
CEQA Findings of Fact and Statement of
Overriding Considerations

Los Angeles County South Bay Area Plan

PROJECT NO. PRJ2022-004615

STATE CLEARINGHOUSE NO. 2023100445

OCTOBER 2024

Prepared for:

LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING



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I. INTRODUCTION

a. Findings of Fact

The County of Los Angeles (County), as the lead agency, has prepared the following Findings of Fact (Findings) in accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC], Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.) for the Los Angeles County South Bay Area Plan (Project or proposed Project). These Findings are made pursuant to PRC Sections 21081, 21081.5, and 21081.6, and the State CEQA Guidelines Sections 15091 and 15093. The environmental effects of the proposed Project are addressed in the Final Program Environmental Impact Report (Final PEIR) dated October 2024, which is incorporated by reference herein.

PRC Section 21081(a) and the State CEQA Guidelines Section 15091(a) require that no public agency shall approve or carry out a project for which an environmental impact report (EIR) has been completed that identifies one or more significant effects thereof, unless such public agency makes one or more of the following findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final PEIR;
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding, and. Such changes have been adopted by that other agency, or can and should be adopted by such other agency; or
3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

CEQA also requires that the Findings made pursuant to State CEQA Guidelines Section 15091 be supported by substantial evidence in the record (Section 15091[b] of the State CEQA Guidelines). Under CEQA, substantial evidence means enough relevant information has been provided, and reasonable inferences from this information, that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Substantial evidence must include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts (Section 15384 of the State CEQA Guidelines).

Further, in accordance with PRC Section 21081 and the State CEQA Guidelines Section 15093, whenever significant effects cannot be mitigated to below a level of significance, the decision-making agency is required to balance, as applicable, the benefits of the project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of a project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered “acceptable.” In that case, the decision-making agency may prepare and adopt a Statement of Overriding Considerations.

Having received, reviewed, and considered the Final PEIR and all other information in the record of proceedings for the Project, the County hereby makes and adopts the following Findings.

b. Record of Proceedings

The Record of Proceedings for the County's decision on the Project includes, but is not limited to, the following documents and other evidence, which are incorporated by reference and made part of the record supporting these Findings:

- The Notice of Preparation (NOP) and all other public notices issued by the County in conjunction with the project;
- All responses to the NOP received by the County;
- The Draft PEIR and all technical appendices;
- The Final PEIR;
- All written comments submitted by agencies, organizations, or members of the public during the public review comment period on the Draft PEIR;
- All responses to the written comments included in the Final PEIR;
- All written comments and oral public testimony presented during a noticed public hearing for the Project at which such testimony was taken;
- The Mitigation Monitoring and Reporting Program (MMRP);
- The reports and technical memoranda included or referenced in any responses to comments in the Final PEIR;
- All documents, studies, EIRs, or other materials referenced in, or otherwise relied upon during the preparation of the Draft PEIR and the Final PEIR;
- Matters of common knowledge to the County, including, but not limited to, federal, state, and local laws and regulations;
- Any documents expressly cited in these Findings; and
- Any other relevant materials required to be in the record of proceedings by PRC Section 21167.6(e).

c. Custodian and Location of Records

The Los Angeles County Department of Regional Planning (County Planning) is the custodian of the record of proceedings for the County's actions on the Project. The documents and materials that constitute the record of proceedings are located at 320 W. Temple Street, Los Angeles, California 90012 and on the County's website at <https://planning.lacounty.gov/long-range-planning/south-bay-area-plan/documents/>. This information is provided in compliance with the PRC Section 21081.6(a)(2) and the State CEQA Guidelines Section 15091(e).

d. Nature of Findings

Any finding made by the County shall be deemed made, regardless of where it appears in this document. All of the language included in this document constitutes Findings by the County, whether or not any particular sentence or clause includes a statement to that effect. The County intends that these Findings be considered as an integrated whole and, whether or not any part of these Findings fail to cross reference or incorporate by reference any other part of these Findings, that any finding required or committed to be made by the County with respect to any

particular subject matter of the Final PEIR, shall be deemed to be made if it appears in any portion of these Findings.

e. Independent Judgment

The County has exercised independent judgment in accordance with PRC 21082.1(c) in retaining its own environmental consultant, directing the consultant in the preparation of the PEIR, as well as reviewing, analyzing, and revising material prepared by the consultant. The County hereby finds that it has independently reviewed, analyzed, and revised the Final PEIR and that the Final PEIR reflects the independent judgment of the County.

f. Certification of the Program Environmental Impact Report

Pursuant to Section 21082.1(c) of the PRC, the County hereby certifies and finds that the Final PEIR for the Los Angeles County South Bay Area Plan, State Clearinghouse No. 2023100445, has been completed in compliance with the CEQA and the State CEQA Guidelines. The Final PEIR consists of the following documents: (1) Draft PEIR and Appendices; (2) comments and recommendations received on the Draft PEIR, as well as responses to comments received; (3) a list of persons, organizations, and public agencies commenting on the Draft PEIR; (4) minor revisions to the Draft PEIR; and (5) MMRP. The Final PEIR describes the Project, addresses the potential significant environmental impacts of the Project, and identifies feasible mitigation measures and alternatives that would reduce, minimize, or avoid those potential impacts.

The County hereby further certifies and finds that it received, independently reviewed/analyzed, and considered the information contained in the Final PEIR as well as all hearings and submissions of testimony from County officials and departments, the public, other public agencies, community groups, and organizations.

g. Recirculation

The County finds that the Draft PEIR does not require recirculation under PRC 21092.1 and State CEQA Guidelines Section 15088.5. State CEQA Guidelines Section 15088.5 requires recirculation of an EIR prior to certification of the Final EIR when “significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review.” As described in State CEQA Guidelines Section 15088.5:

New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. “Significant new information” requiring recirculation include, for example, a disclosure showing that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
- (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

In addition, State CEQA Guidelines Section 15088.5(b) provides that "recirculation is not required where the new information added to the EIR merely clarifies and amplifies or makes insignificant modifications in an adequate EIR."

As such, the County makes the following findings:

1. None of the public comments submitted to the County regarding the Draft PEIR or responses to comments present any significant new information that would require the PEIR to be recirculated for additional public review.
2. No new significant environmental impacts would result from new or modified mitigation measures proposed to be implemented.
3. The Draft PEIR adequately analyzed Project alternatives and there are no feasible Project alternatives or mitigation measures considerably different from others previously analyzed that would clearly lessen the significant environmental impacts of the Project.
4. The Draft PEIR was not fundamentally and basically inadequate and conclusory in nature and did not preclude meaningful public review and comment.
5. Any new information in the Final PEIR has been provided merely to clarify or amplify information in the Draft PEIR and does not individually or collectively constitute significant new information within the meaning of PRC Section 21092.1 or the State CEQA Guidelines Section 15088.5. The new information added to the Final PEIR does not involve new significant environmental impact or a substantial increase in the severity of an environmental impact.

h. Notice of Determination

A Notice of Determination will be filed with the Los Angeles County Clerk and the State Clearinghouse within five (5) working days of final Project approval.

i. Mitigation Monitoring and Reporting Program

A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Project pursuant to PRC Section 21081(a)(1). Pursuant to PRC Section 21081.6, the County, in adopting these Findings, also adopts the MMRP for the Project. The MMRP is designed to ensure that, during Project implementation, the County and other responsible parties will comply with the mitigation measures adopted in these Findings.

The County hereby finds that the MMRP, which is incorporated herein by reference, meets the requirements of PRC Section 21081.6 by requiring the implementation and monitoring of measures intended to mitigate potentially significant environmental effects of the Project.

j. Relationship of Findings to PEIR

These Findings are based on the most current information available. Accordingly, to the extent there are any apparent conflicts or inconsistencies between the Draft PEIR and the Final PEIR, on the one hand, and these Findings, on the other, these Findings shall control and the Draft PEIR and Final PEIR or both, as the case may be, are hereby amended as set forth in these Findings.

k. Severability

If any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court to be invalid, void, or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the County.

l. Environmental Review Process

Notice of Preparation and Scoping Meeting. In accordance with Section 15082(a) of the CEQA Guidelines, the County circulated a Notice of Preparation (NOP) for a 45-day public review period that began on October 16, 2023, and ended on November 30, 2023. The NOP was distributed to the State Clearinghouse, public agencies, special districts, responsible and trustee agencies, and other interested parties; filed with the Los Angeles County Clerk; and published in the El Segundo Herald, Gardena Valley News, Inglewood News, Inglewood/Hawthorne Wave, Los Angeles Sentinel, and The Daily Breeze newspapers. Printed copies of the NOP were available for public review at the Lennox Library, Wiseburn Library, Masao W. Satow Library, Lawndale Library, Lomita Library, and Carson Library. In addition, electronic copies of the NOP were made available in English and Spanish for download on the County's website at: planning.lacounty.gov/long-range-planning/south-bay-area-plan/documents/. The NOP and comment letters are provided in Appendix A-1 and Appendix A-2, respectively, of the Draft PEIR. Additionally, a virtual Scoping Meeting was held on November 2, 2023, at 6:00 PM that was made available through the County's website at: planning.lacounty.gov/long-range-planning/south-bay-area-plan/documents/. Scoping Meeting comments are provided in Table 1-2, Scoping Meeting Comments Summary, of the Draft PEIR.

Draft Program Environmental Impact Report. The Draft PEIR was circulated for 60-day public review from May 6, 2024, through July 8, 2024, which exceeded the 45-day minimum required by CEQA. A Notice of Completion (NOC) and Notice of Availability (NOA) of the Draft PEIR were submitted to the State Clearinghouse; posted at the County Clerk's office; and published in the El Segundo Herald, Gardena Valley News, Inglewood News, Inglewood/Hawthorne Wave, Los Angeles Sentinel, and The Daily Breeze newspapers. Hardcopies of the Draft PEIR, with electronic copies of all appendices, were available for public review at the main office of County Planning (320 W. Temple Street, Los Angeles, CA 90012). Electronic copies of the documents were made available at the following libraries: Lennox Library, Wiseburn Library, Masao W. Satow Library, Lawndale Library, Lomita Library, and Carson Library. The Draft PEIR was also posted on County Planning's website for public review at: planning.lacounty.gov/long-range-planning/south-bay-area-plan/documents/.

Final Program Environmental Impact Report. The Final PEIR addresses the comments received during the public review period and includes minor changes to the text of the Draft PEIR in accordance with comments that necessitated revisions. This Final PEIR is made available to County decision-makers for potential certification as the environmental document for the proposed

Project. All agencies who commented on the Draft PEIR will be provided with a copy of the Final PEIR, pursuant to CEQA Guidelines Section 15088(b). The Final PEIR is posted on the County's website at: planning.lacounty.gov/long-range-planning/south-bay-area-plan/documents/.

The minor clarifications, modifications, and editorial corrections that were made to the Draft PEIR are shown in Chapter 3, Revisions to the Draft PEIR, of the Final PEIR. None of the revisions that have been made to the Draft PEIR resulted in new significant impacts; none of the revisions resulted in a substantial increase in the severity of an environmental impact identified in the Draft PEIR; and none of the revisions brought forth a feasible project alternative or mitigation measure that is considerably different from those set forth in the Draft PEIR. Furthermore, the revisions do not cause the Draft PEIR to be flawed such that it precludes meaningful public review. As none of the CEQA criteria for recirculation have been met, recirculation of the Draft PEIR is not warranted.

Public Hearings and Staff Report Recommendations. A public hearing will be held before the Los Angeles County Regional Planning Commission (RPC) on October 30, 2024. The Notice of Public Hearing before the RPC was published in the El Segundo Herald, Gardena Valley News, Inglewood News, Inglewood/Hawthorne Wave, Los Angeles Sentinel, and The Daily Breeze newspapers and on County Planning's website. At the conclusion of this public hearing, the RPC may certify the PEIR; adopt findings relative to the Project's environmental effects after implementation of mitigation measures; approve, deny, or modify the Project; and make a recommendation to the County Board of Supervisors regarding the Project.

II. PROJECT SUMMARY

a. Project Location

The South Bay Planning Area is one of the 11 Planning Areas designated by the County General Plan. The Project is only applicable to the seven unincorporated communities located within the South Bay Planning Area, which are: Alondra Park/El Camino Village, Del Aire/Wisburn, Hawthorne Island, La Rambla, Lennox, West Carson, and Westfield/Academy Hills. These unincorporated communities are collectively referred to as the "Project area" throughout this document.

b. Project Objectives

The South Bay Area Plan aims to build off the character and existing assets of each of the seven unincorporated communities by identifying opportunities for equitable and sustainable investment while addressing issues and concerns voiced by community members. The Project would implement zoning recommendations from the recently approved General Plan Housing Element 2021-2029 (Housing Element) and considers environmental justice and equity to set forth land uses and policies that address topics such as: the need for affordable housing; strategies to reduce vehicle miles traveled and improve air quality; economic development; identification of culturally significant landmarks and community practices; and strategies to facilitate travel within the South Bay using alternatives to single-occupancy vehicle. The South Bay Area Plan would serve as the primary planning document that governs all land uses within the Project area.

The Project Objectives are to:

1. Advance smart growth principles to create more sustainable communities where people of all ages can live, work, and play.
2. Promote a diversity of neighborhoods, residential densities, recreation, open space, public facilities, and shopping/commercial services to meet the needs of the communities.
3. Encourage mobility infrastructure that facilitates safe, reliable, and sustainable transportation to encourage walking, biking, and other non-automotive travel.
4. Foster a strong and diverse local economy by providing opportunities that attract economic development, businesses, and job creation; increase competitiveness; and promote economic growth.
5. Facilitate new mixed-use development and housing opportunities near existing or proposed high-frequency transit, destinations, and amenities to promote sustainable development.
6. Further opportunities to preserve and enhance existing cultural and historic resources important to the local community by documenting existing historic context and resources.
7. Incorporate the proposed land use policy changes/zoning recommendations identified in the Housing Element to increase the diversity of housing types and choices for a variety of income levels.
8. Increase opportunities for local-serving, legacy, and small commercial businesses to be located within neighborhoods and integrated with new development.
9. Encourage context-sensitive development that responds to the existing community fabric and scale and promotes well-designed buildings that enhance community character.
10. Ensure land use/zoning consistency in land use and zoning maps by making technical corrections based on existing development on the ground.

c. Project Description

The proposed South Bay Area Plan is a community-based plan that would guide regional growth and development in the Project area. Through proposed land use changes and amendments to Title 22 (Planning and Zoning) of the Los Angeles County Code (County Code), over the next 20 years (through 2045), the Project would facilitate development of approximately 9,596 additional dwelling units, which would generate approximately 29,943 additional Project-area residents, approximately 12 parcels with Accessory Commercial Units (ACUs) totaling approximately 10,200 square feet, which would generate approximately 23 additional jobs, and approximately 777,697 additional square feet of additional commercial use, which would generate approximately 1,417 additional jobs within the Project area. In addition, the Project proposes new development and/or design standards, five implementation programs, and goals/policies related to land use/environmental justice, mobility, conservation and open space, public services and facilities, economic development, and historic preservation that would help achieve the stated goals, policy priorities, and/or objectives of the Project. The primary Project components are listed below.

General Plan Amendment

The General Plan Amendment will:

- Establish the South Bay Area Plan as part of the County General Plan (General Plan). The South Bay Area Plan includes goals and policies for the unincorporated communities of Alondra Park/El Camino Village, Del Aire/Wiseburn, Hawthorne Island, La Rambla, Lennox, West Carson, and Westfield/Academy Hills. The South Bay Area Plan includes both areawide and community-specific goals and policies with respect to the following topics, including but not limited to land use/environmental justice, mobility, conservation and open space, public services and facilities, historic preservation, and economic development. The plan also includes five implementation programs, which would help implement the Project's goals, policies, and/or objectives.
- Update the land use policy map for the South Bay Planning Area. The Project proposes to redesignate parcels within Alondra Park/El Camino Village (31.58 acres), Del Aire/Wiseburn (52.98 acres), La Rambla (20.75 acres), Lennox (74.53 acres), and West Carson (179.78 acres; including within the West Carson TOD Specific Plan area) to accomplish the following: (1) Incorporate the proposed land use policy changes as identified in the Housing Element 2021-2029; (2) Facilitate additional housing near transit hubs and encourage a mix of land uses; (3) Maintain consistency between zoning and land use policy, and/or; (4) More accurately reflect existing, on-the-ground land uses. There are no proposed changes to the General Plan Land Use Map designations within the communities of Hawthorne Island or Westfield/Academy Hills.
- Amend the Mobility Element of the General Plan, specifically the Los Angeles County Master Plan of Highways, to reclassify the section of Del Amo Boulevard between Normandie Avenue and Vermont Avenue from 'Major Highway' to 'Local Road'. This would help mitigate the constraints of highway dedication on adjacent properties and reflect existing conditions within the community.

Zoning Map Changes

The Project would update the zoning map to accomplish the following: (1) Maintain consistency with the updated land use policy map as discussed above (including within the West Carson TOD Specific Plan boundaries); (2) Revise existing zoning map overlays to establish the South Bay Planning Area Standards District (PASD) overlay; (3) Rezone certain A-1 parcels to a residential zone to better reflect existing residential uses; and (4) Address other technical clean-up to correct mapping errors and eliminate unnecessary split-zoning or spot-zoning.

Zoning Code Amendments

The Project would amend Title 22 of the County Code to:

- Allow for development of Accessory Commercial Units (ACUs) as an accessory use on existing corner-lot parcels that are zoned for residential and contain residential-only uses, provided they meet the regulations established. The regulations include but are not limited to limits on the number of ACUs (i.e., one per corner lot), floor area/building size, building height, types of commercial uses/businesses, hours of operation, number of employees, equipment storage, signage, and lighting.

- Establish a Planning Area Standards District (PASD) to create development standards that are applicable to all communities in the South Bay Planning Area and include community-specific standards in Community Standards Districts (CSDs) on an as-needed basis under the PASD regulatory framework;
- Remove the residential dwelling unit “cap” for zones within the West Carson TOD Specific Plan area. Currently, residential dwelling unit density is capped in accordance with applicable West Carson TOD Specific Plan zones. The Project would remove these caps to allow for the applicable General Plan land use designation to govern maximum allowable residential dwelling unit density on a given parcel.
- Revise and reorganize existing development and/or design standards in the existing West Carson TOD Specific Plan to include only regulatory land use regulations of the specific plan in Title 22. The Title 22 regulations would include a new provision to allow short-term rental as an accessory use of a residence.

Implementation Programs

The South Bay Area Plan proposes five implementation programs, which include schedules and tasks intended to support and address the Project’s goals, policies, and/or objectives. The implementation programs also inform the budget process and would be used to set funding priorities. The Project’s proposed implementation programs consist of the following: Program No. 1, Accessory Commercial Unit Program; Program No. 2, Lot Consolidation Incentives; Program No. 3, Legacy Business Retention Program; Program No. 4, Formula Business Regulations; and Program No. 5, Focused Intensive Historic Resource Surveys.

d. Discretionary Actions

These Findings set forth the environmental basis for the discretionary actions to be undertaken by the County for implementation of the Project. These actions include, but are not limited to, the approval of the following for the Project:

- Certification of the South Bay Area Plan Program Environmental Impact Report (Environmental Assessment No. RPPL2022014512)
- Adoption of General Plan Amendment No. RPPL2023004724
- Adoption of Zone Change No. RPPL2023004725
- Adoption of Advance Planning Case No. RPPL2022014508
- Adoption of Advance Planning Case No. RPPL2022014509

III. SUMMARY OF ENVIRONMENTAL IMPACTS

Based on the Final PEIR discussion and analysis, the following is a summary of the environmental topics considered to have no impact, a less than significant impact, and a significant and unavoidable impact.

No Impact

The County finds, based on substantial evidence in the record, that the Project will have **no impacts** and require no mitigation measures with respect to the following issues:

- Aesthetics (Impacts 4.1-1, 4.1-2, and 4.1-3)
- Agriculture and Forestry Resources (Impacts 4.2-1, 4.2-3, 4.2-4, and 4.2-5)
- Biological Resources (Impacts 4.4-7)
- Geology and Soils (Impacts 4.7-1[i] and 4.7-5)
- Hydrology and Water Quality (Impacts 4.10-3[iv], 4.10-6 and 4.10-7)
- Recreation (Impact 4.16-4)

Less Than Significant Impact

The County finds, based on substantial evidence in the record, that the Project will have **less than significant impacts** and require no mitigation measures with respect to the following issues:

- Aesthetics (Impacts 4.1-4 and 4.1-5; Cumulative Impacts)
- Agriculture and Forestry Resources (Impacts 4.2-2; Cumulative Impacts)
- Air Quality (Impact 4.3-4)
- Biological Resources (Impacts 4.4-2, 4.4-3, 4.4-4, 4.4-5, and 4.4-6)
- Cultural Resources (Impact 4.5-4)
- Energy (All Impacts; Cumulative Impacts)
- Geology and Soils (Impacts 4.7-1 [ii-iv], 4.7-2, 4.7-3, 4.7-4, 4.7-6; Cumulative Impacts)
- Greenhouse Gas Emissions (Impact 4.8-2)
- Hazards and Hazardous Materials (Impacts 4.9-1, 4.9-3, 4.9-5, 4.9-6, 4.9-7[i-iii], and 4.9-8)
- Hydrology and Water Quality (Impacts 4.10-1, 4.10-2, 4.10-3 [i-iii], 4.10-4, 4.10-5, 4.10-8; Cumulative Impacts)
- Land Use and Planning (All Impacts; Cumulative Impacts)
- Mineral Resources (All Impacts; Cumulative Impacts)
- Noise (Impact 4.13-3)
- Population and Housing (Impact 4.14-2)
- Public Services (Impact 4.15-1 [i-iii and v])
- Recreation (Impact 4.16-3)
- Transportation (All Impacts; Cumulative Impacts)
- Utilities and Service Systems (Impacts 4.19-2, 4.19-3, 4.19-4, and 4.19-5)
- Wildfire (All Impacts; Cumulative Impacts)

Significant and Unavoidable Impacts

The County finds, based on substantial evidence in the record, that the Project will have potentially **significant and unavoidable impacts, even with the implementation of feasible mitigation measures**, with respect to the following issues:

- Air Quality (Impacts 4.3-1, 4.3-2, and 4.3-3; Cumulative Impacts)
- Biological Resources (Impact 4.4-1; Cumulative Impacts)

- Cultural Resources (Impacts 4.5-1, 4.5-2, and 4.5-3; Cumulative Impacts)
- Greenhouse Gas Emissions (Impact 4.8-1; Cumulative Impacts)
- Hazards and Hazardous Materials (Impacts 4.9-2 and 4.9-4; Cumulative Impacts)
- Noise (Impacts 4.13-1 and 4.13-2; Cumulative Impacts)
- Population and Housing (Impact 4.14-1; Cumulative Impacts)
- Public Services (Impact 4.15-1 [iv]; Cumulative Impacts)
- Recreation (Impacts 4.16-1 and 4.16-2; Cumulative Impacts)
- Tribal Cultural Resources (All Impacts; Cumulative Impacts)
- Utilities and Service Systems (Impact 4.19-1, Cumulative Impacts)

IV. FINDINGS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS

The following significant environmental impacts of the Project are unavoidable and cannot be feasibly or effectively mitigated to a less than significant level. In accordance with PRC Section 21081 and State CEQA Guidelines Section 15091, the County adopts one or more of the three possible findings for each significant impact. These findings are provided below and will be used hereinafter and referenced as identified below:

CEQA Finding 1. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR (State CEQA Guidelines Section 15091[a][1]);

CEQA Finding 2. 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 (State CEQA Guidelines Section 15091 [a][2]); and

CEQA Finding 3. 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 (State CEQA Guidelines Section 15091 [a][3]).

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. However, project modification or alternatives are not required where such changes are infeasible, as stated in State CEQA Guidelines Section 15091(a)(3). State CEQA Guidelines Section 15364 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors."

For those significant impacts that cannot be mitigated to a less than significant level, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" outweigh its "unavoidable adverse environmental effects," thereby rendering its adverse environmental effects "acceptable." (State CEQA Guidelines Sections 15093 and 15043[b]; see also PRC Section 21081[b]).

The following significant environmental impacts of the Project are unavoidable and cannot be feasibly or effectively mitigated to a less than significant level. In accordance with Section 15093 of the State CEQA Guidelines, a Statement of Overriding Considerations is set forth below in Section VII to substantiate the County's decision to accept these unavoidable substantial, adverse environmental effects because of the benefits afforded by the Project.

For each Project resource category discussed below, the following subsections are provided:

- **IMPACT:** A specific description of the significant environmental impact(s) identified in the PEIR.
- **MITIGATION:** Identified feasible mitigation measures that are required as part of the Project. (If mitigation is infeasible, the reasons supporting the finding that mitigation is infeasible are discussed below under "Facts in Support of Findings.")
- **FINDING:** One or more of the three specific findings set forth in State CEQA Guidelines Section 15091.
- **FACTS IN SUPPORT OF FINDING:** A summary of the reasons for the finding(s) is provided for each impact. Additional substantiation regarding the feasibility (or infeasibility) of mitigation is provided at the end of this subsection (and is relevant to all impacts under the given resource category).

a. Air Quality

IMPACT:

The Project would have a significant and unavoidable impact related to air quality because the Project would:

- **Impact 4.3-1:** Conflict with or obstruct implementation of the applicable air quality plan.
- **Impact 4.3-2:** Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.
- **Impact 4.3-3:** Expose sensitive receptors to substantial pollutant concentrations.

MITIGATION:

As shown on pages 4.3-49 through 4.3-52 of the Draft PEIR, the following mitigation was incorporated to reduce significant impacts related to air quality:

- **MM-4.3-1. Construction Emissions.** If during subsequent project-level environmental review, construction-related criteria air pollutants are determined to have the potential to exceed SCAQMD's construction mass daily thresholds, the County shall require applicants for new projects that exceed those thresholds to incorporate appropriate measures to reduce or minimize air pollutant emissions during construction activities. New projects are required to comply with all applicable SCAQMD rules and regulations, including but not limited to Rule 403 (Fugitive Dust), Rule 1113 (Architectural Coatings), and Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities). Additional measures for projects that exceed SCAQMD's construction mass daily thresholds may include, but are not limited to, the following:

- Off-Road construction equipment with engines that are 50 horsepower or greater shall be rated by the USEPA as having Tier 4 emission limits or better (whichever is the cleanest technology available at time of project development). If it can be demonstrated to County Planning that such equipment is not commercially available or feasible, alternate emissions control devices and/or techniques used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 4 diesel emissions control strategy for a similarly sized engine, as defined by the California Air Resources Board's regulations.
- Use electric or alternative-fueled (i.e., non-diesel) construction equipment, if available and feasible, including but not limited to, concrete/industrial saws, pumps, aerial lifts, material hoist, air compressors, forklifts, excavator, wheel loader, and soil compactors.
- Maintain records of all trucks associated with project construction activities to document that each truck used meets the required emission standards. The Applicant shall provide records for inspection within five business days of request by CARB, SCAQMD or County Planning.
- Provide electric vehicle (EV) charging stations or appropriately sized electrical infrastructure and electrical panels. Electrical hookups should be provided for trucks to plug in any onboard auxiliary equipment.
- Provide temporary traffic controls such as a flag person, during all phases of significant construction activity to maintain smooth traffic flow, where necessary.
- Provide dedicated turn lanes for the movement of construction trucks and equipment on- and off-site, where applicable.
- Ensure vehicle traffic inside the project site is as far away as feasible from sensitive receptors.
- Reduce traffic speeds on all unpaved roads to 15 miles per hour (mph) or less.
- Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 mph.
- Suspend use of all construction activities that generate air pollutant emissions during first stage smog alerts.
- Configure construction parking to minimize traffic interference.
- Cover all trucks hauling dirt, sand, soil, or other loose materials.
- Install wheel washers where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site for each trip.
- Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more).
- Replace ground cover in disturbed areas as quickly as possible to minimize dust.
- Pave roads and road shoulders, where applicable.

- Sweep streets at the end of the day with SCAQMD Rule 1186 and 1186.1 compliant sweepers if visible soil is carried onto adjacent public paved roads (recommend water sweepers that utilize reclaimed water).
- Utilize only super-compliant volatile organic compound (VOC) paints for architectural coatings (0 grams per liter to less than 10 grams per liter VOC) during construction activities. If paints and coatings with VOC content of 0 grams/liter to less than 10 grams/liter cannot be utilized, the application of architectural coatings shall be prohibited during the peak smog season: July, August, and September

Prior to the issuance of a grading permit, the applicant shall provide the County with the construction contractor's inclusion of all required measures on applicable construction plans, including grading and/or building plans.

- **MM-4.3-2. Operational Emissions.** If, during subsequent project-level environmental review, operation-related criteria air pollutants are determined to have the potential to exceed SCAQMD's operation mass daily thresholds, the County shall require applicants for new projects that exceed those thresholds to incorporate appropriate measures to reduce or minimize air pollutant emissions during operational activities. New projects facilitated by the South Bay Area Plan are required to comply with all applicable SCAQMD rules and regulations, including but not limited to Rule 445 (Wood Burning Devices), Rule 1401 (New Source of Toxic Air Contaminants), Rule 1110.2 (Emissions from Gaseous- and Liquid-Fueled Engines), Rule 1153.1 (Emissions of Oxides of Nitrogen from Commercial Food Ovens), Rule 2305 (Warehouse Indirect Source Rule), and Rule 1146 (Emissions of NOx from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters). Additional measures for projects that exceed SCAQMD's operation mass daily thresholds may include, but are not limited to, the following:
 - Heavy-duty trucks shall, at minimum, have 2010 model year engines that meet CARB's 2010 engine emissions standards or newer model trucks with better emissions standards (whichever is the cleanest technology available at the time of project development).
 - Maintain records of all trucks associated with project operation to document that each truck used meets the required emission standards. The Applicant shall provide records for inspection within five business days of request by CARB, SCAQMD or County Planning.
 - The daily number of truck trips allowed during project operation shall be limited to the levels analyzed in the subsequent, project-level environmental analysis for the project.
 - Provide electrical infrastructure and electrical panels in conformance with Tier 2 CalGreen code, which should be appropriately sized. Electrical hookups shall be provided for truckers to plug in any onboard auxiliary equipment.
 - Truck check-in points shall be located inside the project site to help avoid trucks queuing outside the site.
 - Ensure truck traffic inside the project site is as far away as feasible from sensitive receptors.

- Overnight truck parking shall be located as far away as feasible from the sensitive land uses.

Prior to the issuance of a Certificate of Occupancy, the applicant shall provide the County with appropriate documentation including but not limited to a Truck Routing and Traffic Plan, and Site Plan with relevant notations verifying compliance with the required measures.

FINDING:

The County hereby adopts CEQA Findings 1 and 3.

FACTS IN SUPPORT OF FINDING:

Impact 4.3-1:

- As discussed on pages 4.3-34 through 4.3-36 of the Draft PEIR, construction of future development projects from implementation of the Project could potentially exceed the South Coast Air Quality Management District (SCAQMD) mass daily construction thresholds for VOC and NO_x. In addition, the operation of any future development projects, as allowed by the Project, could exceed the SCAQMD mass daily operational thresholds for VOC, NO_x, CO, PM₁₀, and PM_{2.5}, for full operational buildout of the Project and for a combined construction and operational scenario. Even with implementation of MM-4.3-1 and MM-4.3-2 and compliance with existing regulations, the Project could potentially result in an increase in the frequency or severity of existing air quality violations. As such, the Project would conflict with Consistency Criterion No. 1 of the SCAQMD CEQA Air Quality Handbook. Furthermore, it is anticipated that Project implementation could potentially exceed the growth forecasts and change the underlying land use assumptions utilized in the 2022 Air Quality Management Plan (AQMP). As such, the Project would conflict with Consistency Criterion No.2 of the SCAQMD CEQA Air Quality Handbook. As discussed in further detail under “Impacts 4.3-1, 4.3-2, 4.3-3” below, no additional mitigation is feasible that would reduce these impacts to less than significant levels. Therefore, impacts related to the Project’s potential to conflict with or obstruct implementation of the applicable air quality plan would be significant and unavoidable.
- **Cumulative:** As discussed on page 4.3-48 of the Draft PEIR, although implementation of MM-4.3-1 and MM-4.3-2 would reduce emissions of future projects under the South Bay Area Plan, these mitigation measures would not reduce impacts to less than significant, and the incremental effects of the Project, taken together with the impacts of other past, present, and reasonably foreseeable future projects, would be cumulatively considerable. No additional mitigation is feasible that would reduce these impacts to a level of less than significant. Therefore, there would be a significant and unavoidable cumulative impact related to conflicts with the assumptions of SCAQMD’s AQMP.

Impact 4.3-2:

- **Construction:** As discussed on pages 4.3-36 through 4.3-38 of the Draft PEIR, the construction of future development projects under the South Bay Area Plan could exceed the SCAQMD mass daily thresholds for VOCs. Implementation of MM-4.3-1 would reduce

emissions from equipment exhaust, emissions associated with fugitive dust, and VOCs from paints for architectural coatings; however, due to the programmatic nature of the Project, the accuracy of the reductions that would be realized from MM-4.3-1 is not able to be accurately quantifiable. As discussed in further detail under “Impacts 4.3-1, 4.3-2, 4.3-3,” no additional mitigation is feasible that would reduce this impact to a level of less than significant. Therefore, impacts related to exceedance of SCAQMD mass daily regional thresholds during construction would be significant and unavoidable.

- **Operation:** As discussed on pages 4.3-38 through 4.3-40 of the Draft PEIR, maximum daily operational emissions from full buildout of the Project would exceed the SCAQMD daily significance thresholds for VOC, NO_x, CO, PM₁₀, and PM_{2.5}. In addition, the combined construction and operational emissions would exceed the SCAQMD’s operational emissions threshold for all criteria pollutants except for SO_x. MM-4.3-2 includes requirements for new projects to reduce pollutant emissions during long-term operations, including compliance with SCAQMD rules as well as adherence to engine emission standards, electrical infrastructure and panels for trucks, and avoidance of queuing and traffic near sensitive receptors. However, MM-4.3-2 does not ensure that all impacts from future development projects would be mitigated to a level of less than significant. As discussed in further detail under “Impacts 4.3-1, 4.3-2, 4.3-3,” below, no additional mitigation is feasible that would reduce this impact to a less than significant level. Therefore, impacts regarding cumulatively considerable net increases of any criteria pollutant for which the Project region is non-attainment would be significant and unavoidable.
- **Cumulative:** As discussed on page 4.3-48 of the Draft PEIR, consistent with the finding for the Project, although implementation of MM-4.3-1 and MM-4.3-2 would reduce emissions associated with future projects implemented under the South Bay Area Plan, these mitigation measures would not reduce impacts to less than significant. The incremental effects of the Project, taken together with the impacts of other past, present, and reasonably foreseeable future projects, would be cumulatively considerable. No additional mitigation is feasible that would reduce these impacts to a level of less than significant. Therefore, cumulative impacts related to net increases of any criteria pollutant for which the Project region is in nonattainment would be significant and unavoidable.

Impact 4.3-3:

- **Construction:** As discussed on page 4.3-46 of the Draft PEIR, the construction of future development projects of the South Bay Area Plan could result in toxic air contaminants (TAC) exposure, particularly diesel particulate matter (DPM), to existing or future sensitive land uses. Implementation of MM-4.3-1 would reduce construction emissions associated with future projects; however, due to the programmatic level of review for the Project (e.g., the exact location, orientation, number and timing of individual development projects and/or infrastructure improvements) the level of potential emissions in relation to the location of sensitive receptors cannot be estimated with a level of accuracy. No additional mitigation is feasible that would reduce these impacts to a level of less than significant. Therefore, the potential health risk of exposing sensitive receptors to construction-generated TAC emissions would be significant and unavoidable.
- **Operation:** As discussed on pages 4.3-46 and 4.2-47 of the Draft PEIR, the Project would facilitate additional housing, neighborhood-commercial uses, and other potential

commercial land uses, which could include various sources of TACs. MM-4.3-2 includes requirements for new projects to reduce pollutant emissions during long-term operations, including compliance with SCAQMD rules as well as adherence to engine emission standards, electrical infrastructure and panels for trucks, and avoidance of queuing and traffic near sensitive receptors. However, MM-4.3-2 does not ensure that all impacts from future development projects would be mitigated to a level of less than significant. No additional mitigation is feasible that would reduce these impacts to a level of less than significant. Therefore, the potential health risk of exposing sensitive receptors to TAC emission would be significant and unavoidable.

- **Cumulative:** As discussed on pages 4.3-48 of the Draft PEIR, the impact of the Project in addition to growth associated with regional plans could further increase the exposure of air quality pollutants to sensitive receptors. Due to the uncertainty of future sensitive receptor locations, it is not possible to accurately measure the effectiveness of MM-4.3-1 and MM-4.3-2. No additional mitigation is feasible that would reduce these impacts to a level of less than significant. Thus, the South Bay Area Plan's incremental contribution to impacts related to exposure of sensitive receptors to substantial pollutant concentrations from TACs would be cumulatively considerable.

Impacts 4.3-1, 4.3-2, and 4.3-3: Impacts of a future development project depend on its specific characteristics such as site location, size, type of development, and nature of the construction or operational activities. Although MM-4.3-1 and MM-4.3-2 would apply to future discretionary projects within the Project area, it cannot be known for certain that the mitigation will reduce all impacts to less than significant levels because the details of future development projects are unknown at this time. Furthermore, although future non-discretionary projects implemented under the South Bay Area Plan would be subject to applicable federal, state and local regulations, they would not necessarily be subject to CEQA review, additional environmental assessments, or mitigation measures. As such, even with implementation of existing regulations, applicable South Bay Area Plan goals and policies, and MM-4.3-1 and MM-4.3-2, potential impacts would remain significant and unavoidable. Therefore, no additional feasible mitigation measures are available to further reduce impacts to a less than significant level.

b. Biological Resources

IMPACT:

The Project would have a significant and unavoidable impact related to biological resources because the Project would:

- **Impact 4.4-1:** Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS).

MITIGATION:

As shown on page 4.4-44 of the Draft PEIR, the following mitigation measure was incorporated to reduce significant impacts related to biological resources:

- **MM-4.4-1. Habitat Assessment.** During subsequent project-level environmental review, the County biologist, as appropriate, shall consider all relevant information available for the property (e.g. applicable database search, site visit, and/or existing biological report) to determine potential project impacts to special-status plant and wildlife species. If there is potential for sensitive biological resources to be impacted by proposed project activities, the County biologist shall require applicants for new projects to submit a habitat assessment report to County Planning for review and approval. The assessment shall be prepared by a qualified biologist and must include all required information specified by the County biologist at the time of the request. If the survey determines that sensitive biological resources will be impacted by proposed project activities, the County shall require applicants to incorporate appropriate measures to avoid or minimize those impacts. Additional measures may include, but are not limited to, on or off-site preservation of the resources within protected occupied habitat.

FINDING:

The County hereby adopts CEQA Findings 1 and 3.

FACTS IN SUPPORT OF FINDING:

Impact 4.4-1:

- As discussed on pages 4.4-11 through 4.4-37 of the Draft PEIR, the Project could result in adverse effects on plant or wildlife species that are identified as a sensitive or special status species. During subsequent project-level review, MM-4.4-1 requires that the County determine whether a proposed future project would construct upon fully or partially undeveloped areas that support or could support the following plant and wildlife species: decumbent goldenbush, Southern California black walnut, Catalina mariposa lily, small-flowered morning-glory, Catalina crossosoma, western dichondra, mesa horkelia, California box-thorn, lucky morning glory, coastal California gnatcatcher, Crotch bumble bee, Palos Verdes blue butterfly, San Gabriel chestnut, southern California legless lizard, Blainville's horned lizard, pallid bat, western mastiff bat, San Diego desert woodrat, and monarch - California overwintering population. A habitat assessment must be prepared and surveys for the species conducted if suitable habitat is present.

Future non-discretionary projects in La Rambla and Westfield/Academy Hills that would be implemented under the South Bay Area Plan would be subject to the federal, state and local regulations mentioned above. However, future non-discretionary projects, such as ACUs and by-right residential or mixed-use development, would not necessarily be subject to CEQA review or mitigation measures. As such, even with implementation of existing regulations and MM-4.4-1, impacts to protected plant and wildlife species would be significant and unavoidable.

- **Cumulative:** As discussed on page 4.4-42 of the Draft PEIR, MM-4.4-1 would reduce potential impacts to special status plant and wildlife species for future development under the Project requiring discretionary review. As with the Project, all cumulative projects would be required to comply with all applicable regulations, including the Federal Endangered Species Act, California Endangered Species Act, California Fish and Game Code, and County Code. Although non-discretionary projects throughout the cumulative area would

be subject to these regulations, their compliance would be difficult to enforce since they would not be subject to CEQA, and no site-specific environmental assessments would be required. As such, there is a potential for the Project to contribute to cumulative impacts to protected plant and wildlife species identified as a candidate, sensitive, or special status species, and the Project's contribution is anticipated to be cumulatively considerable.

Impacts of a future development project depend on its specific characteristics such as site location, size, type of development, and nature of the construction or operational activities. Although MM-4.4-1 would apply to future discretionary projects within the South Bay Planning Area, it cannot be known for certain that the mitigation will reduce all impacts to less than significant levels because the details of future development projects are unknown at this time. Furthermore, although future non-discretionary projects implemented under the South Bay Area Plan would be subject to applicable federal, state and local regulations, they would not necessarily be subject to CEQA review, additional environmental assessments, or mitigation measures. As such, even with implementation of existing regulations, applicable South Bay Area Plan goals and policies, and MM-4.4-1, potential impacts would remain significant and unavoidable. No additional feasible mitigation measures are available to further reduce impacts to a less than significant level.

c. Cultural Resources

IMPACT:

The Project would have a significant and unavoidable impact related to cultural resources as follows:

- **Impact 4.5-1:** Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5).
- **Impact 4.5-2:** Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.
- **Impact 4.5-3:** Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

MITIGATION:

As shown on pages 4.5-48 through 4.5-53 of the Draft PEIR, the following mitigation was incorporated to reduce significant impacts related to cultural resources:

- **MM-4.5-1. Historic Architectural Resources.** During subsequent project-level environmental review, the County shall determine if any potential historical building, structure, or district is present; conduct records search from applicable data repositories; check GIS "Historical Resource" layer to identify properties listed in/eligible for listing in the National, California and/or County Registers; conduct site inspections, as appropriate; and consider all relevant information available for the property to determine its historical significance.

If necessary, the County shall require applicants of new projects to submit a Phase I and/or Phase II Historic Resources Assessment (HRA) report to evaluate the significance of resources greater than 45 years of age. The report shall be prepared by an architectural historian meeting

the Professional Qualification Standards of the Secretary of the Interior (SOI), in accordance with SOI standards and guidelines. The HRA shall include background, archival and historic research; site surveys; detailed physical description of identified resources; photographs; a historical significance evaluation in consideration of County, California Register of Historic Resources (CRHR), and National Register of Historic Places (NRHP) designation criteria and integrity requirements; an assessment of project impacts to historical resources; recommendations of mitigative treatment; and the preparation/recordation of the appropriate California Department of Parks and Recreation (DPR) 523 forms, as applicable.

If project impacts to historic architectural resources are potentially significant, the County shall require the project to incorporate appropriate measures to avoid or minimize those impacts. Additional measures may include, but are not limited to, the following:

- If a future project involves alterations or modifications to historic architectural resources, the project design and proposed work shall conform to SOI standards for the Treatment of Historic Properties to reduce or avoid impacts to historic resources. The project applicant shall retain a qualified architectural historian to advise on the final project design, recommend mitigative actions, specify performance standards, and oversee the construction activities related to the historical resources to ensure the project is constructed in compliance with specified mitigation performance standards and SOI standards.
- If a future project involves the demolition or material impairment of an historical resource that cannot be mitigated through SOI Standards compliance, the project applicant shall submit an archival Historic American Building Survey (HABS), Historic American Engineering Record (HAER), or Historic American Landscape Survey (HALS) documentation, as appropriate, to the County for review and approval prior to the issuance of any grading permit. The HABS/HAER/HALS documentation shall be prepared by a qualified architectural historian and may include an architectural and historical narrative; archival drawings and/or measured drawings; and large-format photography. All reports resulting from implementation of this mitigation measure shall be submitted to County Planning and filed with the South Central Coastal Information Center (SCCIC).
- **MM-4.5-2. Archaeological Resources.** During subsequent project-level environmental review, the County shall consider all relevant information available for the property to determine potential project impacts to archaeological resources. If necessary, the County shall require applicants for new projects to submit a Phase I Archaeological Report to identify and evaluate archaeological resources that may be impacted by the project. The report must be prepared by a qualified archaeologist meeting Secretary of the Interior (SOI) Professional Qualification Standards. The report shall include archival search of historic records; records search of applicable data repositories, including CHRIS database; pedestrian surveys; identification of archaeological resources within or near the project site; assessment of potential project impacts to archaeological resources; recommendations for archaeological monitoring, if appropriate; and completion/recordation of the California Department of Parks and Recreation (DPR) 523 forms for all identified archaeological resources, as applicable. A Phase II

Archaeological Report for testing and evaluation may be required based on the results and recommendations of the Phase I Report.

If project impacts to archaeological resources are determined to be potentially significant, the County shall require the project to incorporate appropriate measures to avoid or minimize impacts to archaeological resources. Additional measures may include, but are not limited to, the following:

Archaeological Resources Work Plan. Prior to issuance of grading permit, the project applicant shall retain a qualified archaeologist meeting SOI's Professional Qualification Standards to prepare and submit an Archaeological Resources Work Plan (ARWP) to the County for review and approval. The purpose of this plan is to document the actions and procedures to be followed by the project to avoid or minimize impacts to archaeological resources. If potential impacts to tribal cultural resources are identified during project level review (e.g. records search, archaeological reports, AB 52 consultation, if applicable), the ARWP shall also address tribal cultural resources, in consultation with local Native American Tribes. The ARWP shall include, but is not limited to, the following elements:

- A description of the roles and responsibilities of the archaeologist, the reporting relationships between construction managers and the archaeologist, and the notification procedures.
- Maps identifying locations where archaeological and/or Native American monitoring is required; duration of monitoring; and documentation of monitoring activities, including daily log of monitoring activities, location and results.
- Detailed procedures to follow if cultural resources are inadvertently discovered during construction, including stop-work requirement within no less than a 50-foot radius of the find; documentation of all recovered resources on California Department of Parks and Recreation 523 forms; and inspection and evaluation of the resource for listing in the national, state, and local register.
- Detailed plan for the collection of archaeological data, including sampling techniques and data management protocols.
- Methodology for testing and evaluation of archaeological resources encountered.
- Detailed treatment plan to avoid or minimize impacts to significant archaeological resources, including preservation and/or data recovery to the satisfaction of County Planning.
- Detailed plan for reporting recovered resources and treatment results, including submission of reports to applicable agencies.

Construction Worker Archaeological Resources Sensitivity Training. Prior to the commencement of project ground-disturbing activities, a qualified archaeologist, as previously defined, shall present an archaeological resources sensitivity training to project construction personnel. If project was subject to tribal notification/consultation, the archaeologist shall invite interested Tribes, a minimum of two weeks before the training session, to participate in

and present Native American perspectives during the training sessions. The archaeologist shall inform construction personnel about the types of cultural resources that could be encountered; the proper procedures to follow in the event of an archaeological discovery; potential penalties for failing to adhere to applicable laws and regulations; and confidentiality of discoveries. Project applicant shall provide the training agenda, materials and attendance records to the County within five business days of request.

Archaeological Resources Monitoring. If required by the AWRP, during grading and excavation activities, a qualified Archaeological Monitor, as defined in the ARWP, shall be present to monitor ground-disturbing activities. Should archaeological resources be encountered, the Archaeological Monitor shall have the authority to halt ground-disturbing activities and immediately notify the Archaeologist of the find. The Archaeologist shall implement the evaluation and mitigation protocols described in the ARWP.

In the event Native American archaeological resources are encountered during construction, Native American monitoring shall be provided thereafter for any ground-disturbing activities. However, if impacts to tribal cultural resources are determined potentially significant during project level review, a Native American Monitor shall be required at the outset to monitor all ground-disturbing activities. The Archaeologist and/or Native American Monitor shall prepare a final report documenting all recovered archaeological resources, the significance of the resources, and the treatment of the recovered resources to the County, SCCIC, and NAHC (if applicable).

Archaeological Resources Discoveries. If archaeological resources are encountered during construction, all ground-disturbing activities shall cease within no less than 50 feet of the find. The Archaeologist can determine, based on the initial assessment of the discovery, whether the 50-foot buffer shall be reduced or increased. The Archaeologist shall evaluate the recovered archaeological resources for significance. If the resource is found significant pursuant to CEQA, avoidance and preservation in place shall be the preferred manner of mitigating impacts. If avoidance is infeasible, the Archaeologist shall develop and oversee the execution of a Phase III Archaeological Resources Data Recovery and Treatment Plan. The plan shall include: a detailed research design; justification for data recovery or other treatment methods depending on the nature of the resource's eligibility; excavation methodology; and, reporting and curation requirements. The archaeologist shall prepare a final report that includes documentation of all recovered resources, a full evaluation of their significance, and treatment of the recovered resources.

When assessing significance and developing treatment for recovered resources that are Native American in origin, the County shall consult and coordinate with local Native American tribes. The County shall consider tribal preferences when making a determination on the disposition of Native American archaeological resources, which may include but is not limited to curation at an accredited or nonaccredited repository; onsite or offsite reburial; and/or donation to a local Tribe.

The project applicant shall curate all significant non-Native American, historic-period archaeological material, or portions thereof at the recommendation of the Archaeologist and approval by the County, at a repository accredited by the American Association of Museums that meets the standards outlined in 36 CFR Section 79.9. If no accredited repository accepts the collection, then the project applicant may curate it at a nonaccredited repository as long as it meets the minimum standards set forth in 36 CFR Section 79.9. If neither an accredited nor a nonaccredited repository accepts the collection, then the project applicant may offer the collection to a public, nonprofit institution with a research interest in the materials, or to a local school or historical society in the area for educational purposes.

All reports resulting from implementation of this measure shall be completed and submitted to County Planning for review and approval. Once approved by the County, the report shall be submitted to the South Central Coastal Information Center (SCCIC) and interested Tribes.

- **MM-4.5-3. Paleontological Resources.** During subsequent project-level environmental review, the County shall require applicants for new projects to retain a Qualified Paleontologist to conduct a Natural History Museum of Los Angeles County (NHMLA) records search to determine the potential for project impacts to paleontological resources. If necessary, the County shall require applicants for new projects to submit a Paleontological Resources Assessment Report that is prepared by a Qualified Paleontologist meeting the Society of Vertebrate Paleontology (SVP 2010) standards. The report shall include methods and results of the paleontological resources assessment, including review of geological map and paleontological literature; records search through appropriate fossil repositories, including the NHMLA; pedestrian surveys if exposed ground exists within the project site that is underlain by a geologic unit with High or Undetermined Paleontological Resources Sensitivity or Potential or as required by the Qualified Paleontologist; and, if necessary, recommendation for monitoring requirements (including depths, frequency, and reporting) with maps that outline where monitoring is required within the project site. Monitoring shall follow SVP (2010) Guidelines: no monitoring of ground-disturbing activities within units of Low or No Paleontological Resources Sensitivity or Potential and monitoring of all ground-disturbing activities (with depths specified) within units of High Paleontological Resources Sensitivity or Potential, unless the Qualified Paleontologist's report identifies previous disturbances or the use of construction methods which do not warrant monitoring. For project sites underlain by geological units with Undetermined Paleontological Resources Sensitivity or Potential, monitoring shall occur at the initiation of excavation if the qualified paleontologist deems it necessary based on preconstruction surveys and literature review. The report also shall stipulate whether screen washing is necessary to recover small specimens following SVP (2010) Guidelines and determine whether unique geologic features are present onsite.

If project impacts to paleontological resources are determined to be potentially significant, the County shall require the project to incorporate appropriate measures to avoid or minimize impacts to paleontological resources. Additional measures may include, but are not limited to, the following:

Paleontological Resources Recovery Plan. If paleontological resources are discovered during earthmoving activities, a Qualified Paleontologist meeting Society of Vertebrate Paleontology (SVP 2010) standards shall prepare and submit a Paleontological Resources Recovery Plan (PRRP) to the County for review and approval. The recovery plan shall include, but is not limited to, sampling and fossil recovery procedures, museum curation for any scientifically significant specimen recovered, and a report of findings. Recommendations in the recovery plan as approved by the County shall be implemented before construction activities can resume at the site where the paleontological resources were discovered.

All reports and plans resulting from implementation of this measure shall be submitted to County Planning and filed with the NHMLA.

Construction Worker Paleontological Resources Sensitivity Training. Prior to the commencement of project ground-disturbing activities, a Qualified Paleontologist shall present a paleontological resources sensitivity training (or may be provided via digital recording) to project construction personnel. The paleontologist shall inform construction personnel about the laws protecting paleontological resources; the types of paleontological resources that could be encountered; the proper procedures to follow in the event of a paleontological discovery; and safety precautions to be taken when working with paleontological monitors. The project applicant shall provide the training agenda, materials, and attendance records to the County within five business days of request.

Paleontological Monitoring. During grading and excavation activities, a qualified Paleontological Monitor shall be present to monitor the earth-moving activities in accordance with the project paleontological assessment report or the PRRP. Should paleontological resources be encountered, the Paleontological Monitor shall have the authority to halt ground-disturbing activities; and immediately notify the Paleontologist of the find; and inspect, document, and salvage the find as necessary. The Qualified Paleontologist shall prepare and submit a final report summarizing monitoring results to the County and NHMLA.

Paleontological Resources Discoveries Protocols. If fossils are discovered during earthmoving activities, the Paleontological Monitor shall be authorized to halt the ground-disturbing activities within an appropriate buffer area determined by the Paleontological Monitor. The paleontologist shall implement the PRRP and oversee the collection of sediment samples and exposed fossils for processing and evaluation. Any fossils encountered and recovered shall be prepared to the point of identification, catalogued, and curated at a public, nonprofit institution with a research interest in the material and with retrievable storage, such as the Natural History Museum of Los Angeles County, if such an institution agrees to accept the fossils. Accompanying notes, maps, and photographs shall also be filed at the repository. If no institution accepts the fossil collection, it may be donated to a local school or other interested organization in the area for educational purposes. The paleontologist shall prepare a final report on the collected fossils. The report shall contain an appropriate description of the fossils, treatment, and curation. A copy of the report shall be filed with the County and NHMLA along with field notes and any other supporting documentation.

FINDING:

The County hereby adopts CEQA Findings 1 and 3.

FACTS IN SUPPORT OF FINDING:

Impact 4.5-1:

- As discussed on pages 4.5-33 and 4.5-34 of the Draft PEIR, the Project may potentially impact historical resources through reasonably foreseeable future property demolition, alteration, and/or expansion that may occur on existing buildings and properties in the Project area. As such, MM-4.5-1 is required, which stipulates that future projects involving the demolition or alteration of buildings/structures over 45 years old must assess historical significance. This may involve a Phase I or II Historic Resources Assessment report in line with State CEQA Guidelines. This measure would reduce impacts to historical resources for select future project requiring discretionary permits. However, future non-discretionary projects implemented under the South Bay Area Plan would not be subject to the MMRP or any additional project-specific mitigations measures. As discussed in further detail below under “Impacts 4.5-1, 4.5-2, and 4.5-3,” no additional mitigation is feasible that would reduce this impact to a level of less than significant. As such, impacts relative to historic resources would be significant and unavoidable.
- **Cumulative:** As discussed on page 4.5-47 of the Draft PEIR, it is reasonable to expect that future development throughout the County has the potential to remove or alter historical resources on a project-specific basis. Although MM-4.5-1 would reduce adverse effects associated future projects subject to discretionary review, future non-discretionary projects implemented under the South Bay Area Plan would not be subject to the MMRP or any additional project-level mitigation under CEQA. Therefore, the Project’s incremental effects would be cumulatively considerable.

Impact 4.5-2:

- As discussed on pages 4.5-34 through 4.5-41 of the Draft PEIR, the Project could result in a substantial adverse change in the significance of both known and unknown archaeological resources through the reasonably foreseeable future property development that may occur on existing properties in the Project area. As such, MM-4.5-2 would be required, which mandates the consideration of known archaeological resources prior to any project-specific activities. If such resources are identified or unexpectedly discovered during construction, they must be evaluated and treated appropriately. This measure would substantially lessen adverse effects associated with select future discretionary projects. However, MM-4.5-2 does not ensure that all impacts from future development projects would be mitigated to a level of less than significant. Future non-discretionary projects that would be implemented under the South Bay Area Plan would not be subject to the MMRP or any additional project-specific mitigation measures. As discussed in further detail below, no additional mitigation is feasible that would reduce this impact to a less than significant level. As such, impacts relative to archaeological resources would be significant and unavoidable.
- **Cumulative:** As discussed on page 4.5-48 of the Draft PEIR, future development projects

that demolish or alter certain archaeological resources have the potential to erode a general cultural landscape to which the archaeological resources belong. Although MM-4.5-2 would substantially lessen adverse effects associated with select future discretionary projects, future non-discretionary projects implemented under the South Bay Area Plan would not be subject to the MMRP or any additional project-level mitigation under CEQA. Therefore, the Project's incremental effects would be cumulatively considerable.

Impact 4.5-3:

- As discussed on pages 4.5-42 through 4.5-46 of the Draft PEIR, the Project would result in a substantial adverse change in the significance of both known and unknown paleontological resources through the reasonably foreseeable future property development that may occur on existing properties in the Project area. As required under MM-4.5-3, future project applicants would be required to retain a qualified paleontologist to conduct a Natural History Museum of Los Angeles County (NHMLA) records search to determine the potential for project impacts to paleontological resources. Although MM-4.5-3 would substantially lessen adverse effects associated with select future discretionary projects, this measure does not ensure that all impacts from future development projects would be mitigated to a level of less than significant. Future non-discretionary projects that would be implemented under the South Bay Area Plan would not be subject to the MMRP or any additional project-specific mitigation measures. As discussed in further detail below, no additional mitigation is feasible that would reduce this impact to a less than significant level. Therefore, impacts to paleontological resources would be significant and unavoidable.
- **Cumulative:** As discussed on page 4.5-48 of the Draft PEIR, the Project, in combination with past, present, and reasonably foreseeable future projects could result in cumulatively significant impacts to paleontological resources. Although MM-4.5-3 would substantially lessen adverse effects associated with select future projects subject to discretionary review, future non-discretionary projects implemented under the South Bay Area Plan would not be subject to the MMRP or any additional project-level mitigation under CEQA. Therefore, the Project's incremental effects would be cumulatively considerable.
- **Impacts 4.5-1, 4.5-2, and 4.5-3:** Impacts of a future development project depend on its specific characteristics such as site location, size, type of development, and nature of the construction or operational activities. Although MM-4.5-1, 4.5-2 and 4.5-3 would apply to future discretionary projects within the South Bay Planning Area, it cannot be known for certain that the mitigation will reduce all impacts to less than significant levels because the environmental baselines and details of future development projects are unknown at this time. Future non-discretionary projects that would be implemented under the South Bay Area Plan would be subject to the federal, state and local regulations; however, these non-discretionary projects would not necessarily be subject to CEQA review, additional environmental assessments, or mitigation measures. As such, even with implementation of existing regulations, applicable South Bay Area Plan goals and policies, and MM-4.5-1, 4.5-2 and 4.5-3, potential impacts relative to cultural resources would be significant and unavoidable. Therefore, no additional feasible mitigation measures are available to further reduce impacts to a less than significant level.

d. Greenhouse Gas Emissions

IMPACT:

The Project would have a significant and unavoidable impact related to greenhouse gas emissions because the Project would:

- **Impact 4.8-1:** Generate greenhouse gas emissions (GHGs), either directly or indirectly, that may have a significant impact on the environment.

MITIGATION:

As shown on pages 4.8-49 through 4.8-51 of the Draft PEIR, the following mitigation was incorporated to reduce significant impacts related to GHGs:

- **MM-4.8-1. Energy Conservation.** During subsequent project-level environmental review, the County shall consider all relevant information available for the property to determine potential feasible opportunities for energy conservation measures. In future years, some of the following measures are anticipated to become regulatory compliance and may be implemented as such. As determined appropriate and feasible, prior to the issuance of building permits, the County shall require that individual project submit building plans that include energy conservation measures, which shall include one or more of the following:
 - a. Install Energy Star rated heating, cooling, lighting, and appliances.
 - b. Outdoor lighting shall be light emitting diodes (LED) or other high-efficiency lightbulbs.
 - c. Provide information on energy efficiency, energy efficient lighting and lighting control systems, energy management, and existing energy incentive programs to future tenants of the proposed Project.
 - d. Non-residential structures shall meet the U.S. Green Building Council standards for cool roofs. This is defined as achieving a 3-year solar reflective index (SRI) of 64 for a low-sloped roof and 32 for a high-sloped roof.
 - e. Outdoor pavement, such as walkways and patios, shall include paving materials with 3-year SRI of 0.28 or initial SRI of 0.33.
 - f. Construction of modest cool roof, defined as Cool Roof Rating Council (CRRC) Rated 0.15 aged solar reflectance and 0.75 thermal emittance.
 - g. Electric space heaters are installed in residences in place of natural gas heaters.
 - h. Installation of alternatively fueled water heating system(s) (e.g., solar thermal water heater, tankless electric water heater, storage electric water heater, electric heat pump water heater, tankless gas water heater, other technology with an equivalent level of energy efficiency).
 - i. Maximize the use of natural lighting and include daylighting (e.g., skylights, windows) in rooms with exterior walls that would normally be occupied.
 - j. Include high-efficacy artificial lighting in at least 50% of unit fixtures.
 - k. Use passive solar cooling/heating.
 - l. Strategically plant trees to provide shade.

- **MM-4.8-2. Water Conservation.** During subsequent project-level environmental review, the County shall consider all relevant information available for the property to determine potential feasible opportunities for water conservation measures. In future years some of the following measures are anticipated to become regulatory compliance and may be implemented as such. As determined appropriate and feasible, prior to the issuance of building permits, the County shall require that individual project submit building plans that include energy conservation measures, which shall include one or more of the following:
 - a. Install low-water use appliances and fixtures, such as:
 - Toilets with 20% reduction in flow.
 - Showerheads with 20% reduction in flow.
 - Bathroom faucets with 30% reduction in flow.
 - Kitchen faucets with 17% reduction in flow.
 - Dishwashers with 21% reduction in flow.
 - Clothes washers with 46% reduction in flow.
 - b. Implement water-sensitive urban design practices in new construction.
 - c. Install rainwater collection systems where feasible.

- **MM-4.8-3. Solid Waste Reduction.** During subsequent project-level environmental review, the County shall consider all relevant information available for the property to determine potential feasible opportunities for solid waste reduction measures. In future years some of the following measures are anticipated to become regulatory compliance and may be implemented as such. As determined appropriate and feasible, prior to the issuance of building permits, the County shall require that individual project submit building plans that include energy conservation measures, which shall include one or more of the following:
 - a. Provide storage areas for recyclables and green waste in new construction, and food waste storage, if a pick-up service is available.
 - b. Evaluate the potential for onsite composting.

FINDING:

The County hereby adopts CEQA Findings 1 and 3.

FACTS IN SUPPORT OF FINDING:

Impact 4.8-1:

- As discussed on pages 4.5-42 through 4.5-46 of the Draft PEIR, the Project would exceed the applied efficiency metric threshold for greenhouse gas emissions (GHG). Therefore, GHG emissions generated by the Project would have a potentially significant impact on the environment and mitigation is required. MM-4.8-1, MM-4.8-2, and MM-4.8-3 include requirements for new developments under the South Bay Area Plan to reduce GHG emissions during long-term operations. However, due to the programmatic nature of the

Project, the reductions of GHG emissions that would be realized from MM-4.8-1, MM-4.8-2, and MM-4.8-3 are not able to be accurately quantified. Further, these mitigation measures do not ensure that all impacts from future development projects would be mitigated to a level of less than significant. Therefore, potential impacts related to operational emissions would be significant and unavoidable.

- **Cumulative:** GHG emissions inherently contribute to cumulative impacts, and thus, any additional GHG emissions would result in a cumulative impact. Future development facilitated by the Project is expected to exceed the GHG efficiency metric threshold, and cumulative impacts related to GHG emissions would be potentially significant. Therefore, the Project's incremental contribution to impacts regarding generation of GHG emissions would be cumulatively considerable.

Impacts of a future development project depend on its specific characteristics such as site location, size, type of development, and nature of the construction or operational activities. Although MM-4.8-1, -4.8-2, and 4.8-3 would apply to future discretionary projects within the Project area, it cannot be known for certain that the mitigation will reduce all impacts to less than significant levels because the details of future development projects are unknown at this time. Furthermore, although future non-discretionary projects implemented under the South Bay Area Plan would be subject to applicable federal, state and local regulations, they would not necessarily be subject to CEQA review, additional environmental assessments, or mitigation measures. As such, even with implementation of existing regulations, applicable South Bay Area Plan goals and policies, and MM-4.8-1, -4.8-2, and 4.8-3, potential impacts would remain significant and unavoidable. No additional feasible mitigation measures are available to further reduce impacts to a less than significant level.

e. **Hazards and Hazardous Materials**

IMPACT:

The Project would have a significant and unavoidable impact related to hazards and hazardous materials because the Project would:

- **Impact 4.9-2:** Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials or waste into the environment.
- **Impact 4.9-4:** Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would create a significant hazard to the public or the environment.

MITIGATION:

As shown on page 4.9-49 of the Draft PEIR, the following mitigation was incorporated to reduce significant impacts related to hazards and hazardous materials:

- **MM-4.9-1. Environmental Site Assessment (ESA).** During subsequent project-level environmental review, the County shall consider all relevant information available for the property (e.g., applicable database search, site visit, past and present land uses on the property, and/or existing site

investigations) to determine potential project impacts related to hazards. If review of relevant information, including past and present land use on the property, identifies potential impacts related to hazards, the County shall require project applicants to retain a qualified hazardous materials specialist to prepare a Phase I Environmental Site Assessment (ESA) in accordance with American Society for Testing Materials (ASTM) Standard E-1527-21. Any and all recognized environmental conditions (RECs) identified in the Phase I ESA shall be investigated through completion of a Phase II ESA in accordance with ASTM Standard 1903-19. The Phase II ESA shall compare sampling results to regulatory screening levels for applicable contaminants. If concentrations exceed current screening levels, the Applicant shall consult with the applicable environmental agency(ies) (e.g., CalEPA, DTSC, RWQCB, County Fire Department) to determine any requirements for additional investigations and/or restrictions on site development based on the Applicant's development proposal.

If remediation activities are required, all remediation shall be conducted to the satisfaction of the overseeing environmental agency(ies) in compliance with all applicable state and local regulations. Prior to the issuance of a grading or building permit, the Applicant shall provide the County Department of Public Works, Building and Safety and County Planning with written documentation from the overseeing environmental agency that states the proposed site development is safe and would not significantly impact the health and safety of construction workers, adjacent sensitive receptors, or future occupants on the site.

FINDING:

The County hereby adopts CEQA Findings 1 and 3.

FACTS IN SUPPORT OF FINDING:

Impact 4.9-2:

- As discussed on pages 4.9-37 through 4.9-39 of the Draft PEIR, the Project would result in the implementation of future development projects which may encounter unknown soil contamination and could pose a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials. In accordance with MM-4.9-1, whenever there is a suspected escape, spill, or release of hazardous materials into the environment based on site-specific considerations, the County shall require project applicants to prepare a Phase I ESA and/or a Phase II Investigation to determine if contamination is present and or for the purpose of determining applicability of the hazardous waste control laws. A remedial action would be required whenever it is determined that there was an escape, spill or release of hazardous materials into the environment that may pose a significant threat to human health or the environment. Any site remediation must be conducted to the satisfaction of the overseeing environmental agency(ies) in compliance with all applicable state and local regulations prior to the issuance of a grading or building permit.

Future non-discretionary projects that would be implemented under the South Bay Area Plan would be subject to applicable federal, state, and local regulations; however, these non-discretionary projects would not necessarily be subject to CEQA review, additional

environmental assessments, or mitigation measures. As such, even with implementation of existing regulations, applicable South Bay Area Plan goals and policies, and MM-4.9-1, potential impacts related to the creation of a significant hazard to the public or the environment due to hazards associated with contaminated sites would be potentially significant. As discussed in further detail below, no additional mitigation is feasible that would reduce this impact to a less than significant level. As a result, the Project impact at the program level would remain significant and unavoidable.

- **Cumulative:** As discussed on page 4.9-46 of the Draft PEIR, much of the Project area is already subject to a high environmental burden associated with pollution and other hazardous conditions associated with reasonably foreseeable accident or upset conditions. Because redevelopment of industrial and commercial properties is expected to occur in the South Bay Planning Area, the potential for encountering unknown soil contamination and/or soil vapor conditions during construction activities may occur and could result in significant hazards to the public or the environment due to accidental or upset conditions. Although implementation of MM-4.9-1 would reduce impacts, not all development projects would be subject to this requirement and the Project's incremental contribution to significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials or waste into the environment would be cumulatively considerable.

Impact 4.9-4:

- As discussed on pages 4.9-40 and 4.9-41 of the Draft PEIR, future development projects implemented under the South Bay Area Plan have the potential to encounter contamination associated with sites as defined in Government Code Section 65962.5. As required under MM-4.9-1, whenever there is a suspected escape, spill or release of hazardous materials into the environment based on site-specific considerations, the County shall require project applicants to prepare a Phase I ESA and/or a Phase II Investigation to determine if contamination is present and or for the purpose of determining applicability of the hazardous waste control laws.

Future non-discretionary projects that would be implemented under the South Bay Area Plan would be subject to applicable federal, state, and local regulations; however, these non-discretionary projects would not necessarily be subject to CEQA review, additional environmental assessments, or mitigation measures. As such, even with implementation of existing regulations, applicable South Bay Area Plan goals and policies, and MM-4.9-1, impacts related to the creation of a significant hazard to the public or the environment due to hazards associated with contaminated sites would remain potentially significant. As discussed in further detail below, no additional mitigation is feasible that would reduce this impact to a less than significant level. As a result, the Project impact at the program level would remain significant and unavoidable.

- **Cumulative:** As discussed on page 4.9-46 of the Draft PEIR, impacts related to projects being located on a site which is included on a list of hazardous materials compiled pursuant to Government Code Section 65962.5 are generally site-specific. Cumulative development projects would be required to comply with applicable local, state and federal regulations regarding contamination, which would reduce individual effects. However, the Public Works' Building & Safety plan check process would not identify properties that may

be listed in accordance with Government Code Section 65962.5 within the Project area. Therefore, future development under the South Bay Area Plan would contribute to cumulative development within the South Bay Planning Area on properties compiled pursuant to Government Code Section 65962.5. Further, the CalEnviroScreen scores for each of the Project area communities indicate that the Project area is already subject to a high pollution burden related to hazardous emissions and/or acutely hazardous materials, sources, and waste. Although implementation of MM-4.9-1 would reduce impacts, not all development projects would be subject to this requirement and the Project's incremental contribution to significant hazards to the public or the environment through development of sites on a list of hazardous materials compiled pursuant to Government Code Section 65962.5 would be cumulatively considerable.

Impacts 4.9-2 and 4.9-4: Impacts of a future development project depend on its specific characteristics such as site location, size, type of development, and nature of the construction or operational activities. Although MM-4.9-1 would apply to future discretionary projects within the South Bay Planning Area, it cannot be known for certain that the mitigation will reduce all impacts to less than significant levels because the details of future development projects are unknown at this time. Furthermore, although future non-discretionary projects implemented under the South Bay Area Plan would be subject to applicable federal, state and local regulations, they would not necessarily be subject to CEQA review, additional environmental assessments, or mitigation measures. As such, even with implementation of existing regulations, applicable South Bay Area Plan goals and policies, and MM-4.9-1, potential impacts would remain significant and unavoidable. Therefore, no additional feasible mitigation measures are available to further reduce impacts to a less than significant level.

f. **Noise**

IMPACT:

The Project would have a significant and unavoidable impact related to noise because the Project would:

- **Impact 4.13-1:** Result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the County General Plan or noise ordinance (Los Angeles County Code, Title 12, Chapter 12.08), or applicable standards of other agencies.
- **Impact 4.13-2:** Result in generation of excessive groundborne vibration or groundborne noise levels.

MITIGATION:

As shown on pages 4.13-38 through 4.13-40 of the Draft PEIR, the following mitigation was incorporated to reduce significant impacts related to noise:

- **MM 4.13-1. Commercial/Mixed-Use/Accessory Commercial Units (ACUs) Operational Noise.** Prior to issuance of a building permit for any future commercial, mixed-use, or ACU development projects that are located within 500 feet of sensitive receptors, project applicants

shall submit a noise mitigation plan to Los Angeles County Department of Public Health (DPH) for review and approval. The noise mitigation plan shall be prepared by a sound engineer and be sufficient for DPH to make a determination of whether the project will be in compliance with all applicable County Noise standards and regulations. At minimum, the noise mitigation plan shall include the following information: a list of all electro-mechanical equipment (HVAC, refrigeration systems, generators, etc.) that will be installed at the project site; sound level that would be produced by each equipment; noise-reduction measures, as necessary; and sufficient predictive analysis of project operational noise impact. All noise-reduction measures approved by DPH shall be incorporated into the project building plans and be implemented during project construction. Potential noise-reduction measures may include, but are not limited to, the following:

- Install permanent noise-occluding shrouds or screens on operating equipment
- Maintain all equipment and noise control features in accordance with the manufacturer's specifications
- Orient equipment vents and other sources of sound emissions away from noise-sensitive receptors and/or behind structures, containers, or natural features
- Increase distance between the operating equipment and the noise-sensitive receptor(s) of concern, to the maximum extent feasible
- Install portable sound-occluding barriers to attenuate noise between the source(s) and the noise-sensitive receptor(s)

This mitigation measure shall be superseded once a Countywide noise ordinance goes into effect that establishes operational noise standards for noise-reduction measures that ensures project operational noise compliance with the County of Los Angeles Noise Ordinance standards (i.e., LACC 12.08.440) for development projects within the South Bay Area Plan.

- **MM-4.13-2. Construction Noise.** Applicants for future development projects that are within 500 feet of sensitive receptors (e.g., residences, hospitals, schools) shall submit a noise study to Los Angeles County Department of Public Health (DPH) for review and approval prior to issuance of a grading or building permit. The study shall include noise-reduction measures, if necessary, to ensure project construction noise will be in compliance with the County of Los Angeles Noise Ordinance standards (i.e., LACC 12.08.440). All noise-reduction measures approved by DPH shall be incorporated into appropriate construction-related plans (e.g., demolition plans, grading plans and building plans) and implemented during construction activities. Potential noise-reduction measures may include, but are not limited to, the following:
 - Install temporary sound barriers for construction activities that occur adjacent to occupied noise-sensitive receptors
 - Equip construction equipment with effective mufflers, sound-insulating hoods or enclosures, vibration dampers, and other Best Available Control Technology (BACT)
 - Limit non-essential idling of construction equipment to no more than five minutes per hour

This mitigation measure shall be superseded once a Countywide noise ordinance goes into effect that establishes construction noise standards for noise-reduction measures that ensures project construction noise compliance with the County of Los Angeles Noise Ordinance standards (i.e., LACC 12.08.440) for development projects within the South Bay Area Plan.

- **MM-4.13-3. Construction Vibration.** For future development projects that utilize vibration-intensive construction equipment (e.g., pile drivers, jack hammers, and vibratory rollers) within 500 feet of sensitive receptors, project applicant shall submit a vibration impact evaluation to Los Angeles County Department of Public Health (DPH) for review and approval prior to issuance of a grading or building permit. The evaluation shall include a list of project construction equipment and the associated vibration levels and a predictive analysis of potential project vibration impacts. If construction-related vibration is determined to be perceptible at vibration-sensitive uses (i.e., exceed the County's standard of 0.01 inches per second RMS vibration velocity [within the range of 1 to 100 Hz frequency]), project-specific measures shall be required to ensure project compliance with vibration standards. All project-specific measures approved by DPH shall be incorporated into appropriate construction-related plans (e.g., demolition plans, grading plans and building plans) and implemented during project construction.

Examples of equipment vibration source-to-receptor distances within which impact evaluation should occur vary with equipment type (based on FTA reference vibration information) and are as follows:

- Jackhammer – 23 feet
- Dozer, hoe-ram, drill rig, front-end loader, tractor, or backhoe – 43 feet
- Roller (for site ground compaction or paving) – 75 feet
- Impact pile-driving – 280 feet

This mitigation measure shall be superseded once a Countywide groundborne vibration ordinance goes into effect that establishes construction groundborne vibration standards for vibration-reduction measures that ensures project construction groundborne vibration compliance with the County of Los Angeles standard of 0.01 inches per second RMS vibration velocity (within the range of 1 to 100 Hz frequency) for development projects within the South Bay Area Plan.

FINDING:

The County hereby adopts CEQA Findings 1 and 3.

FACTS IN SUPPORT OF FINDING:

Impact 4.13-1:

- **Construction:** As discussed on pages 4.13-31 through 4.13-33 of the Draft PEIR, the Project would result in future development projects with associated construction activities, which, depending on the type of residential receptor and relevant screening distance, and

assuming daytime construction only, could result in significant impacts relative to an exceedance of the County construction noise threshold to off-site sensitive receptors. MM-4.13-2 would require all future discretionary projects near sensitive receptors to prepare a noise study that would ensure compliance with County noise standards, to the extent feasible. Nonetheless, there is the potential for an off-site residence to be so close to a construction site that the resulting noise impact—even with incorporation of practical, feasible, and reasonable mitigation measures—could still be unavoidable. Therefore, potential construction noise impacts of the Project would be significant and unavoidable.

- **Operation:** As discussed on page 4.13-25 through 4.13-31 of the Draft PEIR, the Project could result in future development projects, including higher density development of housing sites mechanical ventilation and air-conditioning assumed to include corresponding noise emission from compressors and ventilation fans. As a result, aggregate stationary source noise emission from a site-specific development implemented under the Project could exceed noise standards; therefore, Project noise impacts would be significant and unavoidable. In addition, each ACU would need outdoor-exposed HVAC equipment that would emit noise to the surrounding community. Operation of an ACU would likely indicate an exceedance with respect to the County noise ordinance at certain distances and thus necessitate some form of operational noise mitigation. Implementation of MM-4.13-1 would require all future discretionary projects near sensitive receptors to prepare a noise mitigation plan that would ensure compliance with County noise standards. However, even with implementation of MM-4.13-1, localized conditions may make it difficult to comply with the County standards or limit outdoor ambient noise level increases to those that would avoid neighborhood complaints. For these reasons, the Project could result in generation of a substantial temporary or permanent increase in ambient noise levels in excess of applicable County standards and even with implementation of MM-4.13-1, impacts would remain significant and unavoidable.
- **Cumulative:** As discussed on page 4.13-36 through 4.13-38 of the Draft PEIR, cumulative impacts due to cumulative construction noise could be considered significant under certain conditions of multiple project proximity to a common noise-sensitive receiving land use. Mitigation of such cumulative construction noise impact would require each individual project to comply with the County's construction noise standard and involve measures as appearing in MM-4.13-2. Nevertheless, because the Project would result in significant and unavoidable impacts even with implementation of MM-4.13-2, the Project would contribute to potentially significant cumulative impacts related to construction noise. In addition, given that the implementation of commercial, residential, mixed-use, or ACU development would result in significant unavoidable impacts, cumulative impacts to outdoor ambient noise levels resulting from proposed Project stationary sources combining with another unrelated project could result in a cumulatively considerable change greater than 3 dBA.

Impact 4.13-2:

- As discussed on page 4.13-33 through 4.13-35 of the Draft PEIR, potential impacts from construction vibration are considered significant because ensuring adequate distances to receptors may not be feasible for one or more site-specific construction projects implemented under the Project. Implementation of MM-4.13-3 would reduce vibration impacts associated with construction activities to the extent feasible. However, due to the

potential for proximity of construction activities to sensitive uses and potential longevity of construction activities, their potential would remain potentially significant and unavoidable.

- **Cumulative:** As discussed on page 4.13-38 of the Draft PEIR, cumulative impacts due to cumulative construction vibration could be considered significant under certain conditions of multiple project proximity to a common noise-sensitive receiving land use.

Impacts 4.13-1 and 4.13-2: Impacts of a future development project depend on its specific characteristics such as site location, size, type of development, and nature of the construction or operational activities. Although MMs-4.13-1, 4.13-2, and 4.13-3 would apply to future discretionary projects within the South Bay Planning Area, it cannot be known for certain that the mitigation will reduce all impacts to less than significant levels because the details of future development projects are unknown at this time. Furthermore, although future non-discretionary projects implemented under the South Bay Area Plan would be subject to applicable federal, state and local regulations, they would not necessarily be subject to CEQA review, additional environmental assessments, or mitigation measures. As such, even with implementation of existing regulations, applicable South Bay Area Plan goals and policies, and MMs-4.13-1, 4.13-2, and 4.13-3, potential impacts would remain significant and unavoidable. Therefore, no additional feasible mitigation measures are available to further reduce impacts to a less than significant level.

g. Population and Housing

IMPACT:

The Project would have a significant and unavoidable impact related to population and housing as the Project would:

- **Impact 4.14-1:** Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).

MITIGATION:

No feasible mitigation measure is available.

FINDING:

The County hereby adopts CEQA Finding 3.

FACTS IN SUPPORT OF FINDING:

Impact 4.14-1:

- As discussed on pages 4.14-28 through 4.14-30 of the Draft PEIR, the Project's anticipated population and housing buildout would represent substantial unplanned population growth for the Project area. Specifically, the Project's anticipated population and housing buildout would represent substantial unplanned population growth for the Project area by facilitating the development of new future housing in accordance with the residential

upzoning proposed through the South Bay Area Plan. No mitigation is feasible that would reduce this impact to a level of less than significant. Thus, the unplanned growth in the Project area occurring as a result of Project implementation would be considered significant and unavoidable.

- **Cumulative:** As discussed on page 4.14-32 of the Draft PEIR, the buildout of the South Bay Area Plan in 2045 would exceed the buildout projections for the South Bay Planning Area in the County's General Plan. Furthermore, buildout of related local and regional plans include additional housing (and associated population growth) beyond the Project area's RHNA requirements, which further adds to the exceedance of buildout projections for the South Bay Planning Area beyond what was anticipated through the General Plan. The projected population growth for the Project area and unincorporated Los Angeles County, as anticipated through the County's General Plan, as well as regional growth anticipated through SCAG's Connect SoCal, would result in substantial unplanned population growth. No mitigation is feasible that would reduce this impact to a level of less than significant. Therefore, cumulative impacts would be significant and unavoidable.

The County has an obligation to meet RHNA obligations in accordance with State Housing Element law. Given that the proposed land use and zone changes are required to accommodate the state-mandated RHNA, no feasible mitigation measures are available to reduce the substantial population growth. As such, Impact 4.14-1 would remain significant and unavoidable.

h. Public Services

IMPACT:

The Project would have a significant and unavoidable impact related to public services because the Project would:

- **Impact 4.15-1(iv):** Create capacity or service level problems, or result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks.

MITIGATION:

No feasible mitigation measure is available.

FINDING:

The County hereby adopts CEQA Finding 3.

FACTS IN SUPPORT OF FINDING:

Impact 4.15-1(iv):

- As further discussed in Section 4.16, Recreation, of the Draft PEIR (pages 4.16-16 through 4.16-17), impacts regarding park services would be significant and unavoidable. As discussed below, there are no feasible mitigation measures to reduce this anticipated

impact.

- **Cumulative:** As discussed further in Section 4.16 of the Draft PEIR (page 4.16-21), without the payment of park mitigation fees or the dedication of land for future parks, the Project's incremental effects, in combination with cumulative growth related to local and regional plans would be cumulatively considerable. As discussed below, no mitigation is feasible to reduce these impacts to a level of less than significant. Thus, cumulative impacts to park services would be significant and unavoidable.

Select future development projects implemented under the South Bay Area Plan would be subject to discretionary permits and future environmental review pursuant to CEQA that would evaluate environmental impacts and determine appropriate mitigation measures on a project-by-project basis. The extent to which the County can implement parks, trails, and other recreational facilities is related to the availability of funding for land acquisition, construction, operations, maintenance, and programming. Despite the application of future project-level mitigation measures (including payment of in-lieu fees) for those discretionary projects that are determined to require mitigation, it cannot be known for certain that the mitigation will reduce all impacts to levels less than significant because the details of future development projects are unknown at this time. Although the South Bay Area Plan encourages the inclusion of more parks and publicly accessible private open space the South Bay Area Plan does not have the mechanism to ensure that new recreational facilities are constructed. The Project area is located in a built-out urbanized area within Los Angeles County. Thus the dedication of parkland is too speculative at the time of drafting this PEIR. Impacts would remain significant and unavoidable because at this programmatic level of review, the exact location, orientation, number and timing of individual development projects and/or infrastructure improvements that could occur as a result of implementation of the South Bay Area Plan are unknown.

i. **Recreation**

IMPACT:

The Project would have a significant and unavoidable impact related to recreation because the Project would:

- **Impact 4.16-1:** Create capacity or service level problems, or result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks.
- **Impact 4.16-2:** Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

MITIGATION:

No feasible mitigation measure is available.

FINDING:

The County hereby adopts CEQA Finding 3.

FACTS IN SUPPORT OF FINDING:

Impact 4.16-1:

- As discussed on pages 4.16-16 through 4.16-21 of the Draft PEIR, each community's existing conditions are currently below the General Plan goal for parkland acres per 1,000 residents. The Project would result in 30,745 additional Project area residents, which would increase the parkland deficit to over 355 acres of new parkland required to meet the County's goal and limit the Los Angeles County Department of Parks and Recreation's ability to maintain acceptable service ratios. Even with the support of South Bay Area Plan goals, policies, and implementation programs, without the payment of park mitigation fees or the dedication of land for future parks, the Project would result in a significant impact to park services. As discussed in further detail below ("Impacts 4.16-1 and 4.16-2") no mitigation is feasible to reduce these impacts to a level of less than significant. Therefore, the proposed Project would have a significant and unavoidable impact to park services.
- **Cumulative:** As discussed on page 4.16-21 of the Draft PEIR, the proposed Project in combination with cumulative growth related to local and regional plans would result in a cumulatively significant impact to park services. No mitigation is feasible to reduce these impacts to a level of less than significant. As such, cumulative impacts would be significant and unavoidable.

Impact 4.16-2:

- As discussed on pages 4.16-18 and 4.16-19 of the Draft PEIR, the unincorporated communities in the South Bay Planning Area fall below the Countywide average of 3.3 acres of parkland per 1,000 residents, and none of the unincorporated communities meet the General Plan goal of four acres of local parkland per 1,000 residents. As such, the proposed Project would increase demand on parks to maintain acceptable service ratios. Therefore, the proposed Project would be expected to substantially increase the use of existing neighborhood and regional parks and associated recreational facilities. As discussed below, no mitigation is feasible to reduce this impact to a less than significant level. Given this, a significant and unavoidable impact would occur related to recreation.
- **Cumulative:** As discussed on pages 4.16-21 of the Draft PEIR, in the absence of new parks to alleviate the existing demands for park facilities currently in the Project area and unincorporated County areas, the impact of the proposed Project in addition to Countywide growth anticipated through the local and regional plans, would constitute a significant cumulative impact related to park deterioration. As discussed below, no mitigation is feasible, and cumulative impacts would remain significant and unavoidable.

Impacts 4.16-1 and 4.16-2: Select future development projects implemented under the South Bay Area Plan would be subject to discretionary permits and future environmental review pursuant to CEQA that would evaluate environmental impacts and determine appropriate mitigation measures on a project-by-project basis. The extent to which the County can implement parks, trails, and other recreational facilities is related to the availability of funding for land acquisition, construction, operations, maintenance, and programming. Despite the application of future project-level

mitigation measures (including payment of in-lieu fees) for those discretionary projects that are determined to require mitigation, it cannot be known for certain that the mitigation will reduce all impacts to levels less than significant because the details of future development projects are unknown at this time. Although the South Bay Area Plan encourages the inclusion of more parks, the South Bay Area Plan does not have the mechanism to ensure that new recreational facilities are constructed. Additionally, the Project area is highly built-out and urbanized, and there is a lack of available space to develop new parks to serve the anticipated population growth in the South Bay Area Plan. Therefore, no feasible mitigation measures are available to reduce impacts to a less than significant level. For the reasons discussed above, impacts to recreation would remain significant and unavoidable.

j. Tribal Cultural Resources

IMPACT

The Project would have a significant and unavoidable impact related to tribal cultural resources because the Project would:

- **Impact 4.18-1(i):** Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k).
- **Impact 4.18-1(ii):** Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

MITIGATION:

As shown on pages 4.18-21 of the Draft PEIR, the following mitigation was incorporated to reduce significant impacts related to tribal cultural resources:

- **MM-4.18-1. Tribal Cultural Resources.** During subsequent project-level environmental review, the County shall obtain a State of California Native American Heritage Commission (NAHC) Sacred Land Files Search, as appropriate, and comply with all applicable requirements of AB 52. Pursuant to AB 52, the County shall provide formal notification of the project to designated contact of each traditionally and culturally affiliated California Native American Tribe that has requested notice. The County shall begin the consultation process within 30 days after receiving a Tribe's request for consultation. The County shall consider all relevant information available for the property to identify potential tribal cultural resources in the project area,

evaluate the project's potential impacts to tribal cultural resources, and mitigate those potential impacts.

If project impacts to tribal cultural resources are determined to be potentially significant, the County shall require the project to incorporate appropriate measures to avoid or minimize impacts to tribal cultural resources, including but not limited to, the measures recommended in Public Resources Code Section 21084.3, tribal monitoring, or other alternative measures identified in consultation with the California Native American Tribe.

If an archaeological resource that is Native American in origin is identified in the preparation of a Phase I Archaeological Report (see MM-4.5-2) or Native American archaeological resources are encountered during construction, the County shall consult and coordinate with the California Native American Tribal representatives who are traditionally or culturally affiliated with the geographic area of the development project to evaluate and mitigate impacts in accordance with the requirements set forth in MM-4.5-2.

- **MM-4.5-2. Archaeological Resources.** (See Section IV.c, Cultural Resources, above.)

FINDING:

The County hereby adopts CEQA Findings 1 and 3.

FACTS IN SUPPORT OF FINDING:

Impact 4.18-1(i) and Impact 4.18-1(ii):

- As discussed on pages 4.18-18 through 4.18-20 of the Draft PEIR, the construction of future development projects would involve earthwork to demolish, renovate, and build structures on properties within the Project area. Thus, there is a potential to cause a substantial adverse change in the significance of both known and unknown tribal cultural resources. MM-4.18-1 would require the County to obtain appropriate records search and comply with all applicable requirements of AB 52 during subsequent project-level environmental review. In addition, MM-4.5-2 would require all ground-disturbing activities within 50 feet of the find to cease if tribal cultural resources are encountered during construction. However, these measures do not assure that all impacts would be mitigated to a level of less than significant for those tribal cultural resources not yet identified. As discussed below, no additional mitigation is feasible. Therefore, the Project impacts would be significant and unavoidable.
- **Cumulative:** As discussed on page 4.18-20 of the Draft PEIR, future development projects constructed from Project implementation would have a significant impact. In addition, the Project, in combination with additional growth anticipated through other local and regional plans would combine to constitute a significant cumulative impact related to tribal cultural resources. As discussed below, no additional mitigation is feasible. Therefore, the cumulative impacts would remain significant and unavoidable.

Impact 4.18-1(i) and Impact 4.18-1(ii): Although MM-4.18-1 and MM-4.5-2 would substantially reduce or eliminate potential impacts for future discretionary projects within the South Bay Planning

Area, it cannot be known for certain that the mitigation will reduce all impacts to less than significant levels because the details of future development projects are unknown at this time. Furthermore, although future non-discretionary projects implemented under the South Bay Area Plan would be subject to applicable federal, state and local regulations, they would not necessarily be subject to CEQA review, additional environmental assessments, or mitigation measures. As such, even with implementation of existing regulations, applicable South Bay Area Plan goals and policies, and MM-4.18-1, potential impacts would remain significant and unavoidable. Therefore, no additional feasible mitigation measures are available to further reduce impacts to a less than significant level.

k. **Utilities and Service Systems**

IMPACT:

The Project would have a significant and unavoidable impact related to utilities and service systems because the Project would:

- **Impact 4.19-1:** Require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects).
- **Threshold 4.19-2 (Cumulative):** Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.

MITIGATION:

As shown on pages 4.19-42 of the Draft PEIR, the following mitigation was incorporated to reduce significant impacts related to utilities and service systems:

- **MM-4.3-1. Construction Emissions.** (See Section IV.a, Air Quality, above.)
- **MM-4.4-1. Habitat Assessment.** (See Section IV.b, Biological Resources, above.)
- **MM-4.5-1. Historic Architectural Resources.** (See Section IV.c, above.)
- **MM-4.5-2. Archaeological Resources.** (See Section IV.c, above.)
- **MM-4.5-3. Paleontological Resources.** (See Section IV.c, above.)
- **MM-4.9-1. Environmental Site Assessment.** (See Section IV.d, Hazards and Hazardous Materials, above.)
- **MM-4.13-2. Construction Noise.** (See Section IV.e, Noise, above.)
- **MM-4.13-3. Construction Vibration.** (See Section IV.e, above.)
- **MM-4.18-1. Tribal Cultural Resources.** (See Section IV.i, Tribal Cultural Resources, above.)

FINDING:

The County hereby adopts CEQA Findings 1 and 3.

FACTS IN SUPPORT OF FINDING:

Impact 4.19-1:

- As discussed on pages 4.19-27 – 4.19-32 of the Draft PEIR, future development projects associated with the South Bay Area Plan could result in increased sewage generation that would result in significant impacts related to sanitary sewer collection. In addition, significant impacts related to increased water demand could occur due to increases in land use development as a result of Project build-out. Similarly, significant impacts would occur due to the physical impacts associated with the construction of electric utilities, telecommunications, and natural gas infrastructure. The incorporation of Project mitigation measures applicable to construction activities would help reduce construction-related impacts, including MM-4.3-1, MM-4.4-1, MM-4.5-1, MM-4.5-2, MM-4.5-3, MM-4.9-1, MM-4.13-2, MM-4.13-3, and MM-4.18-1 (discussed above). However, even with the incorporation of mitigation measures, no other feasible mitigation measures are available to reduce these impacts to a level of less than significant. As such, Project impacts would remain significant and unavoidable.
- **Cumulative:** As discussed on pages 4.19-38 through 4.19-40 of the Draft PEIR, future development projects constructed from Project implementation would have a significant impact. In addition, the Project, in combination with additional growth anticipated through other County plans would combine to constitute a significant cumulative impact related to utilities and service systems. Although MM-4.3-1, MM-4.4-1, MM-4.5-1, MM-4.5-2, MM-4.5-3, MM-4.9-1, MM-4.13-2, MM-4.13-3, and MM-4.18-1 would reduce construction-related impacts for future discretionary projects, there are no additional feasible mitigation measures available that would reduce these impacts to a less than significant level. Therefore, impacts would remain significant and unavoidable.

Impact 4.19-2:

- **Cumulative:** As discussed on pages 4.19-40 and 4.19-41 of the Draft PEIR, cumulative project development reliant predominantly on surface water (i.e., State Water Project and Colorado River water) could potentially result in cumulatively considerable water supply impacts. The County cannot enforce mitigation outside of its jurisdiction or (as discussed in further detail below) for non-discretionary or otherwise “exempt” projects under CEQA. As such, there would be no feasible mitigation for cumulative impacts to water supply; therefore, cumulative impacts would be significant and unavoidable.

Impacts 4.19-1 and 4.19-2: Impacts of a future development project depend on its specific characteristics such as site location, size, type of development, and nature of the construction or operational activities. Although MM-4.3-1, MM-4.4-1, MM-4.5-1, MM-4.5-2, MM-4.5-3, MM-4.9-1, MM-4.13-2, MM-4.13-3, and MM-4.18-1 would apply to future discretionary projects within the South Bay Planning Area, it cannot be known for certain that the mitigation will reduce all impacts to less than significant levels because the details of future development projects are unknown at this time. Furthermore, although future non-discretionary projects implemented under the South Bay Area Plan would be subject to applicable federal, state and local regulations, they would not necessarily be subject to CEQA review, additional environmental assessments, or mitigation

measures. As such, even with implementation of existing regulations, applicable South Bay Area Plan goals and policies, and MM-4.3-1, MM-4.4-1, MM-4.5-1, MM-4.5-2, MM-4.5-3, MM-4.9-1, MM-4.13-2, MM-4.13-3, and MM-4.18-1, potential impacts would remain significant and unavoidable. Therefore, no additional feasible mitigation measures are available to further reduce impacts to a less than significant level.

V. FINDINGS REGARDING GROWTH-INDUCING IMPACTS

As required by Section 15126.2(e) of the CEQA Guidelines, an EIR must discuss ways in which a project could foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. Also, the EIR must discuss the characteristics of the project that could encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. Growth can be induced in a number of ways, such as through the elimination of obstacles to growth, the stimulation of economic activity within the region, or the establishment of policies or other precedents that directly or indirectly encourage additional growth. Under CEQA, this growth is not to be considered necessarily detrimental, beneficial, or of significant consequence. Induced growth would be considered a significant impact if it can be demonstrated that the potential growth, directly or indirectly, significantly affects the environment.

In general, a project could foster spatial, economic, or population growth in a geographic area if the project removes an impediment to growth (e.g., the establishment of an essential public service, the provision of new access to an area, or a change in zoning or General Plan amendment approval), or economic expansion or growth occurs in an area in response to the project (e.g., changes in revenue base, employment expansion). These circumstances are further described below.

Elimination of Obstacles to Growth: As discussed on pages 5-8 and 5-9 of the Draft PEIR, direct growth-inducing impacts are commonly associated with the extension of new public services, utilities, and roads into areas that have previously been undeveloped. The extension of such infrastructure into a non-serviced area can represent the elimination of a growth-limiting factor, thereby inducing growth. Increases in the population may tax existing community service facilities, requiring construction of new facilities and ultimately resulting in an increase in the pace of development or the density of the existing surrounding development. Indirect growth-inducing impacts include an increased demand for housing, commodities, and services that new development causes or attracts by increasing the population or job growth in an area.

Through proposed land use changes and policies, the Project would guide land use and development/redevelopment in the unincorporated areas of the South Bay Planning Area—specifically, regarding residential, commercial, and ACU-related growth. The Project is anticipated to indirectly induce growth through the removal of obstacles to additional growth and development, such as allowing increased density to occur in residential and commercial areas in accordance with new land use regulations. However, the Project does not propose or approve any specific infrastructure improvements that would result in growth. The Project does not approve the construction of specific development projects and would largely accommodate growth based on market conditions. However, it would allow increased development intensity and/or a more inclusive mix of land uses compared to existing conditions. Therefore, the Project removes regulatory obstacles to growth, and is considered to be growth-inducing.

Establishment of Policies that Encourage Additional Growth. The land use changes associated with the Project would allow the increase of dwelling units that could occur under buildout conditions and

accommodate a greater population than was envisioned for the General Plan. Additionally, it would allow increase in commercial activity and create new jobs in the Project area through commercial development. These new jobs could potentially lead to future employees moving into the Project area to be proximate to their jobs, therefore increasing the population. Therefore, the South Bay Area Plan would have indirect growth-inducing effects, as analyzed throughout this Draft PEIR.

As the Project area continues to develop, it would require further commitment of public services that could include fire protection, law enforcement, public schools, public recreation, and other services as appropriate. Future development in the Project area would require an increased commitment to public services that would be considered a long-term commitment in order to maintain a desired level of service. This is considered a growth-inducing impact.

As the population grows and occupies new dwelling units, these residents would seek shopping, entertainment, employment, home improvement, vehicle maintenance, and other economic opportunities in the surrounding area. This would facilitate the purchase of economic goods and services and could, therefore, encourage the creation of new businesses and/or the expansion of existing businesses. This need for goods and services would partially be met by the proposed ACU and commercial/mixed-use development, but not fully. This is considered a growth-inducing impact.

Establishment of Other Precedents that Encourage Additional Growth. Approval of the Project would not set a precedent that could encourage and facilitate other activities that could significantly affect the environment. Cities and counties in California periodically update their general plans pursuant to California Government Code Sections 65300 et seq. The Project is intended to guide regional level growth and development within the unincorporated communities of the South Bay Planning Area. While no direct development is proposed as part of the Project, the implementation of South Bay Area Plan land use changes and policies would accommodate future development (and redevelopment of previously developed areas).

Stimulation of Economic Activity within the Region. Pressures to develop in the surrounding cities may derive from regional economic conditions and market demands for housing, commercial, office and industrial land uses that may be directly or indirectly influenced by the Project. Although the Project does not include approval of physical development, it creates additional development capacity in the Project area compared to existing conditions. Much of this development capacity is either available under existing conditions or is limited to targeted areas. Furthermore, development projects would be induced more by market demands than by new development capacity created by land use changes. However, because approval of the Project would ultimately result in subsequent projects that would have their own environmental impacts—including potentially significant impacts—the Project is a growth-inducing action.

Impacts of Induced Growth. The growth induced directly and indirectly by the Project is anticipated to contribute to environmental impacts. The environmental impacts were analyzed throughout the PEIR, including environmental impacts that would be significant and unavoidable, as summarized in Section IV above.

VI. FINDINGS REGARDING PROJECT ALTERNATIVES

In accordance with Section 15126.6(a) of the State CEQA Guidelines, an EIR must contain a discussion of “a range of reasonable alternatives to a project, or the location of a project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the

significant effects of the project, and evaluate the comparative merits of the alternatives.” Section 15126.6(f) further states that “the range of alternatives in an EIR is governed by a ‘rule of reason’ that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice.” Thus, the following discussion focuses on project alternatives that are capable of eliminating significant environmental impacts or substantially reducing them as compared to the proposed Project, even if the alternative would impede the attainment of some project objectives, or would be more costly. In accordance with Section 15126.6(f)(1) of the Guidelines, among the factors that may be taken into account when addressing the feasibility of alternatives are: (1) site suitability; (2) economic viability; (3) availability of infrastructure; (4) general plan consistency; (5) other plans or regulatory limitations; (6) jurisdictional boundaries; and (7) whether the proponent can reasonably acquire, control or otherwise have access to the alternative site.

As required in Section 15126.6(a), in developing the alternatives to be addressed in this section, consideration was given to an alternative’s ability to meet most of the basic objectives of the Project. Because the proposed Project will cause potentially significant environmental effects, the County must consider the feasibility of any environmentally superior alternatives to the Project, evaluating whether these alternatives could avoid or substantially lessen the potentially significant environmental effects while achieving most of the objectives of the Project.

The County, having reviewed and considered the information contained in the Final PEIR and the Record of Proceedings, and pursuant to Public Resource Code Section 21081(a)(3) and State CEQA Guidelines Section 15091(a)(3), makes the following findings with respect to the alternatives identified in the Final PEIR (SCH No. 2023100445):

Specific economic, legal, social, technological, or other considerations make the alternatives identified in the Final PEIR (SCH No. 2023100445) infeasible as described below:

“Feasible” is defined in Section 15364 of the State CEQA Guidelines to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.”

Public Resources Code Section 21081 and State CEQA Guidelines Section 15019(a)(3) also provide that “other” considerations may form the basis for a finding of infeasibility. Judicial decisions¹ have made clear that feasibility includes the question of whether a particular alternative promotes the underlying goals and objectives of a project, and that an alternative may be found infeasible on the ground if it is inconsistent with the project objectives. A lead agency may structure its EIR alternative analysis around a reasonable definition of underlying purpose and need not study alternatives that cannot achieve that purpose. Additionally, the agency may reasonably balance the relevant economic, environmental, social, legal, and technological factors and may reject an alternative that is impractical or undesirable from a policy standpoint.

¹ See, e.g., *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1506-1509; *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001; *San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 17; *Save Our Capitol! v. Dept. of General Services* (2023) 87 Cal.App.5th 655, 702-705; *Yerba Buena Neighborhood Consortium, LLC v. Regents of University of California* (2023) 95 Cal.App.5th 779, 796-797; see also *Kostka & Zischke, Practice Under the Cal. Environmental Quality Act* (Cont.Ed.Bar 2d ed. 2009), Section 17.39, p. 825;

a) Alternatives Under Consideration

As discussed on pages 6-5 through 6-48 of the Draft PEIR, the Project alternatives are summarized below along with the findings relevant to each alternative.

1. Alternative A: No Project/ Buildout According to Adopted Plans

Section 15126.6(e) of the CEQA Guidelines requires that an EIR evaluate the specific alternative of “no project” along with its impact. As stated in this section of the CEQA Guidelines, the purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving a Project with the impacts of not approving a Project. As specified in CEQA Guidelines Section 15126.6(e)(3)(A), when a project is the revision of an existing land use or regulatory plan or policy or an ongoing operation, the no project alternative will be the continuation of the plan, policy, or operation into the future. Therefore, the no project alternative, as required by the CEQA Guidelines, would analyze the effects of development consistent with implementation of the General Plan and existing land use/zoning.

Potentially Significant Effects:

The No Project Alternative would result in the continuation of existing conditions and planned development of the County. However, Alternative A would conflict with State Housing Law and the County’s Housing Element by not implementing the General Plan land use and zoning changes identified in the Housing Element, thereby not realizing the Regional Housing Needs Allocation (RHNA) goals required for the 6th Cycle. As such, impacts under Alternative A related to land use and planning would be greater than the Project. Furthermore, under the Project, the vehicle miles traveled (VMT) per service population would be reduced due to increased housing density, which would bring people closer to jobs. As Alternative A would result in fewer dwelling units compared to the Project, Alternative A would not be as effective at reducing VMT per service population. Therefore, given the reduced density of residential development when compared to the Project, impacts related to VMT under Alternative A would be more than the Project

For all other resource areas, no new significant environmental impacts or an increased severity of environmental impacts identified in the General Plan EIR would occur under this alternative because it would retain the current General Plan land use designations and policy provisions. The No Project Alternative would result in reduced environmental impacts to most environmental topics (i.e., all topics except land use/planning, mineral resources, and transportation) and eliminate significant and unavoidable impacts related to population and housing, public services, recreation, and utilities and service systems. Because the No Project Alternative would not change parcels identified in the proposed Project, this alternative would not generate new construction in the same manner as the proposed Project and associated future development projects would occur as analyzed in the General Plan EIR.

Facts in Support of Finding:

The County finds that this alternative would eliminate significant and unavoidable environmental impacts for the following: population and housing, public services, recreation, and utilities and service systems. Alternative A would reduce most other significant and

unavoidable environmental impacts associated with the Project (i.e., all except for land use/planning and transportation). However, this alternative would substantially reduce the ability to meet Objectives 1 through 9 and would not meet Objective 10.

2. Alternative B: Housing Element/RHNA Only

Under Alternative B, only the implementation of the mixed-use land use and zoning recommendations from the Housing Element would occur, and no additional land use and zoning changes to facilitate additional housing or commercial uses would be implemented. However, Alternative B would implement most of the programs, policies, goals and development standards proposed under the Project. Alternative B would not implement programs or development standards related to ACUs (e.g., Program No. 1, Accessory Commercial Units Program) and would not ensure land use/zoning consistency in land use and zoning maps by making technical corrections based on existing development on the ground.

Potentially Significant Effects:

Alternative B would not eliminate any significant and unavoidable impacts. Thus, under this alternative, significant and unavoidable impacts would still occur related to air quality, biological resources, cultural resources, greenhouse gas emissions, hazards and hazardous materials, noise, population and housing, public services (parks), recreation, tribal cultural resources, and utilities and service systems. Alternative B would result similar impacts for agriculture and forestry, land use and planning, and mineral resources. Furthermore, by reducing the number of dwelling units, the daily VMT per service population under Alternative B would increase when compared to proposed Project due to reduced housing opportunities. Therefore, impacts related to the consistency with CEQA Guidelines Section 15064.3, subdivision (b) would be more than the proposed Project. Impacts would be reduced for all other environmental topic areas.

Facts in Support of Finding:

The County finds that this alternative would not eliminate any significant and unavoidable impacts associated with the Project. However, Alternative B would reduce significant and unavoidable impacts related to air quality, biological resources, cultural resources, greenhouse gas emissions, hazards and hazardous materials, noise, population and housing, public services (parks), recreation, tribal cultural resources, and utilities and service systems compared to the Project. Regarding the ability to meet Project objectives, Alternative B would substantially reduce the ability to meet the Objective 4 and would reduce the ability to Objectives 1, 2, 5, and 8. Alternative B would not meet Objective 10.

3. Alternative C: No Changes to the West Carson TOD Specific Plan

Under Alternative C, no General Plan land use changes would occur in the West Carson TOD Specific Plan area. All other components of the Project, including implementation of the proposed land use and zoning changes under the Housing Element, changes to the County Code to allow for ACUs, and additional land use changes to facilitate residential and commercial development (outside of the West Carson TOD Specific Plan) would still occur under this alternative.

Potentially Significant Effects:

Alternative C would not eliminate any significant and unavoidable impacts identified under the Project. As such, significant impacts related to air quality, biological resources, cultural resources, greenhouse gas emissions, hazards and hazardous materials, noise, population and housing, public services, recreation, tribal cultural resources, and utilities and service systems would remain significant and unavoidable. In addition, by reducing the number of dwelling units, the daily VMT per service population under Alternative C would increase when compared to Project due to reduced housing opportunities near jobs. Therefore, impacts related to the consistency with CEQA Guidelines Section 15064.3, subdivision (b) would be more than the proposed Project. Compared to the Project, this alternative would have similar impacts related to agriculture and forestry resources, biological resources, land use and planning, mineral resources, and wildfire. Impacts related to all other environmental topic areas would be reduced.

Facts in Support of Finding:

The County finds that this alternative would not eliminate any significant and unavoidable environmental impacts. However, Alternative C would reduce significant and unavoidable impacts related to air quality, cultural resources, greenhouse gas emissions, hazards and hazardous materials, noise, population and housing, public services (parks), recreation, tribal cultural resources, and utilities and service systems. Regarding the ability to meet Project objectives, Alternative C would have a reduced ability or slightly reduced ability to meet Objectives 1, 2, 4, 5, and 10.

4. Alternative D: No Changes in the LAX Noise Contours

Under Alternative D, no General Plan land use changes would occur within the Los Angeles International Airport (LAX) noise contours, which affects certain parcels in Lennox. All other components of the Project, including implementation of the proposed land use and zoning changes under the Housing Element, changes to the County Code to facilitate ACUs, and additional land use changes to facilitate residential and commercial development (outside of the LAX noise contours in Lennox) would still occur under this alternative.

Potentially Significant Effects:

Alternative D would not eliminate any significant and unavoidable impacts identified under the Project. As such, significant impacts related to air quality, biological resources, cultural resources, greenhouse gas emissions, hazards and hazardous materials, noise, population and housing, public services, recreation, tribal cultural resources, and utilities and service

systems would remain significant and unavoidable. Compared to the Project, this alternative would have similar impacts related to agriculture and forestry resources, biological resources, land use and planning, mineral resources, and wildfire. Impacts related to all other environmental topic areas would be reduced.

Facts in Support of Finding:

The County finds that this alternative would not eliminate any significant and unavoidable environmental impacts. However, Alternative D would reduce significant and unavoidable impacts related to air quality, cultural resources, greenhouse gas emissions, hazards and hazardous materials, noise, population and housing, public services (parks), recreation, tribal cultural resources, and utilities and service systems. Regarding the ability to meet Project objectives, Alternative D would have a reduced ability or slightly reduced ability to meet Objectives 1, 2, 4, 5, and 10.

5. Alternative E: Reduced Density in Del Aire (H30 to H18)

The Project proposes to redesignate 283 Residential 9 (H9; 9 dwelling units per acre) parcels in Del Aire to Residential 30 (H30; 30 dwelling units per acre). Under Alternative E, these 283 parcels would be redesignated to Residential 18 (H18; 18 dwelling units per acre) instead of H30, resulting in a reduced development scenario within the community of Del Aire. All other components of the Project, including implementation of the proposed land use and zoning changes under the Housing Element, changes to the County Code to facilitate ACUs, and other land use changes to facilitate additional residential, mixed use, and commercial development would still occur under this alternative.

Potentially Significant Effects:

Alternative E would not eliminate any significant and unavoidable impacts identified under the Project. As such, significant impacts related to air quality, biological resources, cultural resources, greenhouse gas emissions, hazards and hazardous materials, noise, population and housing, public services, recreation, tribal cultural resources, and utilities and service systems would remain significant and unavoidable. In addition, by reducing the number of dwelling units, the daily VMT per service population under Alternative E would increase when compared to Project due to reduced housing opportunities near jobs. Therefore, impacts related to the consistency with CEQA Guidelines Section 15064.3, subdivision (b) would be more than the proposed Project. Compared to the Project, this alternative would have similar impacts related to agriculture and forestry resources, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, tribal cultural resources, and wildfire. Impacts related to all other environmental topic areas would be reduced.

Facts in Support of Finding:

The County finds that this alternative would not eliminate any significant and unavoidable environmental impacts. However, Alternative E would reduce significant and unavoidable impacts related to air quality, greenhouse gas emissions, noise, population and housing, public services (parks), recreation, and utilities and service systems. Alternative E would also meet all Project Objectives.

b) Environmentally Superior Alternative

An EIR must identify an “environmentally superior” alternative; and, where the no project alternative is environmentally superior, the EIR is then required to identify an alternative from among the others evaluated as environmentally superior (CEQA Guidelines Section 15126.6[e][2]).

Alternative A would result in reduced environmental impacts to more environmental topics as compared to Alternatives B, C, D, and E, including reduced impacts to aesthetics, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, population and housing, public services, recreation, tribal cultural resources, utilities and system services, and wildfire. Alternative A, which would continue implementation of the County’s General Plan and other approved planning documents, would result in reduced environmental impacts due elimination of the population and/or employment growth associated with the Housing Element rezoning/redesignation program, ACU program, and additional land use changes to facilitate new residential, commercial, and mixed-use development. Without the implementation of the Housing Element, Alternative A would result in greater land-use/planning impacts as compared to the Project due to inconsistency with State Housing Element Law, and greater impacts related to VMT due to reduced infill housing development. Nevertheless, the reduction in housing production, ACU development, and commercial development/redevelopment under Alternative A would result in a more environmentally superior alternative when compared to the Project and when compared to Alternatives B, C, D, and E due to the elimination of significant and unavoidable impacts (related to population and housing, public services, recreation, and utilities and service systems) and other reduced environmental impacts.

As required under CEQA Guidelines Section 15126.6(e)(2), if the environmentally superior alternative is the “no project” alternative, the EIR must also identify an environmentally superior alternative among the other alternatives.

Under Alternative B, impact determinations would be reduced as compared to the Project for the following topic areas: aesthetics, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, population and housing, public services, recreation, tribal cultural resources, utilities and system services, and wildfire. The Project would result in significant and unavoidable impacts for air quality, biological resources, cultural resources, greenhouse gas emissions, hazards and hazardous materials, noise, population and housing, public services (parks), recreation, tribal cultural resources, and utilities and service systems. Although Alternatives C, D, and E would similarly reduce impacts to many of the same topic areas, Alternative B would have a smaller geographic scope in terms of parcels affected and would result in significantly less housing and employment when compared to Alternatives C, D, and E, thereby reducing potential impacts more substantially. Alternative B would not eliminate any significant unavoidable impacts and would have greater impacts to transportation resulting from an increase in VMT per service population when compared to the Project; however, Alternative B would further reduce other Project impacts that were found to be significant and unavoidable or less than significant under the Project. Therefore, when compared to both the Project and Alternatives C, D, and E, Alternative B would be the environmentally superior alternative.

VII. Statement of Overriding Considerations

Pursuant to PRC Section 21081(b) and State CEQA Guidelines Section 15093(a) and (b), the County is required to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. The lead or responsible agency may then approve the project and adopt a “Statement of Overriding Considerations,” which states in writing the specific reasons to support the lead or responsible agency’s action based on the FEIR and other information in the record (CEQA Guidelines Section 15093 and 15096(h)). These Statement of Overriding Considerations are based on substantial evidence in the record, including but not limited to the Final PEIR, public testimony, and all other materials that constitute the record of proceedings.

The County finds and determines that (1) all significant environmental effects of the Project have been substantially lessened where feasible; (2) the Project will result in certain significant adverse environmental effects that cannot be avoided or reduced to a less-than-significant level even with incorporation of all feasible mitigation measures; and (3) there are no other feasible mitigation measures or feasible Project alternatives that will further mitigate, avoid, or reduce the remaining significant environmental effects to a less-than-significant level.

The County finds that the adoption and implementation of the South Bay Area Plan will have the following economic, social, legal, and other considerable benefits:

1. The Project would advance smart growth principles to create more sustainable communities where people of all ages can live, work, and play.
2. The Project would promote a diversity of neighborhoods, residential densities, recreation, open space, public facilities, and shopping/commercial services to meet the needs of the communities.
3. The Project would encourage mobility infrastructure that facilitates safe, reliable, and sustainable transportation to encourage walking, biking, and other non-automotive travel.
4. The Project would foster a strong and diverse local economy by providing opportunities that attract economic development, businesses, and job creation; increase competitiveness; and promote economic growth.
5. The Project would facilitate new mixed-use development and housing opportunities near existing or proposed high-frequency transit, destinations, and amenities to promote sustainable development.
6. The Project would further opportunities to preserve and enhance existing cultural and historic resources important to the local community by documenting existing historic context and resources.
7. The Project would incorporate the proposed land use policy changes/zoning recommendations identified in the Housing Element to increase the diversity of housing types and choices for a variety of income levels.

8. The Project would increase opportunities for local-serving, legacy, and small commercial businesses to be located within neighborhoods and integrated with new development.
9. The Project would encourage context-sensitive development that responds to the existing community fabric and scale and promotes well-designed buildings that enhance community character.
10. The Project would ensure land use/zoning consistency in land use and zoning maps by making technical corrections based on existing development on the ground.

After balancing the specific economic, social, legal, and other considerable benefits of the Project, the County finds that the Project's benefits outweigh its unavoidable adverse environmental effects and, therefore, the Project's significant and unavoidable adverse environmental effects are acceptable due to the factors described in the Statement of Overriding Considerations above.