

APPENDIX P

Discussion of Modifications to
Appendix G of the CEQA Guidelines

MODIFICATIONS TO CEQA GUIDELINES APPENDIX G

INTRODUCTION

The California Natural Resources Agency adopted revisions to the CEQA Guidelines that became effective on December 28, 2018. The revisions to the Guidelines included changes to CEQA Guidelines Appendix G-Environmental Checklist Form (Appendix G). The revisions to Appendix G are intended to reduce redundancy, provide additional clarity, and align Appendix G with recent California appellate court and Supreme Court decisions and changes to the Public Resources Code. The revised CEQA Guidelines, including the revised Appendix G Environmental Checklist, apply prospectively and only to steps in the CEQA process not yet undertaken by the effective date of the revisions.¹ The revised CEQA Guidelines do not apply to CEQA documents that were sent out for public review (i.e., released for public review and comment) before the effective date of the revised CEQA Guidelines.^{2,3}

The Draft Environmental Impact Report (Draft EIR) for the Hollywood Community Plan Update (Proposed Plan) was circulated for a 75-day public review period from November 15, 2018 to January 31, 2019. A Partially Recirculated Draft Environmental Impact Report (RDEIR) was prepared and circulated for public review in October 2019. The RDEIR only addressed the updated CEQA Guidelines with respect to transportation impacts in response to Senate Bill (SB) 743, which establish criteria for determining the significance of transportation impacts by a metric other than level of service (LOS).

REVISIONS TO APPENDIX G OF THE CEQA GUIDELINES

The revisions to Appendix G were adopted largely to reduce redundancy, provide additional clarity, and to align Appendix G with recent California appellate court and Supreme Court decisions and changes to the Public Resources Code. An overview of the modifications to the Appendix G is provided below by environmental topic.

Aesthetics. Consistent with SB 743, the modifications clarify that the checklist questions regarding aesthetics do not apply to projects that are located in a transit priority area and are defined as set forth in Public Resources Code Section 21099. Per SB 743, aesthetics impacts for such projects shall not be considered significant. For those projects that do not meet the definition provided in Public Resources Code Section 21099, the modifications provide distinct checklist questions for public views and consistency with zoning regulations governing scenic views, depending upon whether the project is within a non-urbanized or urbanized area. All the modified checklist issues are addressed in Section 4.1, Aesthetics, of the Draft EIR.

Agriculture and Forestry Resources. These checklist questions were not updated as part of the modifications and are responded to the Section 4.2, Agriculture and Forestry Resources, of the Draft EIR.

Air Quality. These checklist questions were modified to delete Checklist Question III.b regarding violation of air quality standards and to modify the question regarding odors. All of the checklist issues presented in the updated Appendix G checklist are addressed in Section 4.3, Air Quality, of the Draft EIR.

¹CEQA Guidelines Section 15007(b).

²California Natural Resources Agency, Title 14, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act, <http://resources.ca.gov/ceqa/guidelines/art1.html>.

³CEQA Guidelines Section 15007(c).

Biological Resources. Checklist Question IV.c was modified to remove reference to Section 404 of the Clean Water Act. This modification does not affect the analysis of biological resources provided in the Draft EIR.

Cultural Resources. These modifications consist of a minor word change to Checklist Question V.a and moving Checklist Question V.c related to paleontological and unique geological features from the cultural resources subsection to the geological resources subsection of Appendix G. Impacts to cultural resources are fully addressed in Section 4.5, Cultural Resources, of the Draft EIR.

Energy. The modifications include energy as a separate subsection and incorporate language from Appendix F of the CEQA Guidelines. The new CEQA Guidelines Section 15126.2(b) treats “wasteful, inefficient, or unnecessary” energy consumption as a significant environmental impact. Specifically, the new Energy section added to Appendix G of the CEQA Guidelines focuses on whether the project would:

- Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Potential impacts related to energy are discussed in Section 4.16, Utilities and Services Systems, of the Draft EIR (Energy subsection starting on page 4.16-37). Section 4.7, Greenhouse Gas Emissions, of the Draft EIR also includes a discussion of impacts related to energy. Federal, State and local laws, regulations, plans, and guidelines related to energy applicable to the Proposed Plan are summarized beginning on page on page 4.16-37.

The analysis provided in the Section 4.16, Utilities and Services Systems, under Impacts 4.16-9 and 4.16-10 on pages 4.16-47 and 4.16-49, addresses whether the implementation of the Proposed Plan would result in the wasteful or inefficient use of energy. The impact analysis concludes the Proposed Plan would result in a less-than-significant impact related to energy. In addition, the analysis in Section 4.7, Greenhouse Gas Emissions, under Impacts 4.7-1 and 4.7-2 on page 4.7-20 concludes that the Proposed Plan would not conflict with a state or local plan for renewable energy or energy efficiency, and impacts related to energy would be less than significant.

Geology and Soils. These checklist questions have been modified to focus on both the direct and indirect impacts associated with geology and soils and to move the analysis of paleontological resources to this topic from the cultural resources’ subsection. Section 4.6, Geology and Soils of Draft EIR, provides a detailed analysis of potential impacts associated with geology and soils that addresses all the updated checklist questions. Impacts to paleontological resources are addressed in Section 4.5, Cultural Resources, of the Draft EIR.

Greenhouse Gas Emissions. These checklist questions were not changed as part of the modifications and are addressed in Section 4.7, Greenhouse Gas Emissions, of the Draft EIR.

Hazards and Hazardous Materials. These checklist questions were revised to delete Checklist Question VIII.f regarding safety hazards associated with proximity to a private airstrip and to clarify that Checklist Question VIII.g (formerly Checklist Question VIII.h) includes both direct and indirect impacts associated with wildland fires. All of the updated checklist issues presented in the updated Appendix G checklist, are addressed in Section 4.8, Hazards and Hazardous Materials, of the Draft EIR.

Hydrology and Water Quality. These checklist questions were revised to provide clarification and eliminate redundancy. All of the topics in these updated checklist questions, including those related to water quality, groundwater, flooding, and flood hazards, are thoroughly addressed in Section 4.8, Hydrology & Water Quality, of the Draft EIR.

Land Use and Planning. Checklist Question X.b has been revised to focus on conflicts with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Checklist Question X.c has been deleted, as it addressed habitat conservation plans, which are already addressed in the biological resources checklist questions. A detailed analysis of the Project's consistency with relevant land use plans, policies, and regulations is provided in Section 4.10, Land Use and Planning, of the Draft EIR.

Mineral Resources. These questions were not updated as part of the modifications and are responded to in the Section 4.11, Mineral Resources, of the Draft EIR.

Noise. Checklist Questions XII.a and XII.b were revised to focus on impacts associated with the generation of noise and vibration noise levels. In addition, Checklist Questions XII.c, XII.d, and XII.f were deleted, as they were redundant, and Checklist Question XII.e was revised accordingly. The topics associated with these modified questions are fully addressed in Section 12, Noise, of the Draft EIR.

Population and Housing. Checklist Question XIII.a was clarified to focus on potential impacts associated with unplanned growth, and Checklist Questions XIII.b and XIII.c were combined. The topics in these modified questions are fully addressed in Section 4.13, Population, Housing, and Employment, of the Draft EIR.

Public Services. These checklist questions were not updated as part of the CEQA Guidelines modifications and are addressed in Sections IV.1.1, Public Services-Police Protection, through IV.1.5, Public Services-Parks and Recreation, of the Draft EIR.

Recreation. These questions were not updated as part of the CEQA Guidelines modifications and are addressed in Section IV.1.5, Public Services-Parks and Recreation, of the Draft EIR.

Transportation. Checklist Questions XVI.a and XVI.f were combined and clarified to focus on conflicts with a program, plan, ordinance, or policy addressing the circulation system. Checklist Question XVI.c regarding airport traffic safety was eliminated, as airport traffic safety is already addressed in the hazards checklist questions. Former Checklist Question XVI.ct (now Checklist Question XVI.c) was revised to add "geometric" for clarity. All of the topics in these revised checklist questions are addressed in the analysis provided in Section 15, Transportation and Traffic, of the RDEIR.

In addition, Checklist Question XVI.b was revised to address consistency with CEQA Guidelines Section 15064.3(b), which relates to use of vehicle miles traveled (VMT) as the measure for evaluating traffic impacts. Section 4.15, Transportation and Traffic, of the RDEIR reflects the new CEQA Guidelines and City's adopted transportation thresholds.

Tribal Cultural Resources. These checklist questions were not updated as part of the modifications and are responded to in Section 4.5, Cultural Resources, of the Draft EIR.

Utilities and Service Systems. These checklist questions were revised to reduce redundancy. Specifically, Checklist Question XVIII.a was eliminated, as wastewater treatment was already addressed in former Checklist Question XVIII.e (now Checklist Question XVIII.c). In addition, former Checklist Questions XVIII.b and XVIII.c were combined to address all infrastructure types in one question (now Checklist Question XVIII.a) and to include the addition of telecommunications. Former Checklist Question XVIII.d regarding water supply was also updated to clarify that the analysis of water supply should include reasonably foreseeable future development during normal, dry, and multiple dry years. Former Checklist Questions XVIII.f and XVIII.g regarding solid waste impacts were also clarified. All of the topics raised in these revised questions are covered in Sections 4.16, Utilities and Service Systems, of the Draft EIR.

With regard to telecommunications, the Proposed Plan would require construction of new on-site telecommunications infrastructure to serve the new buildings and potential upgrades and/or relocation of existing telecommunications infrastructure. Construction impacts associated with the installation of telecommunications infrastructure would primarily involve trenching in order to place the lines below surface. When considering impacts resulting from the installation of any required telecommunications infrastructure, all impacts are of a relatively short duration and would cease to occur when installation is complete. Installation of new telecommunications infrastructure would be limited to on-site telecommunications distribution and minor off-site work associated with connections to the public system. Any work that may affect services to the existing telecommunications lines would be coordinated with service providers. In addition, both on-site and off-site construction work associated with utilities installation is already addressed in the Draft EIR. The installation of new telecommunications infrastructure would be within the scope of the construction impacts already analyzed in the Draft EIR. Therefore, impacts would be less than significant.

Wildfire. New Checklist Question XX focuses on whether projects located in or near state responsibility areas (where the state has financial responsibility of preventing and suppressing fires), or lands classified as very high fire severity zones by local agencies, would:

- Substantially impair an adopted emergency response plan or emergency evacuation plan?
- 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?
- 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?
- 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?

Impacts related to wildfire and emergency response plans are discussed in Section 4.8, Hazards and Hazardous Materials, of the Draft EIR. The Project Area does not contain any state responsibility areas (SRAs). The nearest SRA is located over six miles northeast of the Project Area at the foothills of the San Gabriel Mountains and Angeles National Forest near the communities of La Crescenta-Montrose and La Canada-Flintridge. The nearest fire station serving this SRA is Los Angeles County Fire Department (LACFD) Station No. 63, which is located less than one mile from the SRA. While the Project Area does not contain an SRA, as shown in Figure 4.8-4 on page 4.8-34, the northern and eastern portions of the Project Area are located within a City designated Very High Fire Hazard Severity (VHFHS) Zone. The analysis included under Impact 4.8-8 on page 4.8-45 addresses whether the Proposed Plan would expose people or structures to a significant risk of loss, injury or death involving wildland fires, and the analysis included under Impact 4.8-7 on page 4.8-44 addresses whether the Proposed Plan would impair an adopted emergency response or emergency evacuation plan.

The Project Area contains both developed hillside properties and undeveloped portions of the Santa Monica Mountains, as well as the urbanized areas at the foothills of the mountains. The undeveloped portions of the Santa Monica Mountains are generally designated for Open Space and, thus, development opportunities in these areas are limited. Development opportunities in the developed hillside areas are also limited in part because of single-family residential density regulations, slope density restrictions, and the topography. No Active Change Areas are proposed within the Santa Monica Mountains; however, vacant lots could be redeveloped under the existing land use and zoning designations. The Proposed Plan would direct growth away from low-density neighborhoods, including hillside areas. As such, development within the mountains and hillsides is unlikely to occur as a result of the Proposed Plan. The Proposed Plan does not include the installation of infrastructure such as roads, fuel breaks, emergency water sources, power lines, or other utilities that may exacerbate wildfire risks. Future conditions in the hillside areas would be comparatively the

same as current baseline conditions, and the Proposed Plan would not expose persons residing within the Project Area to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Nonetheless, properties located within a VHFHS Zone are required to minimize fire risks during the high fire season through vegetation clearance, maintenance of landscape vegetation to minimize fuel supply (that would spread the intensity of a fire), comply with provisions for emergency vehicle access, and use of approved building materials in compliance with City and Los Angeles Fire Department (LAFD) requirements.

The Development Services section of the LAFD conducts Fire Life Safety Plan Checks and Fire Life Safety Inspections and enforces applicable standards of the Fire Code, Title 19, Uniform Building Code, City, and National codes concerning new construction and remodeling. Additionally, LAFD consults with architects, engineers, and builders regarding all facets of construction and fire safety and meet on a regular basis with the Los Angeles Department of Building and Safety (LADBS) to investigate and approve alternate methods of construction and building materials that are proposed for use in lieu of code requirements. The Hydrants and Access Unit of the LAFD also reviews plans to evaluate site access and hydrant placement and determine the need for LAFD access to all structures buildings, as well as reviewing existing and proposed public streets, private streets, and fire lanes for adequate width, turn-a-rounds, grade, parking restrictions, overhead clearances secondary ingress and egress, load capacity, turning radii, and secured entrances to ensure that response times are not unnecessarily delayed for any of the above reasons.

Owners of property located in VHFHS Zones are also required to maintain their property in accordance with the Fire Code (LAMC 57.322), and Los Angeles City Council approved an ordinance in July 2018 to increase requirements for brush clearance and fire safety in the VHFH Zones. Ordinance 185789 establishes appropriate safety measures necessary to mitigate the occurrence of such fires. Highlights of the ordinance include:

- Use of metal cutting blades for grass or brush clearance shall be limited to those which are non-ferrous/non-sparking.
- Brush clearance cannot be done on red flag days, when fire weather conditions are at their peak.
- Individuals engaged in brush clearance operations shall not engage in any other activities during their actual clearance of grass or brush.
- An approved fire extinguisher, or a pressurized garden hose with attached nozzle shall be within 10 feet of any grass or brush clearance operation, to quickly extinguish a small fire before it burns out of control.
- A cell phone capable of dialing 9-1-1 shall be charged and readily accessible to the grass or brush clearance operation.

In addition, LAFD has inspection programs to lessen the impacts of wildfire. These include a program to remove illegally parked vehicles in posted locations within the VHFHS Zones on Red Flag Days. LAFD also surveys VHFHS Zones to identify critical areas where parked vehicles could delay citizens trying to evacuate and fire companies attempting to gain access during wildfire.

As discussed under Impact 4.8-7, temporary construction barricades or other obstructions within rights-of-ways have the potential to impede emergency access, and increased traffic on local roadways as a result of increased development has the potential to impede emergency vehicles. The City of Los Angeles Department of Transportation (LADOT) and the LAFD would be responsible for ensuring that future development does not impair or physically interfere with an adopted emergency response or evacuation plan. In addition, implementation of the policies in the Safety Element of the City's General Plan and the Los Angeles County's Operational Area Emergency Response Plan (ERP) would allow for the coordination of all the facilities, personnel, and jurisdictional resources to allow for the timely and appropriate response to any emergency related to wildfires. Compliance with existing regulations, policies and plans would minimize

potential interference and ensure that implementation of the Proposed Plan would not impair or physically interfere with adopted emergency response plans.

While the potential for downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes and/or localized flooding currently exists, very limited new development is projected in the hillside areas, and future conditions in the hillside areas would be comparatively the same as current baseline conditions. Therefore, the Proposed Plan would not expose people or structures downslope to significant new risks. Any new residential development is required to comply with applicable Building and Safety Code design guidelines. Development occurring within the Santa Monica Mountains and other hillsides within the Project Area is also required to comply with the City's Hillside Ordinance to minimize risks during construction activities. In addition, LAMC Section 17.05(M) prescribes performance standards for storm drain systems, which must be designed in conformance with standards approved by the City Engineer. Storm drain facilities that intercept and convey all runoff to a suitable point of disposal are required when runoff exceeds the limiting depth of street flow as determined by the City Engineer. Storm drains must be of sufficient capacity in all cases to prevent flooding of building sites from a storm of a 50-year frequency. Any subsequent project facilitated by the approval of the Proposed Plan would be required to demonstrate to the satisfaction of the City that appropriate capacity is available, and that storm drain facilities are designed to incorporate proper drainage design to the satisfaction of the City Engineer.