed of off-site in accordance with applicable regulatory requirements. Mitigation Measure MM-HAZ-2 requires the preparation of a Health and Safety Plan in accordance with OSHA requirements to avoid risks to workers or the public in the event of elevated levels of subsurface gas or vapor encroachment. Mitigation Measure MM-HAZ-3 requires additional Site testing in the location of existing on-site structures, subsequent to their demolition and prior to excavation of soils at these locations. Any additional recommendations shall be incorporated into an updated Soil Management Plan and Health and Safety Plan. Implementation of these protective measures in accordance with applicable regulatory requirements and the recommendations of the *Summary Report for Limited Soil and Soil Gas Investigation* prepared for the Project would not result in secondary impacts on the environment.

3. Noise and Vibration

Mitigation Measure MM-NOISE-1 would require the construction of a temporary 15-foot tall construction fence equipped with noise blankets, to achieve sound level reductions of at least 14 dBA, between the Project construction site and residential uses across S. Flower Street .Mitigation Measure MM-NOISE-2 would require two continuously operational automated vibration monitors on the Petroleum Building during construction. In the event that predetermined vibration levels are exceeded, construction vibration levels would be reduced, or work stopped and the Petroleum Building would be visually inspected for damage.

This mitigation measure would reduce impacts and would not require new construction. There would be no secondary impacts on the environment from implementation of these mitigation measures.

4. Public Services – Police Protection

Mitigation Measure MM-POL-1 requires the Applicant to consult with the LAPD and to provide Project information that would facilitate LAPD responses to the Project Site. This mitigation measure would require no construction and would not result in significant secondary impacts.

5. Transportation and Traffic

Mitigation Measures MM-TRAF-1 requires the implementation of a Travel Demand Management (TDM) Program to promote non-auto travel and reduce the use of single-occupancy vehicle trips. This measure would reduce Project impacts without requiring physical improvements. Mitigation Measure MM-TRAF-2 would require physical roadway improvements at one intersection. Although this roadway improvement would be provided within the existing right-of-way, this improvement would also require the removal of four unmetered parking spaces along the south side of 17th Street. Due to the limited number of parking spaces that would be removed and the availability of other parking in the area, this would not result in a significant secondary impact. Overall, secondary impacts resulting from the implementation of the Transportation and Traffic mitigation measures would be negligible, and therefore less than significant.

G. EFFECTS FOUND NOT TO BE SIGNIFICANT

Section 15128 of the CEQA Guidelines states that an EIR shall contain a brief statement indicating reasons that various possible significant effects of a project were determined not to be significant and not discussed in detail in the Draft EIR. Pursuant to Section 1512, such a statement may be contained in an attached copy of an Initial Study. An Initial Study was prepared for the Project and is included in Appendix A-1 of this Draft EIR. The Initial Study provides a detailed discussion of the potential environmental impact areas and the reasons that each topical area is or is not analyzed further in the Draft EIR. The City of Los Angeles determined that the Project would result in less than significant or no impacts related to agricultural resources, biological resources, human remains, landslides, seismic shaking or rupture, landslides, top soil loss, septic systems, wildland fires, emissions of hazardous materials, flooding, water quality standards, groundwater, drainage patterns, habitat conservation plans, mineral resources, airstrips or airport proximity or plans, population or housing displacement, schools, air traffic patterns, storm drain facilities, and solid waste. For further discussion of these issues and more detailed evaluation of potential impacts, refer to the Project Initial Study, provided in Appendix A-1 of this Draft EIR.