1.0 INTRODUCTION

This document is an Environmental Impact Report (EIR) that evaluates the proposed Mangrove Estates Site Mixed Use Development project, located in the City of Los Angeles, County of Los Angeles, California. This section describes: (1) the purpose and legal authority of the EIR; (2) the project background; (3) lead, responsible, and trustee agencies; (4) the scope and content of the EIR; and (5) the environmental review process required under the California Environmental Quality Act (CEQA).

1.1 PURPOSE AND LEGAL AUTHORITY

The proposed project requires the discretionary approval of the City of Los Angeles. Therefore, it is subject to the requirements of CEQA. In accordance with Section 15121 of the *CEQA Guidelines,* the purpose of this EIR is to serve as an informational document that:

> *...will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.*

This EIR is a Program EIR. Although the legally required contents of a Program EIR are the same as those of a Project EIR, Program EIRs are typically more conceptual and may contain a more general discussion of impacts, alternatives, and mitigation measures than a Project EIR. As provided in Section 15168 of the *CEQA Guidelines*, a Program EIR may be prepared on a series of actions that may be characterized as one large project. Use of a Program EIR provides the City (as Lead Agency) with the opportunity to consider broad policy alternatives and program-wide mitigation measures and provides the City with greater flexibility to address environmental issues and/or cumulative impacts on a comprehensive basis.

Agencies generally prepare Program EIRs for programs or a series of related actions that are linked geographically, are logical parts of a chain of contemplated events, rules, regulations, or plans that govern the conduct of a continuing program, or are individual activities carried out under the same authority and having generally similar environmental effects that can be mitigated in similar ways. Once a Program EIR has been prepared, subsequent activities within the program must be evaluated to determine what, if any, additional CEQA documentation needs to be prepared. If the Program EIR addresses the program's effects as specifically and comprehensively as possible, many subsequent activities could be found to be within the Program EIR scope and additional environmental documents may not be required (*CEQA Guidelines* Section 15168(c)).

When a Program EIR is relied on for a subsequent activity, the Lead Agency must incorporate feasible mitigation measures and alternatives developed in the Program EIR into the subsequent activities (*CEQA Guidelines* Section 15168(c)(3)). If a subsequent activity would have effects not within the scope of the Program EIR, the Lead Agency must prepare a new Initial Study leading to either a Negative Declaration, Mitigated Negative Declaration, or project level EIR. In this case, the Program EIR still serves a valuable purpose as the first-tier environmental analysis.

The *CEQA Guidelines* (Section 15168(h)) encourage the use of Program EIRs, citing five advantages:

1. *Provision of a more exhaustive consideration of impacts and alternatives than would be practical in an individual EIR*
2. *Focus on cumulative impacts that might be slighted in a case-by-case analysis*
3. *Avoidance of continual reconsideration of recurring policy issues*
4. *Consideration of broad policy alternatives and programmatic mitigation measures at an early stage when the agency has greater flexibility to deal with them*
5. *Reduction of paperwork by encouraging the reuse of data (through tiering)*

1.2 PROJECT BACKGROUND

The City of Los Angeles currently owns the approximately 5.66-acre project site, which is occupied by a surface parking lot a vacant and a 19,500 square foot (sf) medical office building. The City is planning to sell the site to a private developer. In March 2008, the City issued a Request for Proposal (RFP) for a private developer to secure the right to develop the site. In response to the RFP, the City received several proposals from private developers for various development ideas. Each of the development ideas contained in the proposals differed in design, size, scale and mix of uses. However, the common theme in each of the proposals was that of a mixed-use development. Therefore, for the purpose of assessing the environmental impacts of development on the project site, the City used the maximum amount of each specific use that was included in the development proposals received. It is anticipated that the project site could accommodate a maximum of 1.2 million sf feet of floor space, comprised of retail, office, community space, creative live/work units and residential development.

1.3 ENVIRONMENTAL IMPACT REPORT BACKGROUND

As discussed above, the City received several proposals from private developers for various development ideas. In anticipation of the sale of the project site by the City to a private owner, the City has prepared an EIR. However, because the City has not yet selected a development proposal, no specific development is proposed at this time. Therefore, as discussed above, for the purpose of assessing environmental impacts of development on the project site, the City used the maximum amount of each specific use that was included in the development proposals received. As such, the EIR analyzes the anticipated maximum amount of each land use that would be potentially constructed on the project site.

The City filed a Notice of Preparation (NOP) to prepare the EIR on October 22, 2009. The NOP was mailed to public agencies and owners and occupants of properties within a 500-foot radius of the project site and to local community organizations and other interested parties. The NOP included a brief description of the proposed project, environmental issues to be studied in the EIR as determined by the Initial Study (IS) and the time, date and location of an EIR scoping meeting to which public agencies and all members of the public were invited to attend. The IS and NOP are included in Appendix A. The scoping meeting provided an opportunity for public agencies and the public to learn more about the EIR analysis and the EIR process, as well as to express their concerns about environmental issues related to development on the project site. The scoping meeting was held on November 3, 2009, from 6:30 PM to 8:00 PM, in the Lotus Room at the Hompa Hongwanji Buddhist Temple, located at 815 East First Street, Los Angeles, California, 90012.

The City received five written responses to the NOP, all of which were from public agencies. Table 1-1 summarizes the scoping comments provided by public agencies.

Table 1-1
Scoping Comments Received

Responder	Subject and Where Comments Addressed
1. State of California Governor's Office of Planning and Research (OPR)	Letter lists responsible agencies and directs responsible agencies to provide comments on the project within 30 days of receipt of the NOP.
2. State of California Public Utilities Commission	Comments that impacts related to railways hazards and railways noise and vibrations should be addressed in the EIR. Section 4.11, *Transportation and Circulation*, discusses impacts related alternative transportation and Section 4.8, *Noise*, discusses noise and vibrations associated with railways.
3. South Coast Association of Governments (SCAG)	Comments that SCAG finds the project regionally significant and provides guidance for considering the project within SCAG's regional goals and policies. The letter also encourages use of SCAG mitigation measures to demonstrate consistency with regional plans and policies. Consistency with SCAG's regional plans and policies are discussed in Section 4.7, *Land Use and Planning*.
4. South Coast Air Quality Management District (SCAQMD)	Letter provides information on methodology for analysis, SCAQMD thresholds and mitigation measures. Air Quality impacts are discussed in Section 4.2, *Air Quality*.
5. Los Angeles County Metropolitan Transit Authority (MTA)	Letter lists the requirements of the California Congestion Management Program Traffic Impact Analysis. A traffic impact study was prepared for the proposed project and is contained in Appendix G. Traffic impacts are discussed in Section 4.11, *Transportation and Circulation.*

1.4 PROJECT SUMMARY

The proposed project analyzed in the EIR involves a General Plan amendment, zone change and other necessary approvals to allow for the development of mixed retail, office, community space, creative live/work units and residential development. It is anticipated that the project site could accommodate a maximum of 1.2 million sf feet of floor space. The estimated amount of each of specific use that could be accommodated at the site is shown in Table 1-2.

Table 1-2
Anticipated Onsite Land Uses

Use	Amount
Retail	200,000 sf
Office	500,000 sf
Community Space	25,000 sf
Creative Live/Work	75,000 sf (83 residential units plus 18,750 sf of commercial space)
Multiple Family Residential	400,000 sf (445 units)
Total	**1,200,000 sf**

Note: The average size of the proposed residential units and creative live/work units is assumed to be 900 sf. It is anticipated that 75% of the floor space of each creative live/work unit would be devoted to living area and 25% would be commercial space.

1.5 LEAD, RESPONSIBLE AND TRUSTEE AGENCIES

The *CEQA Guidelines* require the identification of "lead," "responsible," and "trustee" agencies. The City of Los Angeles is the "lead agency" for the project because it has principal responsibility for approving the project.

A "responsible agency" is a public agency other than the "lead agency" that has discretionary approval authority over the project (the *CEQA Guidelines* define a public agency as a state or local agency, but specifically exclude federal agencies from the definition). As the City of Los Angeles has sole discretionary authority to approve the proposed project, there are no responsible agencies for the project.

A "trustee agency" refers to a state agency having jurisdiction by law over natural resources affected by a project. No trustee agencies have jurisdiction over any natural resources affected by the proposed project.

1.6 EIR SCOPE AND CONTENT

This EIR addresses impacts identified by the Initial Study to be potentially significant. The following issues were found to include potentially significant impacts and are analyzed in the EIR:

- *Aesthetics*
- *Air Quality*
- *Cultural and Historic Resources*
- *Geology*
- *Hazardous Materials*
- *Hydrology and Water Quality*
- *Land Use and Planning*
- *Noise*
- *Public Services*
- *Recreation and Parks*
- *Transportation/Circulation*
- *Utilities*
- *Greenhouse Gas/Climate Change*

All other issues are addressed in the Initial Study in Appendix A. As indicated in the Initial Study, there is no evidence that significant impacts would occur in any issue area not listed above.

In preparing the EIR, use was made of pertinent City policies and guidelines, certified EIRs and adopted CEQA documents, and background documents prepared by the City. A full reference list is contained in Section 7.0, *References and Report Preparers*.

This EIR identifies the potentially significant environmental impacts of the proposed project. In addition, the EIR recommends feasible mitigation measures that would reduce impacts to the degree feasible.

The impact analyses contained in Section 4.0 of the EIR include a description of the physical and regulatory setting within each issue area identified as having potentially significant effects, followed by an analysis of the project's impacts. Each specific impact is called out separately and numbered, followed by an explanation of how the level of impact was determined. When appropriate, feasible mitigation measures to identify significant impacts are included following the impact discussion. Measures are numbered to correspond to the impact that they mitigate. Finally, following the mitigation measures is a discussion of the residual impact that remains following implementation of recommended measures.

The *Alternatives* section of the EIR (Section 6.0) was prepared in accordance with Section 15126.6 of the *CEQA Guidelines* and focuses on alternatives that are capable of eliminating or reducing significant adverse effects associated with the project while feasibly attaining most of the project's basic objectives. Alternatives evaluated include the CEQA-required "No Project" scenario, the 650,000 Square Foot Maximum Buildout Alternative, the 800,000 Square Foot Maximum Buildout Alternative and the Regional Connector Corridor Alternative. The EIR also identifies the "environmentally superior" alternative among the options studied.

The level of detail contained throughout this EIR is consistent with the requirements of CEQA and applicable court decisions. The *CEQA Guidelines* provide the standard of adequacy on which this document is based. The *Guidelines* (§15151) state:

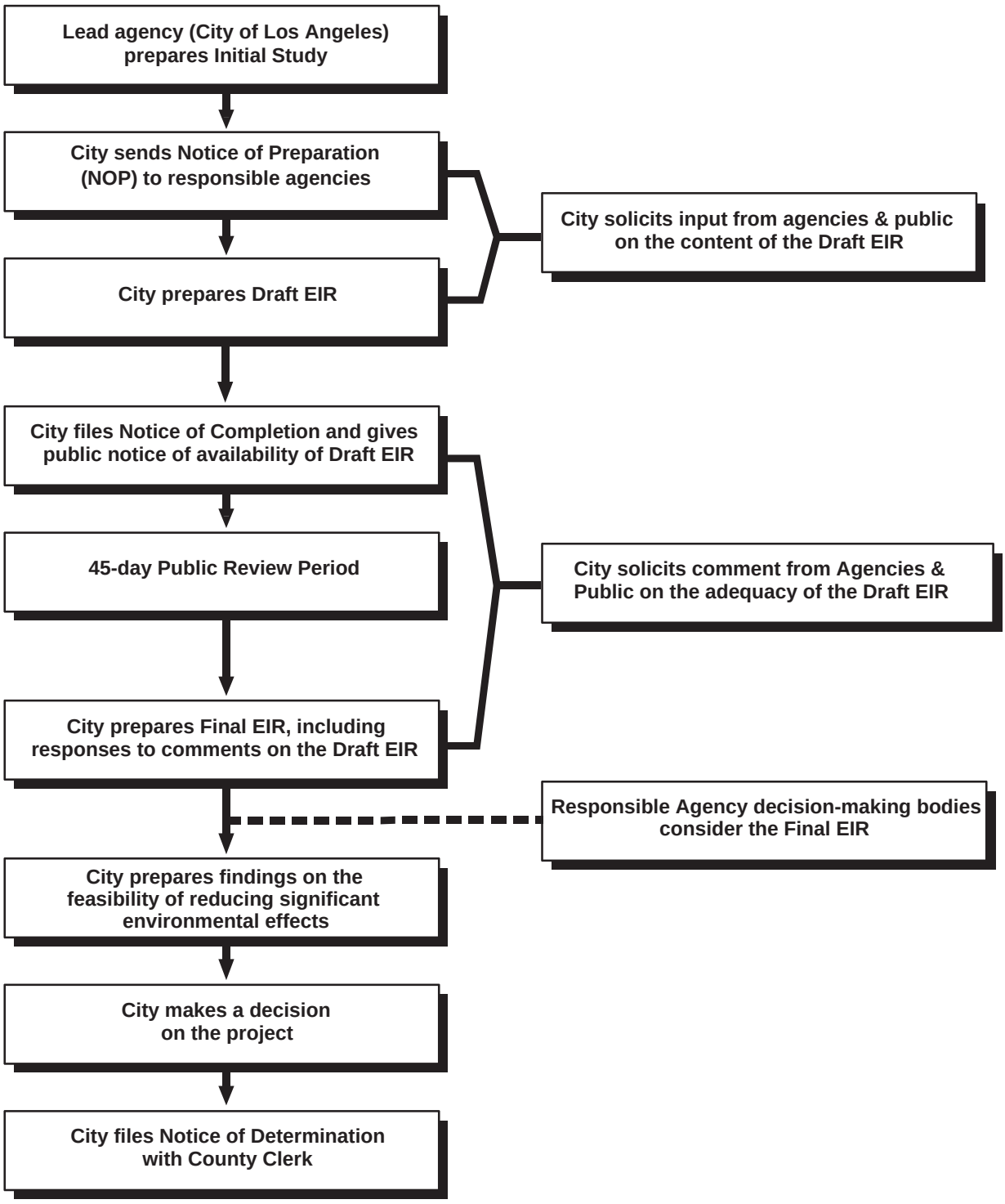
> *An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the*

experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure.

1.7 CEQA ENVIRONMENTAL REVIEW PROCESS

The environmental review process, as required under CEQA, is presented below and illustrated on Figure 1-1.

1. **Notice of Preparation (NOP).** After deciding that an EIR is required, the lead agency must file an NOP soliciting input on the EIR scope to the State Clearinghouse, other concerned agencies, and parties previously requesting notice in writing (*CEQA Guidelines* Section 15082; Public Resources Code Section 21092.2). Typically, the lead agency holds a scoping meeting during the 30-day NOP review period.
2. **Draft Program EIR.** The Draft EIR must contain: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) discussion of significant impacts (i.e., direct, indirect, cumulative, growth-inducing and unavoidable impacts); f) a discussion of alternatives; g) mitigation measures; and h) discussion of irreversible changes.
3. **Notice of Completion.** A lead agency must file a Notice of Completion with the State Clearinghouse when it completes a Draft EIR and prepare a Public Notice of Availability of a Draft EIR. The lead agency must place the Notice in the County Clerk's office for 30 days (Public Resources Code Section 21092) and send a copy of the Notice to anyone requesting it (*CEQA Guidelines* Section 15087). Additionally, public notice of Draft EIR availability must be given through at least one of the following procedures: a) publication in a newspaper of general circulation; b) posting on and off the project site; and c) direct mailing to owners and occupants of contiguous properties. The lead agency must solicit comments from the public and respond in writing to all written comments received (Public Resources Code Sections 21104 and 21253). The minimum public review period for a Draft EIR is 30 days. When a Draft EIR is sent to the State Clearinghouse for review, the public review period must be 45 days unless a shorter period is approved by the Clearinghouse (Public Resources Code Section 21091).
4. **Final EIR.** A Final EIR must include: a) the Draft EIR; b) copies of comments received during public review; c) a list of persons and entities commenting; and d) responses to comments.
5. **Certification of Final EIR.** Prior to making a decision on a proposed project, the lead agency must certify that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the decision-making body of the lead agency; and c) the decision-making body reviewed and considered the information in the Final EIR prior to approving the project (*CEQA Guidelines* Section 15090).



Project Site Photographs

Figure 1-1

6. **Lead Agency Project Decision.** A lead agency may: a) disapprove a project because of its significant environmental effects; b) require changes to a project to reduce or avoid significant environmental effects; or c) approve a project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (*CEQA Guidelines* Sections 15042 and 15043).
7. **Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, the lead or responsible agency must find, based on substantial evidence, that either: a) the project has been changed to avoid or substantially reduce the magnitude of the impact; b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible *(CEQA Guidelines* Section 15091). If an agency approves a project with unavoidable significant adverse environmental effects, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision.
8. **Mitigation Monitoring/Reporting Program.** When an agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.
9. **Notice of Determination.** An agency must file a Notice of Determination after deciding to approve a project for which an EIR is prepared (*CEQA Guidelines* Section 15094). A local agency must file the Notice with the County Clerk. The Notice must be posted for 30 days and sent to anyone previously requesting notice. Posting of the Notice starts a 30-day statute of limitations on CEQA legal challenges [Public Resources Code Section 21167(c)].