

## **VI. Other CEQA Considerations**

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## 1. Significant Unavoidable Impacts

Section 15126.2(b) of the CEQA Guidelines requires that an EIR describe any significant impacts which cannot be avoided. Specifically, Section 15126.2 (b) states:

*Describe any significant impacts, including those which can be mitigated but not reduced to a level of insignificance. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, should be described.*

As evaluated in Section IV, Environmental Impact Analysis, of this Draft EIR, and summarized below, implementation of the Project would result in significant impacts that cannot be mitigated with respect to regional air quality during construction, noise from on-site construction activities, vibration from on-site and off-site construction with respect to human annoyance, and intersection levels of service during operation of the Project. Furthermore, as evaluated in Section IV, Environmental Impact Analysis, of this Draft EIR, the following cumulative impacts would be significant and unavoidable: cumulative regional air quality impacts during construction of the Project; cumulative construction noise impacts from on-site noise sources; cumulative off-site construction vibration impacts with respect to human annoyance; and cumulative intersection levels of service during operation of the Project.

### a. Air Quality

As discussed in Section IV.B, Air Quality, of this Draft EIR, the Project would exceed the South Coast Air Quality Management District (SCAQMD) regional significance thresholds for nitrogen oxides (NO<sub>x</sub>) during some periods of construction. Implementation of all feasible mitigation measures would reduce, but not eliminate, these impacts. As such, Project construction would result in significant and unavoidable impacts with regard to regional NO<sub>x</sub> emissions.

According to the SCAQMD, individual construction projects that exceed the SCAQMD's recommended daily thresholds for project-specific impacts would cause a

cumulatively considerable increase in emissions for those pollutants for which the Air Basin is in non-attainment. As discussed above, construction-related daily emissions at the Project Site would exceed the SCAQMD's regional significance threshold for NO<sub>x</sub> during certain periods of construction. Consequently, the Project would have a cumulative impact due to construction-related regional NO<sub>x</sub> emissions and such impact would also be significant and unavoidable.

## **b. Noise**

As discussed in Section IV.H, Noise, of this Draft EIR, installation of the temporary sound barriers provided in the mitigation measures would reduce the noise generated by on-site construction activities at the uses represented by receptor locations R3 and R4 to less than significant levels. While sound barriers are also proposed to reduce on-site construction noise levels at receptor locations R1 and R2, such barriers would not reduce the impacts at the upper levels of the buildings represented by R1 and R2 to less than significant levels. In order to be effective, the temporary noise barrier would need to be as high as the buildings (i.e., 6-stories and 5-stories for receptors R1 and R2, respectively). The construction of barriers of these heights would not be feasible. There are no other feasible mitigation measures that could be implemented to reduce the temporary noise impacts from on-site construction at receptors R1 and R2. As such, construction noise impacts associated with on-site noise sources would remain significant and unavoidable.

As discussed in Section IV.H, Noise, of this Draft EIR, the estimated ground-borne vibration levels from on-site construction equipment would be below the significance criteria for human annoyance at all off-site receptor locations, with the exception of receptor R1. The estimated on-site vibration level of 78 VdB at receptor R1 would exceed the significance criteria of 72 VdB. Therefore, on-site vibration impacts during construction of the Project would be significant with respect to annoyance. Additionally, the temporary vibration levels from trucks traveling along the proposed haul route could reach approximately 75 VdB periodically as trucks pass by the residences along Maxella Avenue, and would exceed the 72 VdB significance criteria for residential uses. Therefore, potential off-site vibration impacts with respect to human annoyance that could result from temporary and intermittent vibration from construction trucks traveling along the anticipated haul route could be significant. As detailed in Section IV.H, Noise, of this Draft EIR, there are no feasible mitigation measures to reduce these impacts to a less-than-significant level and this impact would be significant and unavoidable.

With regard to cumulative impacts, cumulative noise impacts at sensitive uses located in proximity to the Project Site and Related Project No. LA18 (Stella Phase 2) could occur. While construction-related noise levels from the related projects would be intermittent and temporary and noise associated with cumulative construction activities would be reduced to the degree reasonably and technically feasible through proposed

mitigation measures for each individual related project and compliance with locally adopted and enforced noise ordinances, if nearby Related Project No. LA18 were to be constructed concurrently with the Project, significant cumulative construction noise impacts could result.

As discussed above, potential vibration impacts associated with temporary and intermittent vibration from related projects' construction trucks traveling along the anticipated haul route would be potentially significant with respect to human annoyance. As the related projects would be anticipated to use similar trucks as the Project, it is anticipated that construction trucks would generate similar vibration levels along the anticipated haul route (i.e. Maxella Avenue). Therefore, to the extent that other related projects use the same haul route at the same time as the Project, potential cumulative human annoyance impacts associated with temporary and intermittent vibration from haul trucks traveling along the designated haul routes would be significant and unavoidable.

### **c. Transportation/Traffic**

As detailed in Section IV.J, Transportation/Traffic, of this Draft EIR, under Future with Project Conditions, the Project would result in significant impacts to Intersection No. 17 (Mindanao Way/SR-90 EB Ramps). Mitigation Measure TR-MM-1 would reduce the significant traffic impact at Intersection No. 17 (Mindanao Way/SR-90 EB Ramps) to a less-than-significant level. However, SR-90 is under the jurisdiction of Caltrans. As the City of Los Angeles does not have direct control over the operation of Intersection No. 17 (Mindanao Way/SR-90 EB Ramps), it cannot guarantee that Caltrans would agree to implement Mitigation Measure TR-MM-1. If Mitigation Measure TR-MM-1 was not implemented, a significant and unavoidable impact would remain at Intersection No. 17 (Mindanao Way/SR-90 EB Ramps) under the Future with Project Condition. As it is not known at this point if Caltrans would approve implementation of Mitigation Measure TR-MM-1, the Project-level and cumulative impacts at Intersection No. 17 (Mindanao Way/SR-90 EB Ramps) would be conservatively considered significant and unavoidable.

With regard to those study intersections located within or shared with the County of Los Angeles, under Future with Project Conditions, significant impacts are forecasted at Intersection No. 10 (Lincoln Boulevard/Mindanao Way) and Intersection No. 11 (Lincoln Boulevard/Fiji Way). As the two County intersections are built-out and additional improvements may not be implemented, the potential Project and cumulative impacts are deemed to be significant and unavoidable at Intersection No. 10 (Lincoln Boulevard/Mindanao Way) and Intersection No. 11 (Lincoln Boulevard/Fiji Way).

## 2. Reasons Why the Project is Being Proposed, Notwithstanding Significant Unavoidable Impacts

In addition to identification of a project's significant unavoidable impacts, Section 15126.2(b) of the CEQA Guidelines requires that an EIR describe the reasons why a project is being proposed, notwithstanding the effects of the identified significant and unavoidable impacts. The reasons why the Project has been proposed are grounded in a comprehensive list of project objectives included in Section II, Project Description, of this Draft EIR and are further described below. As provided in Section II, Project Description, of this Draft EIR, the underlying purpose of the Project is to provide a mixed-use development that includes a significant amount of needed new multi-family housing opportunities that accommodate a range of income needs, walkable neighborhood-serving retail and restaurant uses, and expanded recreational amenities that serve the community and promote walkability. The underlying purpose and objectives of the Project are closely tied to the objectives of the Palms-Mar Vista-Del Rey Community Plan, which supports the objectives and policies of applicable larger-scale regional and local land use plans, including SCAG's 2016–2040 Regional Transportation Plan/Sustainability Communities Strategy (2016–2040 RTP/SCS) and the City's General Plan.

The 2016–2040 RTP/SCS identifies mobility, accessibility, sustainability, and high quality of life, as the principles most critical to the future of the region. Further, it balances the region's future mobility and housing needs with economic, environmental, and public health goals. Within the 2016–2040 RTP/SCS, the overarching strategy includes plans for "High Quality Transit Areas," "Livable Corridors," and "Neighborhood Mobility Areas" as key features of a thoughtfully planned, maturing region in which people benefit from increased mobility, more active lifestyles, increased economic opportunity, and an overall higher quality of life. In support of the vision of SCAG's 2016–2040 RTP/SCS, the Project would focus housing and employment growth within a High-Quality Transit Area, which would promote SCAG's objective to maximize mobility and accessibility for the region. The Project would also support SCAG's goal to provide sustainable communities by creating an environmentally sensitive development. Specifically, the Project would incorporate sustainable and green building design and construction strategies, including energy-efficient buildings, a pedestrian- and bicycle-friendly site design, and water conservation and waste reduction measures. In addition, the Project would incorporate the use of environmentally friendly materials, such as non-toxic paints and recycled finish materials wherever possible. Furthermore, the Project would include the use of LED lighting, use of natural ventilation, use of drought-tolerant plants and indigenous species, use of high-efficiency toilets and shower heads, prohibition of the use of single-pass cooling equipment, installation of pre-treatment stormwater infrastructure, installation of catch basin inserts and screens to provide runoff contaminant removal, use of buildings materials with a minimum 10 percent recycled-content, and implementation of a construction waste

management plan to recycle and/or salvage nonhazardous construction debris or minimize the generation of construction waste, among others.

With regard to the City's General Plan, the Project would be consistent with the policies set forth in the City's General Plan Housing Element by providing multi-family housing units to meet the demand for much-needed housing and locate such housing in close proximity to transit stations, along transit corridors, and within high activity areas. In accordance with the objectives of the General Plan Framework Element and the Housing Element, the Project would promote sustainable neighborhoods that accommodate a diversity of uses by replacing the existing commercial uses on the Project Site with a new mixed-use development consisting of 658 multi-family residential units and up to 27,300 square feet of neighborhood-serving commercial (retail/restaurant) uses, which would provide housing, jobs, and amenities. Furthermore, as detailed in Section IV.G, Land Use, of this Draft EIR, the Project design would respect the scale and character of the existing surrounding uses in accordance with the objectives of the City's Housing Element.

Consistent with the objective of the Palms-Mar Vista-Del Rey Community Plan to provide a strong and competitive commercial sector that promotes economic vitality and serves the needs of the Project residents as well as the surrounding community, the Project would provide upgraded neighborhood-serving, ground-floor retail and restaurant uses. In addition, the Project would add residents to the area that would patronize existing retail and restaurant uses in the vicinity of the Project Site. The Project would also support the objectives of the Palms-Mar Vista-Del Rey Community Plan to provide for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population by providing a mix of housing options, including different sizes and configurations as well as affordable units.

Based on the above, the Project reflects a development that is consistent with the overall vision of the City and SCAG to locate supporting and synergistic uses within one site to create sustainable communities and enhance quality of life throughout the City and the region. As such, the benefits of the Project, as outlined above, would outweigh the effects of the significant and unavoidable impacts of the Project. Furthermore, as detailed in Section V, Alternatives, of this Draft EIR, although a reduction in the Project such that all of the Project's significant and unavoidable impacts would be eliminated is feasible, it would not achieve the Project's underlying purpose or objectives.

### **3. Significant Irreversible Environmental Changes**

Section 15126.2(c) of the CEQA Guidelines indicates that an EIR should evaluate significant irreversible environmental changes that would be caused by implementation of a proposed project. As stated in CEQA Guidelines Section 15126.2(c), "[u]ses of nonrenewable resources during the initial and continued phases of the project may be

irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.”

The Project would necessarily consume a limited amount of slowly renewable and non-renewable resources that could result in irreversible environmental changes. This consumption would occur during construction of the Project and would continue throughout its operational lifetime. The development of the Project would require a commitment of resources that would include: (1) building materials and associated solid waste disposal effects on landfills; (2) water; and (3) energy resources (e.g., fossil fuels) for electricity, natural gas, and transportation. As demonstrated below, the Project would not consume a large commitment of natural resources or result in significant irreversible environmental changes.

### **a. Building Materials and Solid Waste**

Construction of the Project would require consumption of resources that do not replenish themselves or which may renew so slowly as to be considered non-renewable. These resources would include certain types of lumber and other forest products, aggregate materials used in concrete and asphalt (e.g., sand, gravel and stone), metals (e.g., steel, copper and lead), and petrochemical construction materials (e.g., plastics).

As discussed in Section IV.L.3, Utilities and Service Systems—Solid Waste, of this Draft EIR, during construction of the Project, as required by Project Design Feature SW-PDF-1, the Project would implement a construction waste management plan to recycle and/or salvage nonhazardous debris to achieve a minimum 75-percent diversion from landfills. In addition, as set forth in Project Design Feature SW-PDF-2, the Project would use building materials with a minimum of 10 percent recycled content. Thus, with implementation of Project Design Features SW-PDF-1 and SW-PDF-2, the consumption of non-renewable building materials such as lumber, aggregate materials, and plastics would be reduced.

### **b. Water**

Consumption of water during construction and operation of the Project is addressed in Section IV.L.1, Utilities and Service Systems—Water Supply and Infrastructure, of this Draft EIR. As evaluated therein, the total construction-period water use for the Project is estimated to be approximately 18,000 gallons per day. This estimate would be substantially less than the Project’s net new water consumption at buildout of

71,837 gallons per day. In addition, with the removal of the existing uses, which consume approximately 5,295 gallons per day of water, the temporary and incremental construction-related water demand of the Project would be partially offset. Water for construction activities would be conveyed using the existing water infrastructure at the Project Site, and no major off-site infrastructure improvements would be needed. Additionally, as concluded in the Los Angeles Department of Water and Power (LADWP)'s 2015 Urban Water Management Plan, projected water demand for the City would be met by the available supplies during an average year, single-dry year, and multiple-dry year in each year from 2015 through 2040. Project construction is anticipated to be completed by 2023. Therefore, the Project's temporary and intermittent demand for water during construction could be met by the City's available supplies during each year of Project construction.

During operation, the estimated water demand for the Project would not exceed the available supplies projected by LADWP. Specifically, it is estimated by the Water Supply Assessment prepared for the Project that the Project would generate an average daily water demand of approximately 110,400 gallons per day. The Project would implement Project Design Feature WAT-PDF-1, which includes implementation of additional water conservation measures beyond those required by the Los Angeles Municipal Code (LAMC), as amended by Ordinance No. 184,248. With the removal of the existing uses, implementation of Project Design Feature WAT-PDF-1, and implementation of water saving features required by the LAMC, the Project would result in a net average daily water demand of approximately 71,837 gallons per day. The Water Supply Assessment for the Project concluded that the projected water supplies for normal, single-dry, and multiple-dry years reported in LADWP's 2015 Urban Water Management Plan would be sufficient to meet the Project's estimated water demand, in addition to the existing and planned future water demands within LADWP's service area through the year 2040.

Thus, as evaluated in Section IV.L.1, Utilities and Service Systems—Water Supply and Infrastructure, of this Draft EIR, while Project construction and operation would result in some irreversible consumption of water, the Project would not result in a significant impact related to water supply.

### **c. Energy Consumption**

During ongoing operation of the Project, non-renewable fossil fuels would represent the primary energy source, and thus the existing finite supplies of these resources would be incrementally reduced. Fossil fuels, such as diesel, gasoline, and oil, would also be consumed in the use of construction vehicles and equipment. Project consumption of non-renewable fossil fuels for energy use during construction and operation of the Project is addressed in Section IV.M, Energy Conservation, of this Draft EIR. As discussed therein, construction activities for the Project would not require the consumption of natural gas, but would require the use of electricity and fossil fuels. As the consumption of fossil



fuels would occur on a temporary basis during construction, impacts related to the consumption of fossil fuels during construction of the Project would be less than significant.

During operation, the Project's increase in electricity and natural gas demand would be within the anticipated service capabilities of LADWP and the Southern California Gas Company, respectively. As discussed in Section IV.M, Energy Conservation, of this Draft EIR, the Project would implement various project design features to reduce electricity consumption. Specifically, the Applicant would implement Project Design Feature GHG-PDF-1 included in Section IV.D, Greenhouse Gas Emissions, of this Draft EIR, which would require that buildings be designed and constructed to incorporate environmentally sustainable design features equivalent to a minimum LEED Silver certification under the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Rating System for new construction. Furthermore, Project Design Features GHG-PDF-3 and GHG-PDF-4 would provide for at least 20 percent of the total parking spaces of the Project to be capable of supporting electric vehicle supply equipment (EVSE) and at least 5 percent of the spaces to be equipped with EV charging stations, respectively. It is anticipated that these measures would marginally increase usage of electricity, but that any additional electricity usage would be offset by energy savings of gasoline and diesel from the electric vehicles using the equipment. In addition, as discussed in Section II, Project Description, of this Draft EIR, the Project would incorporate energy-efficient design methods and technologies, when feasible, such as centralized chiller plant with rooftop ventilation; high performance window glazing; passive energy efficiency strategies, such as façade shading, roof overhangs, porches, and inner courtyards; high efficiency domestic heaters; and enhanced insulation to minimize solar heat gain. Therefore, the Project would not cause the wasteful, inefficient, and unnecessary consumption of electricity during operation.

With regard to natural gas, Project Design Feature GHG-PDF-2 included in Section IV.D, Greenhouse Gas Emissions, of this Draft EIR, would prohibit the installation of hearths (gas fireplaces) in all residential units. Additionally, as discussed above, the Project would be designed and constructed to incorporate environmentally sustainable design features, including energy efficient heating and appliances. Therefore, the Project would not cause the wasteful, inefficient, and unnecessary consumption of natural gas during operation.

With regard to transportation fuel, Project characteristics, such as increasing density and increasing the diversity of land uses, would potentially reduce vehicle miles traveled. In addition, the Project Site is located in an area well-served by public transit provided by Metro, LADOT's Transit Commuter Express, Culver CityBus, and City of Santa Monica Big Blue Bus. Specifically, the Project Site is currently served by a total of 12 bus routes. In addition, the Project would encourage and promote bicycle use through the provision of approximately 724 bicycle parking spaces (658 long-term spaces and 66 short-term

spaces) for the proposed residential uses and approximately 28 bicycle parking spaces for the proposed retail and restaurant uses. Additionally, the Project Site was designed to encourage walkability in the Project vicinity. As discussed in Section II, Project Description, of this Draft EIR, to enhance the streetscape, a landscaped public plaza would be provided at the northwest corner of the Project Site, along Maxella Avenue, that would connect to a landscaped pedestrian paseo. From here, the pedestrian paseo would extend south to a proposed publicly accessible, privately maintained open space area that would be provided near the southwest corner of the Project Site. Trees and other landscaping features would also be planted throughout the Project Site and along Maxella Avenue and Glencoe Avenue to activate these streets and provide a pedestrian-friendly environment.

Therefore, based on the above, the Project would not cause the wasteful, inefficient, and unnecessary consumption of energy and would be consistent with the intent of Appendix F to the CEQA Guidelines. In addition, Project operations would not conflict with adopted energy conservation plans. Refer to Section IV.M, Energy Conservation, of this Draft EIR, for further analysis regarding the Project's consumption of energy resources.

#### **d. Environmental Hazards**

The Project's potential use of hazardous materials is evaluated in Section IV.E, Hazards and Hazardous Materials, of this Draft EIR. As discussed therein, during demolition, on-site grading, and building construction, hazardous materials such as fuel and oils associated with construction equipment, as well as coatings, paints, adhesives, and caustic or acidic cleaners could be used, handled, and stored on the Project Site. During operation, the Project would use potentially hazardous materials typical of those used in residential, retail, and restaurant uses. The use, handling, and storage of these materials could increase the potential for hazardous materials releases and, subsequently, the exposure of people and the environment to hazardous materials. However, all potentially hazardous materials are of the type commonly used in households and restaurants and would be used and stored in accordance with manufacturers' specifications and instructions, thereby reducing the risk of hazardous materials use. In addition, the Project would be in full compliance with all applicable federal, state, and local requirements concerning the use, storage, and management of hazardous materials. Therefore, it is not expected that the Project would cause irreversible damage from environmental accidents associated with the use of typical, potentially hazardous materials.

#### **e. Conclusion**

Based on the above, Project construction and operation would require the irretrievable commitment of limited, slowly renewable, and non-renewable resources, which would limit the availability of these resources and the Project Site for future generations or for other uses. However, the consumption of such resources would not be considered

substantial and would be consistent with regional and local growth forecasts and development goals for the area. The loss of such resources would not be highly accelerated when compared to existing conditions and such resources would not be used in a wasteful manner. Therefore, although irreversible environmental changes would result from the Project, such changes would be less than significant. Considering that the Project would consume an inconsequential amount of natural resources, and it is replacing an existing urban use on a redevelopment site, the limited use of nonrenewable resources is justified.

## 4. Growth-Inducing Impacts

Section 15126.2(d) of the CEQA Guidelines requires that growth-inducing impacts of a project be considered in a Draft EIR. Growth-inducing impacts are characteristics of a project that could directly or indirectly foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. According to the CEQA Guidelines, such projects include those that would remove obstacles to population growth (e.g., a major expansion of a waste water treatment plant that, for example, may allow for more construction in service areas). In addition, as set forth in the CEQA Guidelines, increases in the population may tax existing community service facilities, thus requiring construction of new facilities that could cause significant environmental effects. The CEQA Guidelines also require a discussion of the characteristics of projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. Finally, the CEQA Guidelines also state that it must not be assumed that growth in an area is necessarily beneficial, detrimental, or of little significance to the environment. Growth can be induced or fostered as follows:

- Direct growth associated with a project;
- Indirect growth created by either the demand not satisfied by a project or the creation of surplus infrastructure not utilized by a project.

The Project would introduce 658 new multi-family residential units to the Project Site, and a new residential population into the area. The Project would increase the residential population of the City of Los Angeles by 1,599 persons at full buildout.<sup>1</sup> Based on SCAG's 2016–2040 RTP/SCS, the Project's residential population of 1,599 persons would represent approximately 0.84 percent of the projected population growth in SCAG's City of Los Angeles Subregion between 2016 and 2023 (i.e., the Project's baseline and

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<sup>1</sup> *Based on a rate of 2.43 persons per household for multi-family units based on the 2016 American Community Survey 5-Year Average Estimates (2012-2016) per correspondence with Jack Tsao, Research Analyst II, Los Angeles Department of City Planning, March 22, 2018.*

buildout years). As such, the 1,599 new residents constitute a small percentage of City and regional growth and would be consistent with contemplated growth in the region.

With regard to housing, as discussed in the Initial Study included in Appendix A of this Draft EIR, the Project would result in the construction of 658 new multi-family residential units. The Project's residential units would constitute approximately 0.72 percent of the projected housing growth in SCAG's City of Los Angeles Subregion between 2016 and 2033. Therefore, Project-related household growth would be consistent with contemplated growth in the region. Accordingly, the Project would not cause housing growth to exceed projected/planned levels for the Project's buildout year.

Construction workers would not be expected to relocate their households' places of residence as a direct consequence of working on the Project. The work requirements of most construction projects are highly specialized so that construction workers remain at a job site only for the time in which their specific skills are needed to complete a particular phase of the construction process. Therefore, given the availability of construction workers, the Project would not be considered growth-inducing from a short-term employment perspective, but rather the Project would provide a public benefit by providing new employment opportunities during the construction period.

The area surrounding the Project Site is already developed with a mix of commercial, office, and residential uses and the Project would not remove impediments to growth. All roadway improvements planned for the Project would be tailored to improve circulation flows and safety in the Project area, consistent with the Project's impacts and objectives. The Project may require local infrastructure upgrades to maintain and improve sewer, electricity, and natural gas lines on-site and in the immediate vicinity of the Project Site. Such improvements would be intended primarily to meet Project-related demand and would not necessitate regional utility infrastructure improvements that have not otherwise been accounted for and planned for on a regional level. The Project employees' demand for convenient commercial goods and services would be met by new retail, service, and other resources included as part of the Project or already located within close proximity to the Project Site. No new development specifically to meet the Project's scale of commercial demand would be needed.

Overall, the Project would be consistent with the growth forecast for the SCAG Region and the City of Los Angeles, and would be consistent with regional policies to reduce urban sprawl, efficiently utilize existing infrastructure, reduce regional congestion, and improve air quality through the reduction of vehicle miles traveled and with proximity to public transit options. Therefore, growth-inducing impacts would be less than significant.

## 5. Potential Secondary Effects of Mitigation Measures

Section 15126.4(a)(1)(D) of the CEQA Guidelines states that “if a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure shall be discussed but in less detail than the significant effects of the project as proposed.” With regard to this section of the CEQA Guidelines, the potential impacts that could result with the implementation of each mitigation measure proposed for the Project was reviewed. The following provides a discussion of the potential secondary impacts that could occur as a result of the implementation of the proposed mitigation measures, listed by environmental issue area.

### a. Aesthetics

Impacts on aesthetics would be less than significant and no mitigation measures are required. Therefore, no potential secondary impacts associated with implementation of mitigation measures would occur.

### b. Air Quality

Mitigation Measures AQ-MM-1 to AQ-MM-3 are included in Section IV.B, Air Quality, of this Draft EIR, to reduce the Project’s air quality impacts during construction. Specifically, Mitigation Measure AQ-MM-1 would require that all construction equipment be properly tuned and maintained in accordance with the manufacturer’s specifications; Mitigation Measure AQ-MM-2 would require that contractors maintain and operate construction equipment so as to minimize exhaust emissions; and Mitigation Measure AQ-MM-3 would require that petroleum-powered construction activity utilize electricity from power poles rather than temporary diesel power generators and/or gasoline power generators to the extent possible. These mitigation measures would ensure that construction equipment is operated properly and maintained to minimize emissions. Implementation of these mitigation measures would reduce air quality impacts during construction. As such, implementation of these mitigation measures would not result in adverse secondary impacts.

### c. Geology and Soils

Mitigation Measure GEO-MM-1 is included in Section IV.C, Geology and Soils, of this Draft EIR to address potential impacts associated with liquefaction and any associated settlement. Mitigation Measure GEO-MM-1 would require that the Applicant submit final design plans and a final design-level geotechnical report to the Los Angeles Department of

Building and Safety for review and approval. The design-level geotechnical report would be used for final design of the foundation system for the structures and would take into consideration the engineering properties beneath the proposed structures and the projected loads. Implementation of this mitigation measure would reduce impacts associated with liquefaction and settlement. As such, implementation of this mitigation measure would not result in adverse secondary impacts.

#### **d. Greenhouse Gas Emissions**

Impacts associated with Greenhouse Gas Emissions would be less than significant and no mitigation measures are required. Therefore, no potential secondary impacts associated with implementation of mitigation measures would occur.

#### **e. Hazards and Hazardous Materials**

Impacts associated with hazards and hazardous materials would be less than significant and no mitigation measures are required. Therefore, no potential secondary impacts associated with implementation of mitigation measures would occur.

#### **f. Hydrology and Water Quality**

Impacts to hydrology and water quality would be less than significant and no mitigation measures are required. Therefore, no potential secondary impacts associated with implementation of mitigation measures would occur.

#### **g. Land Use**

Impacts to land use would be less than significant and no mitigation measures are required. Therefore, no potential secondary impacts associated with implementation of mitigation measures would occur.

#### **h. Noise**

Mitigation Measure NOI-MM-1 included in Section IV.H, Noise, of this Draft EIR, would require that a temporary and impermeable sound barrier be erected during construction of the Project. The installation of this sound barrier would include limited construction activities associated with its installation. In addition, as discussed in Section IV.A, Aesthetics, of this Draft EIR, temporary construction fencing would be placed along the periphery of the Project Site to screen construction activity from view at the street level. This would include screening of the temporary sound barrier. The sound barrier and screening would be temporary, and their purpose is to reduce the Project's noise and visual impacts during construction. Once construction is completed, the barriers

and screening would be removed. As such, implementation of this mitigation measure would not result in adverse secondary impacts.

### **i. Public Services—Fire Protection**

Impacts to fire protection would be less than significant and no mitigation measures are required. Therefore, no potential secondary impacts associated with implementation of mitigation measures would occur.

### **j. Public Services—Police Protection**

Impacts to police protection would be less than significant and no mitigation measures are required. Therefore, no potential secondary impacts associated with implementation of mitigation measures would occur.

### **k. Public Services—Schools**

Impacts to schools would be less than significant and no mitigation measures are required. Therefore, no potential secondary impacts associated with implementation of mitigation measures would occur.

### **l. Public Services—Parks and Recreation**

Impacts to parks and recreation would be less than significant and no mitigation measures are required. Therefore, no potential secondary impacts associated with implementation of mitigation measures would occur.

### **m. Public Services—Libraries**

Impacts to libraries would be less than significant and no mitigation measures are required. Therefore, no potential secondary impacts associated with implementation of mitigation measures would occur.

### **n. Transportation/Traffic**

Mitigation Measure TR-MM-1 is included in Section IV.J, Transportation/Traffic, of this Draft EIR. Mitigation Measure TR-MM-1 would provide for the modification of the Mindanao Way/SR-90 Eastbound On and Off-Ramps intersection so as to provide a free-flow right-turn lane for traffic turning from northbound Mindanao Way to eastbound SR-90. Implementation of Mitigation Measure TR-MM-1 would be limited to the on- and off-ramps and would not result in the loss of existing sidewalks or parking. As required by

the City, implementation of Mitigation Measure TR-MM-1 would occur prior to occupancy of the Project. Similar to onsite construction activities associated with development of the Project, implementation of Mitigation Measure TR-MM-1 would be coordinated with LADOT and would include a work site traffic control plan to ensure both directions of travel and access in and around the improvement are maintained. In addition, given the limits of the proposed improvement, construction activities necessary to implement TR-MM-1 would be temporary and short-term and would not be anticipated to result in additional construction-related significant impacts. Overall, this mitigation measure would improve traffic conditions in the area and reduce the Project's significant traffic impacts. As such, implementation of this mitigation measure would not result in adverse secondary impacts.

### **o. Tribal Cultural Resources**

Impacts to tribal cultural resources would be less than significant and no mitigation measures are required. Therefore, no potential secondary impacts associated with implementation of mitigation measures would occur.

### **p. Utilities and Service Systems—Water Supply and Infrastructure**

Impacts on water supply and infrastructure would be less than significant and no mitigation measures are required. Therefore, no potential secondary impacts associated with implementation of mitigation measures would occur.

### **q. Utilities and Service Systems—Wastewater**

Impacts associated with wastewater generation and the wastewater collection and disposal system would be less than significant and no mitigation measures are required. Therefore, no potential secondary impacts associated with implementation of mitigation measures would occur.

### **r. Utilities and Service Systems—Solid Waste**

Impacts associated with solid waste generation and the Project's impacts to landfill capacity would be less than significant and no mitigation measures are required. Therefore, no potential secondary impacts associated with implementation of mitigation measures would occur.



## **s. Energy Conservation**

Impacts associated with energy conservation would be less than significant and no mitigation measures are required. Therefore, no potential secondary impacts associated with implementation of mitigation measures would occur.

## **6. Effects Not Found to Be Significant**

Section 15128 of the CEQA Guidelines states that an EIR shall contain a brief statement indicating reasons that various possible significant effects of a project were determined not to be significant and not discussed in detail in the EIR. An Initial Study was prepared for the Project and is included in Appendix A of this Draft EIR. The Initial Study provides a detailed discussion of the potential environmental impact areas and the reasons that each environmental area is or is not analyzed further in this Draft EIR. The City of Los Angeles determined through the Initial Study that the Project would not have the potential to cause significant impacts related to a scenic vista; scenic resources within a state or City-designated scenic highway; agriculture and forestry resources; objectionable odors; biological resources; cultural resources; landslides; the ability of underlying soils to support the use of septic tanks; safety hazards within an airport land use plan or private airstrip; wildlands hazards; placing housing or structures within a 100-year flood plain; flooding as a result of a levee or dam failure; inundation by seiche, tsunami, or mudflow; physical division of an established community; conflict with an adopted habitat conservation plan or natural community conservation plan; mineral resources; excessive noise levels within an airport land use plan or 2 miles of a public airport or private airstrip; population and housing; change in air traffic patterns; hazards due to a design feature; and compliance with federal, state, and local statutes and regulations related to solid waste. A summary of the analysis provided in the Initial Study included in Appendix A for these issue areas is provided below.

### **a. Aesthetics**

As detailed in the Initial Study, the Project would be developed west of Glencoe Avenue and within the boundaries of the existing Marina Marketplace shopping center. As such, existing views of the Santa Monica Mountains looking north from Glencoe Avenue would not be obstructed by the Project. While the Project is expected to obstruct a portion of the very limited views of the Santa Monica Mountains available from Mindanao Way looking north across the Project Site, such views are already mostly obstructed by existing development within the Marina Marketplace shopping center and do not represent a scenic vista wherein large expanses of the Santa Monica Mountains are visible. With the Project, the most prominent views of the Santa Monica Mountains available in the vicinity of the Project Site from Glencoe Avenue would remain. In addition, views of the Pacific Ocean across the Project Site to the west are completely obstructed by existing development west

of the Project Site. Overall, the Project would not have a substantial adverse effect on a scenic vista. Impacts would be less than significant.

The Project Site is not located in proximity to a state- or City-designated scenic highway. In addition, street trees and trees within the Project Site consist of various non-native species that are not subject to the City's Protected Tree Regulations. Therefore, the on-site and off-site trees are not considered scenic resources. Furthermore, there are no permanent structures or unique geologic or topographic features located on the Project Site. The Project Site also does not include any historic buildings or other historic resources. As such, construction and operation of the Project would not substantially damage scenic resources, and impacts to scenic resources within a state- or City-designated scenic highway would be less than significant.

## **b. Agriculture and Forestry Resources**

The Project Site is located in an urbanized area of the City of Los Angeles and is currently developed with commercial uses and surface parking areas. The Project Site is zoned for commercial and industrial uses. No agricultural uses or operations occur on-site or in the vicinity of the Project Site. The Project Site also does not include any forest or timberland. In addition, the Project Site and surrounding area are not mapped as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency Department of Conservation. The Project Site and surrounding area are also not enrolled under a Williamson Act Contract. As such, the Project would not convert farmland to a non-agricultural use; would not conflict with any zoning for agricultural uses or a Williamson Act Contract; would not conflict with existing zoning for, or cause rezoning of, forest land or timberland; would not result in the loss or conversion of forest land; and would not result in the conversion of farmland to non-agricultural use or in the conversion of forest land to non-forest use. No impacts to agriculture and forestry resources would occur.

## **c. Air Quality**

No objectionable odors are anticipated as a result of either construction or operation of the Project. Construction of the Project would involve the use of conventional building materials typical of construction projects of similar type and size. Any odors that may be generated during construction would be localized and temporary in nature and would not be sufficient to affect a substantial number of people or result in a nuisance as defined by SCAQMD Rule 402. In addition, the Project would not involve the types of land uses typically associated with odor complaints. Furthermore, on-site trash receptacles would be contained, located, and maintained in a manner that promotes odor control, and would not result in substantial adverse odor impacts. As such, potential odor impacts during construction and operation of the Project would be less than significant.

## d. Biological Resources

As discussed in the Initial Study, due to the developed nature of the Project Site and the surrounding area as well as the lack of large expanses of open space in the vicinity of the Project Site, species likely to occur on-site are limited to small terrestrial and avian species typically found in developed settings. Therefore, the Project would not have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Impacts to any special species would be less than significant.

Additionally, no riparian or other sensitive natural community exists on the Project Site or in the immediate surrounding area. Therefore, the Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community, and no impact would occur.

Similarly, no water bodies or federally protected wetlands as defined by Section 404 of the Clean Water Act exist on the Project Site or in the immediate vicinity of the Project Site. As such, the Project would not have an adverse effect on federally protected wetlands, and no impact would occur.

Furthermore, as the areas surrounding the Project Site are fully developed and there are no large expanses of open space areas within and surrounding the Project Site which provide linkages to natural open spaces areas and which may serve as wildlife corridors, development of the Project would not interfere substantially with any established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. Also, no water bodies that could serve as habitat for fish exist on the Project Site or in the immediate vicinity of the Project Site. Although unlikely, the existing on-site 101 ornamental trees that would be removed during construction of the Project could potentially provide nesting sites for migratory birds. However, the Project would be required to comply with the Migratory Bird Treaty Act. To comply with the Migratory Bird Treaty Act, tree removal activities would take place outside of the nesting season (March 15–September 15). To the extent that vegetation removal activities must occur during the nesting season, a biological monitor would be present during the removal activities to ensure that no active nests would be impacted. If active nests are found, a 300-foot buffer (500 feet for raptors) would be established until the fledglings have left the nest. Thus, with compliance with the Migratory Bird Treaty Act, impacts to migratory birds would be less than significant.

The City's Protected Tree Regulations included in Section 17.05.R of the LAMC (the Tree Regulations) regulates the relocation or removal of specified protected trees, which include all Southern California native oak trees (excluding scrub oak), California black

walnut trees, Western sycamore trees, and California Bay trees of at least 4 inches in diameter at breast height. A survey of the existing onsite trees was conducted. None of the tree species found within the Project Site are protected under the Tree Regulations. In addition, all trees to be removed would be replaced in accordance with City standards. As such, the Project would not conflict with any local policies or ordinances protecting biological resources, including a tree preservation policy or ordinance, and impacts would be less than significant.

Lastly, the Project Site does not support any habitat or natural community. Accordingly, no Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plans apply to the Project Site. Thus, the Project would not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other related plans, and no impacts would occur.

## **e. Cultural Resources**

Based on a records search conducted for the Project area by the South Central Coastal Information Center (SCCIC) at California State University, Fullerton, there are no historic resources located on-site. In addition, based on the SurveyLA report for the Palms–Mar Vista–Del Rey community, which was published in July 2012, there are no historic resources within and adjacent to the Project Site. Therefore, impacts to historic resources would be less than significant.

The records search conducted for the Project Site by the SCCIC also indicates there are no known archaeological resources within the Project Site. The records search identified two archaeological resources within a 0.5-mile radius of the Project Site. As the Project would require excavations at a depth of approximately 28 feet below ground surface, there is a possibility that archeological artifacts that were not recovered during prior construction or other human activity may be present. In addition, archaeological resources have been uncovered in the vicinity of the Project Site associated with the SA ANGNA site located at 4235 South Lincoln Boulevard, approximately 0.1 mile west of the Project Site. In the event any archaeological materials are unexpectedly encountered during construction, work in the area would cease and the handling of deposits would be required to comply with the regulatory standards set forth in Section 21083.2 of the California Public Resources Code and Section 15064.5(c) of the CEQA Guidelines. Mitigation Measure CUL-MM-1 would also be implemented during construction of the Project to address potential impacts associated with the potential discovery of previously unknown archaeological resources within the Project Site. Implementation of Mitigation Measure CUL-MM-1 would reduce potential impacts to archaeological resources to a less than significant level.

Based on the records search conducted by the Natural History Museum, there are no vertebrate fossil localities that lie directly within the boundaries of the Project Site. However, the records search indicates that within the greater vicinity of the Project Site, there are fossil localities at depth in similar sediments as those underlying the Project Site. While the Project Site has been subject to grading and development in the past, the Project would require excavations at a depth of approximately 28 feet below ground surface. Therefore, the Project may encounter significant vertebrate fossils at sub-surface levels on the Project Site during excavation. Mitigation Measures CUL-MM-2 and CUL-MM-3 would be implemented during construction of the Project to ensure that the Project's potential impact on paleontological resources is addressed. Implementation of Mitigation Measures CUL-MM-2 and CUL-MM-3 would reduce potential impacts to paleontological resources to a less than significant level.

The Project Site is located within an urbanized area of the City of Los Angeles and has been subject to grading and development in the past. The Project Site does not include any known unique geologic features, and no unique geologic features are anticipated to be encountered during construction of the Project. Therefore, the Project would not directly or indirectly destroy a unique geologic feature. The impact associated with unique geologic features would be less than significant.

While no human remains are known to have been found based on previous development on the Project Site, there is the possibility that unknown resources could be encountered during construction of the Project. In addition, human burials have been uncovered in the vicinity of the Project Site associated with the SA ANGNA site located at 4235 South Lincoln Boulevard, approximately 0.1 mile west of the Project Site. While the uncovering of human remains is not anticipated, if human remains are discovered during construction, such resources would be treated in accordance with state law, including Section 15064.5(e) of the CEQA Guidelines, Section 5097.98 of the California Public Resources Code, and Section 7050.5 of the California Health and Safety Code. Specifically, if human remains are encountered, work on the portion of the Project Site where remains have been uncovered would be suspended and the City of Los Angeles Public Works Department and the County Coroner would be immediately notified. If the remains are determined by the County Coroner to be Native American, the Native American Heritage Commission would be notified within 24 hours, and the guidelines of the Native American Heritage Commission would be adhered to in the treatment and disposition of the remains. Compliance with these regulatory standards would ensure appropriate treatment of any potential human remains unexpectedly encountered during grading and excavation activities. Therefore, the Project's impact on human remains would be less than significant.

## **f. Geology and Soils**

Landslides generally occur in loosely consolidated, wet soil and/or rocks on steep sloping terrain. The Project Site and surrounding area are fully developed and generally characterized by flat topography. In addition, based on the State of California Seismic Hazards Map, Venice Quadrangle, the Project Site is not located in a landslide area as mapped by the State, nor is the Project Site mapped as a landslide area by the City of Los Angeles. Furthermore, the Project does not propose substantial alteration to the existing topography. As such, the Project Site would not be susceptible to landslides. No impacts associated with landslides would occur.

The Project Site is located within a community served by existing sewage infrastructure. The Project's wastewater demand would be accommodated via connections to the existing wastewater infrastructure. As such, the Project would not require the use of septic tanks or alternative wastewater disposal systems. Therefore, the Project would have no impact related to the ability of soils to support septic tanks or alternative wastewater disposal systems.

## **g. Hazards and Hazardous Materials**

The Project Site is not located within an area subject to an airport land use plan or within 2 miles of an airport. In addition, the Project Site is not located within a designated Airport Influence Area as designated by the County of Los Angeles Land Use Committee. Therefore, the Project would not have the potential to exacerbate current environmental conditions that would result in a safety hazard associated with the Project Site's proximity to an airport, and impacts would be less than significant.

Similarly, the Project Site is not located within 2 miles of a private airstrip. Therefore, the Project would not have the potential to exacerbate current environmental conditions that would result in a safety hazard associated with the Project Site's location relative to a private airstrip, and no impacts would occur.

The Project Site is located in an urbanized area of the City of Los Angeles, and there are no wildlands located in the Project area. Furthermore, the Project Site is not located within a City-designated Very High Fire Hazard Severity Zone. Therefore, the Project would not subject people or structures to a significant risk of loss, injury, or death as a result of exposure to wildland fires, and the proposed residential and commercial uses would not create a fire hazard that has the potential to exacerbate the current environmental condition relative to wildfires. No impacts associated with wildland hazards would occur.

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## **h. Hydrology and Water Quality**

The Project Site is not located within a 100-year flood plain as mapped by the Federal Emergency Management Agency or by the City of Los Angeles. Thus, the Project would not place housing or other structures within a 100-year flood plain, and no impacts would occur.

In addition, the Safety Element of the City of Los Angeles General Plan does not map the Project Site as being located within a flood control basin or within a potential inundation area. As such, the Project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, and no impacts would occur.

The Project Site is located approximately 0.35 mile east of the Pacific Ocean. In addition, the Safety Element of the City of Los Angeles General Plan does not map the Project Site as being located within an area potentially affected by a tsunami. The Project Site is also not positioned downslope from an area of potential mudflow. Therefore, the Project Site's impact with regard to seiche, tsunami, or mudflow events would be less than significant.

## **i. Land Use and Planning**

The Project would replace the three existing shopping center-related buildings and associated surface parking areas within the Project Site with a new mixed-use development consisting of 658 multi-family residential units and an estimated 27,300 square feet of retail and restaurant space. The proposed uses are consistent with other land uses in the surrounding area and compatible with the community. In addition, all proposed development would occur within the boundaries of the Project Site as it currently exists. Therefore, the Project would not physically divide, disrupt, or isolate an established community. Rather, implementation of the Project would result in further infill of an already developed community with similar and compatible land uses. Impacts would be less than significant.

As previously discussed, the Project Site does not support any habitat or natural community. Accordingly, no Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plans apply to the Project Site. Thus, the Project would not conflict with the provisions of an adopted habitat conservation plan or natural community conservation plan, and no impacts would occur.

## **j. Mineral Resources**

No mineral extraction operations currently occur on the Project Site. The Project Site is located within an urbanized area and has been previously disturbed by development. As such, the potential for mineral resources to occur on-site is low. Furthermore, the Project Site is not located within a City-designated Mineral Resource Zone where significant mineral deposits are known to be present, or within a mineral producing area as classified by the California Geologic Survey. The Project Site is also not located within a City-designated oil field or oil drilling area. Therefore, the Project would not result in the loss of availability of a mineral resource or a mineral resource recovery site, and no impacts to mineral resources would occur.

## **k. Noise**

The Project Site is not located within an area subject to an airport land use plan or within 2 miles of an airport. The Project Site is also not located within the designated Airport Influence Area of the Santa Monica Municipal Airport as designated by the County of Los Angeles Land Use Committee. The Project would not have the potential to expose people residing or working within and in the vicinity of the Project Site to excessive noise levels from an airport, and impacts would be less than significant.

The Project Site is not located within the vicinity of a private airstrip, and no impacts associated with noise generated from a private airstrip would occur.

## **l. Population and Housing**

The Project would result in the construction of up to 658 new multi-family dwelling units. Based on an average household size of 2.43 persons per household, development of the 658 units proposed as part of the Project would result in an increase of approximately 1,599 residents. The estimated 1,599 residents generated by the Project would represent approximately 0.84 percent of the population growth forecasted by SCAG in the City of Los Angeles Subregion between 2016 and 2023. The Project's new residential units would constitute approximately 0.72 percent of the housing growth forecasted between 2016 and 2023. Therefore, the new population and housing that would be generated by the Project would be within SCAG's population and housing projections for the City of Los Angeles Subregion.

With regard to construction, the work requirements of most construction projects are highly specialized such that construction workers remain at a job site only for the time in which their specific skills are needed to complete a particular phase of the construction process. Thus, Project-related construction workers would not be anticipated to relocate their household's place of residence as a consequence of working on the Project, and,



therefore, no new permanent residents would be generated during construction of the Project.

Based on the above, the Project would not induce substantial population growth in the vicinity of the Project Site, either directly or indirectly, and impacts would be less than significant.

Additionally, as no housing currently exists on the Project Site, the Project would not displace any existing housing or any persons, which could require the construction of housing elsewhere. No impacts related to displacement of housing or persons would occur.

### **m. Transportation/Circulation**

As previously discussed, the Project Site is not located within the vicinity of any private or public airport or planning boundary of any airport land use plan. In addition, the mid-rise structures proposed by the Project would not increase or change air traffic patterns or increase levels of risk with respect to air traffic. Therefore, no impact would occur.

The roadways adjacent to the Project Site are part of the urban roadway network and contain no sharp curves or dangerous intersections. In addition, the residential and commercial uses proposed by the Project would be consistent with the surrounding uses in the vicinity of the Project Site and would not introduce any hazards onto or adjacent to the Project Site. Therefore, no impacts would occur.

### **n. Utilities and Service Systems**

The Project would be consistent with the applicable regulations associated with solid waste and would promote compliance with AB 939, AB 341, and AB 1826. Specifically, the Project would include clearly marked, source-sorted receptacles to facilitate recycling with a focus on items such as paper, cardboard, glass, aluminum, plastic, and cooking oils. In addition, the Project would provide for source-sorted receptacles for the recycling of organic waste. In accordance with AB 1327, AB 1826, and the City's Space Allocation Ordinance (Ordinance No. 171,687), the Project would also provide for adequate areas for the collection, loading, and removal of recycled materials, including organic waste. Since the Project would comply with federal, State, and local statutes and regulations related to solid waste, no impacts would occur.