

CHAPTER 1 Introduction

The subject of this Draft Environmental Impact Report (Draft EIR) is the proposed San Pedro Community Plan and implementing ordinances (proposed plan). The San Pedro Community Plan Area (CPA) is located within the City of Los Angeles. The Department of City Planning established a New Community Plan program in order to comprehensively revise several of the community plans in the City of Los Angeles. Under this program, the existing San Pedro Community Plan is being revised to guide development through the year 2030. A detailed description of the proposed plan is contained in Chapter 3 (Project Description) of this Draft EIR.

Because the proposed plan will require approval of certain discretionary actions by the City of Los Angeles and other governmental agencies, the San Pedro Community Plan and implementing ordinances are subject to the California Environmental Quality Act (CEQA). The City determined that the San Pedro Community Plan and implementing ordinances may have a significant effect on the environment and that an EIR should be prepared.

1.1 LEAD AGENCY

The lead agency for the San Pedro Community Plan is:

City of Los Angeles
Department of City Planning, Room 667
200 North Spring Street
Los Angeles, CA 90012

The determination that the Department of City Planning of the City of Los Angeles is the “lead agency” is made in accordance with CEQA Guidelines Sections 15051 and 15367, which define the lead agency as the public agency that has the principal responsibility for carrying out or approving a project. This Draft EIR reflects the independent judgment of the City regarding the potential environmental impacts, the level of significance of the impacts both before and after mitigation, and the mitigation measures proposed to reduce impacts.

1.2 PURPOSE OF THE EIR

The City has prepared this Draft EIR for the following purposes:

- To satisfy the requirements of CEQA (Public Resources Code, Sections 21000–21178) and the CEQA Guidelines (California Code of Regulations, Title 4, Chapter 14, Sections 15000–15387)
- To inform the general public, the local community, and responsible and interested public agencies of the nature of the San Pedro Community Plan, its possible environmental effects, possible measures to mitigate those effects, and alternatives to the proposed plan
- To enable the City to consider environmental consequences when deciding whether to approve the San Pedro Community Plan
- To provide a basis for preparation of future environmental documents

As described in CEQA and the CEQA Guidelines, public agencies are charged with the duty to avoid or substantially lessen significant environmental impacts, where feasible. In discharging this duty, a public agency has an obligation to balance the project's significant impacts on the environment with other conditions, including economic, social, technological, legal, and other benefits. This Draft EIR is an informational document, the purpose of which is to identify the potentially significant impacts of the proposed plan on the environment and to indicate the manner in which those significant impacts can be avoided or significantly lessened; to identify any significant and unavoidable adverse impacts that cannot be mitigated; and to identify reasonable and feasible alternatives to the proposed plan that would eliminate any significant adverse environmental impacts or reduce the impacts to a less-than-significant level.

The lead agency is required to consider the information in the EIR, along with any other relevant information, in making its decision on the San Pedro Community Plan. Although the EIR does not determine the ultimate decision that will be made regarding implementation of the project, CEQA requires the City to consider the information in the EIR and make findings regarding each significant effect in the EIR.

The City will certify the EIR for the San Pedro Community Plan. Once certified, the EIR will serve as the base environmental document for the San Pedro Community Plan and will be used as a basis for decisions on development in the Community Plan Area. Other agencies may also use this EIR in their review and approval process.

This Draft EIR was prepared in accordance with CEQA Guidelines Section 15151, which defines the standards for EIR adequacy:

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 a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR would 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.

1.3 PROPOSED PLAN

The plan is the proposed San Pedro Community Plan and implementing ordinances, which are intended to:

- a. Replace the existing 1999 San Pedro Community Plan and guide development through 2030
- b. Refine and amend the existing General Plan Framework Element
- c. Amend the Transportation Element of the General Plan with respect to policies pertinent to San Pedro
- d. Initiate Plan Amendments and Zone Changes necessary to implement the General Plan and accomplish the stated objectives of the New Community Plan program (see below)
- e. Establish and apply Overlay Districts to portions of the San Pedro Community Plan, as necessary to implement the General Plan Framework Element and community plan policies
- f. Refine and amend other Citywide Elements of the General Plan as necessary

The proposed San Pedro Community Plan is one of the thirty-five Community Plans which comprise the Land Use Element of the Comprehensive General Plan and is intended to promote an arrangement of land uses, streets, and services that will encourage and contribute to the economic, social, and physical health, safety, welfare, and convenience of the people who live and work in the Community. The proposed plan will allocate land for the range of uses that the community will need through 2030, including land for housing, jobs, services and recreation, and improve the link between land use and transportation in a manner that is consistent with the General Plan Framework (GPF), the citywide growth strategy. The Community Plan's goals, objectives, policies, and programs are specific, action-oriented ideals which the City will promote during the lifespan of the proposed plan.

The GPF is a long-range, citywide, comprehensive growth strategy. It is a special element of the General Plan that plans for the future, as required by law, and replaces the Concept Los Angeles and the Citywide Plan (adopted in 1974). Therefore, the GPF looks at the City as a whole and provides a citywide context within which community planning takes place. The GPF neither overrides nor supersedes the Community Plans. It guides the City's long-range growth and development policy, establishing citywide standards, goals, policies, and objectives for citywide elements and community plans. The GPF provides demographic estimates and build-out capacity calculations for the community plan areas through 2010. The proposed Community Plan will help refine the GPF estimates through 2030. The Citywide elements provide long-range policy direction that takes into account citywide goals and needs to guide more detailed planning efforts, including Community Plans. The Mobility Element of the General Plan sets forth objectives, policies, and programs to guide the location and development of the City's transportation facilities and programs linking parts of Los Angeles with each other and other parts of the region.

Adoption of the San Pedro Community Plan and implementing ordinances would result in changes to zoning and height districts, initiate plan amendments to land use plan designations, and amend overlay zones, as appropriate. Plan amendments would potentially change or refine plan designations and footnotes and make changes to other Citywide Elements, as necessary. In concert with the proposed General Plan amendments, new zones may be necessary to maintain General Plan consistency (implemented by ordinance). The zoning would serve to regulate development standards, such as heights of structures, setbacks, lot coverage, density and intensity, open space, use of land, parking, and design. Overlay zones, districts, and other plans would additionally be established to regulate development that is consistent with the General Plan, enhance the unique character of neighborhoods, and accommodate growth within the San Pedro CPA.

Areas of focused study will include, but are not limited to, Downtown San Pedro, Pacific Avenue, Gaffey Street, and portions of Harbor Boulevard.

1.4 TYPE OF EIR

The San Pedro Community Plan would provide guidance regarding the ultimate development for the CPA at build-out. Its adoption does not constitute a commitment to any specific project or development. Therefore, this EIR will consider broad program-level issues. Any future discretionary development projects undertaken during the planning horizon of the San Pedro Community Plan would need to be approved individually by the City, in compliance with CEQA. Therefore, this San Pedro Community

Plan EIR evaluates the effects of the entire San Pedro Community Plan at a program level. According to the CEQA Guidelines (Section 15151), the EIR need not be exhaustive in its analyses of a project, but should analyze important issues to a sufficient degree that permitting and approving agencies can make informed decisions. Disagreements between experts, for example, do not render an EIR inadequate, but the major points of such disagreements should be summarized in the EIR.

Any subsequent environmental documents may rely on the EIR, as appropriate, for general discussions and for the analysis and cumulative impacts and would focus on more project- and site-specific impacts. CEQA findings would be required for any subsequent projects tiering from the EIR. The thresholds of significance used in the analysis of impacts are based on CEQA Guidelines Appendix G primarily, and the City's adopted CEQA Thresholds. Thresholds have been tailored in places as applicable to a program-level environmental analysis for a long-range planning document.

Future site-specific approvals may be evaluated pursuant to the rules for tiering set forth in CEQA Guidelines Section 15152. "[T]iering' is a process by which agencies can adopt programs, plans, policies, or ordinances with EIRs focusing on 'the big picture,' and can then use streamlined CEQA review for individual projects that are consistent with such ... [first tier decisions] and are ... consistent with local agencies' governing general plans and zoning'" (*Koster v. County of San Joaquin* [1996] 47 Cal. App.4th 29, 36). Before deciding to rely in part on a first-tier EIR in connection with a site-specific project, a lead agency must prepare an "initial study or other analysis" to assist it in determining whether the project may cause any significant impacts that were not "adequately addressed" in a prior EIR (CEQA Guidelines Section 15152(f), PRC Section 21094(c)). Where this analysis finds such significant impacts, an EIR is required for the later project. In contrast, "[a] negative declaration or mitigated negative declaration shall be required" where there is no substantial evidence that the project may have significant impacts not adequately addressed in the prior EIR or where project revisions accepted by the proponent avoid any such new significant impacts or reduce them "to a point where clearly" they are not significant.

The EIR identifies areawide environmental impacts that could occur upon implementation of the proposed San Pedro Community Plan. To the extent that the analysis contained within this EIR remains current and applicable, future projects within the San Pedro CPA that are consistent with the plan may tier from EIR pursuant to Public Resources Code Section 21094.

1.5 EIR REVIEW PROCESS

1.5.1 Notice of Preparation

A Notice of Preparation (NOP) was prepared and distributed to the State Clearinghouse, trustee agencies, responsible agencies, and other interested parties on January 31, 2008. Distribution of the NOP established a 30-day review period for the public and agencies to identify environmental issues that should be addressed in the Draft EIR.

1.5.2 Draft EIR

Pursuant to CEQA Guidelines Section 15205(b)(2), the Draft EIR will be submitted to the State Clearinghouse for distribution to state agencies. Submittal of the Draft EIR to the State Clearinghouse

will also commence the 45-day review period. This Draft EIR is being circulated for review and comment to the public and other interested parties, agencies, and organizations for a 45-day review period. During the review period, copies of the Draft EIR will be available for review at the City of Los Angeles Department of City Planning during normal business hours. The following is the address for the City of Los Angeles Department of City Planning:

City of Los Angeles
Department of City Planning
200 North Spring Street, Room 667
Los Angeles, CA 90012

Interested parties may provide written comments on the Draft EIR. Written comments on the Draft EIR must be postmarked by Monday September 24, 2012, and may be sent via U.S. mail or email and addressed to the following:

City of Los Angeles Department of City Planning
Attn: Debbie Lawrence
200 North Spring Street, Room 667
Los Angeles, CA 90012
Debbie.Lawrence@lacity.org

1.5.3 Final EIR and EIR Certification

Following the close of the public review and comment period, the City will prepare and publish a document titled “Comments and Responses,” which will contain a summary of all written and recorded oral comments on this Draft EIR and written responses to those comments, along with copies of the letters received, and any necessary revisions to the EIR. This Draft EIR and the Comments and Responses document will constitute the Final EIR. The City Council, in an advertised public meeting(s), will consider the documents and then, if found adequate, certify the Final EIR as completed in compliance with CEQA and the CEQA Guidelines.

1.5.4 CEQA Findings for Project Approval

Where a certified EIR identifies significant environmental effects, CEQA Guidelines Sections 15091 and 15092 require the adoption of findings prior to approval of a project. According to PRC Section 21081, the Lead Agency must make specific Findings of Fact (Findings) before approving a project for which a Final EIR has been certified that identifies one or more significant effects on the environment that may result from that Project. The purpose of the Findings is to establish the connection between the contents of the Final EIR and the action of the Lead Agency with regard to approval of the project, if the Lead Agency approves the Project. Prior to approval of a project, one of three findings must be made, as required by PRC Sections 21081 and 15091 of the CEQA Guidelines:

- Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency

- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR

If the City were to approve the proposed plans, despite significant impacts identified in the Final EIR that cannot be mitigated, if any, the City must state in writing the reasons for its actions, under CEQA Guidelines Section 15093. Those findings, called a Statement of Overriding Considerations, must be supported by substantial evidence in the record, and are used to explain the specific reasons why the benefits of a project make its unavoidable environmental effects acceptable.

1.5.5 Mitigation Monitoring Program

At the time of project approval, CEQA and the CEQA Guidelines require lead agencies to adopt a reporting and mitigation monitoring program, which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment (CEQA Section 21081.6; CEQA Guidelines Section 15097). This EIR contains mitigation measures that have been identified that will be contained in the Mitigation Monitoring Program for the proposed plan. In addition, subsequent development projects pursuant to the proposed plan and subject to City approval may be required to implement project-specific mitigation measures or conditions of approval as specified by the City during individual CEQA review, which would be identified in a separate Mitigation Monitoring Program or development agreement.

1.6 ORGANIZATION OF THE DRAFT EIR

This Draft EIR is organized into eight chapters, as follows:

- **Chapter 1: Introduction**—This chapter provides an introduction and a description of the intended uses of the EIR and the review and certification process.
- **Chapter 2: Summary**—This chapter includes a summary of the project description, environmental impacts that would result from implementation of the proposed plan and implementing ordinances, proposed mitigation measures where applicable, and the level of significance of the impact before and after mitigation.
- **Chapter 3: Project Description**—This chapter presents a complete description of the proposed plan, including plan location, plan characteristics, and plan objectives. This section also provides an overview of the study area's environmental setting, including a description of existing and surrounding land uses, history and background of the project and project area, and a discussion of proposed plan recommendations and revisions to be analyzed in the EIR.
- **Chapter 4: Environmental Analysis**—This chapter is the primary focus of this Draft EIR. Each environmental issue is considered in a separate section and contains a discussion of existing conditions for the project area, including the regulatory setting, analysis methodology, thresholds of significance, and an assessment and discussion of the significance of impacts associated with the proposed plan.
- **Chapter 5: Other CEQA Considerations**—This chapter provides a discussion of the potential growth inducement of the proposed plan as well as a summary of any significant unavoidable impacts associated with the proposed plan.

- **Chapter 6: Alternatives to the Proposed Plan**—This chapter includes an analysis of a range of reasonable alternatives to the proposed plan to provide informed decision making in accordance with CEQA Guidelines Section 15126(f). The range of alternatives selected is based on their ability to feasibly attain most of the basic objectives of the project and avoid or substantially lessen any of the significant effects of the project.
- **Chapter 7: Report Preparers**—This section presents a list of lead agency, other agencies, and consultant team members that contributed to the preparation Draft EIR. This section also identifies persons consulted during preparation of the Draft EIR.

