

County of Los Angeles

Draft Environmental Impact Report
NEPTUNE MARINA APARTMENTS AND
ANCHORAGE/WOODFIN SUITE HOTEL AND
TIMESHARE RESORT PROJECT

Volume I

SCH#2007031114



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Prepared for:

County of Los Angeles
Department of Regional Planning

September 2008

Draft Environmental Impact Report

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State Clearinghouse No. 2007031114

Prepared for:

County of Los Angeles
Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

Parcel 10R
Project R2006-03647
RCDPT200600008
RCUPT200600289
RENV200600217
RPAT200600013
RVART200600013

Parcel EE
Project R2006-03652
RCDPT200600009
RCUPT200600290
RENV200700024
RPAT200600014
RVART200600014
RPKPT200600021

Parcel 9U North
Project TR067861
RCDPT200600007
RCUPT200600288
RENV200600216
RPKPT200600020
RVART200600012
TR067861

Parcel 9U South
Project R2006-03643
RCDPT200600006

Basin Adjacent to Parcel 9U
Project R2006-03644
RPPT200602191

September 2008

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1.0 EXECUTIVE SUMMARY

PURPOSE

It is the intent of the Executive Summary to provide the reader with a clear and simple description of the proposed project and its potential environmental impacts. Section 15123 of the State CEQA (California Environmental Quality Act) Guidelines requires that the summary identify each significant effect, recommended mitigation measure(s), and alternatives that would minimize or avoid potential significant impacts. The summary is also required to identify areas of controversy known to the lead agency, including issues raised by agencies and the public, and issues to be resolved, including the choice among alternatives, and whether or how to mitigate significant effects. This section focuses on the major areas of the proposed project that are important to decision makers and utilizes non-technical language to promote understanding.

1.1 INTRODUCTION

The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project is located within the boundaries of the Marina del Rey Land Use Plan (LUP) area. The proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site (see **Figure 3.0-1**) is located in the western portion of the Marina del Rey small-craft harbor. Specifically, the project site totals 13.03 landside acres and 4.68 waterside or submerged acres.

Parcel 10R is a rotated L-shaped site that wraps partially around "Basin B" of the Marina del Rey small-craft harbor. The parcel consists of a total of 7.32 landside acres and 4.68 waterside or submerged acres. The perimeter of the site is bordered to the west by Via Marina and to the north by Marquesas Way. Marina del Rey Parcel 9U forms the southern boundary of the landside portion of the Parcel 10R site, while Marina del Rey Parcel 12R forms the easternmost boundary on the landside portion of the parcel. The site perimeter extends into the waters of Basin B to the south and east. The proposed public-serving boat anchorage would adjoin a portion of the Parcel 10R bulkhead, within Marina Basin B.

Parcel FF is a rectangular site that occurs adjacent to the southwest corner of "Basin C" of the Marina del Rey small-craft harbor. The parcel consists of a total of 2.05 landside acres and borders the waterfront along approximately 200 linear feet of the northern boundary of the site. The perimeter of the site is bordered to the west by Via Marina and to the south by Marquesas Way. Its easternmost boundary is formed by Marina del Rey Parcel 13R. Marina del Rey Parcel 15U and the waters of Basin C comprise the northern boundary of Parcel FF.

Parcel 9U consists of 3.66 landside acres and is bound by Marina del Rey Parcel 10R to the north, Via Marina to the west, Basin B of Marina del Rey to the east and Tahiti Way to the south. The Woodfin Suite Hotel and Timeshare Resort Project would be confined to the northernmost 2.20 acres of Parcel 9U. The proposed restored public wetland and upland park would be confined to the approximately 1.46 southernmost acres of Parcel 9U.

Existing uses in Marina del Rey were developed in the early to mid 1960s, around the time the small-craft harbor was initially dedicated, and are considered Phase I development as identified in the Marina del Rey LUP. Existing residential uses, in most locations, are over 30 years of age. These aging improvements lack contemporary design elements and tenant amenities necessary to serve current residential lifestyles, such as state-of-the-art wiring for high-speed telecommunications and electronics, contemporary kitchens, and modern climate control systems.

The Marina del Rey LUP specifically encourages the recycling and intensification (within designated limits) of existing Phase I development. To maintain the popularity of Marina del Rey and to enhance the revenue stream from the Marina, the County approved a Marina del Rey Asset Management Strategy to encourage the redevelopment of uses constructed by leaseholders during Phase I. Beginning in 1998, the County, as part of this strategy, has released invitations to solicit lease extension and redevelopment proposals for specific parcels in Marina del Rey. The proposal for Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project is a response to this solicitation. Being consistent with numerous policies of the LUP for Marina del Rey, the applicants propose to redevelop uses on the project site.

The applicants are requesting approval of the entitlements necessary to redevelop existing uses located on Parcels 10R, FF, and 9U in Marina del Rey. As discussed in greater detail within **Section 3.0, Project Description**, land-use entitlement approvals necessary to complete the project development include the following:

- Neptune Marina Parcel 10R
 - Amendment to the Marina del Rey Land Use Plan to transfer development potential between development zones and to average permitted density over an entire parcel
 - Coastal Development Permit (CDP)
 - Coastal “Approval in Concept” (for Parcel 10R anchorage component) for separate CDP from the Coastal Commission
 - Conditional Use Permit
 - Variance

- Neptune Marina Parcel FF
 - Amendment to the Marina del Rey Land Use Plan to transfer development potential between development zones and to remove the current Open Space land use designation and replace it with residential zoning
 - Coastal Development Permit
 - Conditional Use Permit
 - Variance
- Woodfin Suite Hotel and Timeshare Resort
 - Coastal Development Permit
 - Conditional Use Permit
 - Parking Permit
 - Tentative Tract Map
 - Variance
- Wetland Restoration
 - Coastal Development Permit
- Public-Serving Anchorage
 - Coastal “Approval in Concept” for a separate CDP from the Coastal Commission

1.2 PROJECT DESCRIPTION

The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project consists of five components that include (1) Neptune Marina Parcel 10R and boat spaces planned in Basin B; (2) the Neptune Marina Parcel FF; (3) the Woodfin Suite Hotel and Timeshare Resort on the northerly approximately 2.20 acres of Parcel 9U; (4) a restored wetland and upland park on the southerly approximately 1.46 acres of Parcel 9U; and (5) a public anchorage adjoining the Parcel 9U bulkhead in Basin B containing berthing space for between approximately 7 and 11 vessels (depending on the boats’ relative sizes) inclusive of an area for dinghy berthing at the northerly end of the anchorage. It is important to note that Components 4 and 5 are associated with and offset the loss of open-space land in connection with the development of the Neptune Marina Parcel FF (Component 2).

Component 1 includes the landside development of Parcel 10R and waterside development in adjacent Basin B and has been defined as “Neptune Marina Parcel 10R.” Landside development consists of a proposed 400-unit, multi-family, residential apartment community comprised of three structures. The height of two of the three buildings (Buildings 1 and 2, which front on the Marquesas Way mole road) would not exceed 55 feet, while Building 3, which fronts on Via Marina, would not exceed 60 feet

(exclusive of appurtenant, screened rooftop equipment) when measured per County standards along Marquesas Way and Via Marina, respectively. These structures would front Marquesas Way and Via Marina and are proposed to be located generally southeast of this intersection. The waterside portion of Parcel 10R in Basin B would be comprised of a small-craft anchorage consisting of 174 boat spaces that would replace an existing 198 marina boat slips that have deteriorated over time. The anchorage would provide users water and electrical service and a sewage pump-out station. The 161 proposed private boat slips in association with the Neptune Marina Parcel 10R would be wide enough to accommodate modern boat designs and boats up to 40 feet. Larger boats could be accommodated at 13 proposed end-tie spaces (161 + 13 = 174 total marina spaces). In addition, the new boat slips would be compliant with Americans with Disabilities Act (ADA) and new California Department of Boating and Waterways safety requirement

Component 2 includes the development of Parcel FF and has been defined as “Neptune Marina Parcel FF.” Development consists of a proposed 126-unit, multi-family apartment community contained within a single structure. The height of the proposed building (Building 4) would not exceed 55 feet (exclusive of appurtenant, screened rooftop equipment) when measured per County standards along Via Marina and Marquesas Way. This structure would front on Marquesas Way and be located generally northeast of this intersection.

Component 3 includes development of the northerly approximately 2.20 acres of Parcel 9U and has been defined as the “Woodfin Suite Hotel and Timeshare Resort.” This project component is comprised of a proposed 19-story hotel structure with 288 hotel and timeshare suites (a minimum of 152 conventional hotel suites and 136 timeshare suites) and accessory uses (meeting rooms, restaurant, lounge, spa, common areas, etc.). The height of the hotel structure would not exceed 225 feet (exclusive of appurtenant, screened rooftop equipment) when measured per County standards along Via Marina. This structure is planned on the northern portion of Parcel 9U and would front on Via Marina.

Component 4 consists of an approximately 1.46-acre restored wetland and upland park to be constructed on the southern portion of Parcel 9U.

Component 5 includes a public anchorage to be situated adjacent to the Parcel 9U bulkhead within Marina del Rey Basin B. It is anticipated that this anchorage would contain approximately 542 lineal feet of new public dock area and would provide berthing for between 7 and 11 transient vessels (depending on their size) including dinghy berthing at the northerly end of the public anchorage. The new public boat and anchorage would be compliant with the ADA and new California Department of Boating and Waterways safety standards.

1.3 RELATIONSHIP OF THE PROJECT TO THE REGION

The project site is located within the West Side Cities Subregion as defined by the Southern California Association of Governments (SCAG). This Subregion area is projected to undergo sustained population growth through the year 2020. Population in this region is predicted to increase by 11.5 percent, while the number of housing units is predicted to increase by 14.7 percent.

The site is located immediately adjacent to existing development in an area that is presently afforded all necessary roadway, utility (with possible exception of sewer infrastructure capacity), and communications infrastructure, as well as law enforcement, fire protection, regional employment and shopping centers, and governmental and medical services. Intensification of development within Marina del Rey is authorized in the certified Local Coastal Program (LCP) and is consistent with latest planning concepts promoting in-fill development over developing outlying areas away from employment centers. This type of development can serve to reduce commute distances and time, and makes use of existing infrastructure to provide services.

1.4 TOPICS OF CONCERN

Consistent with the requirements of CEQA, the County of Los Angeles prepared an Initial Study for the project. Based on conclusions of the Initial Study, this EIR addresses the following topics:

- Geotechnical and Soil Resources
- Noise
- Hydrology and Water Quality
- Air Quality
- Biota
- Visual Quality
- Traffic/Access
- Sewage Disposal
- Water Service
- Solid Waste Service
- Education
- Police Protection
- Fire Protection
- Library Services
- Parks and Recreation
- Population and Housing
- Land Use

1.5 IMPACTS, MITIGATION MEASURES, AND ALTERNATIVES

1.5.1 Unavoidable Significant Impacts

This EIR has been prepared to assess each potentially significant impact to the environment that could result from implementation of the proposed project. For a detailed discussion regarding potential impacts, refer to **Section 5.0, Existing Conditions, Project Impacts, and Mitigation Measures**, of this EIR.

In accordance with the *State CEQA Guidelines*, summaries of the project's impacts are provided in **Table 1.0-1, Summary Table of Project Impacts, and Mitigation Measures**. Also provided in **Table 1.0-1** is a list of the proposed mitigation measures that are recommended in response to the significant impacts identified in this EIR, and a determination of the level of significance of the impact after implementation of the recommended mitigation measures. Topics found to be significant after implementation of feasible mitigation measures are: short-term construction noise impacts, short-term construction air quality impacts, cumulative construction air quality impacts, visual resource impacts, cumulative traffic impacts, cumulative solid waste impacts, and cumulative population and housing impacts.

1.5.2 Alternatives

In response to the significant impacts resulting from the project, the following four on-site alternatives to the project have been defined and analyzed in **Section 6.0, Project Alternatives**, of this EIR. The environmentally superior alternative is also defined in **Section 6.0**. Descriptions of each alternative are provided below.

- **Alternative 1: No Project/No Development Alternative.** Under *State CEQA Guidelines* Section 15126.6(e)(3)(B), if disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, then this "No Project" consequence (i.e., No Project/Future Development scenario) should be discussed. As defined in this EIR, this development scenario would be the continuation of the status quo on Parcels FF, 10R and 9U.
- **Alternative 2: No Project/No Amendment Alternative.** Under the No Project/No Amendment Alternative, the project site would be developed within the provisions defined as part of the Marina del Rey Land Use Plan (LUP). Parcel 10R, located within the Marquesas DZ, is presently developed with 136 apartment units and a marina containing 198 boat spaces, while Parcel FF is developed as an underutilized surface parking lot with approximately 200 parking spaces. Parcel 9U is a vacant and undeveloped lot.
- **Alternative 3: Increased Structure Height (applicable only to Parcels 10R and FF).** This alternative would place the proposed two levels of garage parking at grade and construct four floors of apartment uses over the at-grade parking structure. Development intensity as defined in this alternative would not be modified. Landside development would consist of a proposed 526-unit, residential apartment community consisting of four structures and a waterfront public pedestrian promenade. The waterside portion of Parcel 10R in Basin B of this alternative would be the same as

the proposed project. Similarly, the development proposal for the Woodfin Suite Hotel and Timeshare Resort, wetland park and public-serving boat spaces would not be altered. Given provisions of this alternative, structure height would be increased to a maximum of 75 feet for each building. A structure height of 75 feet is consistent with height provisions defined in the LUP, the recently approved 'The Shores' project on the adjacent Parcels 100 and 101, and the recently constructed apartments on the adjacent Parcel 12.

- **Alternative 4: Density Bonus Associated with Affordable Housing Requirements.** This alternative focuses on increasing affordable housing associated with residential development proposed on Parcels 10R and FF. Density bonus requirements are set forth in both state law and the County and Coastal Commission plans. Given the Government Code mandates, development intensity on Parcels 10R and FF could be increased from 526 to 657 residential units and on-site population would be increased from 789 to 986 persons. Development at the proposed intensity would require one additional level of parking and one additional floor devoted to residential uses. Maximum structure height would be increased from 55 and 60 feet to 70 and 75 feet. This alternative proposes no change to the Woodfin Suite Hotel and Timeshare Resort project, the proposed wetland park, or the public-serving boat spaces.
- **Alternative 5: Reduced Density; Parcels 10R, FF, and 9U.** Under this alternative, structure massing would be altered for the apartment and hotel/timeshare buildings; unit sizes would be increased within the same building envelope as the proposed project. However, for both the apartment and hotel/timeshare developments, less parking would be provided; thus less grading associated with the provision of subterranean parking, would be required. This alternative would consist of 368 versus 526 residential dwelling units, 201 versus 288 hotel/timeshare suites with an assortment of accessory patron- and visitor-serving uses, 174 private and between 7 and 11 public-serving boat spaces and dinghy moorage area, a publicly accessible Waterfront Pedestrian Promenade, and a restored public wetland and upland park area.
- **Alternative 6: Residential-Sized Building Height Parcel 9U.** Under this alternative, the hotel structure height would be reduced by 14 floors to a total of 5 floors. This action would result in a reduction in structure height from 225 to approximately 55 feet and a reduction in available rooms from 288 to 75. This alternative assumes no change in the building footprint or grading or construction requirements. This alternative proposes no change to the Neptune Marina Apartments and Anchorage project proposed on Parcels 10R or FF, the proposed wetland park or the public-serving boat spaces.
- **Alternative 7: Marine Oriented Commercial (Parcel 9U Only).** This alternative would construct and operate four levels of marine oriented commercial over two levels of parking, one of which would be below grade. No hotel would be constructed on Parcel 9U. Development would be limited to the northern 2.20 acres of Parcel 9U and structure height would be limited to 100 feet. This alternative would not alter the currently proposed wetland park, the public and transient boat spaces or residential development planned on Parcels 10R and FF. On Parcel 9U, this alternative would require construction of a below grade parking garage, resulting in the export of approximately 85,000 cubic yards of material that would be trucked off-site to a defined disposal area.
- **Alternative 8: RV Resort (Parcels 10R, FF, and 9U).** This alternative would construct and operate a public RV Resort on Parcels 10R, FF, and 9U. This alternative would involve demolition of the existing Neptune Marina Apartments, include redevelopment of the boat spaces adjacent to Parcel

10R but would eliminate the proposed wetland park and the public and transient boat spaces. Full service RV Resort inclusive of amenities such as bathroom and shower facilities, reception areas, landscaping, a small area for tent camping, guest parking, and spaces with full-service hook-ups can achieve a density of approximately 10 RV spaces per acre. Given a total of 13.03 landside acres, approximately 130 RV spaces could be accommodated on the project site.

- **Alternative 9: Marina Plaza Alternative.** In 1981, a hotel was previously approved by the California Coastal Commission for development on the subject Parcel 9U (the "Marina Plaza Hotel"). The Marina Plaza Hotel was approved by the CCC with 300 guest rooms in nine stories and an assortment of patron- and visitor-serving accessory uses, including restaurants, a bar, a coffee shop, banquet facilities and meeting rooms. Structures were placed in the southeast portion of Parcel 9U most proximal to Marina del Rey Basin B. Surrounding the structures was a surface parking plot that occurred on the remaining portions of Parcel 9U. Alternative 9 is based on this already approved hotel project. Development on Parcels 10R and FF would remain unchanged from the proposed proposal.

1.6 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

Consistent with Section 15123 of the *State CEQA Guidelines*, the following issues have been raised as areas of controversy through the public review period on the NOP disclosure by the Lead Agency:

- Land use compatibility of residential and commercial uses with public recreation areas within the Marina
- Change from public open space on Parcel FF to residential use and development of public wetland park on Parcel 9U
- Adequacy of wetland buffer
- Land use compatibility of hotel/timeshare within residential community
- Consistency of hotel/timeshare with LCP
- Height of proposed hotel/timeshare adjacent to Marina
- Adequacy of required view corridors in relation to building height
- Effect of shadows resulting from building height
- Effect of taller buildings on wind patterns in the Marina
- Alternative transportation and provisions for shuttle, bicycle and pedestrian use (lack of sidewalks)
- Sufficiency of public parking for recreational boaters
- Emergency response times and adequate emergency evacuation in case of disaster
- Cumulative adequacy of public service availability
- Cumulative traffic impacts

**Table 1.0-1
Summary Table of Project Impacts and Mitigation Measures**

| Project Impacts | Mitigation Measures | Residual Impact |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| GEOTECHNICAL AND SOIL RESOURCES | | |
| <p>The proposed project has the potential to expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving structures adversely affected by the magnitude of seismic shaking that could potentially occur on the project site. Without mitigation, impacts associated with seismic shaking are considered adverse and potentially significant.</p> | <p>5.1-1. Proposed structures shall be designed in conformance with the requirements of the 1997 edition of the UBC and the County of Los Angeles Building Code for Seismic Zone 4.</p> <p>5.1-2. Proposed structures shall be designed in conformance with all recommendations included in the Group Delta Consultants report (Draft EIR, Appendix 5.1, Section 4.0, pages 6-20) and the Van Beveren & Butelo report (Draft EIR, Appendix 5.1, pages 14-35).</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| GEOTECHNICAL AND SOIL RESOURCES (continued) | | |
| <p>Surficial wind and water erosion on the project site has the potential to increase on the project site during construction. This may result in a short-term impact relative to soil erosion or loss of topsoil unless mitigated.</p> | <p>5.1-3. Precautions shall be taken during the performance of site clearing, excavations, and grading to protect the project from flooding, ponding, or inundation by poor or improper surface drainage.</p> <p>5.1-4. Temporary provisions shall be made during the rainy season to adequately direct surface drainage away from and off the project site. Where low areas cannot be avoided, pumps shall be kept on hand to continually remove water during periods of rainfall.</p> <p>5.1-5. Where necessary during periods of rainfall, the Contractor shall install checkdams, desilting basins, rip-rap, sand bags or other devices or methods necessary to control erosion and provide safe conditions, in accordance with site conditions and regulatory agency requirements.</p> <p>5.1-6. Following periods of rainfall and at the request of the Geotechnical Consultant, the Contractor shall make excavations in order to evaluate the extent of rain-related subgrade damage.</p> <p>5.1-7. Positive measures shall be taken to properly finish grade improvements so that drainage waters from the lot and adjacent areas are directed off the lot and away from foundations, slabs, and adjacent property.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| GEOTECHNICAL AND SOIL RESOURCES (continued) | | |
| | <p>5.1-8. For earth areas adjacent to the structures, a minimum drainage gradient of 2 percent is required.</p> <p>5.1-9. Drainage patterns approved at the time of fine grading shall be maintained throughout the life of the proposed structures.</p> <p>5.1-10. Landscaping shall be kept to a minimum and where used, limited to plants and vegetation requiring little watering as recommended by a registered landscape architect.</p> <p>5.1-11. Roof drains shall be directed off the site.</p> <p>5.1-12. Proposed structures shall be designed in conformance with any additional recommendations pertinent to soil erosion in accordance with the recommendations of the Group Delta Consultants report (Draft EIR, Appendix 5.1, Section 4.0, pages 6-20) and the Van Beveren & Butelo report (Draft EIR, Appendix 5.1, pages 14-35).</p> | |
| <p>Consequences of liquefaction on the project site include liquefaction-induced ground subsidence and lateral spread or deformation toward the low-lying areas of the project site. Additionally, soils located on Parcel 9U are not suitable for support of the project. As such, mitigation is required for soil stabilization.</p> | <p>5.1-13. Proposed structures shall be designed in conformance with all recommendations included in the Group Delta Consultants report (Draft EIR, Appendix 5.1, Section 4.0, pages 6-20) and the Van Beveren & Butelo report (Draft EIR, Appendix 5.1, pages 14-35).</p> | <p>Less than significant</p> |
| <p>Methane is a natural bi-product of the microbial decomposition of organic matter in an anaerobic environment. In large concentrations, methane can be explosive and, since it is heavier than air, can displace atmospheric oxygen.</p> | <p>5.1-14. The County Building and Safety, as defined in Los Angeles County Building Code Section 110.4, buildings or structures adjacent to or within 200 feet (60.96 meters) of active, abandoned or idle oil or gas well(s) shall be provided with methane gas-protection systems. For soil gas safety, the recommendations in the April 18, 2008 Carlin Environmental Consulting report and the August 23, 2006 and May 3, 2008 Methane Specialist reports (Draft EIR, Appendix 5.1) shall be implemented.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| GEOTECHNICAL AND SOIL RESOURCES (continued) | | |
| The project site is not located on expansive soils; however, any import material should be tested for expansion potential prior to importing. | 5.1-15. All recommendations included in the Group Delta Consultants report (Draft EIR, Appendix 5.1, Section 4.0, pages 6-20) and the Van Beveren & Butelo report (Draft EIR, Appendix 5.1, pages 14-35). | Less than significant |
| No septic tanks would be included in the proposed project; therefore, no soil instability impacts to septic tank systems would result. | No mitigation measures are required | No impact |
| <p>Cumulative Impacts</p> <p>The geographic context of the analysis of rupture of a fault, strong seismic ground shaking, liquefaction, landslide, lateral spreading, subsidence, collapse and expansive soils are site specific, rather than cumulative in nature. In this way, potential cumulative impacts resulting from geological, seismic and soil conditions would be reduced to less than significant on a site-by-site basis by modern construction methods and enforcement of code requirements. Thus, cumulative impacts associated with other related projects are considered to be less than significant.</p> | No mitigation measures are required. | Less than significant |

| Project Impacts | Mitigation Measures | Residual Impact |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| NOISE | | |
| <p>Construction Impacts</p> <p>Construction activity would occur as close as 50 feet from existing noise sensitive residential uses located east of the project site. Uses at these locations could experience noise levels that reach 94 A-weighted decibels (dB(A)) for short time periods. Construction activity on the project site would also occur as close as 125 feet from existing residential uses located west of the project site along Via Marina, resulting in noise levels of up to 85 dB(A) at these sensitive receptors. These, as well as any other locations that experience an uninterrupted line of sight to the construction noise sources, could be temporarily exposed to exterior noise levels which could exceed the County's Noise Control Ordinance standards for construction equipment noise. Therefore, construction noise is considered a temporary significant impact.</p> <p>Haul Route Impacts</p> <p>Noise sensitive land uses are located along the haul route, which is primarily residential in nature. Uses within 50 feet of the haul route could experience temporary noise events ranging from 83 to 88 dB(A) from trucks, which exceeds County standards. Therefore, a temporary significant impact would result from trucks traveling to and from the project site along the haul route during the projected buildout of the project.</p> <p>Vibration Impacts</p> <p>Because the use of pile driving equipment is required for foundation construction, vibration impacts that would occur are considered significant and unavoidable, but temporary in nature.</p> | <p>5.2-1. All construction equipment, fixed or mobile, that is utilized on the site for more than two working days shall be in proper operating condition and fitted with standard factory silencing features. To ensure that mobile and stationary equipment is properly maintained and meets all federal, state and local standards, the applicant shall maintain an equipment log. The log shall document the condition of equipment relative to factory specifications and identify the measures taken to ensure that all construction equipment is in proper tune and fitted with an adequate muffling device. The log shall be submitted to the Los Angeles Department of Public Works for review and approval on a quarterly basis. In areas where construction equipment (such as generators and air compressors) is left stationary and operating for more than one day within 100 feet of residential land uses, temporary portable noise structures shall be built. These barriers shall be located between the piece of equipment and sensitive land uses. As the project is constructed, the use of building structures as noise barrier would be sufficient. The County building official or a designee should spot check to ensure compliance.</p> <p>5.2-2. All exterior construction activity, including grading, transport of material or equipment and warming-up of equipment, shall be limited to between the hours of 7:00 AM to 7:00 PM, except for concrete pours, and shall not occur during weekend periods unless approved by the Los Angeles County Department of Public Works. The work schedule shall be posted at the construction site and modified as necessary to reflect deviations approved by the Los Angeles County Building and Safety Division. The County building official or a designee should spot check and respond to complaints.</p> | <p>Significant and unavoidable impacts would remain</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| NOISE (continued) | | |
| | <p>5.2-3. The project applicant shall post a notice at the construction site and along the proposed truck haul route. The notice shall contain information on the type of project and anticipated duration of construction activity, and shall provide a phone number where people can register questions and complaints. The applicant shall keep a record of all complaints and take appropriate action to minimize noise generated by the offending activity where feasible. A monthly log of noise complaints shall be maintained by the applicant and submitted to the County of Los Angeles Department of Public Health.</p> | |
| <p>Operational Impacts</p> <p>Operation of the proposed project is expected to result in increased noise due to the net increase in resident population on the site and associated vehicular traffic, affecting both future on-site receptors and existing off-site receptors. All expected noise increases resulting from the proposed project would be less than 3 dB(A). As a result, noise generated by point or stationary sources on the project site would be consistent with County of Los Angeles noise standards. Thus, noise impacts generated by the new residents located on the project site would not constitute a significant impact to on-site or off-site receptors.</p> <p>Noise level increases attributable to traffic generated by cumulative development would also be less than 3 dB(A) community noise equivalent level (CNEL) at all locations. Therefore, no significant off-site noise impacts would occur as a result of project operation when compared with existing conditions.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| NOISE (continued) | | |
| <p>Cumulative Impacts</p> <p>Cumulative noise impacts would occur as a result of construction activity taking place within Marina del Rey, as well as increased vehicle traffic generated by cumulative development. Noise level increases attributable to traffic generated by cumulative development would be less than 3 dB(A) CNEL at all locations. The intersection with the greatest increase in noise, Marquesas Way, would increase from 53.8 dB(A) to 56.7 dB(A), an increase of 2.9 dB(A). This increase is below the 3 dB(A) threshold of detection. Therefore, significant cumulative noise impacts would not occur.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |
| HYDROLOGY AND DRAINAGE | | |
| <p>Based on calculations consistent with the Los Angeles County Department of Public Works (LACDPW) Hydrology Manual, a minimal increase in total site runoff during a 25-year storm event would occur as a result of development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project. Subsequent to project operation, no alteration of surface flows are anticipated for Parcels 10R or FF. However, runoff from the northern portion of Parcel 9U would be 7.8 cubic feet per second (cfs) and would be routed to Marina del Rey Basin B via an on-site storm drain system. No runoff would be directed to the wetland/upland area to the south. No flood hazard to the small-craft harbor would occur because the elevation of the bulkhead is substantially (greater than 8 feet) above the tidal elevation. As such, impacts would be less than significant.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| HYDROLOGY AND DRAINAGE (continued) | | |
| <p>During construction, landside demolition of the existing apartment complex (Parcel 10R) and parking lot (Parcel FF), grading/excavation operations and project construction could result in increased water and wind erosion and a potential for the discharge of sediment to the small-craft harbor during storm events. Increased sedimentation could result in a significant erosion and sedimentation impact unless mitigated. Additionally, temporary de-watering systems for the proposed partially subterranean parking garages also have the potential to discharge sediments from excavation areas directly to the small-craft harbor unless mitigated. Project applicant(s) would be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) for Parcels 10R, FF, and 9U pursuant to the National Pollutant Discharge Elimination System (NPDES) that would identify the various Best Management Practices (BMPs) that would be implemented at the construction site.</p> | <p>5.3-1. A final drainage plan and final grading plan (including an erosion control plan if required) shall be prepared by each applicant to ensure that no significant erosion, sedimentation, or flooding impacts would occur during or after redevelopment of the project sites. These plans shall be prepared to the satisfaction of the Los Angeles County Department of Public Works, Flood Control Division prior to the issuance of grading, demolition, or building permits.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| HYDROLOGY AND DRAINAGE (continued) | | |
| <p>Storm Water Quality Impacts During Construction</p> <p>Temporary dewatering systems for the partially subterranean parking structures may require an NPDES permit for Ground Water Discharge from the RWQCB. With compliance with the requirements of the NPDES construction permit, demolition and construction related water quality impacts would be less than significant.</p> <p>Landscape Runoff</p> <p>Less than 2 acres of the project site would be landscaped; thus, there is a minor potential for increased quantities of pesticides/herbicides/fungicides and nitrates to enter and incrementally degrade surface water if runoff were to enter the drainage system. Furthermore, landscaped areas would help control runoff by allowing percolation into the soil rather than allowing direct runoff into surface water bodies as does paved surfaces. Based on the above, water quality impacts from landscape runoff are considered less than significant.</p> <p>Pavement Runoff</p> <p>A portion of the project site is presently developed and existing surface runoff from the project site contains material which discharges directly into the small-craft harbor. However, the proposed project would place most parking within covered parking structures, where such pollutants are less likely to be transported by rainfall into the storm drain system. As a result, pollutants from pavement runoff are likely to be less than experienced under existing conditions and would be considered as less than significant.</p> | <p>5.3-2. Small-craft harbor lease agreements for the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project shall include prohibitions against engine maintenance and boat painting or scraping activities while on the premises.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| HYDROLOGY AND DRAINAGE (continued) | | |
| <p>Animal Droppings</p> <p>With more intensive use of the site, more domesticated animals would reside on the project site. Unless mitigated, the additional droppings would continue to degrade water quality impacts relative to pollutants associated with animal droppings.</p> <p>Atmospheric Fallout</p> <p>The surrounding land areas are mostly paved and the site is near the ocean, which serves to limit the amount of fugitive dust entrained in the wind. Further, the project would contain erosion-controlling vegetation which would capture and hold atmospheric fallout which does reach the project site.</p> <p>Marine Activity Impacts</p> <p>While the project would result in a modest reduction in the number of available spaces, thereby reducing the potential for such contaminants to enter the small-craft harbor, any contribution to the degradation of water quality in the small-craft harbor would represent a significant impact if unmitigated.</p> | | |

| Project Impacts | Mitigation Measures | Residual Impact |
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| HYDROLOGY AND DRAINAGE (continued) | | |
| <p>Cumulative Impacts</p> <p>Projects in the watershed must comply with storm drainage design criteria that prohibit significant increases in post-development storm flows into the small-craft harbor and significant increases in storm flow velocities. As a result, overall storm runoff discharge quantities into the small-craft harbor under post-development runoff conditions would be no greater than under existing conditions. Because on-site drainage facilities would have adequate capacity to capture and convey off-site flows from the site and from upstream areas during a 25-year-frequency storm, and because any new or upgraded storm drainage improvements in the remainder of the watershed would be required to convey design year storm flows, no significant increases in velocity and related scouring, and no significant cumulative project flooding impacts are expected to occur downstream of the site.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| AIR QUALITY | | |
| <p>Demolition, Excavation and Construction Impacts</p> <p>The emissions associated with concurrent demolition, excavation and grading and construction of all the project components would exceed the South Coast Air Quality Management District (SCAQMD) emission thresholds of significance during the construction phase for carbon monoxide (CO), oxides of nitrogen (NO_x), and volatile organic compounds (VOC), as well as cause localized significant ambient air quality impacts for particulate matter less than 10 microns in diameter (PM₁₀), particulate matter less than 2.5 microns in diameter (PM_{2.5}), and NO_x. If only one of these project components were constructed at a time, the emissions would still exceed these significance thresholds, and the construction phase would cause significant short-term air quality impacts.</p> <p>Operational Impacts, Daily Emissions</p> <p>Operational emissions would be generated by area, mobile, and possibly stationary, sources as a result of normal day-to-day activities at the project site. However, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project at full buildout and operation would not generate a net increase in emissions that would exceed SCAQMD recommended thresholds for any criteria pollutants. Therefore, the operational emissions of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would not result in a significant air quality impact.</p> | <p>5.4-1. Develop and implement a construction management plan, as approved by the County, which includes the following measures recommended by the SCAQMD, or equivalently effective measures approved by the SCAQMD:</p> <ul style="list-style-type: none"> a. Configure construction parking to minimize traffic interference. b. Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g., flag person). c. Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the degree practicable. d. Reroute construction trucks away from congested streets. e. Consolidate truck deliveries when possible. f. Provide dedicated turn lanes for movement of construction trucks and equipment on and off site. g. Maintain equipment and vehicle engines in good condition and in proper tune according to manufacturers' specifications and per SCAQMD rules, to minimize exhaust emissions. h. Suspend use of all construction equipment operations during second stage smog alerts. Contact the SCAQMD at 800/242-4022 for daily forecasts. i. Use electricity from power poles rather than temporary diesel- or gasoline-powered generators. | <p>Construction Impacts Significant and unavoidable</p> <p>Operational Impacts Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| AIR QUALITY (continued) | | |
| <p>Operational Impacts, Wind</p> <p>From the results of this wind study, it has been concluded that the proposed Neptune Marina will produce similar wind conditions over a majority of the areas of Marina del Rey. The overall wind conditions predicted with the proposed and expected future developments are similar to those presently experienced in and around the marina and, therefore, the general air circulation patterns and the use of surface winds by birds will not be affected.</p> | <ul style="list-style-type: none"> j. Use methanol- or natural gas-powered mobile equipment and pile drivers instead of diesel if readily available at competitive prices. k. Use propane- or butane-powered on-site mobile equipment instead of gasoline if readily available at competitive prices. <p>5.4-2. Develop and implement a dust control plan, as approved by the County, which includes the following measures recommended by the SCAQMD, or equivalently effective measures approved by the SCAQMD:</p> <ul style="list-style-type: none"> a. Apply approved non-toxic chemical soil stabilizers according to manufacturer's specification to all inactive construction areas (previously graded areas inactive for four days or more). b. Replace ground cover in disturbed areas as quickly as possible. c. Enclose, cover, water twice daily, or apply approved soil binders to exposed piles (i.e., gravel, sand, dirt) according to manufacturers' specifications. d. Water active grading sites at least twice daily (SCAQMD Rule 403). e. Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 mph. f. Provide temporary wind fencing consisting of 3- to 5-foot barriers with 50 percent or less porosity along the perimeter of sites that have been cleared or are being graded. | |

| Project Impacts | Mitigation Measures | Residual Impact |
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| AIR QUALITY (continued) | | |
| | <ul style="list-style-type: none"> g. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer), in accordance with Section 23114 of the California Vehicle Code. h. Sweep streets at the end of the day if visible soil material is carried over to adjacent roads (recommend water sweepers using reclaimed water if readily available). | |
| | <ul style="list-style-type: none"> i. Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip. j. Apply water three times daily or chemical soil stabilizers according to manufacturers' specifications to all unpaved parking or staging areas or unpaved road surfaces. k. Enforce traffic speed limits of 15 mph or less on all unpaved roads. l. Pave construction roads when the specific roadway path would be utilized for 120 days or more. <p>5.4-3. In the event asbestos is identified within existing on-site structures, the project applicant/developer shall comply with SCAQMD Rule 1403 (Asbestos Emissions From Demolition/Renovation Activities). Compliance with Rule 1403 is considered to mitigate asbestos-related impacts to less than significant.</p> | |
| <p>The estimated operational emissions due to proposed project are found to be less than significant. Hence, the project is not expected to violate ambient air quality standards or contribute to an existing or projected air quality violation.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| AIR QUALITY (continued) | | |
| As discussed in Section 5.16, Population and Housing , the proposed project is considered to be consistent with the future population and employment figures projected for the site's census tract. The project would not increase population over that which has been planned for the area, would be consistent with the Air Quality Management Plan (AQMP) forecasts for this area, would be considered consistent with the air-quality-related regional plans, and should not jeopardize attainment of state and federal ambient air quality standards in the Basin. | No mitigation measures are required. | Less than significant |
| The state and federal 1- and 8-hour CO standards would not be exceeded at any of the modeled intersections at project buildout during future conditions with the contribution of project-related traffic. Therefore, CO hotspots are not predicted to occur near these intersections with the contribution of ambient growth in the area and the proposed project's traffic. The impact of the proposed project's traffic to these intersections would be considered less than significant. | No mitigation measures are required. | Less than significant |
| Residential uses associated with the proposed project are not expected to be a source of odors. The adjacent land uses are such that the project residents would not be subjected to objectionable odors from any surrounding land use. Consequently, no significant impacts from such odors are anticipated. | No mitigation measures are required. | Less than significant |
| The proposed land uses of the project will not use hazardous materials or emit toxic air contaminants in appreciable quantities. Adjacent land uses would not subject project site residents, employees, or visitors to toxic air emissions. Accordingly, no significant impacts with respect to the criteria listed above are expected to occur. | No mitigation measures are required. | Less than significant |

| Project Impacts | Mitigation Measures | Residual Impact |
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| AIR QUALITY (continued) | | |
| <p>Cumulative Construction Impacts</p> <p>Individual projects that exceed the SCAQMD-recommended daily thresholds for project-specific impacts would be considered to cause a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment. Construction of the project would result in daily construction emissions of VOC, NO_x, and/or CO that exceed the thresholds of significance recommended by the SCAQMD during peak construction activities. Because the Basin is in nonattainment for ozone (NO_x and VOC are precursors to ozone) and CO (federal standard only), construction of the project would generate a cumulatively considerable contribution. This is considered a significant and unavoidable impact.</p> <p>Cumulative Operational Impacts</p> <p>If the growth of vehicle miles traveled (VMT) or average daily traffic (ADT) is less than the population growth, then the project is not considered to have a significant cumulative air quality impact. Because this approach compares a project's population to VMT, only the population and VMT associated with permanent residents of the proposed project are used in this comparison. As shown in Table 5.4-35, this criterion has been met, and the project would not be considered to have significant cumulative impacts. Additionally, the project is within growth forecasts contained in the Growth Management Chapter of SCAG's Regional Comprehensive Plan and Guide (RCPG), which forms the basis for the land use and transportation control portions of the 2003 AQMP. Therefore, it would be consistent with the 2003 AQMP, indicating that it would not jeopardize attainment of state and federal ambient air quality standards in the Basin.</p> | <p>Cumulative Construction Impacts</p> <p>No feasible mitigation measures are available to avoid cumulative construction impacts.</p> <p>Cumulative Operational Impacts</p> <p>No mitigation measures are required.</p> | <p>Construction</p> <p>Significant and unavoidable</p> <p>Operational</p> <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| BIOTA | | |
| <p>Direct impacts on terrestrial special status species associated with construction and operation on the project sites are not considered significant.</p> <p>Potentially significant impacts to the existing water quality and the associated marine infauna could result from the re-suspension of sediments associated with the removal of the existing pilings and placement of the new pilings for up to 185 new boat spaces This impact is considered potentially significant due to (1) the reported use of the water area by the Endangered brown pelican and California least tern; and (2) the re-suspension of contaminants within the sediments at the site. Anchoring of work vessels would be expected to further the aforementioned re-suspension and increase the area potentially affected by the sediment.</p> <p>California Brown Pelican (<i>Pelicanus occidentalis</i>); federally listed Endangered Species, state-listed Endangered Species. During construction of the new boat spaces and docks, construction related noise and turbidity would occur in the vicinity of the construction zone. The impact of construction would be to incrementally reduce foraging space during the construction period.</p> | <p>5.5-1. Secure siltation collar around each pile prior to removal and replacement (water surface to seafloor) and assure that the ends seal the area to preclude re-suspended sediments from entering other areas of the small-craft harbor.</p> <p>Sedimentation collars are used similar to silt screens as a means of controlling or reducing turbidity in the vicinity of the construction zone. The collars are placed around piles to be removed and extend from the bottom of the marina to above the water line. Once the collars are in-place the piles are extracted. During this process turbidity is increased. Sediment collars would be left in place until the clarity of water inside the sediment collar approaches normal conditions in the marina (measured via the use of a seiche disk) at which time the sediment collar is removed.</p> <p>Details shall be provided to and approved by RWQCB Los Angeles Region staff prior to construction.</p> <p>5.5-2. In the event a pile should break during removal, use divers to cut the broken pile at the mudline to reduce the resuspension of deeper sediments that are possibly more contaminated than the surficial material. While diver-generated turbidity would be expected during cutting operations, the reduction of sediment resuspension from this removal method would be expected to reduce degradation of water quality and seafloor impacts.</p> <p>Place impervious barriers (i.e., hay bales) around the perimeter of all onshore areas of exposed dirt. Grade the dirt to provide for drainage away from the small-craft harbor.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| BIOTA (continued) | | |
| <p>California Least Tern (<i>Sterna antillarum browni</i>); federally listed Endangered Species, state-listed Endangered Species. No suitable nesting habitat is currently available on the project site. During construction of the new boat spaces and docks, construction related noise and turbidity would occur in the vicinity of the construction zone. The impact of waterside construction would be to incrementally reduce foraging space during the construction period associated with development of the private and public anchorages at the terminus of Basin B.</p> <p>Peregrine falcon (<i>Falco peregrinus</i>); federally listed Endangered Species, state-listed Endangered Species. Peregrine falcons forage over a large area inclusive of the project site. Construction and operational impacts are not expected to impact this species as these activities occur regularly in the region and large areas of available habitat are present proximal to the site. Therefore, construction and operational impacts to this species are not considered significant.</p> <p>Great blue heron (<i>Ardea herodias</i>), snowy egret (<i>Egretta thula</i>), black-crowned night heron (<i>Nycticorax nycticorax</i>): State of California "Special Animals." Great blue heron, snowy egret and black-crowned night heron are known to nest in ornamental trees in many locations within Marina del Rey. Construction impacts may impact these species when nesting in nearby ornamental landscape trees.</p> | <p>5.5-3. Waterside development and construction activities will be curtailed during the March to September California least tern breeding season, as long as it is known that the species is still nesting in the Venice Beach habitat.</p> <p>5.5-4 To avoid impacts to native nesting birds (California Fish and Game Code (Section 3503, 3503.5 and 3513), the applicant and/or its contractors shall retain a qualified biologist to conduct nest surveys in potential nesting trees within the project site and the median of Via Marina and Marquesas Way prior to construction or site preparation activities. Specifically, within 30 days of ground disturbance activities associated with construction or grading, a qualified biologist shall conduct weekly surveys to determine if active nests of bird species protected by the Migratory Bird Treaty Act and the California Fish and Game Code are present in the construction zone. If no breeding bird behavior or nesting activity is observed, the surveying biologist may instruct the contractor to remove potential nesting habitat, so long as the removal occurs within three days of the survey. If the removal of potential nesting habitat does not occur within three days, an additional pre-construction survey will be conducted such that no more than three days will have elapsed between the last survey and the commencement of ground disturbance activities.</p> | |

| Project Impacts | Mitigation Measures | Residual Impact |
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| BIOTA (continued) | | |
| | <p>If active nests are found, clearing and construction activities within a buffer distance determined by the surveying biologist, shall be postponed or halted until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting. The urbanized and disturbed condition of the existing environment shall be considered when determining buffer distances, since birds that typically nest in the area are already accustomed to noisy conditions. Buffer may be less than 50 feet for human habituated birds.</p> <p>Limits of construction to avoid an active nest shall be established in the field with flagging, fencing, or other appropriate barriers and construction personnel shall be instructed on the sensitivity of nest areas. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts to these nests will occur. The results of the survey, and any avoidance measures taken, shall be submitted to the County of Los Angeles within 30 days of completion of the pre-construction surveys and construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.</p> | |

| Project Impacts | Mitigation Measures | Residual Impact |
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| BIOTA (continued) | | |
| | <p>5.5-5 During all construction activities if active heron or egret nests are discovered on or adjacent to the project and these nests are being used for breeding or rearing offspring, a qualified biologist shall monitor bird behavior at the nest for any signs of distress or annoyance from the construction noise. In the event the consulting biologist determines that noise from the project construction activities are causing distress or annoyance to herons or egrets that may be utilizing nests on these parcels, then construction activities shall be postponed or halted until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting during that year. The urbanized and disturbed condition of the existing environment shall be considered when determining buffer distances, since birds that typically nest in the area are already accustomed to noisy conditions.</p> | |
| <p>A jurisdictional wetland delineation identified approximately 0.43 acre of wetlands within the excavated basin on the southerly portion of Parcel 9U, of which 0.23 acre consists of wetlands that exhibit positive indicators for wetland hydrology, hydrophytic vegetation and hydric soils, and an additional 0.20 acre that lacked positive indicators for at least one of the three criteria but would still be considered wetland pursuant to California Coastal Act policies. As part of the proposed project, the wetland would be restored and an upland buffer would be constructed around the wetland. As such, impacts would be less than significant.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |
| <p>Implementation of the proposed project is not expected to substantially interfere with movement patterns associated with the existing ground-dwelling fauna presently occurring on the project site. Therefore, project implementation is not expected to alter other wildlife movement patterns, and no impact would occur.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| BIOTA (continued) | | |
| <p>The proposed project is consistent with applicable policies as defined in the Marina del Rey Local Coastal Plan and the Regional Water Quality Control Board (RWQCB) Water Quality Control Plan (Basin Plan). The Marina del Rey Local Coastal Plan does not designate any Environmentally Sensitive Habitat Areas (ESHA), and none is recognized within the project site. Accordingly, no significant, adverse impacts will result from the project.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |
| <p>Cumulative Impacts</p> <p>Due to the urban character of the area in which cumulative projects occur, no special-status species, naturally occurring special-status habitat or wetlands are known to occur. Therefore, cumulative impacts on the terrestrial environment are not considered significant.</p> <p>Potential cumulative impacts could potentially affect marine resources and those terrestrial species that use marine environments such as the Endangered California brown pelican and California least tern that forage in various portions of Marina del Rey. Because these species forage over a large area, and available forage areas occur near the site and in the region, cumulative impacts are not considered significant, and the project's contribution are not cumulatively considerable, as only one of the related projects proposes development within the marine environment.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| VISUAL RESOURCES | | |
| <p>Development on Parcel 10R replaces existing structures where no visibility of the marina is currently available. No views of the marina are available from Via Marina in the vicinity of Parcel FF. Construction and operation of the Woodfin Suite Hotel and Timeshare Resort on Parcel 9U would result in an incremental loss of visibility of Marina del Rey Basin B when viewed from Via Marina that is defined as a Scenic Highway. Consistent with requirements of the Marina del Rey LUP, and in conformance with the DCB, the project incorporates six view corridors that would mitigate the loss of available view (for Parcel 9U) or enhance visibility of the marina (for Parcel 10R and FF). Because this project is consistent with all development requirements defined in the Marina del Rey LUP, impacts associated with this visual resource criterion are not considered significant.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |
| <p>The height and mass of the proposed Woodfin Suite Hotel and Timeshare Resort Project from Viewing Locations One, Two, and Three, would be out-of-character with surrounding land uses. As such, impacts are considered significant and mitigation is required.</p> | <p>5.6-1. A deed restriction shall be placed of the southern portion of Parcel 9U requiring that the wetland park be retained as natural open space.</p> <p>5.6-2. On the street level of the project landscaping to the satisfaction of the County of Los Angeles Design Control Board shall be implemented to reduce visual impacts of the project when viewed from this location. Further, if approved by the Design Control Board, areas of landscaping shall be included on terraces and balconies that could be incorporated into the design of the hotel structure and associated parking structure.</p> <p>5.6-3. Articulation and variations in color or building materials could be incorporated into the lower levels of the hotel and parking structure. These actions would reduce visual resource impacts on Via Marina.</p> | <p>Significant and unavoidable</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| VISUAL RESOURCES (continued) | | |
| <p>All of the proposed development would cast shadows on adjacent uses only during the winter months and for brief periods of time. Exposure of adjacent uses to shadows cast by the project would be limited in duration to winter months and would vary dependent upon the time of day. No single use would be exposed to shadows cast by the project for more than three hours, and given the small number of uses affected and the nature of those land uses, this is considered a less than significant impact.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |
| TRAFFIC/ACCESS | | |
| <p>The project is expected to generate approximately 3,104 net new trips per day. Of this total, an estimated 253 trips would occur during the morning peak hour, and 228 new trips would occur during the evening peak hour. These new trips would be added to the project area roadway network once the existing development is removed and the proposed project is completed and fully occupied. The incremental project traffic would significantly impact the (LOS) forecasts during the PM peak hours at three of the study intersections, Admiralty Way and Via Marina, Washington Blvd. at Ocean Avenue and Via Marina, and Admiralty Way and Mindanao Way. During the AM peak hour only the Admiralty Way/Mindanao intersection would be significantly affected.</p> | <p>Through the implementation of area traffic improvement measures recommended in the adopted Marina del Rey Specific Plan Transportation Improvement Program (TIP) project (i.e., existing + ambient growth + project) traffic related impacts would be reduced to a less than significant level. Based on the expected net project trip generation of 228 PM peak hour trips, the project would be required to pay \$1,297,320 in trip mitigation fees (\$716,940 attributable to Legacy Partners and \$580,380 attributable to Woodfin). A portion of these fees is designated toward the Category 3 (regional) transportation improvements.</p> | <p>Less than significant</p> |
| <p>Parking for the proposed project is generally provided in parking structures beneath or adjacent to each building. The County standard parking requirements would be met through the project design. Thus, no parking spillover onto area streets or into the nearby neighborhoods is anticipated, and no parking-related impacts are expected as a result of the proposed project.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| TRAFFIC/ACCESS (continued) | | |
| <p>One Los Angeles Congestion Management Program (CMP) intersection, Lincoln Boulevard and Marina Expressway, was identified in the project area. The proposed project is not expected to add 50 or more trips to this intersection during either the AM or PM weekday peak hours. The project would add approximately 71 trips, which is substantially less than the CMP threshold of 150 peak hour trips added to any freeway segment in a single direction. Based on this information, the impact criteria will not be exceeded, and no significant regional impacts on arterial monitoring intersections and mainline freeway locations would occur. Therefore, this is considered a less than significant impact.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |
| <p>The level of overall trip generation from the developed, approved and proposed Marina projects is less than the 50 percent development level at which Category 3 System-Wide Improvements (as described in the LCP), such as the Admiralty Way improvement to five lanes or the realignment of the intersection of Admiralty Way and Via Marina, are warranted before any additional development can occur.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| TRAFFIC/ACCESS (continued) | | |
| <p>Cumulative Impacts</p> <p>The results of the cumulative development analysis show that the potential additional traffic resulting from area-wide development would significantly impact 12 of the 17 study intersections, resulting in several locations nearing or exceeding capacity. The proposed project would also contribute incrementally to these cumulative impacts.</p> | <p>The intersection improvement measures recommended to address these cumulative traffic impacts include the intersections of:</p> <ul style="list-style-type: none"> • Admiralty Way and Via Marina • Washington Boulevard and Via Marina/Ocean Avenue • Admiralty Way and Palawan Way • Washington Boulevard and Palawan Way • Lincoln Boulevard and Washington Boulevard • Lincoln Boulevard and Marina Expressway (SR-90) – • Lincoln Boulevard and Bali Way • Lincoln Boulevard and Mindanao Way • Lincoln Boulevard and Fiji Way • Admiralty Way and Bali Way • Admiralty Way and Mindanao Way • Marina Expressway (SR-90) Eastbound and Mindanao Way | <p>Significant and unavoidable</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| SEWER SERVICE | | |
| <p>Construction Impacts</p> <p>Demolition of existing on-site uses would not disrupt sewer services to adjacent uses, as the lines will be disconnected prior to removal of the existing structures and the amount of construction-related wastewater that would be generated would not have a significant impact on wastewater disposal and treatment facilities due to the temporary nature of construction activity and the available capacity of the treatment facilities.</p> <p>Operational Impacts; Wastewater Collection</p> <p>Based on information obtained from the Sewer Capacity Report prepared by Hunsaker Engineering, Inc., September 2006, the sewage collection and conveyance system designed to serve the proposed Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would connect to the existing sewer facilities. Therefore, impacts to the wastewater collection system would be less than significant.</p> | <p>5.8-1. Prior to issuance of building permits, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project applicants shall demonstrate sufficient sewage capacity for the proposed project by providing a “will serve” letter from LACDPW’s Waterworks and Sewer Maintenance Division.</p> <p>5.8-2. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project applicants shall pay a “fair share” contribution to the amount of the cost to upgrade the downstream segments of the sewer trunk that are identified as inadequate to accommodate effluent generated by the proposed project. If deemed necessary, these improvements shall be funded and completed in accordance with County Department of Public Works procedures.</p> | <p>Less than significant</p> |
| <p>Operational Impacts; Wastewater Treatment</p> <p>The proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would generate approximately 151,100 gpd of domestic wastewater. This represents a net increase of 130,700 gallons per day (gpd) due to the increased number of dwelling units and the hotel project. Sewage generated on the project site would be conveyed to the Hyperion Treatment Plant (HTP) for treatment. With the HTP currently operating 130 mgd below capacity (treating a total of 350 mgd), the addition of approximately 130,700 net gpd generated by the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would not result in the plant exceeding capacity. Therefore, adequate capacity exists to treat sewage generated by the project, and the impact of the proposed project on the sewage treatment system is less than significant.</p> | | |

| Project Impacts | Mitigation Measures | Residual Impact |
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| SEWER SERVICE (continued) | | |
| <p>Cumulative Impacts</p> <p>Buildout of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and related projects occurring within the Marina Sewer Maintenance District (MSMD) would generate an estimated 653,346 gpd of domestic wastewater, which does not exceed the 2.03 mgd of excess contractual capacity currently available for the MSMD for treatment at the HTP. Therefore, capacity is available at the HTP under current contracts.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| WATER SERVICE | | |
| <p>Construction Impacts</p> <p>During the maximum five months associated with site demolition and grading it is expected that water consumption would be approximately 8,500 gpd. During construction it is expected that water consumption would be reduced to approximately 3,000 gpd. Given that these water consumption rates are lower when compared with existing demand (16,320 gpd), the amount of construction-related water that would be consumed on-site would not have a significant impact on the existing water supply system.</p> <p>Operational Impacts; Water System</p> <p>No long-term significant impacts would occur with implementation of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project provided that recommended project improvements are made in coordination with the marina water distribution system upgrades on the parts of the system that would serve the project.</p> <p>Operational Impacts; Water Supply</p> <p>Waterworks District 29 and Marina del Rey Water System (WWD No. 29) will be able to adequately supply the project with the projected 91,000 gpd. In addition, mitigation is recommended that requires the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project to provide the County Department of Regional Planning with a letter from WWD No. 29 confirming their ability to serve the project.</p> | <p>5.9-1. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project shall meet the County Efficient Landscape Ordinance since landscaped areas exceed 2,500 square feet in area.</p> <p>5.9-2. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project shall incorporate into the building plans water conservation measures as outlined in the following items:</p> <ul style="list-style-type: none"> • Health and Safety Code Section 17921.3 requiring low-flow toilets and urinals; • Title 24, California Administrative Code which establishes efficiency standards for shower heads, lavatory faucets and sink faucets, as well as requirements for pipe insulation which can reduce water used before hot water reaches equipment or fixtures; and • Government Code Section 7800 which requires that lavatories in public facilities be equipped with self-closing faucets that limit the flow of hot water. <p>5.9-3. Prior to the issuance of grading permits, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project applicant shall provide to the Los Angeles County Department of Regional Planning a letter from WWD No. 29 confirming that it is able to provide water service to the project phase under consideration.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| WATER SERVICE (continued) | | |
| <p>Cumulative Impacts</p> <p>Buildout of the proposed project in combination with related projects would consume an estimated 415,132 gpd, or 463 afy of water. Entitlements for water have been secured and are adequate to serve existing uses and projected growth in Marina del Rey. In addition, each future project would be required to provide to the Los Angeles County Department of Regional Planning a letter from WWD No. 29 stating that it is able to provide water service to the project phase under consideration. Grading permits shall not be issued until such time that WWD No. 29 indicates that the distribution system and water supply are adequate to serve the project. As such, no significant cumulative impacts would result.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| SOLID WASTE | | |
| <p>Construction Impacts</p> <p>Waste generated during demolition and construction would result in an incremental and intermittent increase in solid waste disposal at landfills and other waste disposal facilities within Los Angeles County. The one-time disposal of solid waste associated with construction generated by the project could be accommodated at existing facilities listed within Los Angeles County. Therefore, with mitigation, the impact of construction waste on local landfills would be reduced to a less than significant level.</p> <p>Operational Impacts</p> <p>The proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would generate a net increase over existing uses of approximately 2,868 pounds per day, or about 523 tons per year, of solid waste. Los Angeles County's landfills have adequate capacity to service the existing population and planned growth until the year 2017. Mitigation to reduce the amount of project-generated solid waste disposed of at landfills is recommended and based upon the above information and the inclusion of mitigation measures, solid waste impacts related to the project would be reduced to less than significant levels.</p> | <p>5.10-1. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project shall comply with Title 20, Chapter 20.87, of the Los Angeles County Code, Construction and Demolition Debris Recycling. The project proponent shall also provide a Waste Management Plan to recycle, at a minimum, 50 percent of the construction and demolition debris. The Waste Management Plan shall be provided to the County of Los Angeles Department of Public Works for review and approval, prior to the issuance of the Certificate of Occupancy.</p> <p>5.10-2. To reduce the volume of solid and hazardous waste generated by the operation of the project, a solid waste management plan shall be developed by the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project applicants. This plan shall be reviewed and approved by the County of Los Angeles Department of Public Works. The plan shall identify methods to promote recycling and re-use of materials, as well as safe disposal consistent with the policies and programs contained within the County of Los Angeles Source Reduction and Recycling Element. Methods shall include locating recycling bins in proximity to dumpsters used by future on-site residents.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| SOLID WASTE (continued) | | |
| <p>Cumulative Impacts</p> <p>Buildout of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and other related projects would generate an estimated 28,390 pounds per day, or 5,181 tons per year, of solid waste. However, because an adequate supply of landfill space has not been approved for beyond 2017 and because existing hazardous waste management facilities in the County are deemed inadequate, the cumulative increase in solid and hazardous waste generation would cause a significant impact unless additional landfill space or other disposal alternatives are approved.</p> | <p>No cumulative mitigation measures known to be available that would mitigate significant impacts to a level of insignificance.</p> | <p>Significant and unavoidable</p> |
| EDUCATION | | |
| <p>Operation of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would increase the number of students attending local schools. Additional students generated at buildout of the project can be accommodated within the current capacity of each school serving the area. Therefore, no physical improvements are required. As such, no significant impact to the affected schools would occur as a result of the implementation of the proposed project.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |
| <p>Cumulative Impacts</p> <p>A total of approximately 2,069 students would be generated by cumulative development within the attendance boundaries of the schools serving the project site. Without mitigation, the cumulative impact of the Neptune Marina Project and other related projects would be considered significant because the number of additional students would exceed existing capacity at the elementary, middle and high schools and would place additional demands on services and facilities at all three area schools.</p> | <p>As with the proposed project, the applicants of the related projects would be required to pay state-mandated developer fees to the LAUSD. According to Section 65995 of the Government Code, payment of the developer fees is deemed to be “full and complete mitigation” for school facility impacts. Payment of such fees by the proposed project and related projects would ensure that the cumulative impacts on school services would be less than significant.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| POLICE PROTECTION | | |
| <p>Construction Impacts</p> <p>Site development and construction would normally not require services from the County Sheriff’s Department, except in the cases of trespass, theft, and/or vandalism. Implementation of standard construction-traffic control procedures such as flagmen and signage would further reduce any potential impact. Additionally, construction-related impacts to the County Sheriff’s Department, including Harbor Patrol services, will be less than significant. Given the temporary nature of construction-related activities, this potential impact is considered less than significant.</p> | <p>5.12-1. Prior to construction, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project shall install navigational aids such as buoys and lights as defined by the US Coast Guard to ensure safe access within all channels of the small-craft harbor.</p> <p>5.12-2. As part of the building permit process, the County Sheriff’s Department shall review the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site design during the planning and building plan-check process with respect to lighting, landscaping, building access and visibility, street circulation, building design and defensible space. Subsequent to Sheriff’s Department review, comments regarding safety design techniques shall be incorporated into the design of the project.</p> <p>5.12-3. During construction, the builder and contractor shall adhere to the County of Los Angeles ordinances pertaining to construction noise (refer to Title 12, Chapters 12.08 and 12.12 Los Angeles County Code).</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| POLICE PROTECTION (continued) | | |
| <p>Operational Impacts</p> <p>County mandated parking requirements have been satisfied with parking permit approval, parking impacts are not considered significant. Increased vehicle traffic generated at buildout of the proposed project could adversely affect the operating condition of the local roadway network. However, as measures are provided to maintain traffic flow and access, impacts are not considered significant.</p> <p>With the incorporation of safety design techniques into the project design, potentially significant security impacts to persons and property and calls for service to the County Sheriff's Department would be reduced to a less than significant level. Additionally, the County Sheriff's Department does not foresee an increase in the calls for service for the Harbor Patrol because of the nature of the project. As such, no impacts would occur.</p> <p>Implementation of the proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.</p> | | |

| Project Impacts | Mitigation Measures | Residual Impact |
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| POLICE PROTECTION (continued) | | |
| <p>Cumulative Impacts</p> <p>Demands for sheriff's services in the project area would increase above current levels upon buildout of proposed project and other related projects. Cumulative projects ongoing and planned in the Marina would increase the demand for services from the Marina del Rey station. These projects may require the permanent assignment of additional patrol cars to Marina del Rey and may necessitate additional deputy staffing. A significant impact on the current level of police protection services throughout the Marina del Rey area would occur unless the staff and equipment at the County Sheriff's Department are increased proportionately. Increased revenues from ground lease rentals, property tax, and special tax revenue from the related projects can be used to fund increases in staffing and equipment. Therefore, no significant impacts would result on police staffing or equipment.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |
| FIRE PROTECTION | | |
| <p>Construction Impacts</p> <p>During construction, a large amount of wood framing and other flammable construction materials would be present on the project site(s). In addition, construction traffic would occur on and near the project site during working hours due to commuting construction workers, trucks and other large construction vehicles that would increase traffic volumes during the AM peak hour and potentially slow emergency response times. However, no significant impacts will occur with implementation of standard County safety measures.</p> | <p>5.13-1. Applicants associated with the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project shall submit and have approved by the County of Los Angeles Fire Department, a Fire Safe Plan. The Fire Safe Plan shall include information regarding water flow and duration requirements, building sprinkler requirements, internal and external fire access. The applicant will provide a Conceptual Fire Safety Plan to be reviewed by the County Fire Department prior to issuance of building permits for each project. Typically, such plans, defined emergency evacuation plans and other information deemed necessary by the Fire Department. The Fire Safe Plan shall be reviewed by and incorporate all recommendations of the County Fire Department prior to project approval.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| FIRE PROTECTION (continued) | | |
| <p>Operational Impacts; Response Times</p> <p>Given that the project site is within an existing response district and measures are provided to maintain traffic flow and access, no significant impacts would occur when compared with accepted response time criteria. Additionally, because the proposed project would not significantly alter the number of boat spaces, it is not expected that there will be significant new demands on the ability of Fire Boat 110 to respond to an emergency situation.</p> <p>Operational Impacts; Fire Flow</p> <p>Estimates from the LACDPW indicate that at present, fire flows at the project site would not meet County Fire Department standards. The completion of the proposed Marina del Rey water distribution system improvements would improve fire flows for the existing system and provide additional capacity to meet County Fire Department requirements. However, at this time, these improvements are not likely to be completed before buildout of the proposed project.</p> <p>County Fire Department Funding/Fiscal Impact</p> <p>Implementation of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would not result in substantial adverse physical or economic impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.</p> | <p>5.13-2. During construction, security fencing will be installed surrounding the project site and private security services will be hired to reduce the potential for emergency medical or fire situations on the project site caused by illegal trespassing that could require a response by the County Fire Department.</p> <p>5.13-3. Consistent with the Fire Safe Plan, ingress/egress access for the circulation of traffic and for emergency response access shall be reviewed and approved by the County Fire Department prior to project approval.</p> <p>5.13-4. The development of this project shall comply with all applicable code and ordinance requirements for access, water mains, fire flows, and fire hydrants.</p> | |

| Project Impacts | Mitigation Measures | Residual Impact |
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| FIRE PROTECTION (continued) | | |
| <p>Cumulative Impacts</p> <p>Implementation of the Neptune Marina and other related projects would not result in cumulatively considerable adverse physical impacts associated with the need for 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. Increased cumulative development demands would be met by increases in staffing and equipment.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant.</p> |
| LIBRARY SERVICES | | |
| <p>Construction Impacts</p> <p>Construction activities associated with the project would not result in library impacts.</p> <p>Operation Impacts; Level of Service</p> <p>The Lloyd Taber – Marina del Rey Library is large enough to accommodate an additional 7,339 residents and can, therefore, accommodate the increased residential population from the project.</p> <p>Operational Impacts; Funding</p> <p>The proposed project will be responsible for payment of the library mitigation impact fee. Payment of this fee would constitute full mitigation, and impacts to library services would be less than significant.</p> | <p>5.14-1. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project applicant shall pay the library mitigation impact fee in effect at the time building permits for the project are issued (\$772.00 per residential unit as of July 1, 2007). Fees are paid to Los Angeles County to offset the demand for library items and building square footage generated by the proposed project.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| LIBRARY SERVICES (continued) | | |
| <p>Cumulative Impacts</p> <p>Demand for library items from the populations associated with the proposed project and cumulative projects would be satisfied by the current holdings at the Lloyd Taber – Marina del Rey library under current service level guidelines. The existing facility is large enough and has sufficient holdings to accommodate the additional demands on library space based on current County guidelines.</p> | <p>Each related project in the library service area would be required to pay the library mitigation impact fee in effect at the time building permits are issued. These fees can be used to purchase additional volumes, computers, and to fund library improvements. This would mitigate cumulative impacts on a project-by-project basis to a level that is less than significant. As all residential projects in the library service area are required to pay the library mitigation fee in effect at the time building permits are issued, cumulative impacts would be mitigated on a project-by-project basis. No additional mitigation beyond payment of the fee is required.</p> | <p>Less than significant</p> |
| PARKS AND RECREATION | | |
| <p>Applying the Specific Plan requirement of 3.0 acres of parkland per 1,000 persons, dedication of land totaling 1.77 acres or payment of fees to the Coastal Improvement Fund is required. Legacy Partners and Woodfin would jointly fund the development of a publicly accessible 1.46-acre restored wetland and upland buffer on the southern portion of Parcel 9U. Additionally, a Waterfront Stroll Promenade would front the Marina. Therefore, with the provision of the proposed 1.46-acre wetland and upland buffer on the southern portion of Parcel 9U, the project would technically result in parkland deficiency of only 0.31 acres (the new public anchorage notwithstanding). The above-described 0.31-acre parkland deficiency will, however, be appropriately mitigated through Legacy Partner’s payment into the Coastal Improvement Fund. As such, impacts are less than significant.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| PARKS AND RECREATION (continued) | | |
| <p>Cumulative Impacts</p> <p>Development of all approved and related projects in Marina del Rey and the surrounding areas would introduce an additional 3,028 dwelling units housing an estimated population of 4,542 persons. By applying the County's standard demand factor of 3.0 acres of parkland per 1,000 new residents, the amount of parkland needed to account for the demand created by this growth totals approximately 13.6 acres. As with the proposed project, each individual residential project being developed in the Marina would be subject to the requirements of the Marina del Rey Specific Plan that call for parkland dedication, payment of fees to the Coastal Improvement Fund in lieu of land dedication, or some combination thereof. Therefore, cumulative impacts would be less than significant.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |
| POPULATION AND HOUSING | | |
| <p>Implementation of the Neptune Marina Project (Parcels 10R and FF) would intensify development on the project site by adding a net increase of 390 dwelling units, as well as a net increase in population of 585 persons. The increase in the number of individuals, as well as housing units, falls within SCAG demographic projections prepared for both the year 2010 and the year 2020.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |
| <p>The project will remove existing residential units occupied by persons of low or moderate income. However, the project will provide new replacement and inclusionary affordable units in compliance with Government Code Section 66590, et seq. (Mello Act) and the and County's Mello Act implementation policies.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| POPULATION AND HOUSING (continued) | | |
| <p>Cumulative Impacts Population projections for the proposed project and related projects exceed SCAG's 2010 population projections but fall within the 2020 population projections. Housing projections exceed SCAG's 2010 and 2020 projections; as such, significant impacts could result.</p> | <p>No feasible mitigation measures are available to reduce this significant housing growth impact.</p> | <p>Significant and unavoidable</p> |
| <p>Cumulative Impacts Development of related projects may result in the displacement of existing housing and/or people on a project-by-project basis. However, as the proposed project will supply existing tenants with assistance locating already-constructed replacement housing and will assist tenants with moving), the project's contribution to this impact is not cumulatively considerable. Therefore, the impact of the project on this cumulative impact is considered less than significant.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |
| LAND USE AND PLANNING | | |
| <p>Development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would not physically divide the community of Marina del Rey. The project would continue the development of residential and commercial uses that currently border the site. The existing roadway infrastructure in the Marina del Rey would provide access to the project site. Based on this, the project does not have the potential to divide the existing community.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |

| Project Impacts | Mitigation Measures | Residual Impact |
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| LAND USE AND PLANNING (continued) | | |
| <p>The proposed project meets applicable policies and development standards of the certified LCP, including, but not limited to, adequate parking, view corridors, public access to the shoreline, timeshare suites as overnight lodgings, provision of new usable public recreation and open space (waterfront public pedestrian promenade), implementation of traffic improvements, and provisions for affordable housing consistent with the County's Affordable Housing Policy for Marina del Rey and the Mello Act. The project applicant shall provide both replacement and inclusionary affordable housing units on site in compliance with the state Mello Act and the County's Marina del Rey Mello Act Policy. Upon approval of the requested Local Coastal Program (LCP) amendments, the project would not conflict with any applicable land use plan, policy, or regulation.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |
| <p>Development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would not conflict with any habitat conservation plan or natural community conservation plan because no such plans are applicable to the project site or its vicinity.</p> | <p>No mitigation measures are required.</p> | <p>Less than significant</p> |
| <p>Cumulative Impacts Development of the proposed project combined, separately, and cumulative with other related projects would significantly impact the traffic and solid waste environment.</p> | <p>No feasible mitigation measures are available to fully reduce these significant cumulative land use impacts.</p> | <p>Significant and unavoidable</p> |

2.0 INTRODUCTION

PURPOSE

This introduction is included to provide the reader with general information regarding (1) a historical perspective; (2) a brief overview of the proposed project; (3) the purpose of an environmental impact report (EIR); (4) standards for EIR adequacy, (5) an introduction to the format and content of this EIR, and (6) the EIR processing requirements for the project.

This EIR is designed to provide a complete analysis of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project, which is proposed for development on Marina del Rey Parcels 10R, FF, and 9U. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project consists of the following five individual project components:

- (1) Neptune Marina Parcel 10R*
- (2) Neptune Marina Parcel FF*
- (3) the Woodfin Suite Hotel and Timeshare Resort (located on the northern portion of Parcel 9U,*
- (4) a restored public wetland and upland park (located on the southern portion of Parcel 9U)*
- (5) a public anchorage in Basin B accommodating 7 to 11 vessels*

Throughout this EIR, the project and the five individual project components are identified thusly: “Neptune Marina and Woodfin Suite Hotel and Timeshare Resort Project” refers to the total project encompassing all proposed development on Parcel 10R (landside and waterside), Parcel FF, and Parcel 9U; “Neptune Marina Parcel 10R” refers to that proposed development encompassing only Parcel 10R (both landside and waterside Marina components); “Neptune Marina Parcel FF” refers to that proposed development encompassing only Parcel FF; the “Woodfin Suite Hotel and Timeshare Resort Project” includes a hotel development occurring on the northern approximately 2.17 acres of Parcel 9U; the Restored Public Wetland and Upland Park occurs on the southern approximately 1.49 acres of Parcel 9U; and the “Public Boat Spaces” occurs in the western portion of Marina del Rey Basin B, adjoining the Parcel 9U bulkhead.

2.1 HISTORICAL PERSPECTIVE

2.1.1 Background

As depicted in **Figure 3.0-1, Regional and Local Site Vicinity**, the project site is located within Marina del Rey, which is situated in an unincorporated portion of Los Angeles County, along the Pacific coast in the southwestern portion of the Los Angeles Basin. Marina del Rey is an approximately 800-acre area that includes residential, recreational, and commercial uses on land and in the water a small-craft harbor. Marina del Rey is owned by the County of Los Angeles.

Construction of the marina began in 1960 with authorization from the United States Army Corps of Engineers when the County of Los Angeles dredged much of an existing wetland to create a large recreational small-craft harbor. Construction of an offshore breakwater began in 1963 and was completed in early 1965.

Marina del Rey includes a combination of public and private uses. The County of Los Angeles maintains and operates, on a self-sustaining basis, land and water dedicated to public use for roadways, parks, fishing docks, boat docks, walkways, and open water channels. Land area surrounding the small-craft harbor is leased by the County of Los Angeles to various individuals and entities through long-term ground leases. The initial ground leases were executed from 1963 to 1968 with 60-year terms. Currently, there are 54 major leaseholds and over 300 subleases within Marina del Rey.

Existing leasehold improvements consist of approximately 4,178 boat slips, more than 5,300 rental apartment units, approximately 600 condominiums, six hotels with over 1,000 rooms, and approximately 1 million square feet of commercial space divided between office, retail, and restaurant uses. The majority of these existing uses are referred to collectively as Marina del Rey Phase I development,¹ but some uses are the initial implementation of Phase II development.

Existing residential uses, in most locations, are over 30 years old. These aging improvements lack contemporary design elements and tenant amenities necessary to serve current water-oriented residential lifestyles, including state-of-the-art wiring for high-speed telecommunications and electronics, contemporary kitchens, and modern climate control systems. Similarly, the existing anchorages, many of which have aged nearly beyond repair, were originally constructed to accommodate the boating community of the 1960s. Anchorages also lack contemporary design features and amenities such as sanitary sewer pump-out stations, wider slip berths, increased storage, and state-of-the-art wiring for high-speed telecommunications and electronics.

¹ County of Los Angeles Department of Regional Planning, *Marina del Rey Land Use Plan*, February 1996.

To maintain the popularity and revenue generation from the small-craft harbor, the County prepared a Marina Asset Management Strategy to promote new development projects intended to draw people to Marina del Rey on a regional basis and to encourage the redevelopment of Phase I uses. Based on this strategy, the County solicited in 1998 lease extension and redevelopment proposals for specific parcels in Marina del Rey. The solicitation contemplated lease extensions of an additional 39 years to create a financeable leasehold term and to allow potential developers the ability to acquire the capital necessary to fund redevelopment activities. Revenue generated from Marina del Rey leases is placed in the County's general fund through which the Board of Supervisors can financially support public services such as sheriff and fire protection.

The Marina del Rey Local Coastal Program (LCP) and Land Use Plan (LUP) was originally certified by the California Coastal Commission (CCC) in October 11, 1984. The current effective Marina del Rey LCP/LUP and Specific Plan involved a major amendment to the original LCP and was certified by the CCC on February 8, 1996.

Section 15265 of the *State California Environmental Quality Act (CEQA) Guidelines* exempts local agencies from the CEQA requirements to inform the public and decisions makers about the environmental effects, identify avoidance of and prevent significant environmental damage, and disclose the reasons for approval when that local agency is adopting or amending a local coastal program. This exemption is provided because the responsibility for environmental analysis is shifted to the CCC's certified regulatory plan for its local coastal program certification program, which allows written environmental information as the functional equivalent of an EIR under the provisions of the Public Resources Code Section 21080.5. The CCC must find that the LUP conforms to the Coastal Act, contains public access components, and is consistent with past actions.

The County of Los Angeles and the CCC both held public hearings on the 1996-updated LCP, which included discussion of the environmental effects that the amended land use changes contained within the updated LCP would cause. Among other things, the CCC considered changes that would result from development standards that would allow building heights up to 225 feet. The tallest buildings of up to 225 feet are allowed along the periphery of the marina but only when the proposed building height is accompanied with the provision of view corridors that guarantee views to the harbor. This requirement is consistent with Coastal Act Policy 30251, which requires that coastal development be sited in a manner that shall protect views of the coastal waters. Consistent with this policy, all development on waterfront parcels shall provide a minimum unobstructed view corridor of 20 percent of the parcel's waterfront to the boat basins. The potential impact of taller buildings causing sun shadow effects or affecting the wind patterns of the marina are required to be evaluated for any potentially negative impact prior to such taller buildings being constructed.

The Marina LCP provided for the urban design concept for the Marina del Rey Specific Plan by incorporating a modified “bowl concept” (the bowl concept being the design feature of the originally certified Marina LCP) that specifically locates the tallest buildings on the outer and northern boundary of the marina and the shortest buildings on the mole roads. This design was selected to enhance the marina’s image and to guarantee that adequate sunlight and wind circulation continues over the marina water basin. In addition to the modified bowl concept, the urban design concept mandates that view corridors of the marina water be maintained for public views of the harbor. Taller buildings in specific areas are encouraged when a greater view corridor of 40 percent is included to provide a larger public view corridor of the harbor.

Specifically, hotels within the amended Marina LCP are by definition permitted with a height limit of 225 feet (Marina del Rey Land Use Plan, 8-11). Additionally, height design flexibility is provided for seaward parcels along Via Marina, such as Parcel 9U, for a maximum height of 225 feet when a 40 percent view corridor is provided (Policy 8b of the Marina del Rey LUP, 9-6). Parcel 9U is included in the Tahiti Development Zone and has been designated as “Hotel” in the Marina land use plan (Marina del Rey LUP, Map 10; 8-15). Specified development potential in this development zone is 288 hotel rooms within the permitted hotel use on Parcel 9U.

In 1981, a hotel was previously approved by the CCC for development on the subject Parcel 9U (the Marina Plaza Hotel; see CCC Case No. A-207-79). The Marina Plaza Hotel was approved by the CCC with 300 guest rooms in nine stories and an assortment of patron- and visitor-serving accessory uses, including restaurants, a bar, a coffee shop, banquet facilities and meeting rooms, all over two stories of subterranean parking. Some site grading was initiated and two concrete piles were installed by the developer of the Marina Plaza Hotel. The developer ultimately abandoned the Marina Plaza Hotel development on Parcel 9U due to lack of financing.

On February 17, 1999, a consortium including Legacy Partners Residential, Inc., and Woodfin Suite Hotels, LLC, responded to a request for proposals issued by the Department of Beaches and Harbors for development of a hotel and residential units on leased land comprised of Marina del Rey Parcels 10R, FF, and 9U. Following a comprehensive review, including evaluation of the architectural concepts, analysis of the financial proposals and interviews with the proponents, the County of Los Angeles selected the Legacy Partners/Woodfin consortium to redevelop Parcels 10R, FF, and 9U.

2.2 PROJECT OVERVIEW

The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project is briefly described below. A more complete description of the project is included in **Section 3.0, Project**

Description, of this draft EIR and a consistency analysis with the LCP and other applicable plans is provided in **Section 5.17, Land Use and Planning**. The project is jointly proposed by the respective applicants and the County of Los Angeles as both the landowner and the agency responsible for land use decisions in the marina.

2.2.1 Project Location

The proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site is located in the western portion of the Marina del Rey small-craft harbor. Specifically, the project site totals 13.03 landside acres and 4.68 waterside or submerged acres.

Parcel 10R is a rotated L-shaped site that wraps partially around “Basin B” of the Marina del Rey small-craft harbor. The parcel consists of a total of 7.32 landside acres and 4.68 waterside or submerged acres. The perimeter of the site is bordered to the west by Via Marina and to the north by Marquesas Way.

Marina del Rey Parcel 9U forms the southern boundary of the landside portion of Parcel 10R, while Marina del Rey Parcel 12R forms the easternmost boundary on the landside portion of the parcel. The site perimeter extends into the waters of Basin B to the south and east.

Parcel FF is a rectangular site that lies on the southwest corner of “Basin C” of the Marina del Rey small-craft harbor. The parcel consists of a total of 2.05 landside acres and borders the waterfront along approximately 200 linear feet of the northern boundary of the site. The perimeter of the site is bordered to the west by Via Marina and to the south by Marquesas Way. Its easternmost boundary is formed by Marina del Rey Parcel 13R. Marina del Rey Parcel 15U and the waters of Basin C comprise the northern boundary of the site.

Parcel 9U consists of 3.66 landside acres and is bound by Marina del Rey Parcel 10R to the north, Via Marina to the west, Basin B of Marina del Rey to the east, and Tahiti Way to the south. The Woodfin Hotel and Timeshare Resort Project would be confined to the northernmost 2.20 acres of the site, whereas the proposed restored public wetland and upland park would be confined to the approximately 1.46 southernmost acres of Parcel 9U. The proposed public-serving boat anchorage would adjoin the Parcel 9U bulkhead, within the western terminus of Marina Basin B.

2.2.2 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project consists of five components that include (1) Neptune Marina Parcel 10R and boat spaces planned in Basin B, (2) the Neptune Marina Parcel FF, (3) the Woodfin Suite Hotel and Timeshare Resort on the northern approximately 2.20 acres of Parcel 9U, (4) a restored wetland and upland park on the southern approximately 1.46 acres of Parcel 9U, and (5) a public anchorage adjoining the Parcel 9U bulkhead in Basin B containing berthing space for between approximately 7 and 11 vessels (depending on the boats' relative sizes) inclusive of an area for dinghy berthing at the northerly end of the anchorage. It is important to note that Components 4 and 5 are associated with and offset the loss of potential open-space land in connection with the development of the Neptune Marina Parcel FF (Component 2).

Component 1 includes the landside development of **Parcel 10R** and waterside development in adjacent Basin B and has been defined as "Neptune Marina Parcel 10R." Landside development consists of a proposed 400-unit, multi-family, residential apartment community comprised of three structures. The height of two of the three buildings (Buildings 1 and 2, which front on the Marquesas Way mole road) would not exceed 55 feet, while Building 3, which fronts on Via Marina, would not exceed 60 feet (exclusive of appurtenant, screened rooftop equipment) when measured per County standards along Marquesas Way and Via Marina, respectively. These structures would front Marquesas Way and Via Marina and are proposed to be located generally southeast of this intersection. The waterside portion of Parcel 10R in Basin B would be comprised of a small-craft anchorage consisting of 174 boat spaces that would replace an existing marina that has deteriorated over time. The anchorage would provide users water and electrical service and a sewage pump-out station. The 161 proposed private boat slips in association with the Neptune Marina Parcel 10R would be wide enough to accommodate modern boat designs and boats up to 40 feet. Larger boats could be accommodated at 13 proposed end-tie spaces (161 + 13 = 174 total marina spaces). As further described in **Section 5.17, Land Use and Planning**, amendments to the certified LCP are required to effectuate the proposed development on Parcel 10R.

Component 2 includes the development of **Parcel FF** and has been defined as "Neptune Marina Parcel FF." Development consists of a proposed 126-unit, multi-family apartment community contained within a single structure. The height of the proposed building (Building 4) would not exceed 55 feet (exclusive of appurtenant, screened rooftop equipment) when measured per County standards along Via Marina and Marquesas Way. This structure would front on Marquesas Way and be located generally northeast of this intersection. As is described in **Section 5.17, Land Use and Planning**, amendments to the certified LCP are required to allow the proposed development on Parcel FF.

Component 3 includes development of the northern approximately 2.20 acres of Parcel 9U and has been defined as the “Woodfin Suite Hotel and Timeshare Resort.” This project component is comprised of a proposed 19-story hotel structure with 288 hotel and timeshare suites (a minimum of 152 conventional hotel suites and 136 timeshare suites) and accessory uses (meeting rooms, restaurant, lounge, spa, common areas, etc.). Consistent with the zoning regulations identified for the parcel in the LCP, the height of the hotel/timeshare structure would not exceed 225 feet (exclusive of appurtenant, screened rooftop equipment) when measured per County standards along Via Marina; this is the maximum height allowed in the certified Marina LCP. This structure is planned on the northern portion of Parcel 9U and would front on Via Marina. As described in **Section 5.17, Land Use and Planning**, no amendments to the certified LCP are required to effectuate the time-share use within this project component.

Component 4 consists of an approximately 1.46-acre restored wetland and upland park to be constructed on the southern portion of Parcel 9U. No amendments to the certified LCP are required to allow this project component (see **Section 5.17, Land Use and Planning**, for details).

Component 5 includes a public anchorage to be situated adjacent to the Parcel 9U bulkhead within Marina del Rey Basin B. It is anticipated that this anchorage would contain approximately 542 lineal feet of new public dock area and would provide berthing for between 7 and 11 transient vessels (depending on their size) including dinghy berthing at the northerly end of the public anchorage. The new public boat and anchorage would be compliant with the Americans with Disabilities Act (ADA) and California Department of Boating and Waterways standards. No amendments to the certified LCP are required to allow this project component.

The various land use permits required for each project component are listed and described in **Section 3.0, Project Description**.

2.3 PURPOSE OF AN ENVIRONMENTAL IMPACT REPORT

This document is an EIR prepared in accordance with CEQA of 1970, as amended. According to Public Resources Code Section 21002.1, [“t]he purpose of an EIR is to identify the significant effects on the environment of a project, to identify alternatives to the project and to indicate the manner in which significant impacts can be mitigated or avoided.” The EIR process serves to inform public agency decision makers and the public generally of the environmental consequences of a proposed project.

2.3.1 Standards for EIR Adequacy

Guidelines for the CEQA are found at Title 14, Chapter 3, Section 15000–15387, of the California Code of Regulations. Standards for EIR adequacy are defined in Section 15151 of the *State CEQA Guidelines* as follows:

An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness and a good faith effort at full disclosure.

These standards for EIR adequacy were adhered to by the County of Los Angeles in preparing this EIR.

2.3.2 Type of EIR and Level of Analysis

This EIR is intended to serve as a “project EIR” under CEQA. Section 15161 of the *State CEQA Guidelines* states that a project EIR should focus primarily on the changes in the environment that would result from the development project. In addition, a project EIR must examine all phases of the project including planning, construction, and operation. This project EIR is intended to provide the environmental information necessary for the County of Los Angeles to make a final decision on the requested entitlements for this project.

The scope of the analyses in this project EIR also relates to the environmental analyses contained within the Local Coastal Program (LCP). LCPs are Certified Regulatory Programs and as such are exempt from CEQA pursuant to CEQA Section 21080.5. Because the Coastal Commission’s consideration and certification of an LCP is the functional equivalent of an EIR, any environmental impact determinations and analysis of the CCC within the LCP are pertinent to and may be incorporated within the scope of the impact discussion in the project EIR where such analyses are sufficiently complete for that purpose. Therefore, where appropriate, reference will be made to the prior environmental analysis to the extent such analysis obviates the need for further discussion of an environmental issue within the meaning of Section 21166.

The land use changes accommodated in the 1996 certified Marina LCP, inclusive of the provision of view corridors of the harbor to accommodate taller structures, complied with CEQA as provided in Public Resources Code Section 21080.5 and Coastal Act Sections 30500 through 30522 because the LCP certification process involves the functional environmental analysis equivalent to that required by CEQA.

2.3.3 Format and Content of this EIR

2.3.3.1 EIR Format

Section 5.0, Existing Conditions, Project Impacts, and Mitigation Measures, of this EIR describes existing conditions on and near the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site. Due to the different types of permits required, and lead and responsible agency actions, six levels of impact analysis are provided in **Section 5.0**. In each technical section (i.e., traffic, noise, air quality, visual resources, etc.), impacts associated with the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project are addressed. This analysis is followed by analyses of impacts associated with each individual project component: Neptune Marina Parcel 10R; Neptune Marina Parcel FF; the Woodfin Suite Hotel and Timeshare Resort Project (located on the northern portion of Parcel 9U); the restored wetland and upland park (located on the southern portion of Parcel 9U); and the public boat anchorage to be located in the western portion of Marina del Rey Basin B.

As required by Section 15126.4(a)(1)(A) of the *State CEQA Guidelines*, project mitigation measures are presented as follows: (1) those that are already incorporated into the project (i.e., project design features); and (2) those recommended by this EIR. In addition, where appropriate, standard measures required by applicable laws and regulations are included.

2.3.3.2 EIR Content

Consistent with Section 15063(a) of the *State CEQA Guidelines*, an Initial Study was prepared for this project. County of Los Angeles staff issued from March 22 to April 21, 2007, a Notice of Preparation (NOP) consistent with Section 15082 of the *State CEQA Guidelines* in order to receive input from responsible and trustee public agencies and private parties and a scoping meeting was held to solicit additional public input. The NOP public comment period was open for 30 days. A copy of the NOP (inclusive of the County-prepared Initial Study) and a copy of the NOP distribution list are contained in **Appendix 1.0** of this EIR. Copies of all written responses to the NOP are also presented in **Appendix 1.0** of this EIR. Minutes of the scoping meeting are included as **Appendix 1.0**.

Based on the NOP, this EIR addresses the following topics:

- Geotechnical and Soil Resources
- Hydrology and Water Quality
- Air Quality
- Land Use
- Biota
- Visual Quality

- Traffic/Access
- Sewage Disposal
- Education
- Police Protection
- Fire Protection
- Water Service
- Parks and Recreation
- Solid Waste
- Population and Housing

In addition to these sections, as required by the *State CEQA Guidelines*, this EIR includes (1) a description of the existing physical environmental conditions in the vicinity of the projects from both a local and regional perspective; (2) a description of all phases of the proposed projects; (3) an alternatives section that analyzes a range of reasonable alternatives to the projects that would attain most project objectives but would avoid or substantially lessen the projects' significant impacts; and (4) sections that generally address the significant cumulative, irreversible, and growth-inducing impacts caused by the proposed projects and those effects found to be either insignificant or unavoidably significant even after implementation of all feasible mitigation measures identified in this EIR.

2.4 EIR PROCESSING

Los Angeles County Department of Beaches and Harbors and Regional Planning staff directed and supervised preparation of this EIR. The draft EIR is circulated for a 45-day public review and comment period as mandated by CEQA. During the public review period, written comments concerning the adequacy of the document may be submitted by public agencies and members of the public to the County of Los Angeles, Department of Regional Planning, 320 West Temple Street, Los Angeles, California 90012; Attention: Michael Tripp. After the public review period, written responses to all comments raising environmental issues will be compiled in a final EIR. As required by *State CEQA Guidelines* Section 15088, proposed responses to comments submitted by public agencies shall be provided to those agencies for review at least 10 days before consideration of the final EIR by the decision makers.

A public hearing(s) will be held before the Los Angeles County Regional Planning Commission to consider the proposed project, the requested entitlements and the adequacy of this EIR, at which time public testimony will be taken. If the Regional Planning Commission finds the EIR to be adequate, the Commission will make a recommendation for project approval and certification of the document to the County Board of Supervisors. A hearing(s) before the Board of Supervisors will take place, during which time the Board of Supervisors could indicate their intent to certify the EIR, or may decide to deny approval of the proposed project. At the conclusion of the EIR public hearing process, the County Board of Supervisors will determine whether to certify the final EIR as adequate under CEQA.

In addition, the EIR will serve as useful information for the CCC in their consideration of the proposed LCP amendments pursuant to their certified regulatory program.

3.0 PROJECT DESCRIPTION

PURPOSE

The purpose of the Project Description required by the California Environmental Quality Act (CEQA) is to describe the project in a way that will be meaningful to the public, reviewing agencies and decision makers. The State CEQA Guidelines state that the Project Description need not be exhaustive but should supply the detail needed for the evaluation and review of potential environmental impacts. The State CEQA Guidelines require that a Project Description address the following items: (1) the precise location and boundaries of the project; (2) a statement of project objectives; (3) a general description of the project's characteristics; and (4) a listing of required project approvals and decision-making agencies.

This section includes a description of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project. The project occurs on Marina del Rey Parcels 10R, FF, and 9U. The project includes five project components: (1) Neptune Marina Parcel 10R; (2) Neptune Marina Parcel FF; (3) the Woodfin Suite Hotel/Timeshare Resort; (4) a restored public wetland and upland park project on the southern portion of Parcel 9U; and (5) a public-serving anchorage within Marina del Rey Basin B adjoining the Parcel 10R and 9U bulkhead, containing approximately 542 lineal feet of dock space and supporting between approximately seven and 11 vessels (depending on the boats' relative sizes) inclusive of an area for dinghy berthing at the northerly end of the anchorage. It is important to note that project Components 4 and 5 are integral to the LCP amendment to change the designated open space land use on Neptune Marina Parcel FF, which is currently developed as an underutilized surface parking lot, to a residential land use. To better accommodate the County zoning code requirements, this Project Description includes separate descriptions of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and each of the five project components.

3.1 OVERVIEW

As part of the County of Los Angeles' original construction of Marina del Rey, the County divided Marina del Rey's land and water areas into a number of parcels with a specific number and lettering scheme. The proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project occurs on three parcels of land respectively designated as Marina del Rey Parcels 10R, FF, and Parcel 9U. The project is subject to the Marina del Rey Specific Plan, which is a component of the certified Marina del Rey Local Coastal Program (LCP). The LCP consists of the Marina del Rey Land Use Plan (LUP), Local Implementation Plan (LIP) and Design Guidelines that are an appendix to the LUP. The Marina del Rey certified LCP and this EIR also use the parcel numbering and lettering system that is described above.

The Marina del Rey LCP and LUP were originally certified by the California Coastal Commission (CCC) in October 11, 1984. The current effective Marina del Rey LCP/LUP and Specific Plan involved a major amendment to the original LCP, which was certified by the CCC on February 8, 1996.

Section 15265 of the *State CEQA Guidelines* exempts local agencies from the CEQA requirements to inform the public and decisions makers about the environmental effects, identify avoidance of and prevent significant environmental damage, and disclose the reasons for approval when that local agency is adopting a local coastal program. This exemption is provided because the responsibility for environmental analysis is shifted to the CCC's certified regulatory plan for its local coastal program certification program, which allows written environmental information as the functional equivalent of an environmental impact report under the provisions of the Public Resources Code Section 21080.5. The CCC must find that the LUP conforms to the Coastal Act, contains public access components, and is consistent with past actions.

The County of Los Angeles and the CCC both held extensive public hearings regarding the major amendment to the LCP preceding the CCC's ultimate certification of the major LCP amendment in 1996. These public hearings included discussion of the environmental effects that the land use changes contained within the amended LCP would cause.

During the public hearings for the 1996 major amendment to the LCP, the County and the CCC considered changes that would result from modified development standards allowing building heights up to 225 feet. Buildings of up to 225 feet (the maximum height allowed in the Marina under the certified LCP) are allowed on select parcels fronting on Marina "loop roads" Via Marina and Admiralty Way, but only when the proposed building height is accompanied with the provision of view corridors that guarantee views to the harbor. This requirement is consistent with Coastal Act Policy 30251, which requires that coastal development be sited in a manner that shall protect views of the coastal waters. Consistent with this policy, all development on waterfront parcels, regardless of the height of buildings developed thereon, shall provide a minimum unobstructed view corridor of 20 percent of the parcels' waterfront to the boat basins. The potential impact of taller buildings causing sun shadow effects or affecting the wind patterns of the Marina are required to be evaluated for any potentially negative impact prior to such taller buildings being constructed.

The certified LCP sets forth a key urban design principal for the Marina calling for the implementation of a "modified bowl concept," consisting of a skyline of taller buildings around the outer and northern edges of the Marina, with lower height buildings on the mole roads, with limited exception. Implementation of the concept is intended to enhance the Marina's image and to guarantee that adequate sunlight and wind circulation continues over the Marina water basin (see LACC 22.46.1040). To

implement the modified bowl concept, the LCP provides for building heights up to a maximum of 225 feet on select parcels when expanded view corridors comprising at least 40 percent of the parcels' water frontage are provided. The tradeoff for the additional building height (i.e., maximum of 225 feet) is the provision of larger public view corridors over the parcels (i.e., view corridor comprising no less than 40 percent of the parcel's water frontage).

Hotels within the amended Marina LCP are permitted a height limit of 225 feet (Marina del Rey Land Use Plan page 8-11). Additionally, height design flexibility is provided for seaward parcels along Via Marina, including the subject Parcel 9U, allowing for a maximum height of 225 feet when a 40 percent view corridor is provided (Policy 8b of the Marina del Rey LUP page 9-6). Parcel 9U is included in the Tahiti Development Zone and has been designated as "Hotel-Waterfront Overlay Zone" in the Marina Land Use Plan (Marina del Rey LUP Map 10 and page 8-15). Specified development potential in this development zone is 288 hotel rooms within the permitted hotel use on Parcel 9U.

In 1981, a hotel was previously approved by the CCC for development on the subject Parcel 9U (the "Marina Plaza Hotel"; see CCC Case No. A-207-79). The Marina Plaza Hotel was approved by the CCC with 300 guest rooms in nine stories and an assortment of patron- and visitor-serving accessory uses, including restaurants, a bar, a coffee shop, banquet facilities and meeting rooms, all over two stories of subterranean parking. Some site grading was completed and two concrete piles were installed by the developer of the Marina Plaza Hotel. The developer ultimately abandoned the Marina Plaza Hotel development on Parcel 9U due to lack of finances.

A review of the CCC-approved site plan contained in CCC case file A-207-79 indicates that the nine-story Marina Plaza Hotel structure was spread over almost the entire parcel, providing only a small public view corridor to the water from Via Marina. While the subject nineteen-story hotel/timeshare resort structure being proposed for Parcel 9U by Woodfin Suite Hotels is taller than the nine-story Marina Plaza Hotel previously approved for the site, the Woodfin project implements the LCP's modified bowl urban design principal. As described above, consistent with the certified LCP's modified bowl concept, the Woodfin project provides an expansive 40 percent view corridor over the Parcel 9U as a trade-off for developing a taller building with a significantly smaller building footprint on the parcel.

Within the existing Marina, development of some kind has occurred on all leasehold parcels. This existing development cycle is referred to as Phase I development, which is now complete. Recycling, intensification, or conversion of these initial uses on leased parcels is referred to as Phase II development, which will be permitted, subject to the individual leaseholders demonstrating consistency with the policies of this LCP.

High-rise development generally will be permitted in appropriate locations on the periphery of the Marina, provided that such development will be sited such as to allow for adequate passage of prevailing offshore winds into the Marina waters.

All development of coastal housing shall be contingent upon meeting all applicable policies and development standards of the certified LCP, including but not limited to adequate parking, view corridors, public access to the shoreline, provision of adequate traffic capacity, and the provision of new usable public recreation, open space, and visitor serving recreational uses.

3.1.1 Project Location

The proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site (**Figure 3.0-1, Regional and Site Location**) is located in the western portion of the Marina del Rey small-craft harbor. Specifically, the project site totals 13.03 landside acres and 4.68 waterside or submerged acres.

Parcel 10R is a rotated L-shaped site that wraps partially around "Basin B" of the Marina del Rey small-craft harbor. The parcel consists of a total of 7.32 landside acres and 4.68 waterside or submerged acres. The perimeter of the site is bordered to the west by Via Marina and to the north by Marquesas Way.

Marina del Rey Parcel 9U forms the southern boundary of the landside portion of the Parcel 10R site, while Marina del Rey Parcel 12R forms the easternmost boundary on the landside portion of the parcel. The site perimeter extends into the waters of Basin B to the south and east. The proposed public-serving boat anchorage would adjoin a portion of the Parcel 10R bulkhead, within Marina Basin B.

Parcel FF is a rectangular site that occurs adjacent to the southwest corner of "Basin C" of the Marina del Rey small-craft harbor. The parcel consists of a total of 2.05 landside acres and borders the waterfront along approximately 200 linear feet of the northern boundary of the site. The perimeter of the site is bordered to the west by Via Marina and to the south by Marquesas Way. Its easternmost boundary is formed by Marina del Rey Parcel 13R. Marina del Rey Parcel 15U and the waters of Basin C comprise the northern boundary of Parcel FF.

Parcel 9U consists of 3.66 landside acres and is bound by Marina del Rey Parcel 10R to the north, Via Marina to the west, Basin B of Marina del Rey to the east and Tahiti Way to the south. The Woodfin Suite Hotel and Timeshare Resort Project would be confined to the northernmost 2.20 acres of Parcel 9U. The proposed restored public wetland and upland park would be confined to the approximately 1.46 southerly-most acres of Parcel 9U.

3.1.2 Project Objectives

Existing uses in Marina del Rey were developed in the early to mid 1960s around the time the small-craft harbor was initially dedicated. This early construction is considered or termed “Phase I” marina development as identified in the Marina del Rey LUP. Existing residential uses, in most locations, are now over 40 years of age. These aging improvements lack contemporary design elements and tenant amenities necessary to serve current water-oriented residential lifestyles, including state-of-the-art wiring for high-speed telecommunications and electronics, contemporary kitchens and modern climate control systems. Similarly, the existing anchorage docks, which are dilapidated, were originally constructed to accommodate the boating community of the 1960s. The existing anchorage lacks contemporary design features and amenities such as Americans with Disability Act (ADA) compliant boat spaces, sanitary sewage pump-out stations, wider space berths, increased storage, state-of-the-art wiring for high-speed telecommunications and electronics that are necessary to serve the current recreational boating community.

As a policy, the Marina del Rey certified LCP specifically encourages the recycling and intensification (within defined density limits) of the existing Phase I development. Consistent with the LCP for Marina del Rey and the County’s broader public policy goals and objectives, proposed redevelopment uses on the project site are intended to meet the following objectives:

- Create an integrated, self-contained recreational marina boating community with contemporary on-water facilities.
- Enhance habitat value by restoring the existing degraded wetland on Parcel 9U.
- Create a public park in a location that provides convenient parking and public access and expansive and higher quality views of the basin and allows integration with other public uses and amenities.
- Improve public coastal recreational opportunities.
- Provide improved public pedestrian access to the waterfront.
- Provide increased coastal residential opportunities with designs that emphasize coastal views, consistent with the residential build-out framework for Marina del Rey specified in the certified LCP.
- Provide for additional needed affordable housing in or near the Coastal Zone, in compliance with the Mello Act.
- Develop an apartment project of sufficient density to support the construction of on-site replacement and inclusionary affordable unit in compliance with the County’s Mello Act policy.
- Replace an underutilized parking lot with high quality residential development and facilitate the future relocation of public parking in another area of the Marina which will better serve the public.

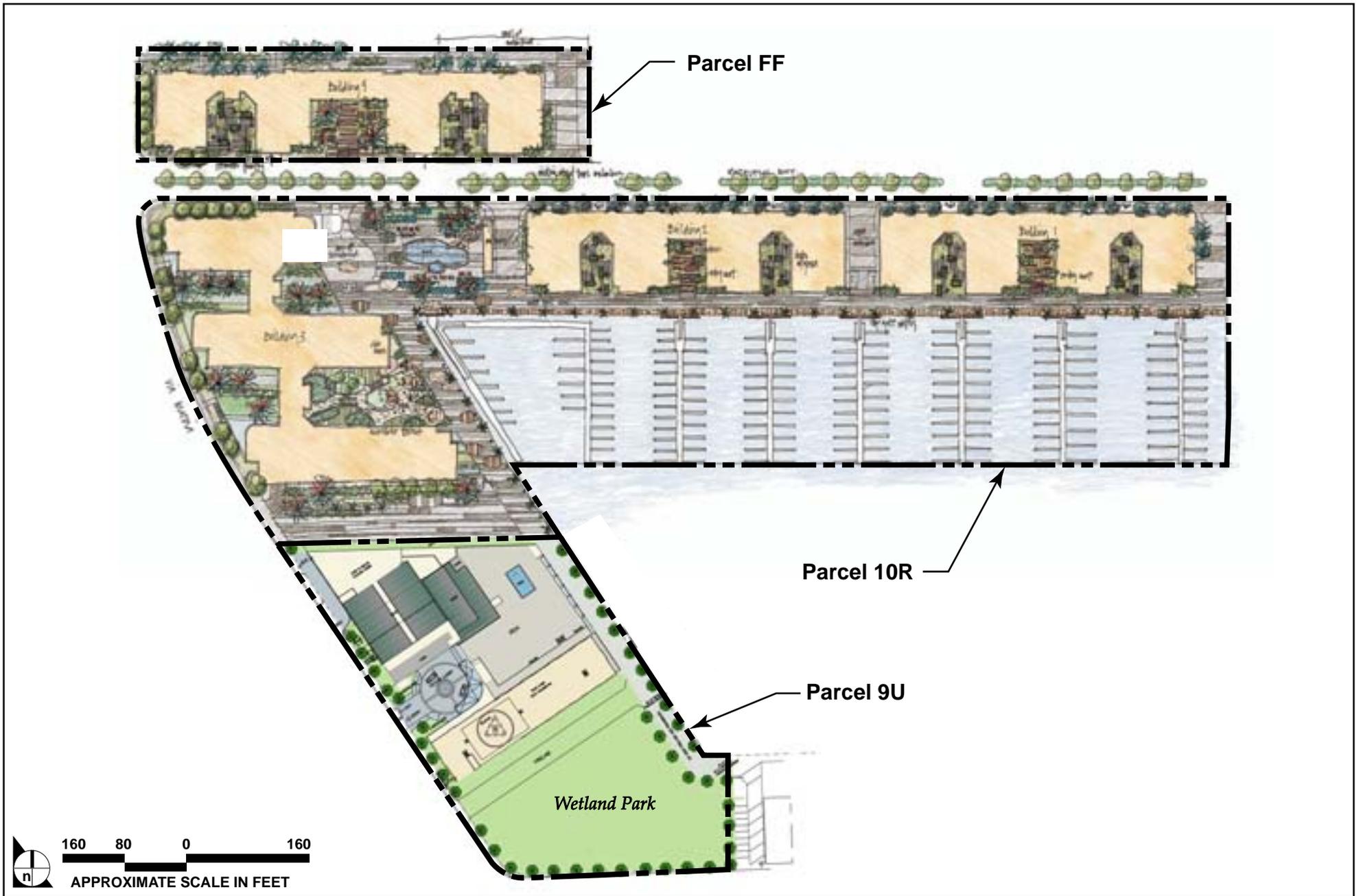
- Develop a hotel/time share resort proximate to the water as additional high-value visitor-serving uses in the Coastal Zone in compliance with the Coastal Act.
- Replace existing non-ADA compliant boating facilities with new, state-of-the-art facilities.
- Replace existing aging housing with new, high-quality housing.
- Restore and enhance the existing artificially-created wetland by creating a wetland park.
- Generate additional revenues to the County in the form of increase ground rents, fees and tax revenues.

3.1.3 Project Characteristics

3.1.3.1 Overview Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

Figure 3.0-2, Site Plan: Neptune Marina Project illustrates a conceptual site plan for the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project consists of five components that include (1) Neptune Marina Parcel 10R; (2) Neptune Marina Parcel FF; (3) the Woodfin Suite Hotel and Timeshare Resort (on northerly portion of Parcel 9U); (4) a restored public wetland and upland park project on the southern portion of Parcel 9U; and (5) a public-serving boat anchorage proximal to Parcel 9U within Marina del Rey Basin B. It is important to note that Components 4 and 5 are associated with and offset the loss of open space-designated land that would result from development of Neptune Marina Parcel FF (Component 2).

Component 1 includes the landside development of **Parcel 10R** and waterside development in adjacent Basin B and is referred to as "**Neptune Marina Parcel 10R.**" Landside development consists of a proposed 400-unit, residential apartment community consisting of three structures and a waterfront public pedestrian promenade. The height of two of the three buildings: Buildings 1 and 2, which front on the Marquesas Way mole road, would not exceed 55 feet, while Building 3, which fronts on Via Marina, would not exceed 60 feet (exclusive of appurtenant, screened roof-top equipment) when measured per County standards. These structures would front Marquesas Way and Via Marina and are proposed to be located generally southeast of this intersection. The project would also include an approximately 0.25-mile-long (1,437 linear feet) public waterfront pedestrian promenade. Construction staging would occur on site and on Parcel FF with authorization from the County.



SOURCE: Thomas P. Cox: Architects, Inc. – March 2006, Gin Wong Associates – February 2006

FIGURE 3.0-2

Site Plan: Neptune Marina Project

To authorize development of the Neptune Marina Parcel 10R project, the County of Los Angeles proposes an amendment to the Marina del Rey LUP and Specific Plan to allow the density allowed by the current Residential III and Residential V land use designations for Parcel 10R to be averaged over the entire parcel. This amendment would allow the proposed project to have an aesthetic and development profile that is consistent across the parcel and with an adjoining apartment project currently under construction on Marina Parcel 12 to the east.

Parcel 10R is located in LCP Development Zone 3 (Marquesas), which has a current residential development potential of three (3) additional dwelling units. Therefore, to facilitate development of this project, the County proposes an LCP amendment to authorize the transfer of 261 excess (or “unused”) dwelling unit credits from the southern abutting Development Zone 2 (Tahiti Development Zone) into Development Zone 3. With adoption of this LCP amendment, there will be sufficient available dwelling unit credits within the subject Development Zone 3 to accommodate the planned development of 400 rental dwelling units on Parcel 10R.

Additional approvals are necessary for the Neptune Marina Parcel 10R component of the project. A Coastal Development Permit is required for all new development to ensure that individual projects conform to the certified LCP. A Conditional Use Permit (for site grading, export of earth and parking for boater-related uses) and a Variance (to allow for enhanced signage and a reduced yard adjacent to the waterfront pedestrian promenade) are also required in order to implement this component.

The waterside portion of Parcel 10R in Basin B would be comprised of a small craft anchorage consisting of 174 boat spaces that would replace an existing marina containing 198 boat spaces, which has deteriorated over time. The new anchorage would provide users water and electrical service and a sewage pump out station. A total of 161 of the proposed private boat spaces associated with the Neptune Marina Parcel 10R would be wide enough to accommodate modern boat designs and boats up to 40 feet. Larger boats could be accommodated at 13 proposed end-tie spaces ($161 + 13 = 174$ total marina spaces). The reduction in 24 boat spaces between the existing 198-space marina and proposed 174-space marina results from achieving compliance with California Department of Boating and Waterways and ADA standards, and the increased size of the proposed slips. For the Parcel 10R marina component, the County’s “Approval in Concept” is required prior to making application to the California Coastal Commission for a separate Coastal Development Permit authorizing this proposed waterside development.

Component 2 includes the development of Parcel FF and has been defined as "**Neptune Marina Parcel FF.**" Development consists of a proposed 126-unit, residential apartment community contained within a single structure and a waterfront public pedestrian promenade. The height of the proposed building (Building 4) would not exceed 55 feet (exclusive of appurtenant, screened rooftop equipment) when measured per County standards. This structure would front on Marquesas Way and be located generally northeast of this intersection. Construction staging would occur on site and on Parcel 10R. A total of 242 parking spaces would be provided in a structured parking garage below the building. This project component would also include construction of a 200-foot-long public Waterfront Stroll Promenade. Development of the Neptune Marina Project Parcel FF will require the removal of an existing, underutilized 2-acre surface parking lot with 206 spaces. This project is required under the lease agreement to replace or bond for the replacement of the removed parking spaces prior to occupancy of this residential component.

Development of Parcel FF with residential use, as proposed, will preclude the potential future development of a public park on the parcel, which could have occurred pursuant to the parcel's current Open Space land use designation. It should be noted there is no evidence that, absent the current development proposal, a park would, in fact, be developed on Parcel FF in the future. Parcel FF has for many years been developed with an underutilized surface parking lot. Neither the County nor the private development community has any plans to develop Parcel FF for the permitted park use. To the contrary, Section A.2 of the LUP (page 2-5), under the "Potential Conversion of Public Parking Lots" subsection, expressly acknowledges that Parcel FF is underutilized by the public and is thus being contemplated for conversion to residential use. Therefore, the applicant is proposing to develop a portion of the adjoining Parcel 9U with a public park to offset the loss of Open Space designated land and potential future public park, in conjunction with the construction of a public anchorage within Marina del Rey Basin B. The applicant will also offset the loss of the existing underutilized parking lot on Parcel FF through the lease agreement by making a financial contribution toward the construction of replacement parking at another site in the Marina designated by the County.

As described in greater detail in **Section 5.15, Parks and Recreation**, the discretionary project approvals for the Neptune Marina Parcel FF project include an LCP amendment request by the County of Los Angeles to change the current Open Space designation of Parcel FF to Residential V (1.38-acre "non-mole" portion) and "Residential III" (0.67-acre "mole" portion). To offset the loss of designated Open Space, the applicant proposes to relocate the potential future public park space contemplated in the LCP for development on Parcel FF to the southerly portion of Parcel 9U. Legacy Partners and Woodfin Suite Hotels would split the cost of developing a 1.46-acre public park inclusive of a 0.47-acre restored wetland and 0.99-acre upland buffer on the southerly portion of Parcel 9U. Without this financial

commitment from the project applicants, the park would not be developed, as the County would be unable to devote the financial resources to this environmental amenity.

Parking Policy No. 12 of Chapter 2 of the LUP (page 2-8) states that public parking spaces lost due to the conversion of parking lots to public park use (by extrapolation from the proposed construction of the restored wetland and upland park) will be replaced elsewhere in the Marina on a 0.5:1 (50 percent) basis. Although the parking lot on Parcel FF would be replaced with residential use, the County has determined Parking Policy No. 12 applies in this case. Furthermore, Specific Plan Sections 22.46.1250.D and 22.46.1330.D provide that the displaced parking spaces must be replaced within the Marina before the development which displaces it may commence (i.e., occupancy of the apartment building). For this reason, the discretionary project approvals for the Parcel FF component of the project includes a proposed amendment to the LCP to modify the LUP and Specific Plan to allow deferral of construction of the 103 “replacement” parking spaces (i.e., 50 percent of the existing 206 spaces) required as a condition of the proposed development of Parcel FF with residential use until such time as construction of such replacement parking spaces can be provided for by the County at an alternate location in the Marina more proximate to recreational or visitor-serving uses. This proposed LCP amendment will also request authorization to allow occupancy of the new Parcel FF apartment building prior to construction of replacement parking spaces elsewhere in the Marina. Legacy Partners will deposit funds sufficient to construct the replacement parking with the County prior to issuance of a building permit. As the current parking lot is underutilized, no short-term parking impacts are anticipated. In relation to the proposed development of Parcel FF, the County is also proposing to amend the LCP to:

- Authorize the transfer of 14 development units from abutting Development Zone-2 (Tahiti) into the subject Development Zone-3 (Marquesas) and 112 development units from the proximate Development Zone-1 (Bora Bora Development Zone) into the subject Development Zone-3 (i.e., 14 units transferred from DZ 2 + 112 units transferred from DZ 1 = 126 units on subject Parcel FF). With approval of this development unit transfer, there will be sufficient dwelling unit credits within the subject Marquesas Development Zone to accommodate the planned development of 126 rental dwelling units on Parcel FF;
- Change the Height Category on Parcel FF from “Height Category 1” (maximum building height of 25 feet) to “Height Category 3” (which allows for 45-foot building heights when a 20 percent view corridor is provided, ranging to 75 feet maximum when a 40 percent view corridor is provided). The proposed 55-foot building height would be consistent with the proposed Height Category 3 designation because the applicant is providing a view corridor comprising 26.7 percent of the parcel’s water frontage ; and

- As for Parcel 10R, “blend” residential densities over Parcel FF without respect to the 35 dwelling units/acre and 75 dwelling units/acre density development standards prescribed in the LCP for the proposed Residential III and Residential V land use categories. Total site density will not exceed the LCP-prescribed 126 dwelling units for Parcel FF, but the units will be more evenly distributed between the R-V (non-mole portion) and R-III (mole portion) designated areas of the parcel, allowing for a more uniform and attractive building massing scheme and development.

Related discretionary approvals for the Neptune Marina Parcel FF component include a Coastal Development Permit (necessary for all new development in the coastal zone) , a Conditional Use Permit (for site grading and export of earth) and a Variance (to allow for enhanced signage and a reduced yard adjacent to the waterfront pedestrian promenade) in order to implement this component.

Although the proposed transfer of 387 “excess” residential development credits into the subject Marquesas Development Zone from the adjoining and nearby Tahiti and Bora Bora Development Zones, as outlined above for Components 1 and 2, may be considered as an intensifying the Marquesas Development Zone, it is important to note that precedent exists in Marina del Rey for such inter-development zone residential development credit transfers. In certifying a similar LCP amendment in County Case No. 98-172-4 (Marina del Rey Parcel 20; developer Goldrich & Kest), the County and Coastal Commission found that the transfer of 97 unused residential development units from the Bora Bora Development Zone into the more distant Panay Development Zone on Via Marina was appropriate because the traffic impacts associated with the unit transfer were not significant. As with the Parcel 20 LCP amendment, a traffic analysis has been prepared for this project which has determined that the traffic and circulation impacts of the proposed inter-development zone transfer of excess development units are insignificant.

Component 3 includes development of the northerly approximately 2.20 acres of Parcel 9U and is referred to as the “**Woodfin Suite Hotel and Timeshare Resort.**” This project component consists of a 19-story hotel structure with 288 hotel and timeshare suites consisting of a minimum of 152 conventional hotel suites and 136 timeshare suites, meeting rooms, a restaurant and bar/lounge, a spa/fitness center (including an outdoor pool), and associated hotel operations space, such as the lobby, hallways, elevator shafts, mechanical rooms, offices, and laundry, maintenance and custodial facilities. The building would also feature an outdoor terrace and a large third floor deck with a pool, both of which would overlook the waters of the marina. In total, up to 21 fee-based “self-park” and 339 valet-managed parking spaces would be provided in a six-level parking garage, with one level below grade, for a project total of 360 parking spaces.

Consistent with the Marina del Rey certified LCP, the height of the hotel structure would not exceed 225 feet (exclusive of appurtenant, screened rooftop equipment) when measured per county standards. The hotel/timeshare resort structure has been oriented on the site in a fashion that maximizes public views to the water from Via Marina. The structure would front on Via Marina over the northerly portion of the parcel. Consistent with the LCP height standards allowing for a building with a maximum height of 225 feet on this parcel, the project has been designed with an unobstructed view corridor comprising at least 40 percent of the parcel's frontage on Via Marina; this large public view corridor will be provided over the public wetland park to be developed on the southerly approximately 1.46 acres of the parcel. Public viewing of the harbor will be further enhanced through the project's development of a 28-foot-wide public pedestrian promenade along the parcel's entire water frontage (which will connect seamlessly to the waterfront pedestrian promenade being constructed by Legacy Partners as part of the Parcel 10R project component). Public access from Via Marina to the waterfront will be provided along the perimeter of the adjacent public wetland park. Moreover, the public will be able to access both the public waterfront promenade and adjacent wetland park at multiple access points to be provided within the hotel/timeshare resort facility.

Discretionary approvals required for this component of the project include a Coastal Development Permit (required for all new development in the coastal zone), a Tentative Tract Map approval (related to the proposed timeshare units), a Conditional Use Permit (for the proposed parking structure, project building identification signage, a rooftop helistop, and the sale of alcoholic beverages for on-site consumption at the proposed accessory hotel restaurant and outdoor terrace dining area), a Parking Permit for shared use of on-site parking and a Variance (to allow a reduced yard adjacent to the waterfront pedestrian promenade). No amendments to the certified LCP are required for this project component (see **Section 5.15, Parks and Recreation**, for LCP consistency discussion).

Component 4 consists of a 1.46-acre restored public wetland and upland park that would be constructed on the southern portion of Parcel 9U. Discretionary approvals required for this component of the project include a Coastal Development Permit, filed by the County as applicant.

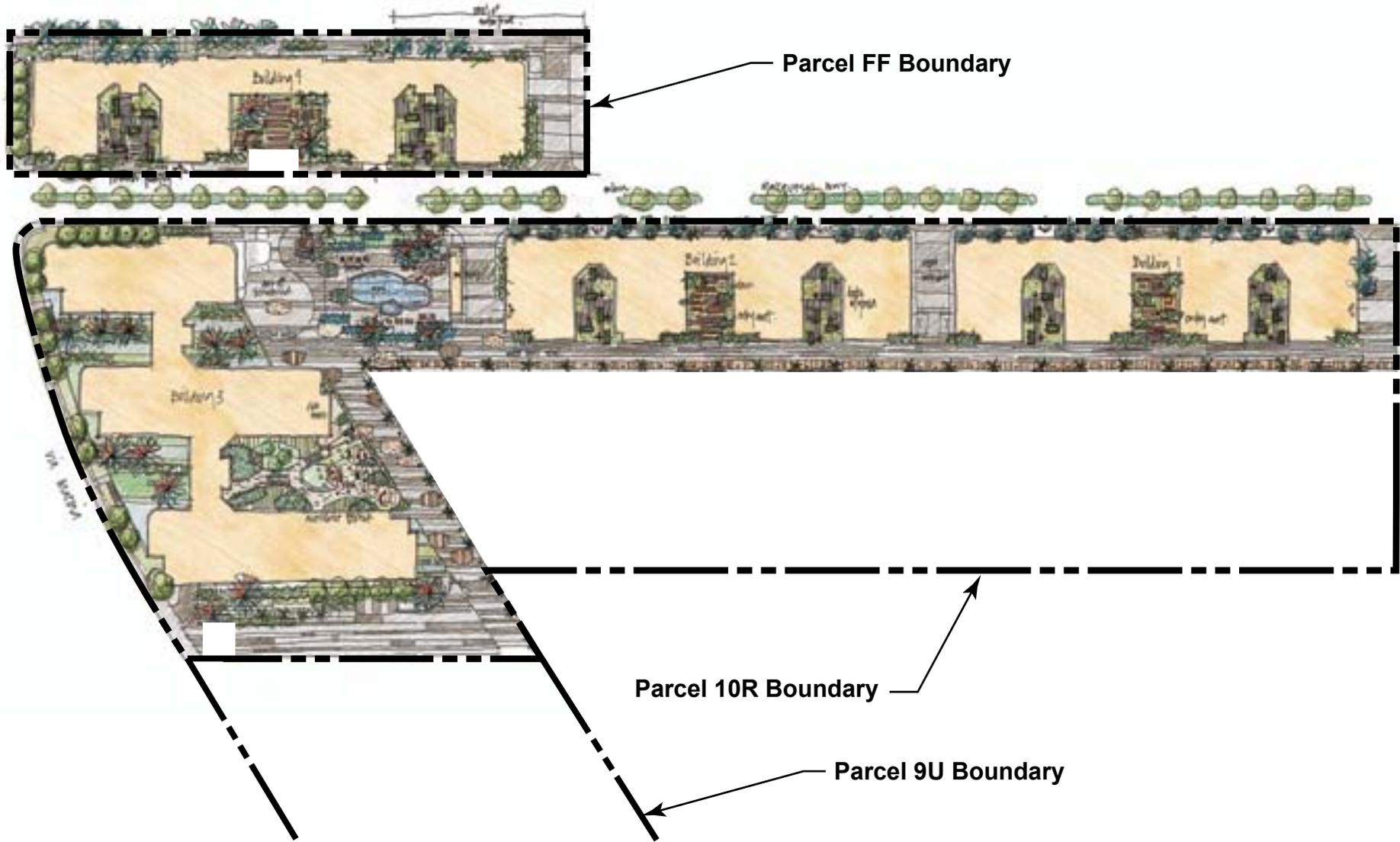
Component 5 includes a public-serving anchorage containing approximately 542 lineal feet of dock space (accommodating berthing of between 7 and 11 public and transient boats, and dinghy moorage) that would be situated adjacent to the Parcel 9U bulkhead within Marina del Rey Basin B. For this project component, the County's "Approval in Concept" is required prior to making application to the California Coastal Commission for a separate Coastal Development Permit authorizing this proposed waterside development.

The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would, therefore, consist of 526 residential dwelling units, 288 hotel/timeshare suites with an assortment of accessory patron- and visitor-serving uses, 174 private and between 7 and 11 public-serving boat spaces and dinghy moorage area, a waterfront public pedestrian promenade and a restored public wetland and upland park area. As there are 136 existing apartments and 198 boat spaces presently on site, implementation of the proposed project would result in a net increase of 390 apartment units, 288 hotel and timeshare suites with accessory patron- and visitor-serving uses, a net decrease of up to 17 boat spaces, a 0.47-acre wetland and 0.99-acre public upland buffer area.

For the residential and hotel/timeshare resort project components, emphasis has been placed on a design that balances public and private views of the marina and enhances the pedestrian experience adjacent to the water. A major feature of the project that unifies and integrates the proposed residential units, the hotel/timeshare resort, the public wetland and upland park and the adjacent private and public marina components is a pedestrian walkway between the buildings and the anchorages, the "Waterfront Stroll Promenade." Located along the waterside perimeter of Marina Basins B and C, the 28-foot-wide Waterfront Stroll Promenade would feature color-patterned paving, pedestrian seating and marina-styled fencing and lighting and would total 2,023 feet in length (1,437 feet associated with Neptune Marina Parcel 10R, 386 feet associated with the Woodfin Suite Hotel and Timeshare Resort and adjacent public wetland and upland park on Parcel 9U, and 200 feet associated with Neptune Marina Parcel FF, totaling nearly 0.5 mile in length). Along its length, the Waterfront Stroll Promenade would also feature landscaped planters and other landscape features constructed immediately adjacent to this pedestrian amenity. The entire length of the Waterfront Stroll Promenade would be open to the public and would also function as Fire Department access.

3.1.3.1.1 Residential Units: Neptune Marina Project (Parcels 10R and FF)

As proposed, the Neptune Marina Project consists of four new residential structures each being four stories above two levels of parking (**Figure 3.0-3, Residential Units**). Three buildings (depicted as Buildings 1, 2, and 3 on Site Plan in **Figure 3.0-2**) are situated on Parcel 10R south of Marquesas Way, while one building (depicted as Building 4 on Site Plan in **Figure 3.0-2** below) is situated north of Marquesas Way on Parcel FF. Within the four structures, 526 residential units are proposed that include rental apartment and rental townhome units. The design of the residential component of the project emphasizes a relationship to the waterfront and was conceptually approved by the Design Control Board (DCB) on June 29, 2006. Apartment building orientations have been configured to ensure direct pedestrian access to the Waterfront Stroll Promenade, a portion of which fronts on the newly constructed



SOURCE: Thomas P. Cox: Architects, Inc. – April 2005

FIGURE 3.0-3

Residential Units

Neptune Marina Anchorage (Parcel 10R only). There are multiple points for the public to have unimpeded access to the Waterfront Stroll Promenade and the marina. The apartment structures have been separated to the maximum extent feasible to allow for unobstructed view corridors.

The various vehicular, non-vehicular and fire access entries on the property would provide pedestrian access to the promenade and are located between buildings. All access points would be treated with enhanced paving and landscaping that open to the Waterfront Stroll Promenade.

One- and two- bedroom rental units are proposed in 11 different floor-plan configurations. As defined above, 526 residential units are planned. Of these, 330 are one-bedroom apartment units (63 percent of the total) in four different floor-plan configurations; and 196 are two-bedroom apartment units (37 percent of the total) in two different floor-plan configurations. **Table 3.0-1, Description of Proposed Residential Units by Type (Parcels 10R and FF)**, below, provides a breakdown of the number of residential units by product type and their approximate size.

**Table 3.0-1
Description of Proposed Residential Units by Type (Parcels 10R and FF)**

| Type of Unit | Quantity Proposed | Size of Unit (sq. ft.) |
|-------------------------------|-------------------|------------------------|
| 1-Bedroom Apartment; Type A-1 | 196 | 716 |
| 1-Bedroom Apartment; Type A-2 | 64 | 650 |
| 1-Bedroom Apartment; Type A-3 | 64 | 849 |
| 1-Bedroom Apartment; Type A-4 | 6 | 745 |
| 2-Bedroom Apartment; Type B-1 | 46 | 1,122 |
| 2-Bedroom Apartment; Type B-2 | 42 | 1,282 |
| 2-Bedroom Townhome; Type T-1 | 28 | 1,359 |
| 2-Bedroom Townhome; Type T-1b | 8 | 1,543 |
| 2-Bedroom Townhome; Type T-1c | 10 | 1,529 |
| 2-Bedroom Townhome; Type T-2 | 28 | 1,691 |
| 2-Bedroom Townhome; Type T-3 | 34 | 1,653 |
| TOTAL | 526 | |

Figure 3.0-4 through **Figure 3.0-7** provide illustrations of conceptual floor plans for each of the four residential structures that comprise the Neptune Marina Project (Parcels 10R and FF). The proposed new residential structures would consist of 4, four-story Type V, 1-hour, fully sprinklered, wood-framed

residential buildings that would be constructed over a two-level parking garage. Structures are designed with open-air courtyards and perimeter landscaping which is incorporated into the public Waterfront Stroll Promenade. As noted, structure height would not exceed 55 feet for Buildings 1, 2, and 3 and 60 feet for Building 4 (exclusive of appurtenant, screened roof-top equipment) when measured per county standards.

Figure 3.0-8, Building Elevations: Residential Units–Parcel 10R, and **Figure 3.0-9, Building Elevations: Residential Units–Parcel FF**, provide representative building elevations, while **Figure 3.0-10, Building Cross Sections: Residential Units**, illustrates representative building cross sections for each proposed structure.

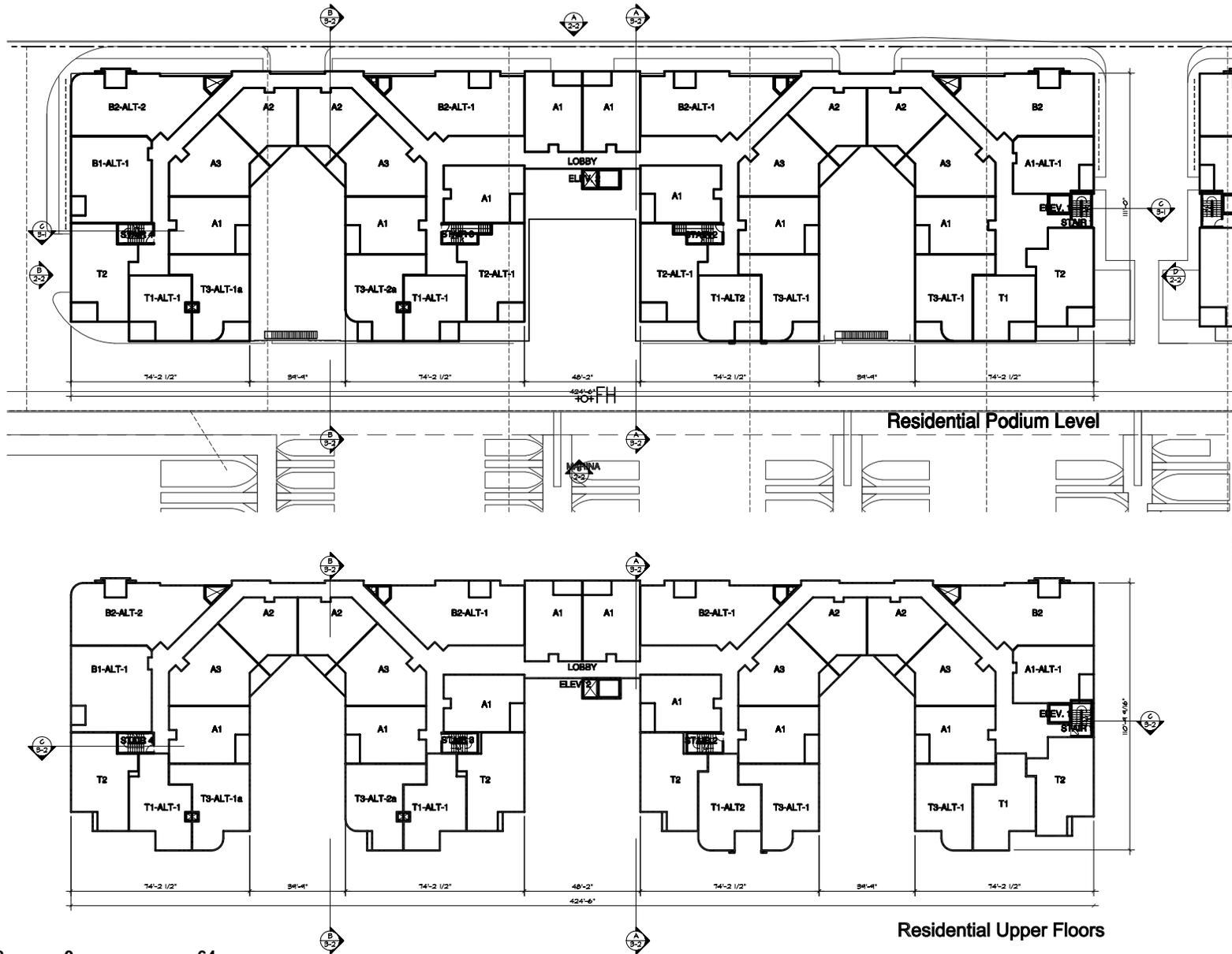
3.1.3.1.1.1 Residential Amenities Neptune Marina Project (Parcels 10R and FF)

The residential component of the project would feature a variety of recreational amenities, including a resident's fitness center, a media theater room, a recreational lounge, a game room and a business center. In addition to these facilities, the residential component of the project would include space for the harbormaster and leasing offices.

Outdoor recreational amenities would include landscaped decks and grounds adjacent to the Waterfront Stroll Promenade. An exterior pool is proposed between Buildings 2 and 3 (Parcel 10R). These exterior recreational areas would face the marina and would be connected directly to the public Waterfront Stroll Promenade via key-accessed secure gates.

3.1.3.1.2 Boat Anchorage: Neptune Marina Project (Parcel 10R)

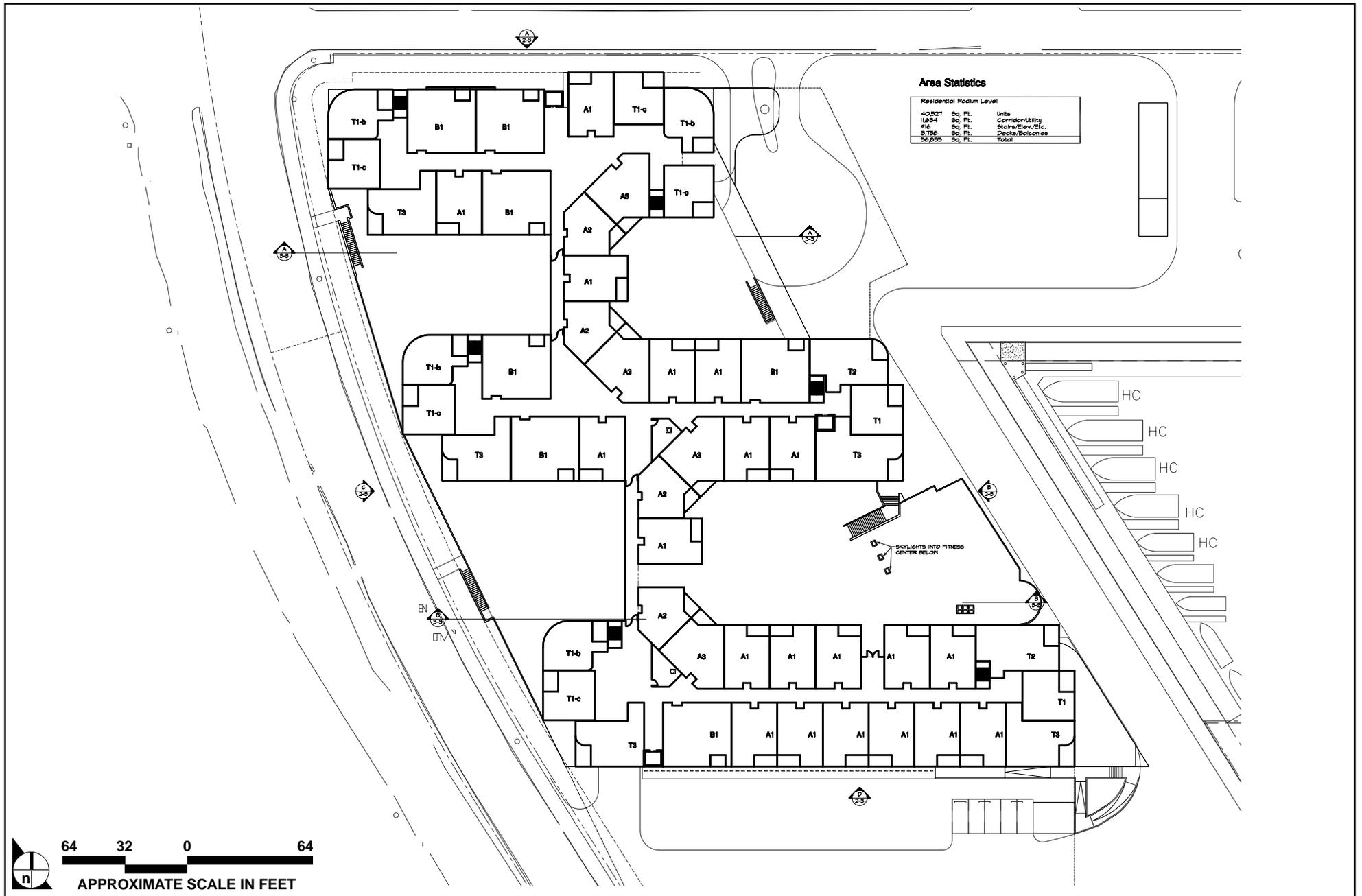
The proposed Neptune Marina Anchorage, a component part of the Neptune Marina Parcel 10R project, is illustrated in **Figure 3.0-11, Parcel 10R Marina Site Plan**. Within Basin B, a new anchorage would be developed waterside of Buildings 1, 2, and 3 (Parcel 10R) and would be constructed concurrent with the apartment buildings. The existing 198-boat space anchorage would be removed and replaced with 174 new slips and end-tie spaces (a net reduction of 24 spaces). The new marina includes 5 spaces compliant with Americans with Disabilities Act (ADA) requirements. A total of 150 of the 174 proposed spaces are 34 feet or less, with 24 spaces accommodating boats 35 feet in length or more. Maximum slip length would be 40 feet. A summary of the new marina adjacent to Parcel 10R is provided in **Table 3.0-2, Proposed Space Sizes and Quantities (Excluding Public-Serving Spaces)**. Parking is provided in structures below Building 1, 2, and 3.



SOURCE: Thomas P. Cox: Architects, Inc. – October 2005

FIGURE 3.0-5

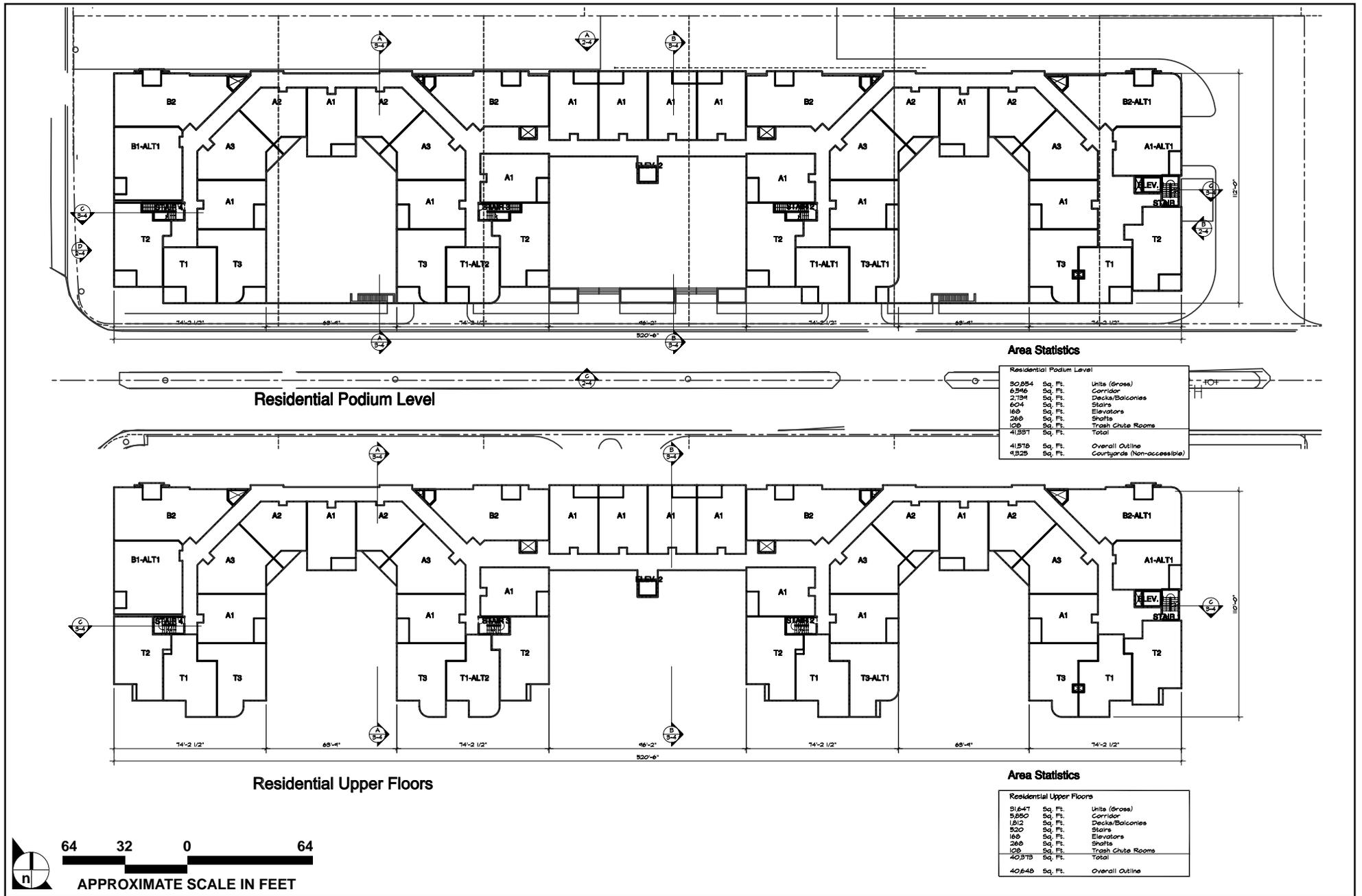
Conceptual Floor Plans: Building Two



SOURCE: Thomas P. Cox: Architects, Inc. – October 2005

FIGURE 3.0-6

Conceptual Floor Plans: Building Three



SOURCE: Thomas P. Cox: Architects, Inc. – October 2005

FIGURE 3.0-7

Conceptual Floor Plans: Building Four



SOURCE: Thomas P. Cox: Architects, Inc. – October 2005, Impact Sciences, Inc. – June 2005

FIGURE 3.0-8

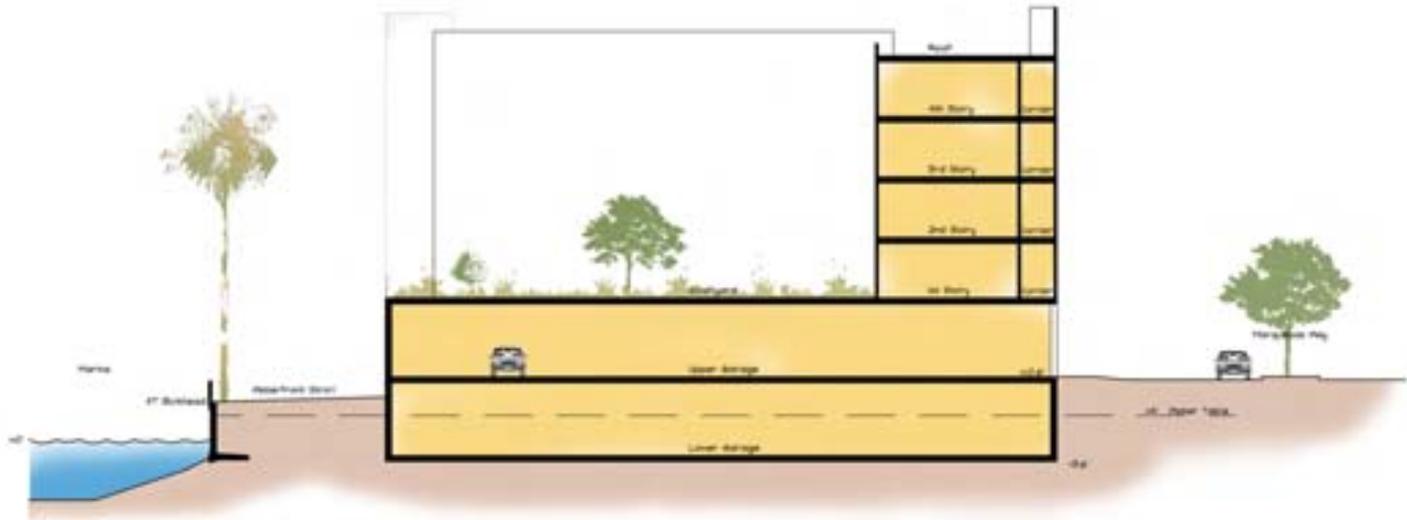
Bulding Elevations: Residential Units – Parcel 10R



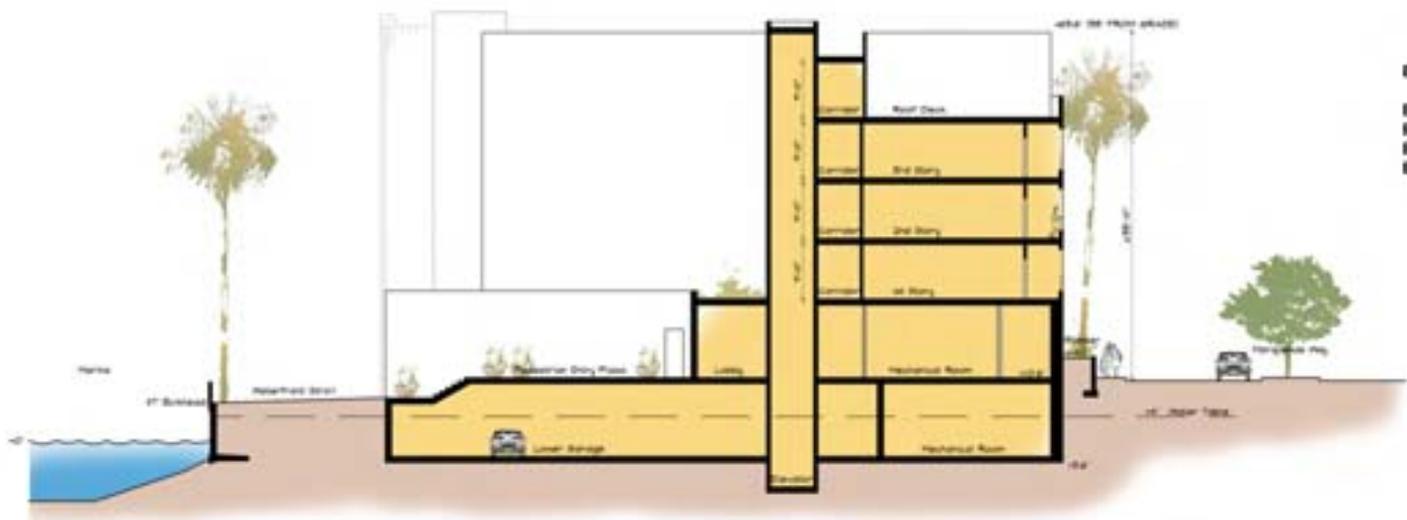
SOURCE: Thomas P. Cox: Architects, Inc. – October 2005, Impact Sciences, Inc. – June 2005

FIGURE 3.0-9

Building Elevations: Residential Units – Parcel FF



Section A



Section B

Building Height Information

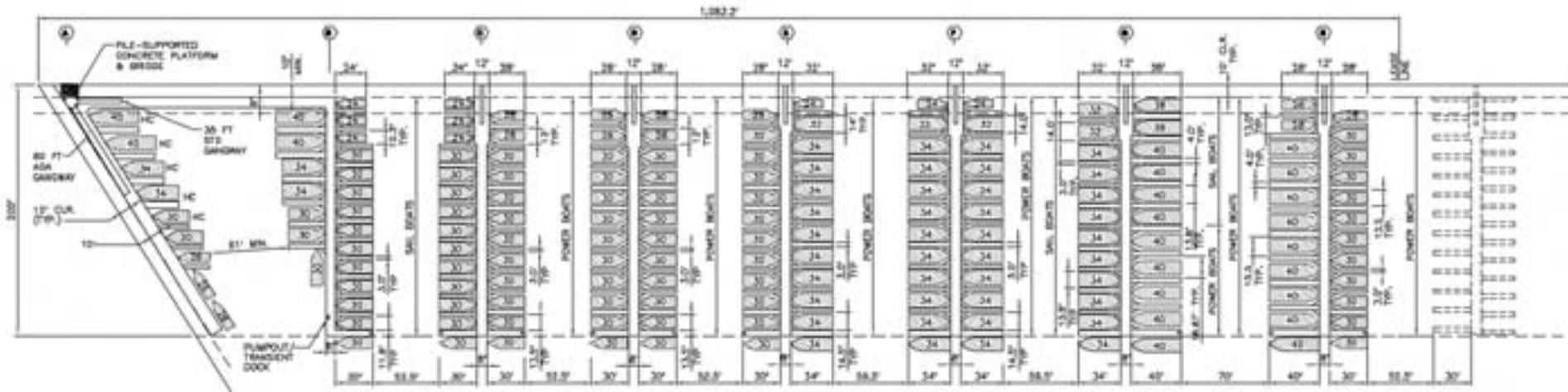
| | |
|------------------------------|-----|
| Bldg 1 (Mole Waterfront) | 55' |
| Bldg 2 (Mole Waterfront) | 55' |
| Bldg 3 (Non-Mole Waterfront) | 60' |
| Bldg 4 (Mole Waterfront) | 55' |



SOURCE: Thomas P. Cox: Architects, Inc. – October 2005

FIGURE 3.0-10

Building Cross Sections: Residential Units



(SAIL/POWER BOATS) SINGLE WIDE SLIPS

OPTION 174

OPTION 174 - BOAT COUNT

| LENGTH | REGULAR | END TIE | ADA | TOTAL | TOTAL LF | |
|--------------------|------------|-----------|----------|------------|--------------|-----------------------------|
| 24' | 9 | | | 9 | 216' | 8/174x100=58 24' OR LESS |
| 30' | 2 | | | 2 | 70' | 12/174x100=76 30' OR LESS |
| 30' | 10 | | | 10 | 300' | 33/174x100=136 30' OR LESS |
| 30' | 71 | 2 | 1 | 74 | 2210' | 101/174x100=586 30' OR LESS |
| 30' | 6 | | | 6 | 180' | 106/174x100=616 30' OR LESS |
| 34' | 28 | 4 | 2 | 34 | 1156' | 130/174x100=808 34' OR LESS |
| 36' | 3 | | | 3 | 78' | |
| 40' | 16 | 2 | 2 | 20 | 800' | |
| TOTAL | 156 | 12 | 5 | | | |
| GRAND TOTAL | | | | 174 | 5856' | |

AVERAGE BOAT SIZE = 31.94'



SOURCE: Thomas P. Cox: Architects, Inc. - March 2006

FIGURE 3.0-11

Parcel 10R Marina Site Plan

**Table 3.0-2
Proposed Space Sizes and Quantities (Excluding Public-Serving Spaces)**

| Length | Regular | End Ties | ADA | Total | Total Length |
|---------------|----------------|-----------------|------------|--------------|---------------------|
| 24 Feet | 9 | | | 9 | 216' |
| 26 Feet | 3 | | | 3 | 78' |
| 28 Feet | 10 | | | 10 | 280' |
| 30 Feet | 71 | 7 | 1 | 79 | 2,370' |
| 32 Feet | 5 | | | 5 | 160' |
| 34 Feet | 38 | 4 | 2 | 44 | 1,496' |
| 38 Feet | 2 | | | 2 | 76' |
| 40 Feet | 18 | 2 | 2 | 22 | 880' |
| TOTAL | 156 | 13 | 5 | 174 | 5,556' |

The new marina would replace the existing anchorage facilities with docks and spaces meeting current State of California Department of Boating and Waterways Guidelines for space widths and federal requirements for ADA compliance through use of an ADA gangway and ramp system, which would service a range of space sizes. It is anticipated that the new docks would be constructed with current marina industry technology and materials (possibly a proprietary concrete dock system, with all new pre-stressed concrete guide piles and served with a new utility distribution system for power, water, cable, and phone connections).

ADA requirements and modern boat dimensions (wider beam widths) necessitate the 24-space reduction defined above. Current ADA requirements and analysis of modern boat dimensions are provided in **Appendix 3.0**. In the anchorage, all utility lines would be concealed under the deck. As shown in **Figure 3.0-11**, the anchorage design utilizes seven gates and gangways to access the docks from the landside. Gate access would be electronically controlled.

To promote clean water boating, sewage pump-out would be located in a central location that would serve the entire anchorage. Oversized storage facilities (dock boxes) would be provided at the anchorage to better serve recreational boaters.

3.1.3.1.3 Woodfin Suite Hotel and Timeshare Resort Project

Figure 3.0-12, Site Plan: Woodfin Resort Hotel and Timeshare Resort, provides a conceptual illustration of the proposed Woodfin Suite Hotel and Timeshare Resort Project. The project is situated on the northern portion of Parcel 9U and consists of a 19-story building with 288 hotel and timeshare suites and

an assortment of accessory patron- and/or visitor-serving uses, including meeting rooms, a restaurant and bar/lounge, an exercise room, a spa, an outdoor pool, and associated hotel operations space, such as the lobby, hallways, elevator shafts, mechanical rooms, offices, and laundry, maintenance and custodial facilities. The building would also feature an outdoor terrace and a large third floor deck with a pool, both of which would overlook the waters of the marina. In total, 360 parking spaces would be provided in a six-level parking garage, with one level below grade.

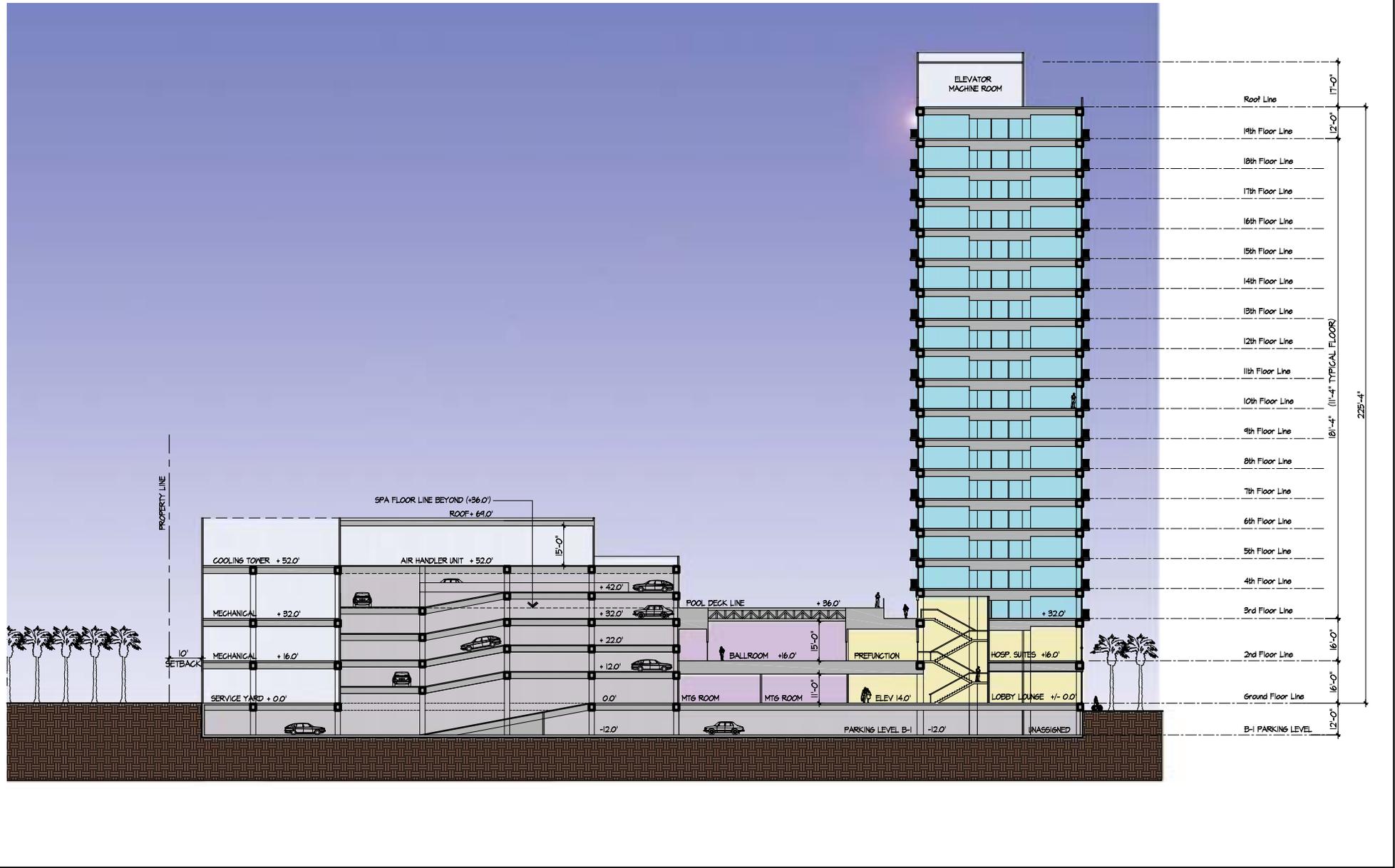
The intent of the site plan was to concentrate development on the northern portion of the project site and preserve the southern portion of Parcel 9U as a restored public wetland and upland park. All ground floor uses would be accessible to the public. It is intended that the ground floor of the hotel, the adjacent pedestrian promenade, the wetland park, and the public-serving boat spaces combine to create an interactive public node.

Consistent with the certified LCP and past CCC approvals, height of the hotel/timeshare resort structure would not exceed 225 feet (exclusive of appurtenant, screened roof-top equipment, parapets and architectural features) when measured from the finished grade. The structure would front Via Marina and would be located southeast of the intersection of Via Marina and Marquesas Way and northeast of the intersection of Via Marina and Tahiti Way.

3.1.3.1.3.1 Proposed Hotel/Timeshare Resort Building Layout

Floors one, two, and three of the hotel would include all non-residential areas of the buildings, including loading areas, hotel lobby and offices, a restaurant and bar, an exercise room, a spa, a pool, outdoor function areas, meeting rooms and a conference room/ballroom. Cross-sections of the project are illustrated on **Figures 3.0-13, Cross Sections: Woodfin Suite Hotel and Timeshare Resort**, and **3.0-14, Cross Sections: Woodfin Suite Hotel and Timeshare Resort**. Building elevations are shown on **Figure 3.0-15, Conceptual Building Elevations: Woodfin Suite Hotel and Timeshare Resort**.

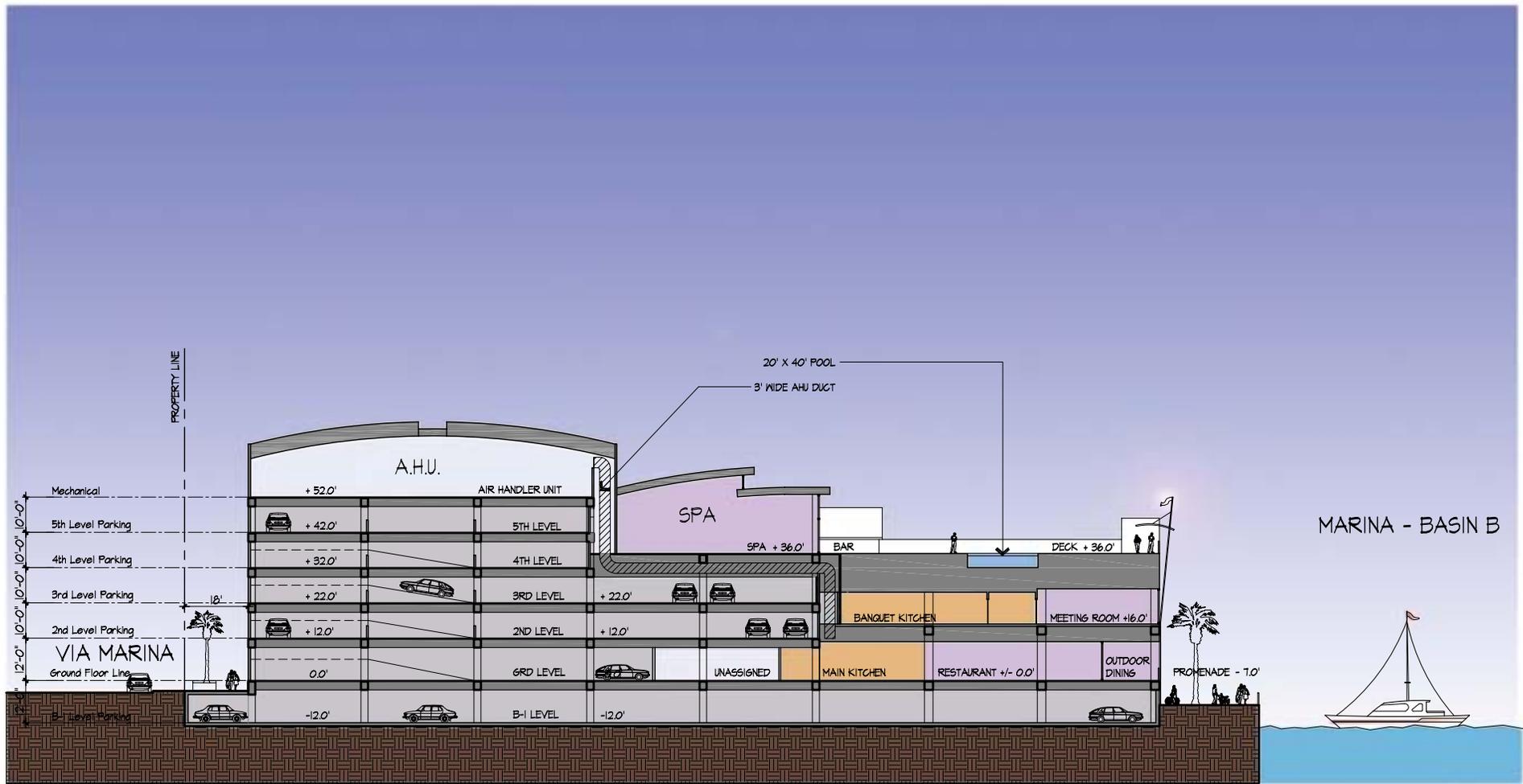
The ground floor of the project would include the lobby and registration/reception area, elevator bays (four bays), the business center, hotel offices, a resort restaurant and bar, kitchen, sundry shop, meeting rooms and restrooms. The exterior of the ground floor of the hotel (**Figure 3.0-16, Ground Floor Plan: Woodfin Suite Hotel and Timeshare Resort**) would provide for resort ancillary uses consisting of outdoor dining areas, the motor court (drop-off and valet parking area), the entrance to the parking area, and service docks for truck loading. All ground floor uses would be accessible to the public. It is intended that the ground floor of the hotel, the adjacent pedestrian promenade, restored wetland and upland park and the public-serving boat spaces combine to create an interactive public node.



SOURCE: Gin Wong Associates – February 2006

FIGURE 3.0-13

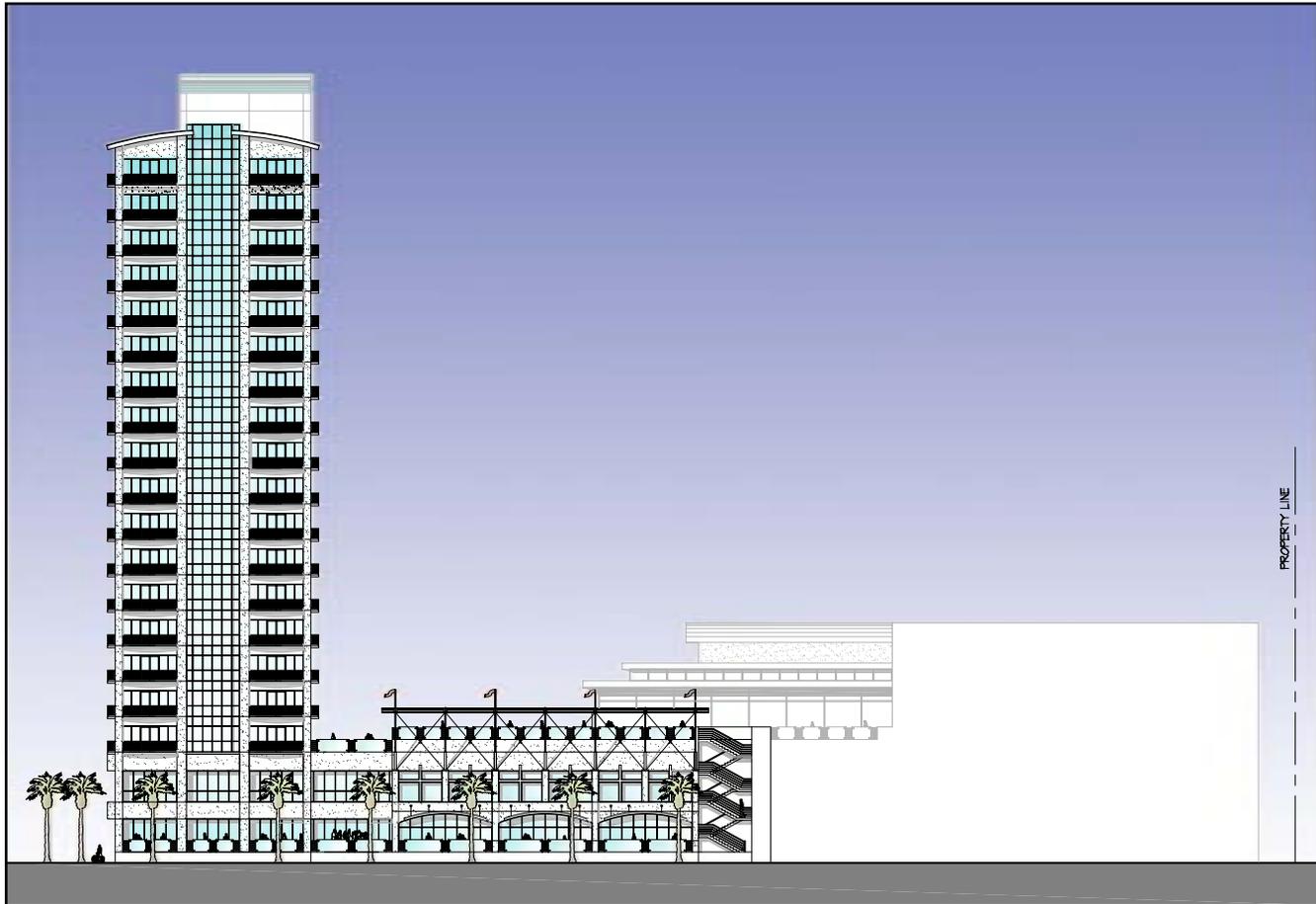
Cross Sections: Woodfin Suite Hotel and Timeshare Resort



SOURCE: Gin Wong Associates – February 2006

FIGURE 3.0-14

Cross Sections: Woodfin Suite Hotel and Timeshare Resort



SOURCE: Gin Wong Associates – 2006

FIGURE 3.0-15

Conceptual Building Elevations: Woodfin Suite Hotel and Timeshare Resort

Second and third floor uses are illustrated on **Figure 3.0-17, Second and Third Floor Plans: Woodfin Suite Hotel and Timeshare Resort**. As shown, second floor uses would include a ballroom, meeting rooms, and banquet kitchen. The third floor of the building would contain an exercise room/spa that would open to the pool deck.

The tower portion of the building, incorporating portions of the second and third floors, and floors 4 through 19, would contain the 288 hotel and timeshare units. An example of the layout of these floors is presented in **Figure 3.0-18, Floor Plans Four through Nineteen: Woodfin Suite Hotel and Timeshare Resort**. Other uses on floors 4 through 19 would include the elevator lobby, a service lobby, and housekeeping rooms.

An emergency helistop is proposed on the roof of the hotel complex consistent with County Code requirements. Other screened roof elements include mechanical equipment, chillers, cooling towers, a service lobby, elevator machine room, and an emergency generator and boiler.

3.1.3.1.3.2 Hotel and Timeshare Units

In total, 288 hotel and timeshare guest units are proposed as part of the project. There are three general types of units proposed for the building: hotel units, one-bedroom timeshare units and two-bedroom timeshare units. As proposed, there would be 152 conventional hotel suites, 68 one-bedroom timeshare units, and 68 two-bedroom timeshare units. Each hotel suite and timeshare unit would have one or two bedrooms, a sitting area, kitchenette and bathroom, and an exterior balcony.

All of the project's proposed 136 timeshare suites are intended and designed to be used on a temporary basis by guests. At this time, it is expected that stays in the timeshare units would be limited to no more than four weeks annually and consecutively. Per Title 22 of the Los Angeles County Code, hotel stays would be limited to 30 consecutive days for any one stay. Moreover, the Woodfin Suite Hotel and Timeshare Resort will be a full-service facility, with a single set of support facilities (check-in desk, reception, restaurants, cocktail lounge, etc.) for both timeshare and hotel users. Therefore, there will be no distinction in terms of services between hotel patrons and timeshare patrons.

The Woodfin Suite Hotel and Timeshare Resort will enhance visitor-serving uses by providing much needed additional overnight accommodations through both the hotel and timeshare component, both of which are consistent with the LCP. The hotel and timeshare units are intended or designed to be indistinguishable and used on a temporary basis by guests. Some key operational aspects of the project include:

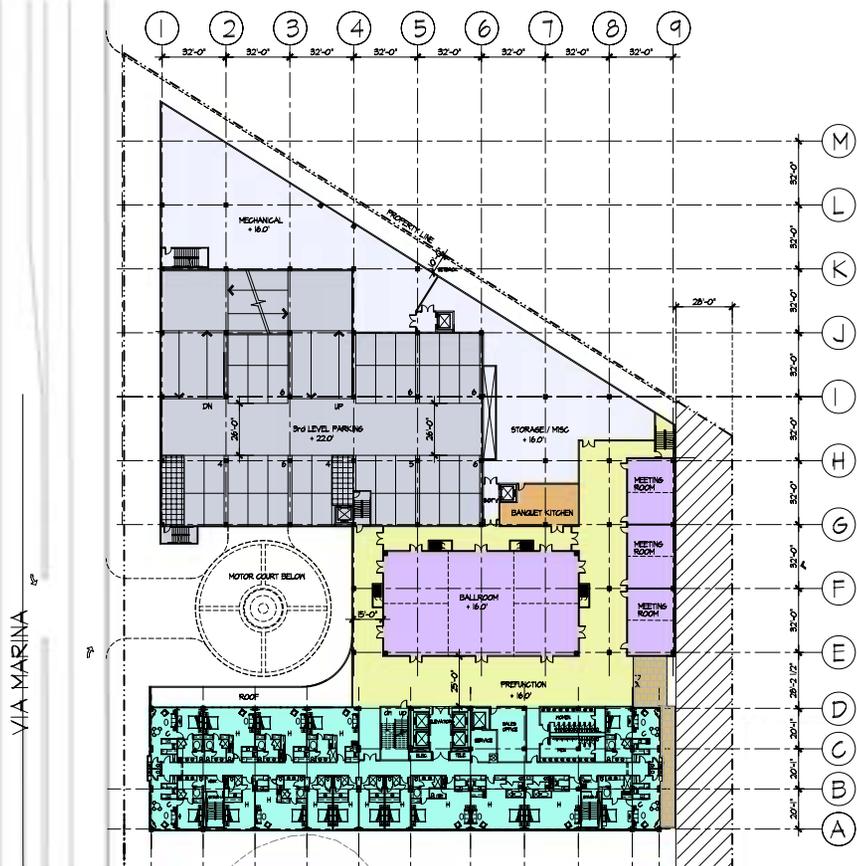
- The timeshare suites will not be in a separate tower from the hotel suites; rather, both the hotel and timeshare suites will be on same floors (4 through 19).
- Rental of both the timeshare suites and hotel suites will be handled in a similar manner by on-site management (electronic keys issued by the front desk, concierge services, housekeeping, and front-desk check-in/out).
- Timeshares will be made available to the general public through the hotel reservation system when not used by timeshare vacationers.
- Timeshare vacationers may make their unused timeshare suites available to the general public.
- Timeshare suites will be marketed through an exchange program and through the hotel, and will be rented at comparable rates to equivalent hotel suites.
- Timeshare suites will be sold in one week intervals.
- Stays in the timeshare suites will be limited to no more than a total of four weeks annually.
- The Woodfin timeshare component will remain a commercial use and will comply with the timeshare laws governed by the California Department of Real Estate.

3.1.3.1.3.3 Guest and Visitor Amenities

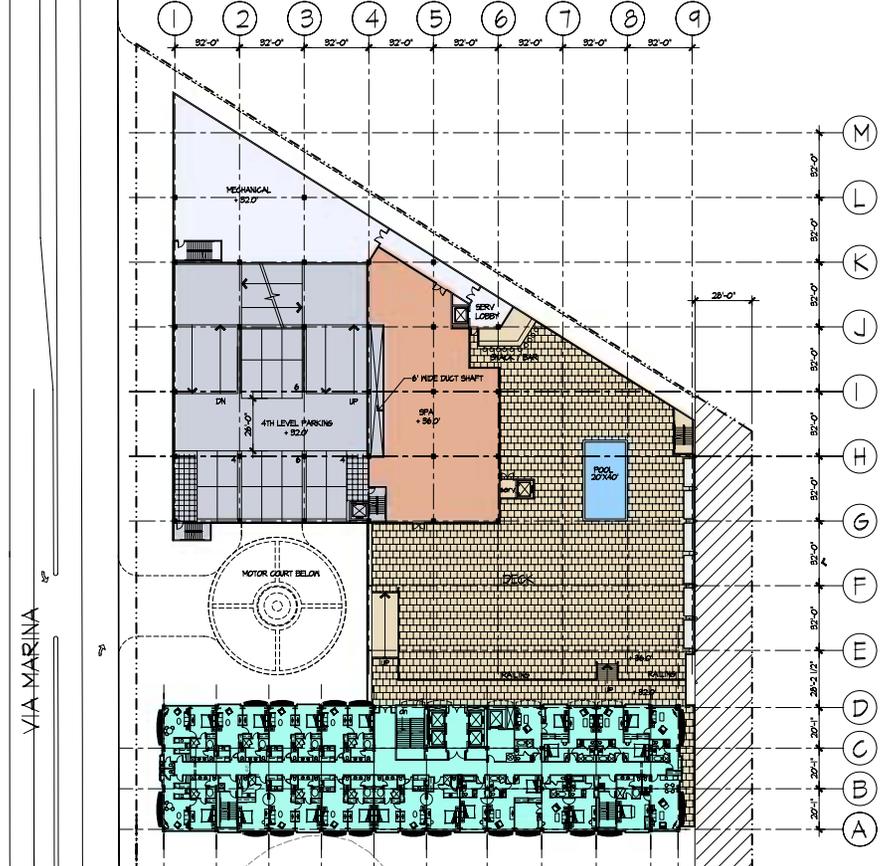
The Woodfin Suite Hotel and Timeshare Resort project would feature a variety of visitor-serving recreational amenities, including a restaurant and bar, a business center, meeting rooms, sundry shop, and exercise room/spa. Outdoor amenities would include pool facilities and a dining terrace overlooking the Waterfront Stroll Promenade and the Marina.

3.1.3.1.3.4 Public Amenities

A major feature of the project that unifies and integrates the hotel/timeshare resort with the Marina is the continuation of the Waterfront Stroll Promenade from Legacy Partners' project across the entire waterfront extent of Parcel 9U. The Waterfront Stroll Promenade is an improvement to an existing narrow (approximately 8 feet) concrete sidewalk that occurs adjacent to the marina. A conceptual representation of this feature is presented in **Figure 3.0-19, Waterfront Stroll Promenade.**



Second Floor Plan



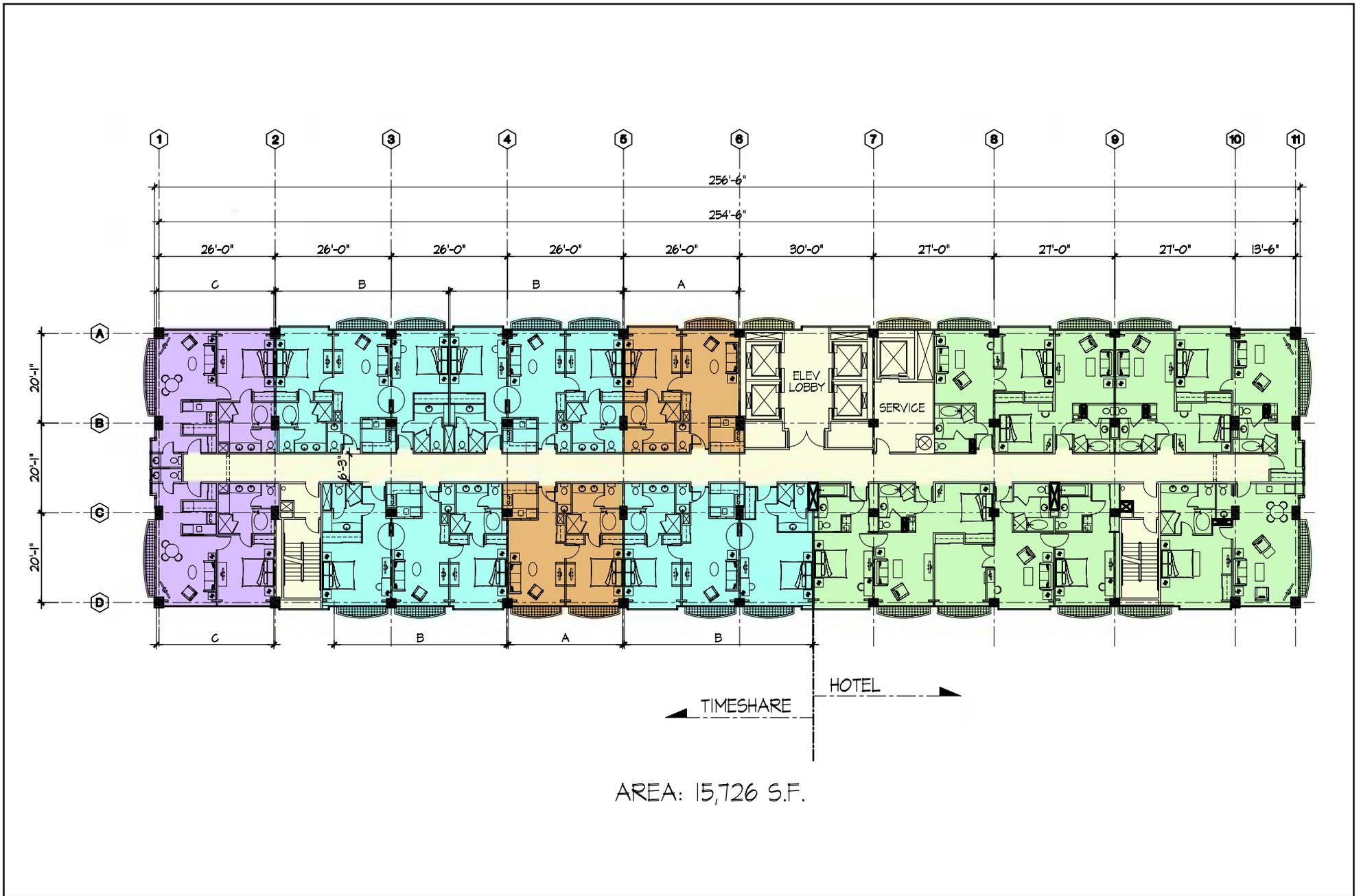
Third Floor Plan



SOURCE: Gin Wong Associates – 2006

FIGURE 3.0-17

Second and Third Floor Plans: Woodfin Suite Hotel and Timeshare Resort

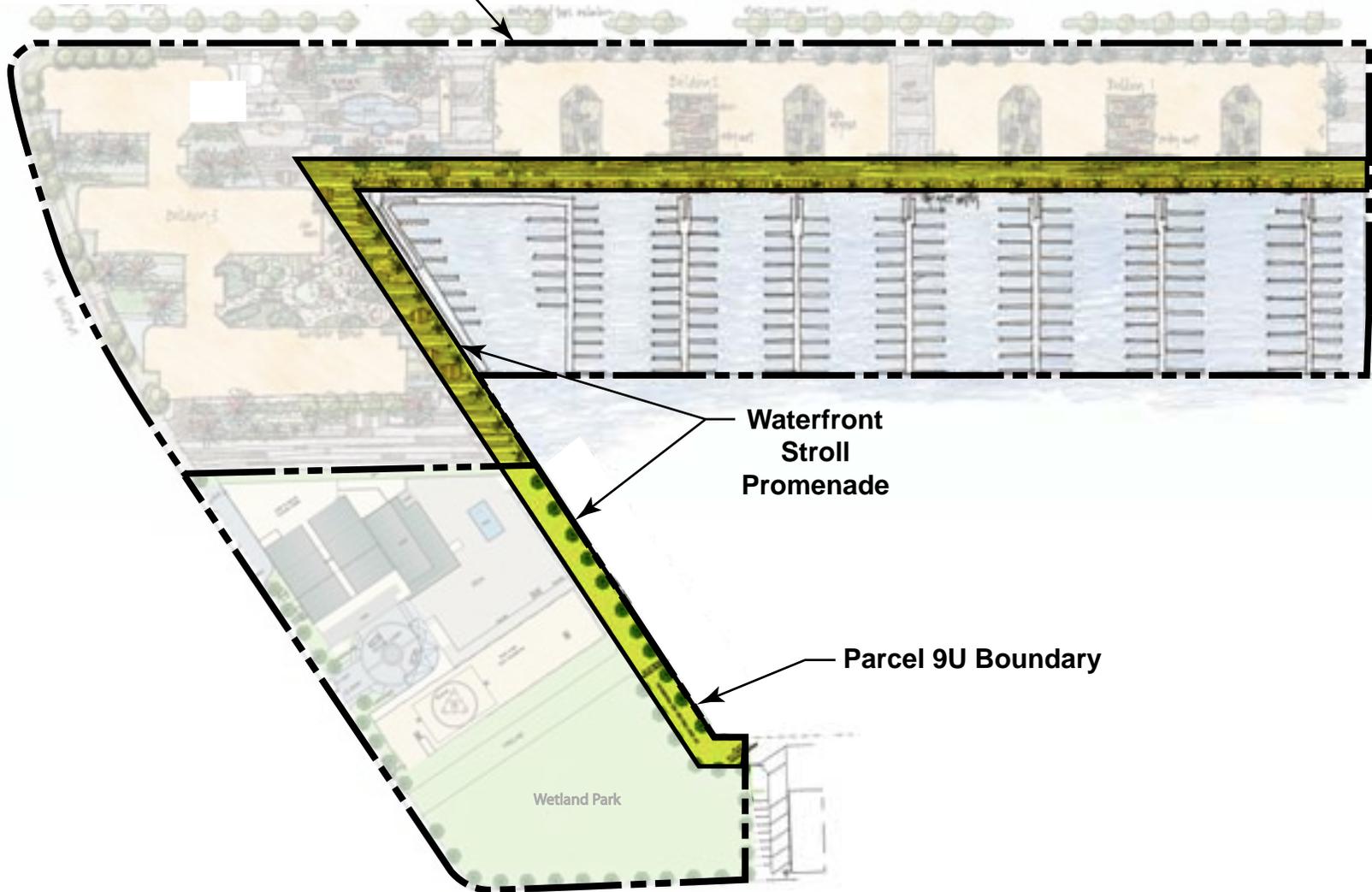


SOURCE: Gin Wong Associates – 2006

FIGURE 3.0-18

Floor Plans Four Through Nineteen: Woodfin Suite Hotel and Timeshare Resort

Parcel 10R Boundary



Waterfront
Stroll
Promenade

Parcel 9U Boundary

Wetland Park



SOURCE: Thomas P. Cox: Architects, Inc. – April 2005

FIGURE 3.0-19

Waterfront Stroll Promenade

To be located along the waterside perimeter of the proposed hotel/timeshare resort and public wetland park at Parcel 9U, the 28-foot-wide public Waterfront Stroll Promenade will feature special color-patterned paving, landscaping, pedestrian seating and marina-styled fencing and lighting and would also serve as fire access. The length of the Waterfront Stroll Promenade on Parcel 9U is approximately 386 feet. The hotel/timeshare resort will feature landscaped planters and other features constructed immediately adjacent to but separated from the public Waterfront Stroll Promenade. Landscaped areas are also proposed along the western, eastern, and southern margins of the project and in various perimeter areas surrounding the hotel/timeshare resort structure. During project operation, public access to the Marina and the Waterfront Stroll Promenade will be available at all times along a walkway on the southeastern side of the building. This walkway would be treated with enhanced paving and landscaping similar to that of the Waterfront Stroll Promenade. Temporary closures to the promenade will occur during construction activities.

As stated, all ground floor uses of the hotel would be accessible to the public. It is intended that the ground floor of the hotel, the adjacent pedestrian promenade, the restored wetland and upland park and the public-serving boat spaces combine to create an interactive public node.

3.1.3.1.4 Access and Parking: Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

3.1.3.1.4.1 Neptune Marina: Parcels 10R and FF

For residents, vehicular access (**Figure 3.0-20, Neptune Marina Project Vehicular Access**) to and from the proposed residential components would be provided at 11 locations. Ten points of access are located off Marquesas Way (seven to the south and three to the north). The one remaining point of vehicular access is located along Via Marina south of Marquesas Way. For residential visitors, vehicular access to the interior portions of the project is via four signed entrances on Marquesas Way. Vehicular access for boaters and users of the anchorage is via one entrance on Via Marina (to the south). Pedestrian access to the public Waterfront Stroll Promenade is via a series of signed paved walkways between the buildings.

In each of the four proposed buildings, parking is provided in two-level garages built below each building. The lowest level of parking is entirely subterranean on the street side of the building while the upper level of parking would be built at ground level. All parking garages would be screened by architectural and landscaping features, primarily by terraced, landscaped planters along the street and by landscaping along the promenade.

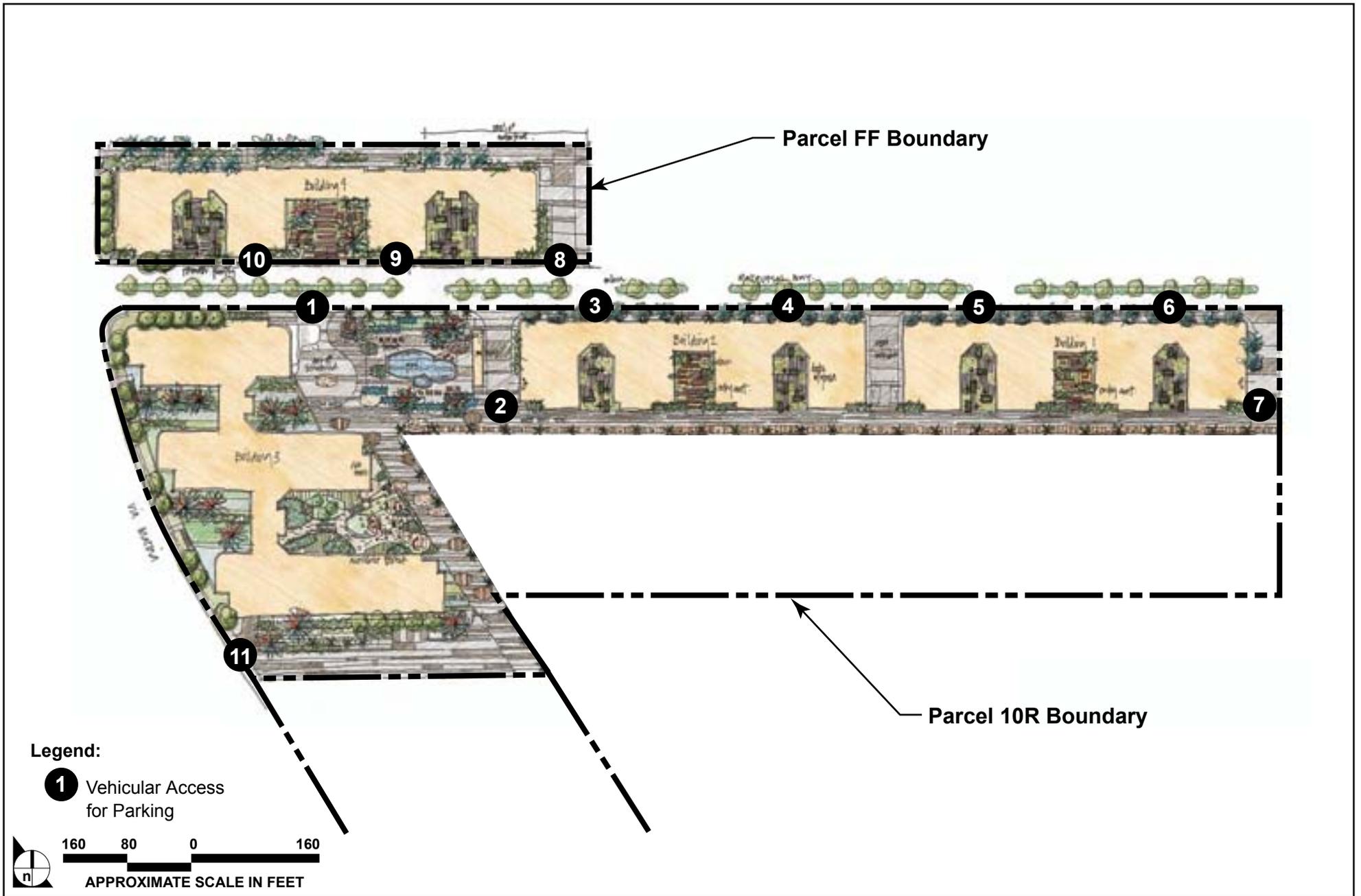
A minimum of 1,150 parking spaces would be provided throughout the Neptune Marina Parcels 10R and FF. Parking for apartment residents, their guests and the anchorage boaters would be segregated. Among the three user types, residents would be provided parking within the two-level garages through the use of security gate enclosures provided at both levels in all four buildings. Parking for guests is provided within the garages of each building. A parking area for boaters and users of the anchorage is provided in the southern end of the garage in Building 3 (on Parcel 10R). **Table 3.0-3, Neptune Marina Project (Parcels 10R and FF), Description of Parking Facilities by Building** shows the breakdown of parking spaces by building.

Table 3.0-3
Neptune Marina Project (Parcels 10R and FF)
Description of Parking Facilities by Building

| Building | Resident Spaces | Guest Spaces | Boater Spaces | Total |
|------------------|------------------------|---------------------|----------------------|--------------|
| I (10R) | 189 | 28 | 0 | 217 |
| II (10R) | 189 | 28 | 0 | 217 |
| III (10R) | 299 | 44 | 131 | 474 |
| IV (FF) | 210 | 32 | 0 | 242 |
| TOTAL | 887 | 132 | 131 | 1,150 |

3.1.3.1.4.2 Woodfin Suite Hotel and Timeshare Resort

Vehicular access to and from the Woodfin Suite Hotel and Timeshare Resort Project would be taken from two locations along Via Marina (see **Figure 3.0-21, Vehicular Access: Woodfin Suite Hotel and Timeshare Resort**). One access point would provide an entry to the motor court and the parking garage. The second access point would be located north of the access to the motor court and would provide access to the service entry and loading docks. Project applicants associated with Parcels 10R and 9U have conceptually agreed that there will be a limited access easement for trucks entering the Woodfin Suite Hotel service area to pass over Parcel 10R at the street side (across from the fire lane) on the north side of 9U.



SOURCE: Thomas P. Cox: Architects, Inc. – March 2006, Impact Sciences, Inc. – March 2006

FIGURE 3.0-20

Neptune Marina Project Vehicular Access

Parking for the Woodfin Suite Hotel and Timeshare Resort would be provided in a six-level parking structure connected to northern side of the hotel building. Five levels would be above and one level would be below finished grade. The first three levels of the garage would connect with the ground, second and third floors of the hotel building. Three hundred sixty parking spaces would be provided within this structure, 21 of which would be fee-based “self-parking” spaces open to the public and the remainder of which would be valet-managed parking spaces. One space would be dedicated to the restored wetland and upland buffer park.

3.1.3.1.5 View Corridors: Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

3.1.3.1.5.1 Neptune Marina: Parcels 10R and FF

As noted, during the public hearings for the 1996 major amendment to the LCP, the County and the CCC considered changes that would result from modified development standards allowing building heights up to 225 feet. Buildings of up to 225 feet (the maximum height allowed in the Marina under the certified LCP) are allowed on select parcels fronting on Marina “loop roads” Via Marina and Admiralty Way, but only when the proposed building height is accompanied with the provision of view corridors that guarantee views to the harbor. This requirement is consistent with Coastal Act Policy 30251, which requires that coastal development be sited in a manner that shall protect views of the coastal waters. Consistent with this policy, all development on waterfront parcels, regardless of the height of buildings developed thereon, shall provide a minimum unobstructed view corridor of 20 percent of the parcels’ water front to the boat basins. The potential impact of taller buildings causing sun shadow effects or affecting the wind patterns of the Marina are required to be evaluated for any potentially negative impact prior to such taller buildings being constructed.

The certified LCP sets forth a key urban design principal for the Marina calling for the implantation of a “modified bowl concept,” consisting of a skyline of taller buildings around the outer and northern edges of the Marina, with lower height buildings on the mole roads, with limited exception. Implementation of the concept is intended to enhance the Marina’s image and to guarantee that adequate sunlight and wind circulation continues over the Marina water basin (see LACC 22.46.1040). To implement the modified bowl concept, the LCP provides for building heights up to a maximum of 225 feet on select parcels when expanded view corridors comprising at least 40 percent of the parcels’ water frontage are provided. The trade-off for the additional building height (i.e., maximum of 225 feet) is the provision of larger public view corridors over the parcels (i.e., view corridor comprising no less than 40 percent of the parcel’s water frontage).

Consistent with the view corridor/building height relationship of the certified LCP, Neptune Marina Parcels 10R and FF incorporate five view corridors. Of the five view corridors, three corridors allow vistas of Marina del Rey Basin B from Marquesas Way (southerly), and one corridor allows vistas of Marina del Rey Basin C from Marquesas Way (northerly). The fifth view corridor allows vistas of Marina del Rey Basin B from Via Marina (easterly).

Provisions of the LCP tabulate the width of required view corridor based on the length of the parcel's water frontage and the proposed building height. Based on the length of the parcel's water frontage and a proposed building height of 55 feet for Buildings 1, 2 (Parcel 10R); and 4 (Parcel FF); and 60 feet for Building 3 (Parcel 10R); the LCP requires a total of 413 linear feet of view corridor for both parcels. As proposed, the Neptune Marina Parcels 10R and FF project would provide 449 linear feet of view corridor. As such, the residential project, as planned, is consistent with view corridor provisions of the Marina del Rey LCP that call for public and private views of the marina from perimeter roadways.

3.1.3.1.5.2 Woodfin Suite Hotel and Timeshare Resort (Parcel 9U)

The Woodfin Suite Hotel and Timeshare Resort Project incorporates one expansive view corridor on that portion of Parcel 9U, south of the hotel. The primary view corridor allows vistas of Marina del Rey Basin B from Via Marina through the Parcel 9U public park/wetland. As set forth in the above discussion of the certified LCP's modified bowl urban design concept, based on the proposed 225-foot height of the hotel/timeshare resort structure (excluding appurtenant roof-top structures), a view corridor totaling 40 percent of the parcel length is required. For the 386-foot-long site, a minimum 154-foot-wide view corridor is required. The project plans for 154 linear feet of view corridor through the Parcel 9U public park/wetland situated south of the hotel/timeshare resort structure. Because the project provides the required 154 feet of public view corridor on Parcel 9U (the minimum required in this instance to achieve the proposed hotel structure height), the hotel/timeshare resort is consistent with provisions of the LCP that call for public and private views of the Marina from perimeter roadways. However, the hotel and timeshare resort structure would also be substantially taller than the lower-height residential structures in the project vicinity that do not exceed three stories.

3.1.3.1.6 Infrastructure Improvements: Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

3.1.3.1.6.1 Neptune Marina Parcels 10R and FF

All infrastructure and utilities needed to serve the Neptune Marina Parcels 10R and FF are located on-site or in perimeter roadways. The project would construct or participate in the construction of all improvements necessary to serve the proposed project, including improvements to off-site facilities.

Improvements for Parcel 10R consist of a looped fire main connecting to an existing 12-inch main located along Marquesas Way at the easterly end of the project site and a connection to an existing 12-inch water main located along Via Marina at the western end of the project. The precise alignment of the proposed main has not been defined, but would occur within existing site boundaries.

For Parcel FF, on-site improvements would consist of a looped fire main connecting to an existing 12-inch main located along Marquesas Way at the easterly end of the project site and connecting to an existing 12-inch water main located along Via Marina at the western end of the project. The precise alignment of the proposed main has not been defined, but would occur within existing site boundaries.

Once off-site and on-site improvements are completed, the existing and proposed water mains would have the capacity to adequately serve the Neptune Marina Parcels 10R and FF. Planned off- and on-site improvements are described in detail in **Section 5.9, Water Service**, of this draft EIR.

Proposed sewer improvements for Parcel 10R would require the abandonment of approximately 1,040 linear feet of existing 10-inch sewer main. A new 10-inch sewer would be constructed to service the Neptune Marina Parcel 10R and Neptune Marina Parcel FF. The precise alignment of the proposed main has not been defined, but would occur within existing site boundaries. These improvements are described in detail in the **Section 5.8, Sewer Service**, of this draft EIR.

Other on-site improvements involve construction of the storm water drainage network and utility systems. All infrastructure would be designed and constructed in accordance with policies and standards defined by the County of Los Angeles Department of Public Works. A drainage study has been prepared and submitted for County approval.

3.1.3.1.6.2 Woodfin Suite Hotel and Timeshare Resort

All infrastructure and utilities needed to serve the Woodfin Suite Hotel and Timeshare Resort Project are located proximal to each project site in Via Marina and Tahiti Way. The project would construct or participate in the construction of all improvements necessary to serve its proposed uses, including improvements to off-site facilities. Improvements proposed for Parcel 9U consist of a new fire main connecting to the existing 12-inch water main located on Tahiti Way. Given these improvements, the existing and proposed water mains would have the capacity to adequately service the project.

Proposed sewer improvements associated with project would require approximately 210 linear feet of new 8-inch sewer to service the Woodfin Suite Hotel and Timeshare Resort Project. The precise alignment of the proposed sewer has not been defined, but would occur within existing site boundaries. These improvements are discussed in detail in **Section 5.8** of this draft EIR. Other on-site improvements would

involve the construction of the storm water drainage network, and utility systems. All infrastructure would be designed and constructed in accordance with the policies and standards set forth by the County of Los Angeles Department of Public Works.

3.1.3.1.7 Construction Program: Neptune Marina Project

An overall construction schedule for Neptune Marina Parcels 10R and FF and the Woodfin Suite Hotel and Timeshare Resort project is provided in **Table 3.0-4, Neptune Marina Woodfin Suite Hotel and Timeshare Resort Project – Construction Assumptions**, below. In addition, the total amount of cut, fill, and soil export is defined. The public-serving boat spaces are anticipated to be completed in January 2011.

It is expected that public access to the Waterfront Stroll Promenade would be closed during construction. As shown above, the Waterfront Stroll Promenade would be closed 33 months in association with development of Parcel 10R, 21 months in association with development of Parcel FF, 24 months in association with development of Parcel 9U and 12 months in association with development of the restored public wetland and upland buffer. Pedestrian access would be routed along Via Marina and Marquesas Way during project construction. The project construction will result in excess cut from grading operations that will require export of soil to a solid waste facility (Puente Hills Landfill). As depicted in **Figure 5.3-6, Truck Haul Route**, the haul route for trucks carrying the export materials extends north on Via Marina to Washington Boulevard, then east on Lincoln Boulevard and south on the Marina Freeway.

**Table 3.0-4
Neptune Marina Woodfin Suite Hotel and Timeshare Resort Project
Construction Assumptions**

| Project | Demolition Period (months) | Grading Period (months) | Construction Period (months) | Total Construction Time (months) | Operational Date | Cut/Fill/Soil Export (cubic yards) |
|------------|----------------------------|-------------------------|------------------------------|----------------------------------|------------------|----------------------------------------------------|
| Parcel 10R | 2 | 3 | 28 | 33 | September 2012 | 340 cy fill 112,000 cy cut 112,000 cy export |
| Parcel FF | 0.5 | 3 | 17.5 | 21 | September 2012 | 35 cy fill 29,600 cy cut 29,600 cy export |

| Project | Demolition Period (months) | Grading Period (months) | Construction Period (months) | Total Construction Time (months) | Operational Date | Cut/Fill/Soil Export (cubic yards) |
|--------------|----------------------------|-------------------------|------------------------------|----------------------------------|------------------|------------------------------------------------|
| Parcel 9U | 0 | 3 | 21 | 24 | January 2011 | 0 cy fill 38,000 cy cut 36,200 cy export |
| Wetland Park | 0 | 3 | 9 | 12 | January 2011 | 4,500 cy fill 2,700 cy cut no export |

Note: Assumes that with the exception of the wetland park, all projects would commence construction following project approval no earlier than January 2009. The wetland park would commence construction approximately one year after the initiation of construction on Parcel 9U.

3.1.3.1.7.1 Demolition of Existing Landside Uses: Neptune Marina Parcels 10R and FF

Six months prior to any demolition activity, the property management company will prepare a notice that will be sent to all residential tenants occupying the Neptune Marina Parcel 10R site informing tenants of the proposed project's timing of construction. The management company will, at the time of notice, provide all interested tenants lease availability information for other Marina del Rey properties it currently manages. The management company will coordinate with other Marina del Rey property management companies to collect information for interested tenants on rental options in the Marina area. To further assist tenants, the Neptune Marina management company will schedule an on-site lease fair to provide Marina del Rey specific rental availability information to all interested tenants.

Prior to the commencement of demolition, appropriate testing for asbestos containing materials and lead-based paint within the existing structures will be completed. Abatement of identified materials would occur prior to building demolition. The initial stage of demolition requires that construction crews disconnect and remove all utilities. A variety of equipment would be employed during the demolition phase including cranes, tractors, pneumatic hammers, drills, and similar types of equipment. Debris would be trucked from the site for disposal at unclassified landfills that accept these waste materials including, but not limited to, Sunshine Canyon, Long Beach Southeast Resource Recovery (SERRF), Peck Road, or Reliance Pit #2 Landfills or other appropriate landfills located within reasonable hauling distance from the project site, which may be located outside Los Angeles County. Building materials containing asbestos and lead based paint, if any, would be handled, transported, and disposed of in accordance with applicable laws and regulations prior to building removal.

3.1.3.1.7.2 Demolition of Existing Anchorage: Neptune Marina Parcel 10R.

Similar to the process followed for tenants of the existing apartment buildings, six months prior to any demolition activity associated with the existing anchorage, the management company will prepare a notice that will be sent to all boat space tenants informing tenants of the proposed project's timing of construction. The management company will, at the time of notice, provide all boat owners space availability information for the 16 other anchorages and the associated dock masters that occur within Marina del Rey. To further assist boat owners, the management company will schedule a meeting that would provide boat owners information regarding available dock space at other marinas proximal to Marina del Rey and appropriate contact points.

Concurrent with the landside demolition and construction activities for the Neptune Marina Parcel 10R, the existing Neptune Marina boat anchorage would be removed. Prior to dock and space demolition, utilities would be disconnected and all utility lines and surface dock attachments would be removed. Construction crews would work from the docks and from small boats using small mechanical hand tools to disassemble the docks into manageable pieces that can be floated to the seawall and removed from the water by a landside crane.

Once the majority of boat spaces and main walks have been removed, work would commence on the extraction of concrete guide piles. Guide piles would be removed utilizing clamping devices suspended from a crane on a floating barge, transferred to another barge, and transported by sea to a disposal site. To reduce marina sediments being stirred up during guide pile extraction, standard measures of surrounding the guide piles with the steel sheath would be used.

A debris boom would also be installed around all waterside construction areas to capture and control floating debris, and debris catchers would be utilized in places where falling debris is unavoidable. During pile removal, floating siltation curtains would be employed around the work area to reduce and/or prevent sediment from crossing the curtains into surrounding waters. Water quality impacts associated with demolition of the existing marina are addressed in **Section 5.3, Hydrology and Drainage**.

Basins within the study area would remain open during demolition work. Navigational aids, buoys, and lights would be installed, as per US Coast Guard requirements, prior to demolition activity to ensure safe access within all channels of the small-craft harbor.

3.1.3.1.7.3 Demolition: Woodfin Suite Hotel and Timeshare Resort

Given that Parcel 9U is currently vacant, no demolition is required. Site clean-up and minor fine grading would be required prior to the initiation of grading activities.

3.1.3.1.7.4 Construction of Proposed Landside Uses: Neptune Marina Parcels 10R and FF

Following demolition of the existing improvements, excavation for the parking garages would commence. It is expected that construction of the parking garage would require de-watering during excavation. During construction, de-watering wells and pumps would be placed as needed to draw down the water table as necessary. If necessary, groundwater would be pumped to settling basins, filtered, and then pumped to the existing storm water drain system. These actions will require the applicant to obtain a separate National Pollutant Discharge Elimination System (NPDES) Permit for Ground Water Discharge from the Regional Water Quality Control Board (RWQCB). This permit ensures that water ultimately discharged to the small-craft harbor meets all NPDES requirements for suspended solids, organic material, and other water quality parameters. Permanent de-watering is not proposed. Water quality impacts associated with demolition of the existing marina are addressed in **Section 5.3, Hydrology and Drainage**.

Once excavation is complete, foundations would be constructed and framing of the proposed project would begin upon completion of the parking garage. Equipment and materials during construction would be stored on site in a construction-staging area as described below.

Construction Phasing and Staging: If Parcels 10R and FF receive simultaneous approval, then construction will commence as defined below.

Parcel FF will be used for parking and staging during landside demolition of improvements on Parcel 10R. Upon completion of the demolition phase, Parcel FF will be used for parking and staging during construction of the foundation system on Parcel 10R.

Upon completion of the foundation system construction on Parcel 10R, the same type of construction will commence on Parcel FF and any parking and/or staging that need to be moved will be temporarily re-located to Parcel 10R.

Upon completion of the foundation system on Parcel FF, shoring, de-watering, excavation, and garage construction operations will commence on Parcel 10R. Upon completion of this work on Parcel FF, all parking and staging will be re-located back to Parcel FF.

Parking structures on Parcel 10R will be completed in the following sequence: Building 3, Building 2, followed by Building 1. Upon completion of these structures, shoring, de-watering, excavation, and garage construction will commence on Parcel FF for Building 4. During this sequence of construction, staging will be provided on Parcel 10R at the pool and view corridor/drive aisle locations. Off-site parking may be required.

While garage construction commences on Parcel FF, framing operations will commence on Parcel 10R. As noted above, staging can be accomplished on Parcel 10R at the pool and view corridor locations, but off-site parking may be required unless vehicles are allowed to park within the completed garage structures at Building 1, 2, or 3.

Upon completion of the garage construction on Parcel FF, staging of materials will be re-located to the elevated courtyards on Building 4 and view corridor/drive aisle locations at Parcel FF to allow commencement of the pool and drive aisle construction on Parcel 10R. All construction parking will be in designated parking structures.

3.1.3.1.7.5 Construction of Proposed Anchorage: Neptune Marina Parcel 10R

The new Neptune Marina Anchorage (inclusive of private boat spaces situated adjacent to Parcel 10R and public-serving spaces situated adjacent to Parcel 9U) would be constructed concurrently with construction of the landside improvements on the site. All dock floatation elements would be pre-manufactured off site and trucked to the project site. Sections of the dock system would be assembled on land and hoisted onto the water for final assembly. A barge with crane and diesel hammer would be used to install the new guide piles. Utilities would then be installed in addition to accessories such as dock boxes, cleats, rub strips, etc. The gangway ramps to access the docks would be constructed concurrently. A debris boom would be installed around all waterside construction areas to capture any control floating debris, and debris catchers would be utilized in places where falling debris is unavoidable.

3.1.3.1.7.6 Construction of Woodfin Suite Hotel and Timeshare Resort

Construction of the Woodfin Suite Hotel and Timeshare Resort Project would not be phased. Construction is anticipated to take 24 months, beginning no earlier than January 2009. Given this schedule, anticipated buildout of the project would occur in 2011 at the earliest.

Following minor fine grading necessary to clear the project site, excavation for the parking garages would commence. Construction of the parking garage may require de-watering during excavation. During construction, de-watering wells and pumps would be placed as needed to draw down the water table as necessary. If necessary, groundwater would be pumped to settling basins, filtered, and then pumped to the existing storm water drain system. These actions will require the applicant to obtain a separate NPDES Permit for Ground Water Discharge from the RWQCB. This permit ensures that water ultimately discharged to the small-craft harbor meets all NPDES requirements for suspended solids, organic material, and other water quality parameters. Permanent de-watering is not proposed.

Once excavation is complete, the entire basement would be constructed, as well as shoring for the basement walls. After construction of the basement, the westerly portion of the basement would be used for material staging for the tower. The tower crane to be used for steel erection and material hauling would then be erected in the low rise building area (north end of Parcel 9U).

After the high-rise steel is fully erect, steel work on the low-rise building would be completed. During this phase on construction, delivery of the material to the site will occur parallel to the site on Via Marina. The promenade deck facing the marina will be built last, when the hotel tower frame is erected. After construction of the hotel and promenade deck is completed, then construction of the wetland park would be initiated. Staging for the construction of the wetland park will be done on the designated "park" property outside of the existing wetland area.

3.1.3.1.8 Wetland Restoration: Neptune Marina Project

With the change from "Open Space" " to "Residential" on Parcel FF, which would be developed with an apartment building, a restored wetland and public upland park would be constructed on the southern 1.46 acres of Parcel 9U. A public-serving anchorage adjacent to the park as described below is also included as a public recreational amenity. Consistent with project objectives, it is intended that the ground floor of the hotel, the adjacent pedestrian promenade, the restored wetland and upland park and the public-serving boat spaces combine to create an interactive public node. Legacy Partners will fund 50 percent of the development costs associated with construction of the restored wetland and public upland park and 100 percent of the public-serving anchorage, while Woodfin Suite Hotels, LLC will fund the remaining 50 percent of the wetland and upland park (development costs only). Construction, operation, and maintenance of the park would be the responsibility of the County of Los Angeles Department of Beaches and Harbors.

The restored wetland and public upland park will consist of a newly established muted tidal wetland in the southern portion of the park, surrounded by an upland buffer, portions of which could be used as public open space. The muted tidal wetland area will be approximately 0.47 acre in size; the minimum buffer, as measured from the edge of the salt marsh will be 25 feet. The upland buffer will be planted with appropriate transitional vegetation. A protective fence will be installed in a location and manner deemed appropriate for the biological and visitor functions. In the upland buffer, appropriate interpretive signage will be installed to enhance the visitor experience. Turf block areas would provide a sturdy space for group lectures, seating for visitors bringing lawn chairs for bird watching etc., and maintenance vehicles.

Expanded and enhanced seasonal pond habitat with fringing riparian scrub would be planted within the enhanced wetland area. These plant species would replace the non-native species currently found on site. The proposed seasonal pond habitat and fringing riparian scrub would be planted in zones of appropriate wetness. Variations in microtopography within the basin will allow for establishment of mosaic of seasonal pond habitat with associated fringing riparian scrub.

To provide seawater to the wetland based on tidal influence, a tidal exchange pipe would connect the wetland with the westernmost portion of Marina del Rey Basin B. At this time, it is anticipated that the pipe would be placed in an excavated trench and the pipe would pass through the existing seawall.

No lighting shall be permitted. No parking within the park is to be permitted. Monitoring of the vegetation for five years is an integral part of the wetland proposal. A wetland restoration plan is included as **Appendix 3.0**.

Provisions of the LCP allow the parkland beneath the hotel/timeshare resort's view corridor within the wetland park as appropriate compensation for the loss of the designated Parcel FF open space. The view corridor requirements of the Marina del Rey Specific Plan specify that such corridors maintain an unobstructed view of the bulkhead edge, masts, and horizon to pedestrians and passing motorists. Thus, it is the air space above the land that falls within the view corridor and not the land itself. Parking lots are expressly allowed beneath required view corridors per the LCP, provided that the required views are maintained. A project may satisfy parking requirements beneath a required view corridor, and, therefore, open space land uses may also be satisfying the view corridor requirement.

The Marina del Rey Specific Plan requires that new residential development provide compensatory recreational facilities to offset use of existing Marina park and recreational facilities. The Specific Plan expressly provides mitigation credit for public parkland inclusion. It also provides credit for those portions of public view corridors not designated for public access. Thus, the Specific Plan expressly allows view corridors to satisfy more than one regulatory requirement.

In addition, it is consistent with the California Environmental Equality Act for a single mitigation measure to address more than one impact. For example, a traffic demand management plan can reduce vehicle trips, parking demand, mobile emissions, and mobile noise impacts. Similarly, the wetland park and view corridor described above can address potential project impacts with respect to wetlands, open space, public recreation, and compatibility with land use plans.

3.1.3.1.9 Public Boat Spaces Adjoining Parcel 10R and 9U Neptune Marina Project

Legacy Partners will also fund and develop a public-serving anchorage to adjoin the Parcel 9U bulkhead. This anchorage would contain approximately 524 lineal feet of new public dock area (it is estimated that the public anchorage would provide berthing for between 7 and 11 transient vessels, depending on the vessels' size, inclusive of a dinghy berthing area at the northerly end of the anchorage). As planned, this project component would result in the construction of public dock space accommodating between seven and 11 boats plus dinghy moorage. A plan illustrating the location and arrangement of these spaces is provided on **Figure 3.0-22, Public-Serving Boat Slip Plan**. These new public spaces would be compliant with ADA and new California Department of Boating and Waterways safety requirements.

3.1.3.2 Overview of Site Plan: Neptune Marina Parcel 10R

Figure 3.0-23, Site Plan: Neptune Marina Parcel 10R, illustrates a conceptual site plan for the proposed Neptune Marina Parcel 10R. The Neptune Marina Parcel 10R includes development on both the landside and waterside portions of Marina del Rey Parcel 10R. The landside component of the proposed project consists of a 400-unit, multi-family apartment community comprised of three structures. These structures front Marquesas Way and Via Marina and are located southeast of the intersection of those two marina streets.

Emphasis has been placed on a design that balances public and private views of the marina and enhancement of the pedestrian experience adjacent to the water. A major feature of the project that unifies and integrates the residential and adjacent marina is a pedestrian walkway between the buildings and the anchorage, the "Waterfront Stroll Promenade." Located along the waterside perimeter of marina Basin B, the 28-foot-wide Waterfront Stroll Promenade would feature color-patterned paving, landscaping, pedestrian seating and marina-styled fencing and lighting. The entire length of the Waterfront Stroll Promenade would be open to the public. The length of this feature adjacent to the southern and northern portions of the project site is approximately 1,437 feet. The proposed project would feature landscaped planters and other features constructed immediately adjacent to the public Waterfront Stroll Promenade and would also function as a fire lane.

A total of three, four-story wood-framed structures (Building 1, 2, and 3) would house the 400 proposed residential units, with parking provided in two-level parking garages below the residences. Structure height would not exceed 55 feet for Buildings 1 and 2, and would not exceed 60 feet for Building 3 (exclusive of appurtenant, screened roof-top equipment) when measured per County standards.

The waterside portion of the project involves the construction of a new modern boat anchorage. The anchorage would provide users water and electrical service and a sewage pump out station. The 161

proposed boat slips are wide enough to accommodate modern boat design and boats of up to 40 feet. Larger boats could potentially be accommodated at 13 proposed end-tie spaces (161 + 13 = 174 total marina spaces).

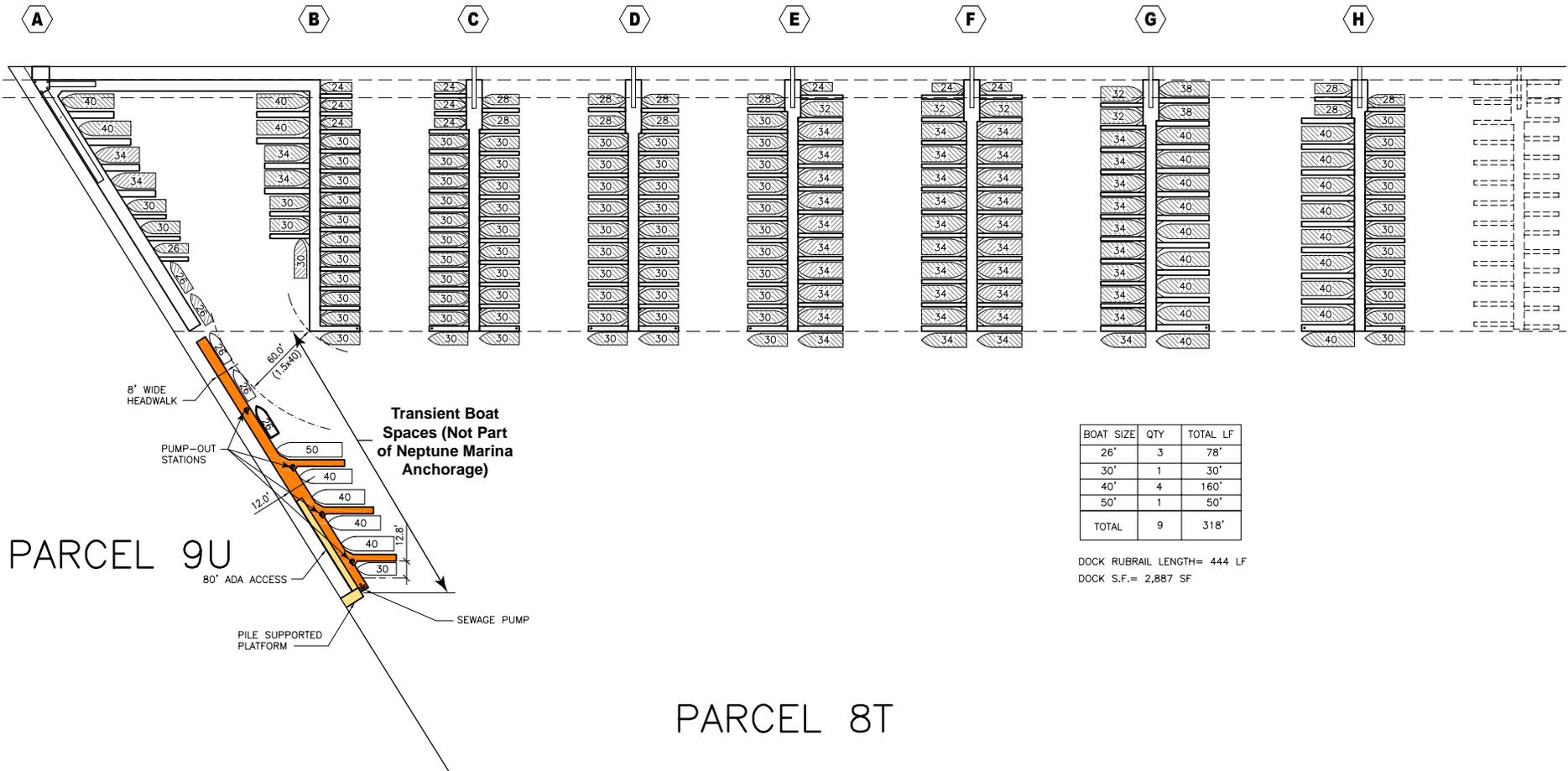
The Neptune Marina Parcel 10R would, therefore, consist of 400 residential dwelling units and 174 boat spaces. As there are 136 existing apartments and 198 boat spaces presently on site, completion of the proposed project would result in a net increase of 264 apartment units and a net reduction of 24 boat spaces.

3.1.3.2.1 Residential Units: Neptune Marina Parcel 10R

As proposed, the Neptune Marina Parcel 10R consists of three new residential structures each being four stories above two levels of parking (**Figure 3.0-12**). Within the three structures, 400 residential units are proposed that include rental apartment and rental townhome units. The design of the residential component of the project emphasizes a relationship to the waterfront and was conceptually approved by the DCB on June 29, 2006. Apartment building orientations have been configured to ensure direct pedestrian access to the Waterfront Stroll Promenade, a portion of which fronts on the newly constructed Neptune Marina Anchorage. There are multiple points for the public to have unimpeded access to the Waterfront Stroll Promenade and the marina. The apartment structures have been separated to the maximum extent feasible to allow for unobstructed view corridors. The various vehicular, non-vehicular and fire access entries on the property would also provide pedestrian access to the promenade and are located between buildings. All access points would be treated with enhanced paving and landscaping open to the Waterfront Promenade Stroll.

One- and two-bedroom apartment and townhome rental units are proposed in 11 different floor-plan configurations. As defined above, 400 residential units are planned. Of these, 246 are one-bedroom apartment units (62 percent of the total) in four different floor-plan configurations; 70 are two-bedroom apartment units (18 percent of the total) in two different floor-plan configurations; and 84 are two-bedroom townhomes (21 percent of the total) in five different floor-plan configurations. **Table 3.0-5, Neptune Marina Parcel 10R – Description of Proposed Residential Units by Type**, provides a breakdown of the number of residential units by product type and their approximate size.

PARCEL 10R

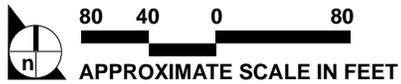


| BOAT SIZE | QTY | TOTAL LF |
|--------------|----------|-------------|
| 26' | 3 | 78' |
| 30' | 1 | 30' |
| 40' | 4 | 160' |
| 50' | 1 | 50' |
| TOTAL | 9 | 318' |

DOCK RUBRAIL LENGTH= 444 LF
DOCK S.F.= 2,887 SF

PARCEL 9U

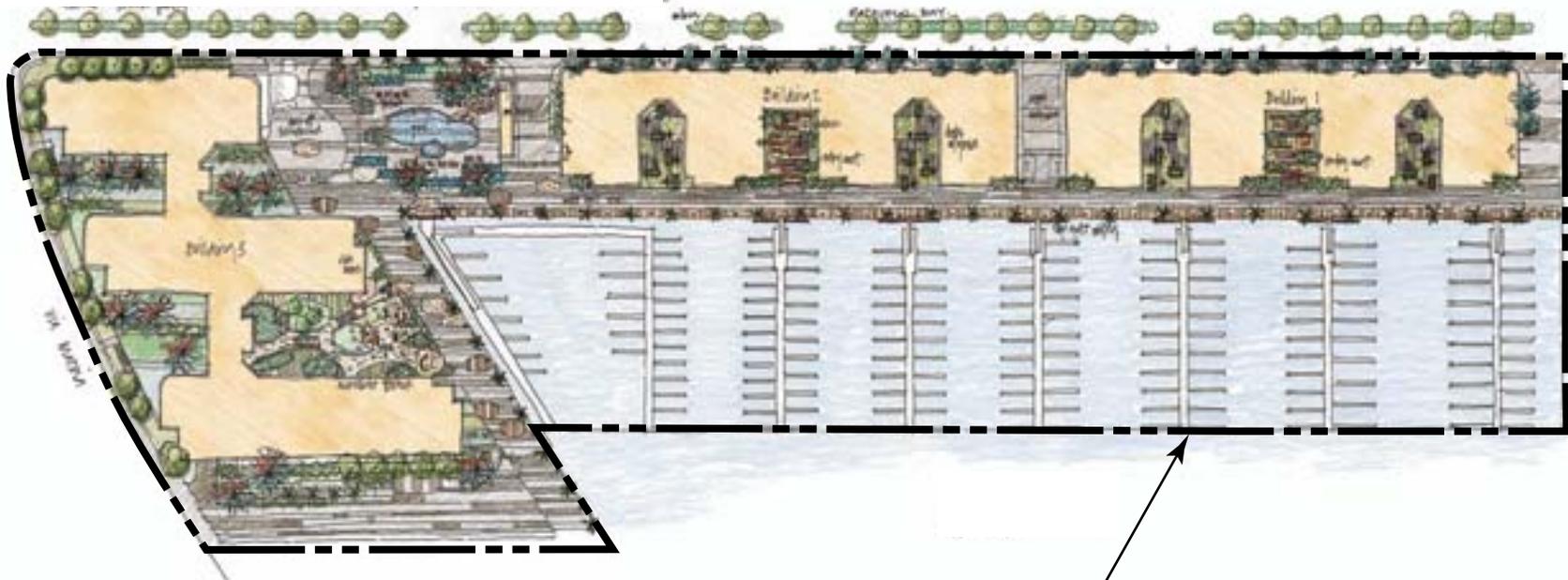
PARCEL 8T



SOURCE: C&A Architects. -- July 2006

FIGURE 3.0-22

Public-Serving Boat Slip Plan



Parcel 10R Boundary



160 80 0 160

APPROXIMATE SCALE IN FEET

SOURCE: Thomas P. Cox: Architects, Inc. – April 2005

FIGURE 3.0-23

Site Plan: Neptune Marina Parcel 10R

Table 3.0-5
Neptune Marina Parcel 10R
Description of Proposed Residential Units by Type

| Type of Unit | Quantity Proposed | Size of Unit (sq. ft.) |
|-------------------------------|-------------------|------------------------|
| 1-Bedroom Apartment; Type A-1 | 146 | 716 |
| 1-Bedroom Apartment; Type A-2 | 48 | 650 |
| 1-Bedroom Apartment; Type A-3 | 48 | 849 |
| 1-Bedroom Apartment; Type A-4 | 4 | 745 |
| 2-Bedroom Apartment; Type B-1 | 42 | 1,122 |
| 2-Bedroom Apartment; Type B-2 | 28 | 1,282 |
| 2-Bedroom Townhome; Type T-1 | 20 | 1,359 |
| 2-Bedroom Townhome; Type T-1b | 8 | 1,543 |
| 2-Bedroom Townhome; Type T-1c | 10 | 1,529 |
| 2-Bedroom Townhome; Type T-2 | 20 | 1,691 |
| 2-Bedroom Townhome; Type T-3 | 26 | 1,653 |
| TOTAL | 400 | |

Figure 3.0-4 through **Figure 3.0-6** provide illustrations of conceptual floor plans for each of the three structures that comprise the Neptune Marina Parcel 10R. As stated above, the proposed new waterfront community would consist of three, four-story Type V, 1-hour, fully sprinklered, wood-framed residential buildings, which would be, constructed over a two-level parking garage. Structures are designed with open-air courtyards and perimeter landscaping which is incorporated into the public Waterfront Stroll Promenade. As noted, structure height would not exceed 55 feet for Buildings 1 and 2, and would not exceed 60 feet for Building 3 (exclusive of appurtenant, screened roof-top equipment) measured per County standards. **Figure 3.0-8** provides representative conceptual building elevations, while **Figure 3.0-10** illustrates representative conceptual building cross sections for each proposed structure.

3.1.3.2.2 Access and Parking: Neptune Marina Parcel 10R

For residents, vehicular access (**Figure 3.0-20**) to and from the proposed residential development would be taken from eight locations. Seven points of access are located off Marquesas Way and one point of vehicular access is located along Via Marina south of Marquesas Way. For residential visitors, vehicular access to the interior portions of the project is via three signed entrances on Marquesas Way. Vehicular access for boaters and users of the anchorage is via one entrance on Via Marina (to the south). Pedestrian

access to the public Waterfront Stroll Promenade is via a series of signed paved walkways between the buildings.

In each of the three proposed buildings, parking is provided in two-level garages built below each building. The lowest level of parking is entirely subterranean on the street side of the building while the upper level of parking would be built at ground level. All parking garages would be screened by architectural and landscaping features, primarily by terraced, landscaped planters along the street and by landscaping along the promenade.

A total of 908 parking spaces would be provided throughout the Neptune Marina Parcel 10R. Parking for apartment residents, their guests and the anchorage boaters would be segregated. Among the three user types, residents would be provided parking within the two-level garages through the use of security gate enclosures provided at both levels in all three buildings. Parking for guests is provided within the garages of each building. A parking area for boaters and users of the anchorage is provided in the southern end of the garage in Building 3 (Parcel 10R). **Table 3.0-6, Neptune Marina Parcel 10R – Description of Parking Facilities by Building**, shows the breakdown of parking spaces by building.

**Table 3.0-6
Neptune Marina Parcel 10R
Description of Parking Facilities by Building**

| Building | Resident Spaces | Guest Spaces | Boater Spaces | Total |
|------------------|------------------------|---------------------|----------------------|--------------|
| I (10R) | 189 | 28 | 0 | 217 |
| II (10R) | 189 | 28 | 0 | 217 |
| III (10R) | 299 | 44 | 131 | 474 |
| TOTAL | 677 | 100 | 131 | 908 |

3.1.3.2.3 Boat Anchorage: Neptune Marina Parcel 10R

The proposed Neptune Marina Anchorage is situated to the waterside of Buildings 1, 2 and 3 and would be constructed concurrent with the apartment buildings. The existing 198-space anchorage would be removed and replaced with 174 new spaces (a net reduction of 24 spaces). A more complete description of the proposed Neptune Marina Anchorage is provided under heading 3.1.3.1.2.

3.1.3.2.4 Amenities: Neptune Marina Parcel 10R

The residential component of the project would feature a variety of recreational amenities, including the following: a recreational lounge, game room, business center, and restrooms. In addition to these facilities, the residential component of the project would include offices for the harbormaster and leasing offices. A more complete description of project amenities is provided under heading **3.1.3.1.1**.

3.1.3.2.5 View Corridors: Neptune Marina Parcel 10R

The Neptune Marina Parcel 10R incorporates four view corridors. Of the four view corridors, three corridors allow vistas of Marina del Rey Basin B from Marquesas Way (southerly). The fourth view corridor allows vistas of Marina del Rey Basin B from Via Marina (easterly).

Provisions of the certified LCP tabulate the area of required view corridor based on the length of the parcel's water frontage and the proposed building height. Within Parcel 10R (based on the length of the parcel's water frontage and a proposed building heights of 55 and 60 feet), the LUP requires 360 linear feet of view corridor. As proposed, the project would provide 389 linear feet. As such, the project, as planned on Parcel 10R, is consistent with view corridor provisions of the Marina del Rey Land Use Plan that call for public and private views of the marina from perimeter roadways.

3.1.3.2.6 Infrastructure Improvements: Neptune Marina Parcel 10R

All infrastructure and utilities needed to serve the Neptune Marina Parcel 10R are located on site or in perimeter roadways. The project would construct or participate in the construction of all improvements necessary to serve the proposed project, including improvements to off-site facilities.

Water improvements consist of a looped fire main connecting to an existing 12-inch main located along Marquesas Way at the easterly end of the project site and a connection to an existing 12-inch water main located along Via Marina at the western end of the project. Once off-site and on-site improvements are completed, the existing and proposed water mains would have the capacity to adequately serve the Neptune Marina Parcel 10R. Planned off- and on-site improvements are described in detail in **Section 5.9, Water Service**, of this draft EIR.

Proposed sewer improvements would require the abandonment of approximately 1,040 linear feet of existing 10-inch sewer main. Approximately 600 linear feet of new 10-inch sewer would be constructed to service the project. The precise alignment of the proposed main has not been defined, but would occur within existing site boundaries. These improvements are described in detail in **Section 5.8, Sewer Service**, of this draft EIR.

Other on-site improvements involve construction of the storm water drainage network and utility systems. All infrastructure would be designed and constructed in accordance with policies and standards defined by the County of Los Angeles Department of Public Works.

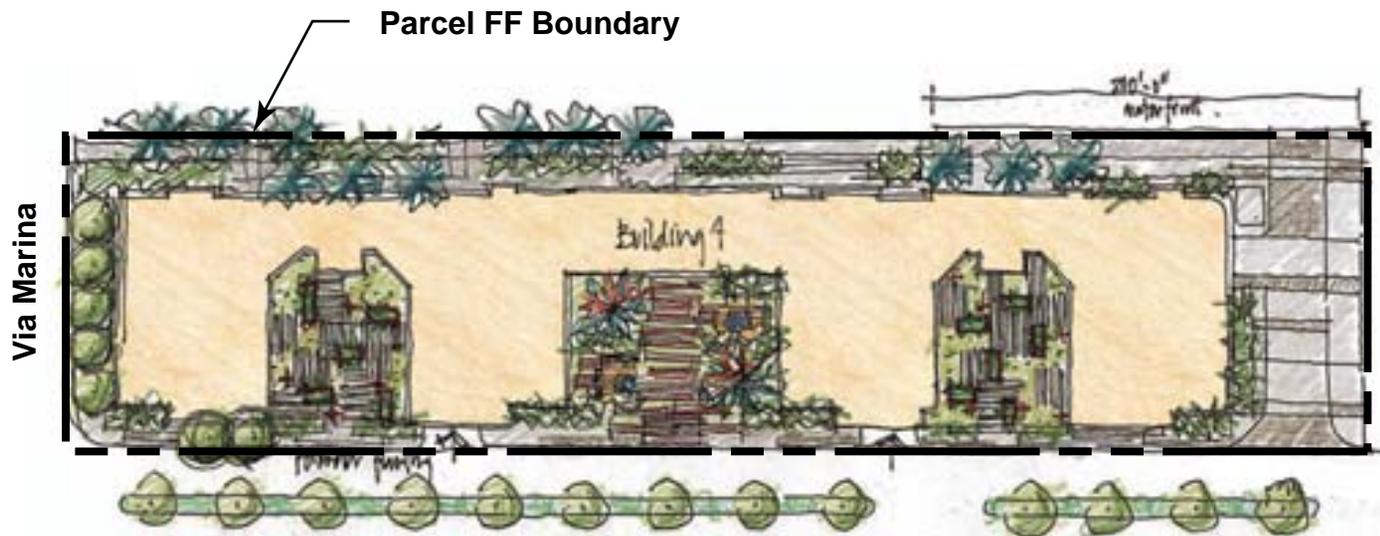
3.1.3.3 Overview of Site Plan: Neptune Marina Parcel FF

Figure 3.0-24, Site Plan: Neptune Marina Parcel FF, illustrates a conceptual site plan for the proposed Neptune Marina Parcel FF. The Neptune Marina Parcel FF includes development on the landside portion of Marina del Rey Parcel FF. The landside component of the proposed project consists of a 126-unit, multi-family apartment community comprised of one structure. The structure fronts Marquesas Way and Via Marina and is located northeast of the intersection of those two marina streets. It is important to note that implementation of Components 4 and 5, or other equivalent mitigation, are associated with the approval of development on the Neptune Marina Parcel FF (Component 2).

Emphasis has been placed on a design that balances public and private views of the marina and enhancement of the pedestrian experience adjacent to the water. A major feature of the project that unifies and integrates the residential and adjacent marina is a pedestrian walkway between the buildings and the existing marina, the "Waterfront Stroll Promenade." Located along the waterside perimeter of marina Basins C, the 28-foot-wide Waterfront Stroll Promenade would feature color-patterned paving, landscaping, pedestrian seating and marina-styled fencing and lighting. The entire length of the Waterfront Stroll Promenade would be open to the public and is connected to the existing unimproved marina walkway system. The length of this feature adjacent to the northern portion of the project site is approximately 200 feet in length. The proposed project would feature landscaped planters and other features constructed immediately adjacent to the public Waterfront Stroll Promenade.

One four-story wood-framed structure (Building 4) would house 126 proposed residential units, with parking provided in two-level parking garages below the structure. Structure height would not exceed 55 feet (exclusive of appurtenant, screened rooftop equipment, parapets and architectural features) when measured from finished grade elevations along Via Marina and Marquesas Way.

The Neptune Marina Parcel FF would, therefore, consist of 126 residential dwelling units. The project site is currently developed with an underutilized surface parking lot. Therefore, completion of the proposed project would result in a net increase of 126 apartment units.



SOURCE: Thomas P. Cox: Architects, Inc. – April 2005

FIGURE 3.0-24

Site Plan: Neptune Marina Parcel FF

3.1.3.3.1 Residential Units: Neptune Marina Parcel FF

As proposed, the Neptune Marina Parcel FF consists of one new residential structure being four stories above two levels of parking. Within the structure, 126 residential units are proposed that include apartment and townhome rental units. The design of the residential component of the project emphasizes a relationship to the waterfront with views to both Basins B and C within Marina del Rey. Apartment building orientations have been configured to provide pedestrian access to the Waterfront Stroll Promenade. There are multiple points for the public to have unimpeded access to the Waterfront Stroll Promenade and the marina. All drive aisles into the project provide views between the proposed buildings to the marina. The various vehicular, non-vehicular, and fire access entries on the property would also provide pedestrian access.

One- and two-bedroom apartment and townhome rental units are proposed in nine different floor-plan configurations. As defined above, 126 residential units are planned. Of these, 84 are one-bedroom apartment units (67 percent of the total) in four different floor-plan configurations; 18 are two-bedroom apartment units (14 percent of the total) in two different floor-plan configurations; and 24 are two-bedroom townhomes (19 percent of the total) in three floor-plan configurations. **Table 3.0-7, Neptune Marina Parcel FF – Description of Proposed Residential Units by Type**, provides a breakdown of the number of residential units by product type and their approximate size.

Figure 3.0-7 provides an illustration of the conceptual floor plan that comprises the Neptune Marina Parcel FF. As stated above, the proposed new waterfront community would consist of one, four-story Type V, 1-hour, fully sprinklered, wood-framed residential building which would be constructed over a two-level parking garage. The structure is designed with an open-air courtyard and perimeter landscaping that is incorporated into the public Waterfront Stroll Promenade. Structure height would not exceed 55 feet (exclusive of appurtenant, screened rooftop equipment) measured per County standards. **Figure 3.0-9** provides a representative building elevation, while **Figure 3.0-10** illustrates a representative building cross section.

Table 3.0-7
Neptune Marina Parcel FF
Description of Proposed Residential Units by Type

| Type of Unit | Quantity Proposed | Size of Unit (sq. ft.) |
|-------------------------------|-------------------|------------------------|
| 1-Bedroom Apartment; Type A-1 | 50 | 716 |
| 1-Bedroom Apartment; Type A-2 | 16 | 650 |
| 1-Bedroom Apartment; Type A-3 | 16 | 849 |
| 1-Bedroom Apartment; Type A-4 | 2 | 745 |
| 2-Bedroom Apartment; Type B-1 | 4 | 1,122 |
| 2-Bedroom Apartment; Type B-2 | 14 | 1,282 |
| 2-Bedroom Townhome; Type T-1 | 8 | 1,359 |
| 2-Bedroom Townhome; Type T-2 | 8 | 1,691 |
| 2-Bedroom Townhome; Type T-3 | 8 | 1,653 |
| TOTAL | 126 | |

Note: All project units are rental units.

3.1.3.3.2 Access and Parking: Neptune Marina Parcel FF

For residents, vehicular access (**Figure 3.0-20**) to and from the proposed residential development would be taken from three locations located off Marquesas Way. For visitors, vehicular access to the interior portions of the project is via signed entrances on Marquesas Way. Pedestrian access to the public Waterfront Stroll Promenade is via a series of signed paved walkways between the buildings.

In the proposed building, parking is provided in two-level garages built below the residences. The lowest level of parking is entirely subterranean on the street side of the building while the upper level of parking would be built at ground level. All parking garages would be screened by architectural and landscaping features, primarily by terraced, landscaped planters along the street and by landscaping along the promenade.

A total of 242 parking spaces would be provided throughout the Neptune Marina Parcel FF in the structured parking garage. Parking for apartment residents and their guests would be segregated. Among the two user types, residents would be provided parking within the two-level garages through the use of security gate enclosures. Parking for guests is provided in non-gated areas within the garage.

Table 3.0-8, Neptune Marina Parcel FF – Description of Parking Facilities by Building, shows the breakdown of parking spaces in the proposed project.

Table 3.0-8
Neptune Marina Parcel FF
Description of Parking Facilities by Building

| Building | Resident Spaces | Guest Spaces | Boater Spaces | Total |
|-----------------|------------------------|---------------------|----------------------|--------------|
| IV (FF) | 210 | 32 | 0 | 242 |
| TOTAL | 210 | 32 | 0 | 242 |

3.1.3.3.3 Amenities: Neptune Marina Parcel FF

The residential component of the project would feature a variety of recreational amenities, including the following: a recreational lounge, game room, business center, and restrooms. A more complete description of project amenities is provided under heading 3.1.3.1.1.

3.1.3.3.4 View Corridors: Neptune Marina Parcel FF

The Neptune Marina Parcel FF incorporates a view corridor at the eastern end of the proposed structure (Building 4). View corridors allow vistas of Marina del Rey Basin C from Marquesas Way (northerly). Based on the length of the parcel's water frontage and a proposed building height of 55 feet, the LUP requires 53 linear feet of view corridor. As proposed, the project provides 60 linear feet. As such, the project as proposed on Parcel FF is consistent with view corridor provisions of the Marina del Rey Land Use Plan that call for public and private views of the marina from perimeter roadways.

3.1.3.3.5 Infrastructure Improvements: Neptune Marina Parcel FF

All infrastructure and utilities needed to serve the Neptune Marina Parcel FF are located on site or in perimeter roadways. The project would construct or participate in the construction of all improvements necessary to serve the proposed project, including improvements to off-site facilities.

Water improvements would consist of a looped fire main connecting to an existing 12-inch main located along Marquesas Way at the easterly end of the project site and connecting to an existing 12-inch water main located along Via Marina at the western end of the project. Once off- and on-site improvements are completed, the existing and proposed water mains would have the capacity to adequately serve the

Neptune Marina Parcel FF. Planned off- and on-site improvements are described in detail in the **Section 5.9, Water Service**, of this draft EIR.

Proposed sewer improvements would require the abandonment of approximately 1,040 linear feet of existing 10-inch sewer main. Approximately 600 linear feet of new 10-inch sewer would be constructed to serve the Neptune Marina Parcel FF. The precise alignment of the proposed main has not been defined, but would occur within existing site boundaries. These improvements are described in detail in **Section 5.8, Sewer Service**, of this draft EIR.

Other on-site improvements involve construction of the storm water drainage network and utility systems. All infrastructure would be designed and constructed in accordance with policies and standards defined by the County of Los Angeles Department of Public Works.

3.1.3.4 Overview of Site Plan: Woodfin Suite Hotel and Timeshare Resort

Figure 3.0-25, Site Plan: Woodfin Suite Hotel and Timeshare Resort, illustrates a conceptual site plan for the proposed Woodfin Suite Hotel and Timeshare Resort. The project consists of a 19-story building with 288 hotel and timeshare units (a minimum of 152 hotel suites and 136 timeshare suites), meeting rooms, a restaurant and bar, a spa, an exercise room with a pool, and associated hotel operations space, such as the lobby, hallways, elevator shafts, mechanical rooms, offices, and laundry, maintenance and custodial facilities. The building would also feature an outdoor terrace and a large third floor deck with a pool, both of which would overlook the waters of the marina. The project includes a six-level parking garage adjoining the hotel/timeshare structure to the north (five parking levels above ground and one parking level underground), designed to accommodate up to 21 “self-park” parking spaces and 339 valet-only parking spaces (total of 360 parking spaces provided on site).

The intent of the site plan was to concentrate development on the northern portion of the project site and preserve the southern portion of Parcel 9U as a wetland park and adjacent upland buffer. All ground floor uses would be accessible to the public. It is intended that the ground floor of the hotel, the adjacent pedestrian promenade, the wetland park, and the public-serving boat spaces combine to create an interactive public node.

Consistent with the certified LCP, the height of the hotel/timeshare structure would not exceed 225 feet (exclusive of appurtenant, screened rooftop equipment, parapets and architectural features) when measured from finished grade elevations along Via Marina. The structure would front Via Marina and would be located south of the intersection of Via Marina and Marquesas Way and north of the intersection of Via Marina and Tahiti Way.



FIGURE 3.0-25

Site Plan: Woodfin Suite Hotel and Timeshare Resort

3.1.3.4.1 Proposed Hotel/Timeshare Resort Building Layout

Floors one, two and three of the hotel/timeshare resort structure would include all non-residential areas of the buildings, including loading areas, hotel lobby and offices, a restaurant and bar, a spa, an exercise room with a pool, outdoor function areas, meeting rooms and a large conference room/ballroom. Cross sections of the project are illustrated on **Figures 3.0-13 to 3.0-15**.

The ground floor of the project would include the lobby and registration/reception area, elevator bays (four bays), the business center, hotel/timeshare offices, a hotel restaurant and bar, kitchen, sundry shop, meeting rooms and restrooms. The exterior of the ground floor of the hotel/timeshare structure (**Figure 3.0-16**) would provide for hotel/timeshare ancillary uses consisting of outdoor dining areas, the motor court (drop-off and valet parking area), the entrance to the parking area, and service docks for truck loading. All ground floor uses would be accessible to the public. It is intended that the ground floor of the hotel/timeshare resort, the adjacent pedestrian promenade, restored wetland and upland park and the public-serving boat spaces combine to create an interactive public node.

Second floor uses are illustrated on **Figure 3.0-17**. As shown, second floor uses would include a ballroom, meeting rooms, and banquet kitchen. The third floor of the building would contain an exercise room/spa that would open to the outdoor pool deck.

The hotel/timeshare portion of the building would incorporate portions of the second and third floors and floors 4 through 19. An example of the layout of these floors is presented in **Figure 3.0-18**. Other uses on floors 4 through 19 would include the elevator lobby, a service lobby, and housekeeping rooms.

An emergency helistop is proposed on the roof of the hotel/timeshare high-rise structure consistent with County Code requirements. Other screened roof elements include mechanical equipment, chillers, cooling towers, a service lobby, elevator machine room, and an emergency generator and boiler.

3.1.3.4.2 Hotel and Timeshare Units

In total, 288 overnight residential units are proposed as part of the project. There are three general types of unit proposed for the building: hotel units, one-bedroom timeshare units and two-bedroom timeshare units. As proposed, there would be 152 hotel units, 68 one-bedroom timeshare units and 68 two-bedroom timeshare units. Each hotel and timeshare unit would have one to two bedrooms, a sitting area, kitchenette and bathroom, and an exterior balcony.

All of the project's proposed 136 timeshare suites are intended to and are designed to be used on a temporary basis by guests. Moreover, the Woodfin Suite Hotel and Timeshare Resort will be a full-service facility, with a single set of support facilities (check-in desk, reception, restaurants, cocktail lounge, etc.) for both timeshare and hotel users. Therefore, there will be no distinction in terms of services between hotel patrons and timeshare patrons.

The Woodfin Suite Hotel and Timeshare Resort will enhance visitor-serving uses by providing much needed additional overnight accommodations through both the hotel and timeshare component. Some key operational aspects of the project include:

- The timeshare suites will not be in a separate tower from the hotel suites; rather, both the hotel and timeshare suites will be on same floors (4 through 19).
- Rental of both the timeshare suites and hotel suites will be handled in a similar manner by on-site management (electronic keys issued by the front desk, concierge services, housekeeping, front-desk check-in/out).
- Timeshares will be made available to the general public through the hotel reservation system when not used by timeshare vacationers.
- Timeshare suites will be marketed through an exchange program and through the hotel, and will be rented at comparable rates to equivalent hotel suites.
- Timeshare suites will be sold in one week intervals.
- Stays in timeshare suites will be limited to no more than a total of four weeks annually.
- The Woodfin timeshare component will remain a commercial use and will comply with the timeshare laws governed by the California Department of Real Estate.

3.1.3.4.3 Access and Parking: Woodfin Suite Hotel and Timeshare Resort

Vehicular access to and from the Woodfin Suite Hotel and Timeshare Resort Project would be taken from two locations (refer to **Figure 3.0-21**). One access point located on Via Marina would provide an entry to the motor court and the parking garage. The second access point is also located along Via Marina (north of access to the motor court) that provides access to the service entry and loading docks.

Parking for the Woodfin Suite Hotel and Timeshare Resort would be provided in a six-level parking structure located north of the hotel/timeshare building. Five floors would be above and one floor would be below finished grade. The first three floors of the garage would connect with the ground, second and third floors of the hotel/timeshare building. The parking garage is designed to accommodate up to 21 fee-based “self-park” parking spaces open to the public and 339 valet-only parking spaces (total of 360 parking spaces provided on-site).

3.1.3.4.4 Amenities: Woodfin Suite Hotel and Timeshare Resort

3.1.3.4.4.1 Guest and Visitor Amenities

The Woodfin Suite Hotel and Timeshare Resort project would feature a variety of patron- and visitor-serving recreational amenities, including a restaurant and bar, a business center, meeting rooms, sundry shop, and exercise room/spa. Outdoor amenities would include pool facilities and a dining terrace overlooking the Waterfront Stroll Promenade and the Marina.

3.1.3.4.4.2 Public Amenities

A major feature of the project that unifies and integrates the hotel/timeshare resort with the Marina is the continuation of the Waterfront Stroll Promenade from Legacy Partners' project across the entire waterfront extent of Parcel 9U. Located along the waterside perimeter of the proposed hotel/timeshare resort and planned adjacent public wetland park project at Parcel 9U, the 28-foot-wide public Waterfront Stroll Promenade will feature special color-patterned paving, landscaping, pedestrian seating and marina-styled fencing and lighting and would also serve as fire access. The length of the Waterfront Stroll Promenade on Parcel 9U is approximately 386 feet. The hotel/timeshare structure will feature landscaped planters and other features constructed immediately adjacent to the public Waterfront Stroll Promenade. Landscaped areas are also proposed along the western, eastern, and southern margins of the project and in various perimeter areas surrounding the hotel/timeshare structure. Public access to the Marina and the Waterfront Stroll Promenade will be available along a walkway on the southeastern side of the building. This walkway would be treated with enhanced paving and landscaping similar to that of the Waterfront Stroll Promenade. As defined above, all ground floor uses would be accessible to the public. It is intended that the ground floor of the hotel, the adjacent pedestrian promenade, the wetland park, and the public-serving boat spaces combine to create an interactive public node.

3.1.3.4.5 View Corridors: Woodfin Suite Hotel and Timeshare Resort

The Woodfin Suite Hotel and Timeshare Resort Project (Parcel 9U), incorporates one view corridor on Parcel 9U, south of the hotel. The primary view corridor allows vistas of Marina del Rey Basin B from Via Marina through the Parcel 9U public park/wetland. Per the LCP, based on the proposed 225-foot height of the hotel structure (excluding appurtenant rooftop structures), a view corridor totaling 40 percent of the length of the site is required. For the 386-foot-long site, a minimum 154-foot-wide view corridor is required. The project plans for 154 linear feet of view corridor through the Parcel 9U public park/wetland to be situated to the south of the proposed hotel/timeshare resort structure. Because the project provides the required 154 feet of public view corridor on Parcel 9U (the minimum required in this instance to

achieve the proposed hotel/timeshare structure height), the project is consistent with provisions of the LCP that call for public and private views of the Marina from perimeter roadways.

3.1.3.4.6 Infrastructure Improvements: Woodfin Suite Hotel and Timeshare Resort

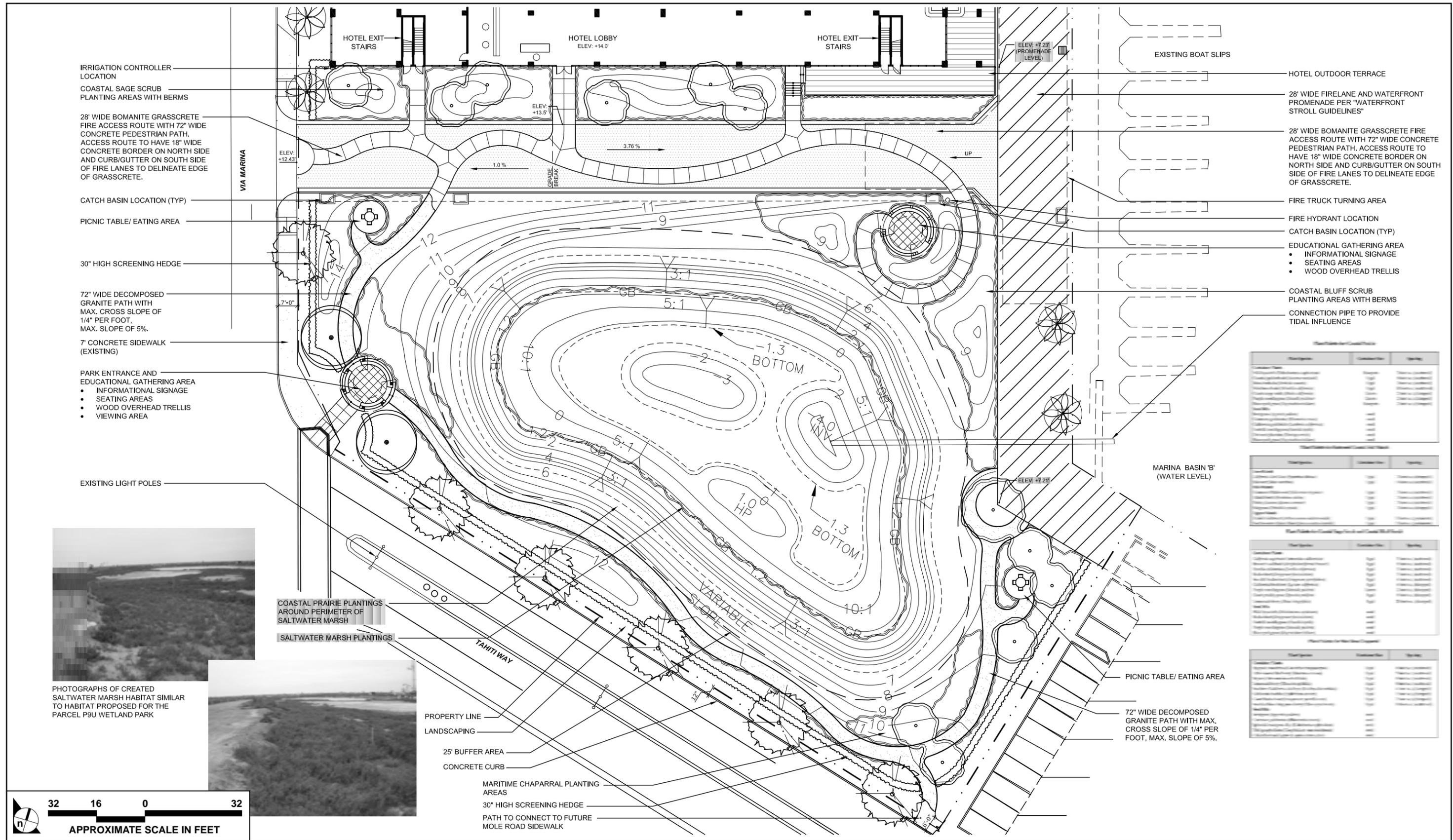
All infrastructure and utilities needed to serve the Woodfin Suite Hotel and Timeshare Resort Project are located proximal to each project site. The project would construct or participate in the construction of all improvements necessary to serve their proposed uses, including improvements to off-site facilities. Improvements proposed for Parcel 9U consist of a new fire main connecting to the existing 12-inch water main located on Tahiti Way. Given these improvements, the existing and proposed water mains would have the capacity to adequately service the project.

Proposed sewer improvements associated with project would require approximately 210 linear feet of new 8-inch sewer to service the Woodfin Suite Hotel and Timeshare Resort Project. The precise alignment of the proposed main has not been defined, but would occur within existing site boundaries. Other on-site improvements would involve the construction of the storm water drainage network, and utility systems. All infrastructure would be designed and constructed in accordance with the policies and standards set forth by the County of Los Angeles Department of Public Works.

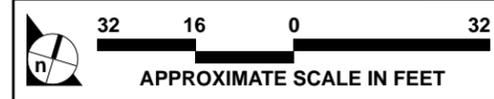
3.1.3.5 Overview of Site Plan: Restored Wetland and Public Upland Park

3.1.3.5.1 Overview: Wetland Restoration/Public Open Space Area

Accompanying the change of "Open Space" designated land use of Parcel FF, which would be developed with an apartment building, negating the ability to potentially develop Parcel FF with a future public park, Legacy Partners Neptune Marina, LP, will help to fund the development of a public wetland and upland park of approximately 1.46 acres within the southern portion of Parcel 9U (Legacy Partners will fund 50 percent of the development costs associated with construction of the wetland and upland park, while Woodfin Suite Hotels, LLC will fund the remaining 50 percent of these development costs). A wetland restoration plan has been prepared and is attached in full as **Appendix 3.0**. The wetland park will consist of a newly established muted tidal wetland area in the southern portion of the park, surrounded by an upland buffer (**Figure 3.0-26, Conceptual Wetland Mitigation Plan**). The muted tidal wetland area shall be approximately 0.47 acre in size, while the upland buffer shall be 0.99 acre and planted in appropriate transitional vegetation. A protective fence shall be installed in a location and manner deemed appropriate for the biological and visitor functions. In the upland buffer, appropriate interpretive signage will be installed to enhance the visitor experience. Turf block areas would provide a sturdy space for group lectures, seating for visitors bringing lawn chairs for bird watching etc., and maintenance vehicles.



PHOTOGRAPHS OF CREATED SALTWATER MARSH HABITAT SIMILAR TO HABITAT PROPOSED FOR THE PARCEL P9U WETLAND PARK



SOURCE: Glenn Lukos Associates - July 2008

FIGURE 3.0-26

Conceptual Wetland Mitigation Plan

Expanded and enhanced seasonal pond habitat with fringing riparian scrub would be planted within the enhanced wetland area. These plant species would replace the non-native species currently found on site. The proposed seasonal pond habitat and fringing riparian scrub would be planted in zones of appropriate wetness. Variations in microtopography within the basin will allow for establishment of mosaic of seasonal pond habitat with associated fringing riparian scrub.

No lighting or parking will be permitted within the park. Parking for park visitors will be conveniently located within the adjacent hotel/timeshare resort's parking area (as noted, up to 21 fee-based self-parking spaces will be provided within the hotel/timeshare resort project, for use by the public). Until the hotel is built, a temporary parking lot would be allowed on the hotel portion of Parcel 9U in a non-paved area. Monitoring of the vegetation for five years is an integral part of the wetland proposal.

3.1.3.5.2 Infrastructure Improvements: Wetland Restoration Area/Public Open Space Area

All infrastructure and utilities needed to serve the wetland restoration/public open space area are located on site or in perimeter roadways. The project would construct or participate in the construction of all improvements necessary to serve the proposed project, including improvements to off-site facilities.

3.1.3.5.3 Construction Program: Wetland Restoration Area/Public Open Space Area

Construction of the wetland restoration area/public open space area would occur concurrently with development proposed on Parcel FF and prior to removal of the existing wetland on parcel 9U. As the project site Parcel 9U is vacant, no demolition is required. Construction of the project is anticipated to take 12 months to complete. Given this schedule, anticipated buildout of the project would occur in January of 2011.

3.1.3.6 Project Overview: Public Boat Spaces

To further compensate for the inability to potentially develop a public park on Parcel FF in the future, as a result of developing the parcel with an apartment building, Legacy Partners will fund and develop a public-serving anchorage to adjoin the Parcel 10R and 9U bulkhead. This anchorage would comprise approximately 49,000 square feet or 1.12 waterside or submerged acres in the southwestern portion of Basin B, and would contain approximately 524 lineal feet of new public dock area (it is estimated that the public anchorage would provide berthing for between 7 and 11 transient vessels, depending on the vessels' size, inclusive of berthing for dinghies at the northern end of the anchorage). The new public boat anchorage, which would be compliant with ADA and Department of Boating and Waterways standards, will constitute a significant public boater-serving amenity, as no such public anchorage currently exists within the westerly "residential" portion of Marina del Rey.

3.1.4 Project Applications

Section 15124(d)(b) of the *State CEQA Guidelines* indicates that the project description shall include a list of permits and other approvals required to implement the project. A listing, by project component, of project applications required by the County of Los Angeles Department of Regional Planning is below.

Neptune Marina Parcel 10R

- Amendment to the Marina del Rey Land Use Plan
- Coastal Development Permit (CDP)
- Coastal "Approval in Concept" (for Parcel 10R anchorage component) for separate CDP from the Coastal Commission
- Conditional Use Permit
- Variance

Neptune Marina Parcel FF

- Amendment to the Marina del Rey Land Use Plan
- Coastal Development Permit
- Conditional Use Permit
- Variance

Woodfin Suite Hotel and Timeshare Resort

- Coastal Development Permit
- Conditional Use Permit
- Parking Permit
- Tentative Tract Map
- Variance

Wetland Restoration

- Coastal Development Permit

Public-Serving Anchorage

- Coastal "Approval in Concept" for a separate CDP from the Coastal Commission

3.1.5 Decision-Making Agencies

Section 15124(d)(a) of the *State CEQA Guidelines* indicates that the project description shall include a list of agencies that are expected to use the EIR in their decision making. Agencies are limited to the County of Los Angeles and the California Coastal Commission.

4.0 CUMULATIVE PROJECTS

Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts (*State California Environmental Quality Act [CEQA] Guidelines* 15355).

- The individual effects may be changes resulting from a single project or from a number of separate projects.
- The cumulative impact from several projects is the change in the environment that results from the incremental impact of the project when added to other related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

An EIR is required to analyze cumulative impacts and propose feasible options for mitigating or avoiding the project's contribution to any significant cumulative impacts, if the project's contribution is "cumulatively considerable" (*State CEQA Guidelines* 15130). The discussion of cumulative impacts should reflect the severity of the impacts and their likelihood of occurrence. An adequate discussion of significant cumulative impacts may utilize a list of past, present and probable future projects producing related or cumulative impacts, including, if necessary, nearby projects outside control of the lead agency. When utilizing such a list, factors to consider when determining whether to include a related project should include the nature of each environmental resource being examined, the location of the project and its type (*State CEQA Guidelines* 15130). Alternatively, the lead agency may utilize a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document that has been adopted or certified and which described or evaluated regional or area-wide conditions contributing to the cumulative impact. Any such planning document shall be referenced and made available to the public at a location specified by the lead agency.

This draft EIR relies on the list method of impact analysis. Reasonably foreseeable development in the vicinity of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project is listed in **Table 4.0-1, Related Project Descriptions**. The list of projects was compiled by Crain & Associates in collaboration with the County of Los Angeles as part of the traffic analysis for this draft EIR. Listings of potential related projects located in the study area were obtained from the Los Angeles Regional Planning Department, the Los Angeles Department of Transportation (LADOT), and from the Cities of Santa Monica and Culver City. Development of the 41 projects listed in this table would result in additional commercial, residential, and community-serving space uses. Residential uses would include apartments, condominiums, senior assisted housing, and congregate care facilities. Commercial uses include additional space for motel, service station, shopping centers, restaurant, retail, and warehouse

(e.g., boat storage) uses. Development also includes the addition of boat slips to the Marina del Rey area and infrastructure improvements such as upgrading of water supply and sewer conveyance systems. The location of the cumulative project relative to the Neptune Marina/Woodfin Suite Hotel and Timeshare Resort Project are shown in **Figure 5.7-4, Related Projects Location Map**. Of the 41 identified related projects, 14 are within Marina del Rey (Map Nos. 9-14, 16, 18-20, 23, 37, 38 and 40 are all unincorporated Los Angeles County) defined here as the area bound by the Pacific Ocean to the west, Washington Boulevard to the north, Lincoln Boulevard to the east and Culver Boulevard to the south. An additional 16 projects are within the City of Los Angeles; the remaining 11 projects are within the City of Culver City.

**Table 4.0-1
Related Project Descriptions**

| Map No. | New Development | Existing Uses to be Replaced | Location (Address) |
|---------|-------------------------------------------------------|------------------------------------------------------------------------------------|-------------------------------------------------|
| 1. | 298 du Apartment | 24,000 sf Light Manufacturing 21,600 sf Office 40,000 sf Auto Service/Repair | NWC Princeton Dr./Carter Ave. City of LA |
| 2. | 140 du Condominium | | 4055, 4063 & 4071 S. Redwood Ave. City of LA |
| 3. | 98 du Condominium 6,020 sf Retail | | 4004 S. Lincoln Blvd. City of LA |
| 4. | 6 vfp Service Station w/ Convenience Store | | 2005 Lincoln Blvd.,= City of LA |
| 5. | 188,600 sf Retail 280 du Apartment | | 1430 Lincoln Blvd. City of LA |
| 6. | 8,800 sf Shopping Center | (addition) | 115 Lincoln Blvd. City of LA |
| 7. | 57 rm Hotel 1,200 sf Retail 4,300 sf Restaurant | | 901 Abbot Kinney Blvd. City of LA |
| 8. | 15,180 sf Office | | 2100 Abbot Kinney Blvd. City of LA |
| 9. | 600 du Condominium | | 4333 Admiralty Wy. Marina del Rey |
| 10. | 158 du Condominium 3,178 sf Specialty Retail | 48,000 sf Car Rental Facility | 4363 Lincoln Blvd. Marina del Rey |

4.0 Cumulative Projects

| Map No. | New Development | Existing Uses to be Replaced | Location (Address) |
|---------|------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|---------------------------------------------------------------------------------|
| 11. | 179 du Apartment | 64 du Apartment | NWC Admiralty Wy./Palawan Wy. (Parcels 140) Marina del Rey |
| 12. | 6,236 sf Retail | 5,750 sf Retail | 514-586 Washington Blvd. bet. Via Marina/Palawan Wy. (Parcel 97) Marina del Rey |
| 13. | 72 du Apartment 368 seat Restaurant 16,352 sf Retail 7,888 sf Office | 9,180 sf Office 165 seat Restaurant 7,500 sf Drive-in Bank | S/s Washington Blvd. bet. Via Marina/Via Dolce (Parcel 95) Marina del Rey |
| 14. | 147 rm Hotel | | S/s Admiralty Wy., E/s Via Marina (Parcel IR) Marina del Rey |
| 15. | 41 du Condominium | | 13340 Washington Blvd. Culver City |
| 16. | 114 du Congregate Care Retirement Facility 5,000 sf Retail 6,000 sf Marine Commercial Office | 6,000 sf Health Club | E/o Palawan Wy. bet. Washington Blvd./Admiralty Wy. (Parcel OT) Marina del Rey |
| 17. | 3,206,950 sf Office 3,246 du Condominium 35,000 sf Retail 120,000 sf Community Serving Uses | | South of Jefferson Blvd., E/o Lincoln Blvd. (Playa Vista Phase I) City of LA |
| 18. | 544 du Apartment | 202 du Apartment | W/s Via Marina (Parcel 100 and 101) Marina del Rey |
| 19. | 940 du Apartment 82 du Senior Apartment 4,000 sf Retail 6,000 sf Commercial 439 sl Boat | | E/s Via Marina bet. Panay Wy./Marquesas Wy. (Parcels 12, 15) Marina del Rey |
| 20. | 351 du Apartment 2 4,300 sf Retail 266 seat Restaurant (10,000 sf) | 1,067 seat Restaurant (to be removed) | S/s Admiralty Wy., E/s Palawan Wy. (Parcel 33/NR) Marina del Rey |

4.0 Cumulative Projects

| Map No. | New Development | | Existing Uses to be Replaced | | Location (Address) |
|---------|---------------------------------------------------------|------------------------------------------------------------------------------------------|----------------------------------------------|-------------------------------------------------------|----------------------------------------------------------------------|
| 21. | 244 du 9,000 sf | Condominium Shopping Center | 21,038 sf | Shopping Center | E/o Lincoln Blvd. bet. SR90 & Maxella Ave. City of LA |
| 22. | 81 du 37,041 sf | Condominium Retail | 22 rm 7,525 sf 8,500 sf | Motel Retail Industrial | 13464 W. Washington Blvd. Culver City |
| 23. | 478 du 500 sf 34 sl | Apartment Retail Boat | 224 du | Apartment | Southern terminus of Fiji Wy. (Parcel 64) Marina del Rey |
| 24. | 35 du 2,000 sf 2,000 sf | Townhome Retail Restaurant | | | NWC Pacific Ave./Culver Blvd. City of LA |
| 25. | 12 du 12 du | Live/Work Apartment | | | 12801-23 Washington Blvd. Culver City |
| 26. | 204 du | Apartment | | | 8030-8040 Manchester Ave., City of LA |
| 27. | 547 du 17,000 sf 4,000 sf 5,000 sf 3,000 sf | Apartment Shopping Center Retail High-Turnover Restaurant Quality Restaurant | 500 rm 10,420 sf 10,590 sf 4,800 sf | Hotel Retail Office High-Turnover Restaurant | 8601 Lincoln Blvd. City of LA |
| 28. | 120 du | Single-family Residential | | | 7400 80 th St. City of LA |
| 29. | 175,000 sf 2,600 du 150,000 sf 40,000 sf | Office Apartment Retail Community Serving Uses | | | South of the intersection of Jefferson Bl./Westlawn Ave., City of LA |
| 30. | 134,557 sf 1,357 sf | Warehouse Office | 58,323 sf | University of CA Laundry Building | 12700 Braddock Dr. City of LA |
| 31. | 2 du 950 sf 2,359 sf | Apartment Office Retail | | | 11501-11509 Washington Blvd. Culver City |
| 32. | 20 du | Senior Day Care Facility | 9,970 sf | Furniture manufacturing | 11611 Washington Pl. Culver City |
| 33. | 4 du | Condominium | | | 4025 Wade St. Culver City |

| Map No. | New Development | Existing Uses to be Replaced | Location (Address) |
|---------|------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| 34. | Phase A 12,070 sf Commercial 60 du Condominium Phase B 3,890 sf Commercial 18 du Condominium | | 12337-12449 Washington Blvd. Culver City |
| 35. | 70 du Assisted Living Facility | | 4061 Grand View Blvd. Culver City |
| 36. | 420 seat Private School | | 5401 Beethoven St. Culver City |
| 37. | 111 rm Hotel | 42 rm Hotel | SWC Admiralty Wy. & Palawan Wy. (Parcel 27) Marina del Rey |
| 38. | 132 rm Hotel 1,230 seat Restaurant 24,250 sf Retail 5,200 sf Office 26 slip Boat | 12,984 sf Retail/Commercial 16,149 sf Restaurant 17 slip Boat | West of Fiji Wy. Near Terminus -Fisherman's Village (Parcels 55/56/W) Marina del Rey |
| 39. | 420 seat High School | | 841 California Ave. Culver City |
| 40. | 345 Vessel Dry Stack Storage Facility 30 Vessel Mast Up Storage Space 1,500 sf Sheriff Boatwright Facility | | N/s Fiji Wy., W/o Admiralty Wy. (Parcel 52/GG) Marina del Rey |
| 41. | 5,000 sf Retail 19 du Condominium | | 13365 Washington Blvd. Culver City |

sf = square foot; du = dwelling unit; rm = room; ac = acre; sl = slips; p = pump.

Cumulative impacts are discussed in each technical section defined in **Section 5.0, Existing Conditions, Project Impacts, and Mitigation Measures**. As defined in **Section 5.0**, significant cumulative project impacts are defined and include cumulative impacts to the air quality, traffic, solid waste, and population and housing environments. Of the 14 related projects located within the Marina del Rey LCP, 4 projects (Map Nos. 14, 16, 20, and 40), in addition to the proposed project, require amendments to the certified LCP. Infrastructure improvements for water supply and sewer conveyance systems in Marina del Rey are proposed for upgrading in the future but no schedule for construction has yet been determined.

5.0 EXISTING CONDITIONS, PROJECT IMPACTS, AND MITIGATION MEASURES

PURPOSE

Section 5.0 of this draft EIR provides information on the project's existing conditions, the impact potential, pertinent mitigation measures, and cumulative issues. The existing conditions component defines the environmental conditions that currently exist on and near the project site(s); project impacts are defined as the project's effects on the existing environment. Mitigation measures are designed to reduce a project's impact potential. Each mitigation measure is identified as either one that is proposed as part of the project or one that is recommended by this EIR. Technical topics addressed in the EIR were defined by the Lead Agency. The purpose of this section is to inform readers of the type and magnitude of the project's environmental impact and how such impacts would affect the existing environment.

Section 5.0 of this draft EIR describes existing conditions on and near the Neptune Marina/Woodfin Suite Hotel and Timeshare Resort Project site. Due to the different types of permits required and Lead and Responsible Agency actions (reference **Section 3.0, Project Description**), four levels of impact analysis are provided in **Section 5.0**. Each technical section (i.e., traffic, noise, air quality, visual resources, etc.), analyzes impacts associated with the Neptune Marina/Woodfin Suite Hotel and Timeshare Resort Project. This analysis is followed by individual analysis of impacts associated with the Neptune Marina Project Parcel 10R, Neptune Marina Project Parcel FF, Woodfin Suite Hotel/Timeshare Resort, a Wetland Park, and nine public and transient boat spaces.

5.1 GEOTECHNICAL AND SOIL RESOURCES

SUMMARY

The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project is located in the unincorporated community of Marina del Rey in Los Angeles County. Existing development on Parcels 10R and FF includes 136 rental housing units, 198 boat and end-tie spaces, and a surface parking lot. Parcel 9U is an undeveloped vacant lot. Implementation of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project (Parcels 10R, FF, and Parcel 9U) would result in the development of 4, four-story apartment buildings totaling 526 units, 288 hotel and timeshare units within a 19-story hotel structure, the construction of 174 boat and end-tie spaces adjacent to Parcel 10R, between 7 and 11 public-serving boat spaces adjacent to Parcel 9U, and a 2,023-foot public Waterfront Stroll Promenade. A total of 1,150 parking spaces would be provided throughout the Neptune Marina Project in two-level structured parking garages below the apartment buildings and a six-level structured parking garage adjacent to the hotel/timeshare structure. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project also incorporates a 1.46-acre public park that includes a 0.47-acre restored wetland and 0.99-acre upland buffer area on the southern portion of Parcel 9U. The Neptune Marina Project (Parcel 10R only) would require the removal of 136 existing residential units and 198 boat spaces. The existing fill and upper native soils on the project site are not suitable for support of the proposed structures. In addition, due to high groundwater, dewatering would likely be required within proposed excavation areas during construction.

The project site is not traversed by any known active fault and is not located in a defined Alquist-Priolo Earthquake Fault Zone. During a moderate to major earthquake occurring close to the site, proposed project improvements would be subject to hazards associated with seismically induced settlement due to seismic shaking, as well as soil liquefaction.

Unless mitigated, these impacts would have a significant effect on the environment and could expose people or structures to major geologic hazards. With implementation of the mitigation measures recommended in this section, project impacts would be reduced and are not considered significant.

5.1.1 INTRODUCTION

This section of the EIR summarizes the findings of two geotechnical reports prepared for the proposed project. One report was prepared by Van Beveren & Butelo, Inc., titled *Report of Geotechnical Investigation Proposed Woodfin Suite Hotel and Timeshare Resort*. The second report was prepared by Group Delta Consultants and is titled *Geotechnical Recommendations, Neptune Marina Apartments, Proposed Residential Apartment Development Parcels "10R" and "FF," Marquesas Way and Admiralty Way, Marina del Rey Area of*

Los Angeles, California. The Van Beveren & Butelo report was dated October 23, 2006, while the Group Delta Consultants report was dated September 29, 2005 (with an addendum from April 11, 2007). Information on seismicity was also obtained from the Marina Del Rey Land Use Plan (February 1996) and the technical report for the Los Angeles County Seismic Safety Element (November 1987). Complete copies of the Van Beveren & Butelo and Group Delta Consultants reports have been included in **Appendix 5.1** of this EIR.

Only minor ground alterations or small structures are associated with construction and operation of the 1.46-acre public park that includes a restored wetland and upland buffer or public-serving boat slips. As such, there is no significant potential for these project elements to result in or have the potential for, significant impacts associated with the geologic environment. Therefore, an evaluation of project impacts for these project components only is not required and no further assessment is incorporated in this section (**Section 5.1**) of the draft EIR.

5.1.2 EXISTING CONDITIONS

5.1.2.1 Project Site

The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site consists of three separate parcels. Parcel 10R is an L-shaped lot, currently occupied by existing apartments and associated parking, driveways, and carports. The landside portion of Parcel 10R is approximately 7.32 acres. A total of 136 multiple-family dwelling units are present on Parcel 10R. These structures would be removed to make room for the proposed construction. The lot slopes gently from west to east with the east end being several feet lower in elevation.

Parcel FF is an existing rectangular-shaped asphalt paved surface parking lot located at the northeast corner of Marquesas Way and Via Marina and consists of 2.05 acres. The lot is bounded by Via Marina on the west, to the south by Marquesas Way, on the east by an existing apartment complex and on the north by an existing carport and Marina del Rey Basin C.

Parcel 9U is an undeveloped vacant lot consisting of 3.66 landside acres and is situated south of Marina del Rey Parcel 10R, east of Via Marina, west of Basin B of Marina del Rey, and north of Tahiti Way. Little topographic relief occurs on Parcel 9U. Depending on location, the lot slopes gently from north to south and west to east. As part of past grading activities, a small depression occurs in the south-central portion of Parcel 9U. This depression holds water seasonally.

Elevations across the project site range from 15.5 to 5.5 feet above mean sea level (msl). Depending on location, the project site slopes gently to Marina del Rey Basins B and C.

5.1.2.1.1 Groundwater

Groundwater monitoring wells defined fluctuations in groundwater at the project site. Groundwater elevations ranged from between +5.0 to -5.0 msl across the site. Data indicates that depth to groundwater is dependent on the tide, and a rise of about 1 foot in groundwater is expected with a tide of about 5 feet. For design purposes, groundwater elevation on the project site is considered to be at +5.0 feet msl. Maximum groundwater fluctuations generally occur in close proximity to the sea wall.

5.1.2.1.2 Geologic Setting

The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site is located within the coastal plain portion of the Los Angeles Basin, adjacent to the Santa Monica Bay. Generally, the project site is underlain by seven soil layers that are described below.

Layer No. 1: Fill and Hydraulic Fill

This layer extends from the existing grade to about elevation +1.0 to -2.5 feet msl. This layer consists of medium-dense to dense sand. The upper 6 inches of this layer is comprised of a pavement section of asphalt concrete over gravel.

Layer No. 2: Native: Clayey Silt and Silty Clay

Layer No. 2 is comprised of soft to stiff, clayey silt and silty clay, extending from about elevation +1.0 and -2.5 feet to about elevation -2.5 to -4.5 feet msl. The core penetration test (CPT) tip resistance ranges from between 6 to 20 tons per square foot (tsf). The undrained shear strength estimated from the CPT ranged from 1.3 to 1 tsf.

Layer No. 3: Silty Sand and Sand Silt

Layer No. 3 extends from elevation -2.5 to -4.5 to about elevation -10.0 to -16.0 feet msl. This layer consists of silty sand and sand silt. The CPT tip resistance for this layer is generally below 100 tsf. The CPT sleeve friction is generally below 0.6 tsf. This layer is generally liquefiable.

Layer No. 4: Sand

A layer of dense sand is present below layer three with thickness ranging from 4 to 8 feet. The CPT tip resistance ranges from between 100 to more than 150 tsf. This layer does not uniformly extend throughout the project site.

Layer No. 5: Native: Silty Clay and Clayey Silt

A layer of firm to stiff silty clay and clayey silt is present below layer No. 4 to an elevation of -24 to -30 feet msl. The average CPT tip resistance is about 20 tsf. The average CPT sleeve friction is 1.2 tsf.

Layer No. 6: Sand

A layer of dense sand is present below layer No. 5 to an elevation of -26 to -50 feet msl. The average CPT tip resistance is about 250 tsf. The average CPT sleeve friction is 2.2 tsf. This layer generally extends throughout the project site with varying layer thickness, except at a few locations where it is absent as indicated by the CPT logs.

Layer No. 7: Sand, Silty Sand and Sandy Silt

Interbedded dense sand and medium dense sand to dense silty sand and sandy silt exists below layer No. 6.

5.1.2.1.3 Potential Geologic Hazards

The Los Angeles Basin is an active tectonic area and has had numerous strong ground-motion events. The closest known active faults (at least at the surface) are the Charnock Fault, located approximately 2.4 miles northeast of the project site, and the Inglewood Fault segment of the Newport Inglewood Fault that is located approximately 4 miles east of the project site. These faults are considered capable of generating a magnitude 7.0 to 7.3 earthquake. In addition, the Palos Verdes Fault is located as near as 4 miles southwest of the project site and is capable of a magnitude 7.0 earthquake.

Geologic hazards that could most affect the proposed project site include ground rupture, slope instability, lateral spreading, subsidence, liquefaction, seismic compaction and settlements, tsunamis, and seismic shaking development. Each of these hazards is discussed below.

Ground Surface Rupture: The project site is not situated within an Alquist-Priolo Earthquake Fault Zone as currently published by the State of California. No known active faults with surficial evidence have been mapped on the surface of the project site. Therefore, the potential for ground rupture on the project site is considered low.

Seismic Shaking: The Probabilistic Seismic Hazard Maps provided by the California Geologic Survey indicate that the Peak Ground Accelerations (PGA) for a mean return period of 475 years is 0.45 g (acceleration of gravity) for alluvium at the project site. The USGS Seismic Hazard Deaggregation maps indicate that for the same return period, the PGA for soft rock is about 0.41 g. The mean earthquake

magnitude is reported as 6.65. For this analysis, a mean PGA of 0.50 g and magnitude of 7.1, for 10 percent probability of being exceeded in 50 years, is used.

Tsunamis: Seismically induced flooding, which might be considered as a potential hazard for this site, includes flooding due to tsunami (seismic sea wave).

The tsunami hazard for coastal areas in California is not as well defined as other seismic hazards, such as fault rupture, liquefaction, or slope movement, and is the subject of ongoing research. According to the Los Angeles County Seismic Safety Element of the general plan, the project site is located in a potential tsunami hazard zone.

As discussed by D.S. McCulloch (1985), there are analytical studies that have been found to be fairly accurate in predicting tsunami wave heights from distant major earthquakes. The published estimated tsunami wave heights at Marina del Rey as the wave crosses the shoreline are 9.6 feet for a 100-year tsunami and 15.3 feet for a 500-year tsunami. These heights include the effect of astronomical tides. (URS 2005).

More recently, research performed for the Federal Emergency Management Agency (FEMA) focused on estimating run-up heights from potential tsunamis resulting from local offshore earthquakes (Legg, et al.2003). Major earthquakes with magnitudes in the range of 7.0 to 7.6 were considered in these studies, which fall within the appropriate range of seismic design for the project site. Not including the effect of astronomical tides, the calculated run-up height was about 1.5 meters (5 feet). However, Legg indicates that recent observations of tsunami run-up around the world following large earthquakes tend to show that run-up values predicted from similar mathematical models underestimate the actual peak run-up values by a factor of two. Consequently, the calculated run-up height would be about 10 feet, absent the effect of tides. URS (2005) concludes that for local major earthquakes, tsunami wave heights at Marina del Rey of between 9.6 feet for a 100-year tsunami and 15.3 feet for a 500-year tsunami should be considered.

Based on the available information, the possibility of the low-lying areas of Marina del Rey being inundated by a tsunami cannot be discounted but would occur very infrequently (i.e., 100-year and 500-year tsunami events were considered). The site is located about 0.25 mile from the shore to the west.

Liquefaction: Soil liquefaction during an earthquake is a process that leads to loss of soil strength, and, thereby, the supporting capacity of the soil. Liquefaction is most common in sandy soils submerged below groundwater similar to conditions existing at the site. In addition to the loss of bearing capacity, liquefaction can lead to lateral spreading, sand boils, and cracking of the ground. Structures constructed on shallow foundations, such as a conventional footing foundation, can thereby experience various degrees of settlement and tilt with associated structural damage from such movements. Degree of

damage is a function of, among other things, the magnitude of earthquake, its duration, thickness, depth of liquefiable soil, and depth to groundwater.

The project site lies in an area of high liquefaction potential (Morton et al. 1976; Topozada et al. 1988). This is due primarily to the fine sandy soils underlying the area, the presence of shallow groundwater and the proximity of the site to local faults.

Factors that influence liquefaction potential include grain size, relative density, groundwater conditions, effective confining pressures, and the intensity and duration of ground shaking. Saturated, loose, and medium dense, near-surface cohesionless soils exhibit the highest liquefaction potential, while dry, dense cohesionless soils and cohesive soils exhibit low to negligible liquefaction potential. As defined above, methods used to assess liquefaction on the project site used slightly different methods. Each method has been approved by the County of Los Angeles Department of Public Works and each report shall be reviewed and approved prior to project approval.

For Parcels 10R and FF, the potential for liquefaction on the site(s) was investigated by Group Delta Consultants. Group Delta Consultants indicated that on-site soils primarily consist of loose to medium dense and dense silty sands and sandy silts, with thin layers of silty clay and clayey silts interbedded. At the time of their analysis, groundwater depth varied between elevations -1.0 to +3.5 msl.

To assess the potential of liquefaction of subsurface soils at the site, Group Delta Consultants used the simplified liquefaction analysis procedure recommended by NCEER (Youd and Idriss 1997, 2001). Group Delta Consultants evaluated the liquefaction potential at the site using equivalent SPT blow counts from the CPT data at 15 locations to a depth of 50 feet. CPT data were used primarily because they provide a continuous measurement of blow counts and an accurate stratigraphy of the site. Group Delta Consultants analysis indicates that there is a continuous liquefiable sand layer from elevation -2.5 to elevation -16 feet with layer thickness varying from 5 to 10 feet. Below this layer, some liquefiable sandy materials exist at varying depths with layer thickness generally less than 3 feet. None are continuous throughout the site.

For estimating the resulting ground settlements, Group Delta Consultants used the method proposed by Tokimatsu and Seed (1987). Group Delta Consultants analysis indicates that the amount of settlement that would likely occur is 1 to 4 inches. Considering overall site variability, the depth of liquefaction-induced settlement on Parcels 10R and FF is on the order of 2 inches or less.

For Parcel 9U, Van Beveren & Butelo, Inc., found that liquefaction potential is greatest where the groundwater level is shallow, and loose sands or silts occur within a depth of about 50 feet or less. In

general, liquefaction potential decreases as grain size and clay and gravel content increase. As ground acceleration and shaking duration increase during an earthquake, liquefaction potential increases.

The liquefaction potential of soils on Parcel 9U was also evaluated based on the methodologies discussed by Youd and Idriss (1997) and Youd et al. (2001), and addressed in the Recommended Procedures for Implementation of DMG Special Publication 117, Guidelines for Analyzing and Mitigating Liquefaction in California. Specifically, the Standard Penetration Test (SPT) blowcounts, CPT tip resistance, and laboratory results of the soil grain size and Atterberg Limit states were used to assess the liquefaction potential. In soil layers that were silt and clayey silt, consideration was given to clay fraction, liquid limit, and plasticity index when evaluating the liquefaction potential as recommended by Seed et al. (2003). Non-standard blowcounts were converted to approximately equivalent SPT blowcounts in the evaluation.

Van Beveren and Butelo conclude that the total settlement on Parcel 9U due to liquefaction could be in the range of 4 to 7 inches.

5.1.2.1.4 Soil Gas Hazards

Soil Gas Hazards: Gases trapped in the soil below buildings and surrounding their foundations can migrate through most building materials. These vapors can concentrate in structures and can be potentially hazardous, particularly concentrations of methane and vapors from volatile organic compounds (VOCs). In general, these vapors come from decomposing biological materials in or below the soils (methane), or are carried to sites by underground flows of groundwater from off-site locations. Testing of gas concentrations and compositions in soils on the project site can indicate potential hazards. Soil gas testing conducted on Parcel 9U in August 2006, by Methane Specialists did find measurable quantities of VOCs or methane in the soils of the project site (Methane Specialists 2006). Soil gas testing conducted on Parcels 10U and FF in March 2008 by Carlin Environmental Consulting, Inc., revealed only trace samples of methane gas.

A sub-surface methane investigation was performed on Parcels 10U and FF to determine the current conditions with respect to naturally occurring methane in the area. A total of 21 soil gas probes were installed at a depth of 5 feet below ground surface, although two of these were removed subsequent to placement.. Deeper probes were not installed due to anticipated high groundwater conditions. Methane sampling was conducted using an RKI Eagle instrument. Readings from the various probes resulted in methane concentrations from 10 to 1,800 ppmv.

A sub-surface soil gas investigation of Parcel 9U was performed to discover possible methane seepage at the subject site. Five subsurface gas monitoring probes were installed on the project site. The probes were

placed on the existing tire tracks from previous vehicle movement at the site to minimize disturbance to the site. The probes were set at 5 feet, 10 feet, and 20 feet below the existing grade. Readings were then recorded from the probes using a handheld RKI Eagle instrument, capable of detecting methane in concentrations as low as 500 ppmv. Analysis of the soil gas probes resulted in methane concentration readings from undetectable to 100 percent methane. The source of the high methane concentration readings is believed to be caused by oil wells on and nearby the subject site. A May 2008 geophysical investigation performed by Subsurface Surveys and Associates confirmed the presence of an oil well at the western property boundary of Parcel 9U. This well is the likely source for the elevated methane readings.

5.1.3 ENVIRONMENTAL IMPACTS

5.1.3.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

Implementation of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suites Hotel and Timeshare Resort Project would result in the development of four apartment buildings totaling 526 units, a 19-story building with 288 hotel and timeshare suites the construction of 174 boat spaces and end-tie spaces, and a public Waterfront Stroll Promenade a total of 2,023 feet in length. Development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would require the removal of 136 existing residential units and 198 boat spaces and end-tie spaces. A total of 1,150 parking spaces would be provided throughout the Neptune Marina Apartment and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project in structured parking garages below the apartment buildings and adjacent to the hotel. Therefore, completion of the proposed project would result in a net increase of 390 apartment units, 288 hotel and timeshare suites, a net decrease of up to 17 boat spaces, and a 1.46-acre public park containing a 0.47-acre restored wetland and 0.99-acre upland buffer.

5.1.4 IMPACT ANALYSIS

5.1.4.1 Thresholds of Significance

The following thresholds for determining the significance of impacts related to geology and soils are contained in the environmental checklist form contained in Appendix G of the most recent update of the *State California Environmental Quality Act (CEQA) Guidelines*. The County of Los Angeles Department of Regional Planning has not adopted County specific significance thresholds. Impacts related to geology and soils are considered significant if the project would

- expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:
 - rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault;
 - strong seismic ground shaking;
 - landslides; or
 - tsunami
- result in substantial soil erosion or the loss of topsoil;
- be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse;
- be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property; or
- have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

5.1.4.2 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified that would reduce or avoid potential impacts.

5.1.4.2.1 **Threshold: Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; landslides; or tsunami.**

Analysis: The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site is located in an area of high seismic activity, with several major faults in the region that could produce severe shaking at the site. Although the project site is not located in a defined Alquist-Priolo Earthquake Fault Zone and there are no known faults traversing the site, based upon data from recent earthquakes in the area, relatively large peak ground accelerations are possible in the project area (inclusive of the project site).

For Parcels 10R and FF, a probabilistic seismic hazard analysis was performed by Group Delta Consultants to estimate potential ground shaking. As described above, the Probabilistic Seismic Hazard Maps provided by the California Geologic Survey indicates that the PGA for a mean return period of 475 years is 0.45 g for alluvium at the project site. The USGS Seismic Hazard Deaggregation maps indicate that for the same return period, the PGA for soft rock is about 0.41 g. The mean earthquake magnitude is reported as 6.65. For this analysis a mean PGA of 0.50 g and magnitude of 7.1, for 10 percent probability of being exceeded in 50 years is used.

For Parcel 9U, the hotel structure will be designed to resist earthquake forces in accordance with the 1997 Uniform Building Code (UBC). Based on Figure 16-2 of the 1997 UBC, the site is located within Seismic Zone 4. Van Beveren & Butelo determined the shear wave velocity of the soils within its CPT explorations. The shear wave velocity results presented in Appendix A of the Van Berveren & Butelo report (**Appendix 5.1** of the draft EIR) yield an average velocity of 700 feet per second. LeRoy Crandall and Associates also conducted a downhole seismic survey as part of their 1982 investigation and determined that the upper 100 feet of the soils have an average shear wave velocity of about 740 feet per second. Consequently, the Soil Profile Type, as defined in Section 1636 and shown in Table 16-J of the 1997 UBC, may be assumed to be Type SD, Stiff Soil Profile.

As defined by Van Beveren & Butelo, the closest active fault to the site is the Palos Verdes fault, a Type B seismic source, as shown on Map M-33 of the International Conference of Building Officials publication dated February 1998, "Maps of Known Active Fault Near Source Zones in California and Adjacent Portions of Nevada." The site is within 7 kilometers of the Palos Verdes Fault.

Structures can be adversely affected by the magnitude of seismic shaking that could potentially occur on the project site. Without mitigation, impacts associated with seismic shaking are considered adverse and potentially significant.

As defined above, based on the available information, the possibility of the low-lying areas of Marina del Rey being inundated by a tsunami occurring as a result of a seismic event cannot be discounted. The site is located about 0.25 mile from the shore to the west. Finished floor elevations of the lowest parking level is +15 feet msl. It is, therefore, conceivable that if the tsunamis are consistent with the maximum predicted from a 500-year return period event, there may be flooding of the basement level. The lowest finished floor elevation of the proposed residences is +35 feet, well above wave and anticipated run-up heights. From this perspective, mitigation of the potential tsunami hazard is more of an emergency preparedness rather than a design issue.

Given that topography of the site (inclusive of Parcels 10R, FF, and 9U) is relatively flat and the surrounding parcels are developed, the potential for landslides occurring as a result of a seismic event that would expose people or structures to potential substantial adverse effects are not expected.

Mitigation Measures:

- 5.1-1. Proposed structures shall be designed in conformance with the requirements of the 1997 edition of the UBC and the County of Los Angeles Building Code for Seismic Zone 4.
- 5.1-2. Proposed structures shall be designed in conformance with all recommendations included in the Group Delta Consultants report (**Appendix 5.1**, Section 4.0, 6-20) and the Van Beveren & Butelo report (**Appendix 5.1**, 14-35).

Conclusion: Less than significant.

5.1.4.2.2 Threshold: Result in substantial soil erosion or the loss of topsoil.

Analysis: The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site is currently developed with apartment structures and related improvements (Parcel 10R) and an underutilized surface parking lot (Parcel FF). Parcel 9U is an undeveloped vacant lot. Surficial wind

and water erosion on the project site has the potential to increase on the project site during construction. This may result in a short-term impact relative to soil erosion or loss of topsoil unless mitigated.

Once developed and operational (i.e., construction of the structures and site landscaping is complete), site erosion and sedimentation would be substantially reduced because the site would be covered with non-erosive surfaces, including pavement, structures and permanent vegetation, all which would reduce or eliminate the amount of exposed soil subject to wind and water erosion. Therefore, project implementation would not permanently increase the potential for wind and water erosion of the site. As a result, project impacts would be greatest during site construction and would not be significant with mitigation.

Mitigation Measures:

- 5.1-3. Precautions shall be taken during the performance of site clearing, excavations, and grading to protect the project from flooding, ponding, or inundation by poor or improper surface drainage.
- 5.1-4. Temporary provisions shall be made during the rainy season to adequately direct surface drainage away from and off the project site. Where low areas cannot be avoided, pumps shall be kept on hand to continually remove water during periods of rainfall.
- 5.1-5. Where necessary during periods of rainfall, the contractor shall install checkdams, desilting basins, rip-rap, sand bags, or other devices or methods necessary to control erosion and provide safe conditions, in accordance with site conditions and regulatory agency requirements.
- 5.1-6. Following periods of rainfall and at the request of the geotechnical consultant, the contractor shall make excavations in order to evaluate the extent of rain-related subgrade damage.
- 5.1-7. Positive measures shall be taken to properly finish grade improvements so that drainage waters from the lot and adjacent areas are directed off the lot and away from foundations, slabs and adjacent property.
- 5.1-8. For earth areas adjacent to the structures, a minimum drainage gradient of 2 percent is required.
- 5.1-9. Drainage patterns approved at the time of fine grading shall be maintained throughout the life of the proposed structures.
- 5.1-10. Landscaping shall be kept to a minimum and where used, limited to plants and vegetation requiring little watering as recommended by a registered landscape architect.

5.1-11. Roof drains shall be directed off the site.

5.1-12. Proposed structures shall be designed in conformance with any additional recommendations pertinent to soil erosion in accordance with the recommendations of the Group Delta Consultants report (**Appendix 5.1**, Section 4.0, 6-20) and the Van Beveren & Butelo report (**Draft EIR, Appendix 5.1**, 14-35).

Conclusion: Less than significant.

5.1.4.2.3 Threshold: Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

Analysis: For Parcel 10R and FF, the Neptune Marina Project site lies in an area of high liquefaction potential due to the fine sandy soils underlying the area, the presence of shallow groundwater and the proximity of the site to the Newport-Inglewood and Palos Verdes Faults. The potential for liquefaction at the site was investigated for a design earthquake with a PGA of 0.5 g and an associated magnitude of 7.5, in accordance with the Los Angeles County Planning and Zoning Ordinance and the Marina Del Rey Specific Plan (Section 22.46.1180, Item 4). Results show that under the design earthquake, zones of loose to medium dense and silty sands, occurring below depths of 5 to 15 feet and above the dense native soil deposit are liquefiable. In addition, near surface soils to a depth of about 48 feet have liquefiable layers of varying thickness and cannot be used for shallow foundation support without some kind of treatment.

Consequences of liquefaction on the project site include liquefaction-induced ground subsidence and lateral spread or deformation toward the low-lying areas of the project site. Liquefaction-induced subsidence could range from 1 to 7 inches. Pseudo-static analysis indicated that during the design earthquake, the factor of safety on the project site and the adjacent slope would fall below one. A pseudo-static factor of safety less than one does not imply that slope would undergo failure, but it would experience an earthquake-induced lateral deformation on the order of 1 to 2 feet. In addition, the project site could experience some subsidence (slumping) due to lateral deformations.

For Parcel 9U, the liquefaction potential was determined for a ground motion with a 10 percent probability of exceedence in 50 years, designated the design basis earthquake. This ground motion corresponds to a predominant earthquake magnitude of 7.1, site to source distance of 6.5 kilometers, and a PGA of 0.46 g, as determined by the California Division of Mines and Geology Seismic Hazard Zone Report 036, Seismic Hazard Evaluation of the Venice Quadrangle for Alluvium Conditions. However, the Los Angeles County Planning and Zoning Ordinance and the Marina Del Rey Specific Plan (Section 22.46.1180, Item 4) require that “all new development over three stories in height shall be designed to

withstand a seismic event with a ground acceleration of no less than 0.5 g.” Therefore, the PGA used in the liquefaction evaluation was set equal to 0.5 g.

The existing fill and estuary deposits are not suitable for support of the project and foundations that extend through these weak, compressible deposits and into the underlying dense sand and gravel. Deep foundations will be required. Driven piles could be used, but may not be practical because of the noise associated with the pile driving. Auger-cast piles would be a reasonable and practical alternative. However, to evaluate the conservative, worst-case scenario, the use of driven piles was assumed in this analysis.

To resist the effects of liquefaction, downdrag loads and potential lateral spreading forces would need to be added to the design loads on the piles, the floor slabs would need to be structurally supported and the lateral resistance of the foundation system would be impaired. Batter piles could be used by the structure to resist the high lateral forces resulting from the lateral spreading, but would not protect adjacent hardscape improvements. In the opinion of Van Berveren & Butelo, the lateral spreading will need to be mitigated. Mitigation could consist of replacement of the seawall to resist the lateral spreading, or ground improvement to mitigate both the liquefaction and lateral spreading.

The existing seawall could be replaced with a suitable structure designed to resist the effects of liquefaction and the forces associated with the lateral spreading. The new seawall could be constructed at the same location as the existing seawall, which would require cooperation with the County. Alternatively, the new seawall could be constructed entirely within the project limits, at the east property line.

The seawall would need to be supported on pile foundations extending through the liquefiable soils and be designed to support liquefiable soils to depths below the dredged level of the adjacent basin. The replacement seawall would confine soils within the site, but the possibility of liquefaction and the design requirements for the structure would still be present.

The possibility of liquefaction and the resulting lateral spreading could also be mitigated with an in-situ ground improvement process. The ground improvement would reduce the liquefaction possibility permitting the use of higher pile capacities and permitting floor slabs to be supported on grade. Ground improvement would also protect the hardscape improvements.

The ground improvement process could include densification of the susceptible soils using a vibro-replacement method. If the ground improvement process included the use of stone columns, the stone columns could be integrated into the foundation design of the conference center and underground parking. The auger-cast piles would still be required beneath the hotel/timeshare tower.

Van Beveren & Butelo recommend that the liquefaction and lateral spreading be mitigated by ground improvement techniques, including stone columns. Ground improvement would eliminate the liquefaction and lateral spreading risk for the project. The hotel/timeshare tower should be supported on deep foundations into the underlying dense sand and gravel. The conference center may be supported on a mat foundation.

For Parcel 9U, groundwater was measured in Van Beveren's borings as high as Elevation +1 feet and in borings by others as high as Elevation +5. For design purposes, Van Beveren & Butelo recommend that the groundwater level be assumed at Elevation +5 (msl). If a subdrain is not provided beneath subterranean slabs on grade and behind basement walls, the floor slabs and walls extending below groundwater should be designed to resist the resulting hydrostatic pressure. The pressure would be equal to that developed by a fluid with a density of 62 pounds per cubic foot. The basement walls and floor slabs should be thoroughly waterproofed and the waterproofing behind the basement walls should extend to the adjacent ground surface.

Soils Gas: As part of the environmental review conducted for the Playa Vista project, concerns were raised over the potential presence of methane gas on that project site. Playa Vista is proposed on land that was historically part of an active oil field and is now the site of an underground natural gas storage facility operated by Southern California Gas Company (SCG). Methane is a natural by-product of the microbial decomposition of organic matter in an anaerobic environment. In large concentrations, methane can be explosive and, since it is heavier than air, can displace atmospheric oxygen. As the proposed project is located near to abandoned oil wells, methane gas has the potential to concentrate within the buildings.

For enclosed structures, construction compliance with the County building code may include a sub-slab venting system consisting of a series of vent pipes in gravel filled trenches leading to vent risers passively venting to the atmosphere. An impervious membrane system or vapor barrier should be installed below the building foundations and above the venting system, with 2 inches of sand or slurry above and at least 8 inches of methane gravel surrounding methane gas vent pipes below the membrane. An active ventilation system shall be installed capable of exchanging the interior air at a rate sufficient to eliminate the possibility of methane concentrating within the building.

Mitigation Measures:

- 5.1-13.** Proposed structures shall be designed in conformance with all recommendations included in the Group Delta Consultants report (**Appendix 5.1**, Section 4.0, 6-20) and the Van Beveren & Butelo report (**Appendix 5.1**, 14-35).

5.1-14. The County Building and Safety, as defined in Los Angeles County Building Code Section 110.4, buildings or structures adjacent to or within 200 feet (60.96 meters) of active, abandoned or idle oil or gas well(s) shall be provided with methane gas-protection systems. For soil gas safety, the recommendations in the April 18, 2008 Carlin Environmental Consulting report and the August 23, 2006, and May 3, 2008, Methane Specialist reports (**Appendix 5.1**) shall be implemented.

Conclusion: Less than significant

5.1.4.2.4 Threshold: Be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.

Analysis: The project site is not located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994). However, any import material should be tested for expansion potential prior to importing. Given the existing condition impacts associated with expansive soils are not considered significant.

Mitigation Measures:

5.1-15. All recommendations included in the Group Delta Consultants report (**Appendix 5.1**, Section 4.0, 6-20) and the Van Beveren & Butelo report (**Appendix 5.1**, 14-35) shall be incorporated.

Conclusion: Less than significant.

5.1.4.2.5 Threshold: Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

Analysis: The proposed project does not include provisions for septic tanks or alternative wastewater disposal systems. Sewer connections are available in the project area for project disposal of domestic wastewater. Given that no septic systems are proposed or are required, impacts associated with the disposal and treatment of domestic wastewater on the project site are not considered significant.

Mitigation Measures: No mitigation measures are proposed or are required.

Conclusion: No impact.

5.1.4.3 Neptune Marina Parcel 10R Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified that would reduce or avoid potential impacts.

5.1.4.3.1 Threshold: Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; or landslides.

Analysis: The Neptune Marina Parcel 10R site is located in an area of high seismic activity, with several major faults in the region that could produce severe shaking at the site. Although the project site is not located in a defined Alquist-Priolo Earthquake Fault Zone and there are no known faults traversing the site, based upon data from recent earthquakes in the area, relatively large peak ground accelerations are possible in the project area (inclusive of the project site). A probabilistic seismic hazard analysis was performed to estimate potential ground shaking at the site under a 475-year return period design event. Results indicate that the estimated PGA at the site, for a 475-year return period event is 0.50 g. The representative earthquake magnitude associated with the design PGA (0.5 g) was indirectly estimated to be 7.5 for the site. Mitigation measures listed below would reduce impacts associated with earthquake faults, seismic ground shaking or landslides to levels less than are considered significant and consistent with County of Los Angeles Department of Public Works design standards.

Given the information provided above, structures can be adversely affected by the magnitude of seismic shaking that could potentially occur on the project site. Without mitigation, impacts associated with seismic shaking are considered adverse and potentially significant.

As defined above, based on the available information, the possibility of the low-lying areas of Marina del Rey being inundated by a tsunami occurring as a result of a seismic event cannot be discounted. The site is located about 0.25 mile from the shore to the west. Finished floor elevations of the lowest parking level is +15 feet msl. It is, therefore, conceivable that if the tsunamis are consistent with the maximum predicted from a 500-year return period event, there may be flooding of the basement level. The lowest finished floor elevation of the proposed residences is +35 feet, well above wave and anticipated run-up heights. From this perspective, mitigation of the potential tsunami hazard is more of an emergency preparedness rather than a design issue.

Given that topography of the site is relatively flat and the surrounding parcels are developed, the potential for landslides occurring as a result of a seismic event to expose people or structures to potential substantial adverse effects are not expected.

Mitigation Measures 5.1-1 and 5.1-2 would mitigate project specific impacts associated with the Neptune Marina Parcel 10R project.

Conclusion: Less than significant.

5.1.4.3.2 Threshold: Result in substantial soil erosion or the loss of topsoil.

Analysis: The Neptune Marina Parcel 10R site is currently developed with apartment structures. Surficial wind and water erosion on the project site has the potential to increase on the project site during construction. This may result in a short-term impact relative to soil erosion or loss of topsoil unless mitigated.

Once developed and operational (i.e., construction of the structures and site landscaping is complete), site erosion and sedimentation would be substantially reduced because the site would be covered with non-erosive surfaces, including pavement, structures and permanent vegetation, all which would reduce or eliminate the amount of exposed soil subject to wind and water erosion. Therefore, project implementation would not permanently increase the potential for wind and water erosion of the site. As a result, project impacts would be greatest during site construction and would not be significant with mitigation.

Mitigation Measures 5.1-3 through 5.1-12 would mitigate project specific impacts associated with the Neptune Marina Parcel 10R project.

Conclusion: Less than significant.

5.1.4.3.3 Threshold: Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

Analysis: The Neptune Marina Parcel 10R site lies in an area of high liquefaction potential due to the fine sandy soils underlying the area, the presence of shallow groundwater and the proximity of the site to the Newport-Inglewood and Palos Verdes Faults. The potential for liquefaction at the site was investigated for a design earthquake with a PGA of 0.5 g and an associated magnitude of 7.5. Results show that under the design earthquake, zones of loose to medium dense and silty sands, occurring below depths of 5 to 15 feet and above the dense native soil deposit are liquefiable. In addition, near surface soils to a depth of

about 48 feet have liquefiable layers of various thicknesses and cannot be used for shallow foundation support without some kind of treatment.

Consequences of liquefaction on the project site include liquefaction-induced ground subsidence and lateral spread or deformation toward the low-lying areas of the project site. Liquefaction-induced subsidence could range from 5 to 16 inches at the central and eastern portions of the site. Pseudo-static analysis indicated that during the design earthquake, the factor of safety on the project site and the adjacent slope would fall below one. A pseudo-static factor of safety less than one does not imply that slope would undergo failure, but it would experience an earthquake-induced lateral deformation on the order of 1 to 2 feet. In addition, the project site could experience some subsidence (slumping) due to lateral deformations.

Soils Gas: Concerns were raised over the potential presence of methane gas on project sites located near the Ballona Wetlands, which was historically part of an active oil field and is now the site of an underground natural gas storage facility operated by Southern California Gas Company (SCG). Methane is a natural bi-product of the microbial decomposition of organic matter in an anaerobic environment. In large concentrations, methane can be explosive and, since it is heavier than air, can displace atmospheric oxygen. As the proposed project is located near to abandoned oil wells within Marina del Rey, methane gas has the potential to concentrate within the buildings.

For enclosed structures, construction compliance with the County building code may include a sub-slab venting system. An impervious vapor barrier should be installed below the slab and placed around any exterior walls below ground surface. A passive vent system should be installed under the vapor barrier to divert the flow of any methane gas away from structures. The ventilation system should include perforated horizontal pipes, gravel blanket under the impervious surface, gravel blanket around the perforated horizontal pipes, and solid-pipe vent risers. Trench dams should be installed in all electrical, plumbing, gas, or other trenches beneath the building foundation. All conduits and cables entering structures should be sealed to prevent the transmission of methane gas.

Mitigation Measures:

- 5.1-13. Proposed structures shall be designed in conformance with all recommendations included in the Group Delta Consultants report (**Appendix 5.1**, Section 4.0, 6-20).
- 5.1-14. The County Building and Safety, as defined in Los Angeles County Building Code Section 110.4, buildings or structures adjacent to or within 200 feet (60.96 meters) of active, abandoned or idle oil or gas well(s) shall be provided with methane gas-protection systems. For soil gas safety, the

recommendations in the April 18, 2008 Carlin Environmental Consulting report (**Appendix 5.1**) shall be implemented.

5.1.4.3.4 Threshold: Be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.

Analysis: The Neptune Marina Parcel 10R site is not located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994). However, any import material should be tested for expansion potential prior to importing. Given the existing condition impacts associated with expansive soils are not considered significant.

Mitigation Measures:

5.1-15. Proposed structures shall be designed in conformance with all recommendations included in the Group Delta Consultants report (**Appendix 5.1**, Section 4.0, 6-20).

Conclusion: Less than significant.

5.1.4.3.5 Threshold: Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

Analysis: The proposed project does not include provisions for septic tanks or alternative wastewater disposal systems. Sewer connections are available in the project area for project disposal of wastewater. Given that no septic systems are proposed or are required, impacts associated with the disposal and treatment of domestic wastewater on the project site are not considered significant.

Mitigation Measures: No mitigation measures are proposed or are required.

Conclusion: No Impact.

5.1.4.4 Neptune Marina Parcel FF Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potential impacts.

- 5.1.4.4.1 Threshold: Expose people or structures to potential substantial adverse effects, including the risk of loss; injury or death involving: rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; or landslides.**

Analysis: The Neptune Marina Parcel FF site is located in an area of high seismic activity, with several major faults in the region that could produce severe shaking at the site. Although the project site is not located in a defined Alquist-Priolo Earthquake Fault Zone and there are no known faults traversing the site, based upon data from recent earthquakes in the area, relatively large peak ground accelerations are possible in the project area (inclusive of the project site). A probabilistic seismic hazard analysis was performed to estimate potential ground shaking at the site under a 475-year return period design event. Results indicate that the estimated PGA at the site, for a 475-year return period event is 0.50 g. The representative earthquake magnitude associated with the design PGA (0.5 g) was indirectly estimated to be 7.5 for the site. Mitigation measures listed below would reduce impacts associated with earthquake faults, seismic ground shaking or landslides to levels less than are considered significant and consistent with County of Los Angeles Department of Public Works design standards.

Given the information provided above, structures can be adversely affected by the magnitude of seismic shaking that could potentially occur on the project site. Without mitigation, impacts associated with seismic shaking are considered adverse and potentially significant.

As defined above, based on the available information, the possibility of the low-lying areas of Marina del Rey being inundated by a tsunami occurring as a result of a seismic event cannot be discounted. The site is located about 0.25 mile from the shore to the west. Finished floor elevations of the lowest parking level are +15 feet. It is, therefore, conceivable that if the tsunamis are consistent with the maximum predicted from a 500-year return period event, there may be flooding of the basement level. The lowest finished floor elevation of the proposed residences is +35 feet, well above wave and anticipated run-up heights. From this perspective, mitigation of the potential tsunami hazard is more of an emergency preparedness rather than a design issue.

Given that topography of the site is relatively flat and the surrounding parcels are developed, the potential for landslides occurring as a result of a seismic event to expose people or structures to potential substantial adverse effects are not expected.

Mitigation Measures 5.1-1 and 5.1-2 would mitigate project specific impacts associated with the Neptune Marina Parcel FF project.

Conclusion: Less than significant.

5.1.4.4.2 Threshold: Result in substantial soil erosion or the loss of topsoil.

Analysis: The Neptune Marina Parcel FF site is currently developed with a surface parking lot. Surficial wind and water erosion on the project site has the potential to increase on the project site during construction. This may result in a short-term impact relative to soil erosion or loss of topsoil unless mitigated.

Once developed and operational (i.e., construction of the structure and site landscaping is complete), site erosion and sedimentation would be substantially reduced because the site would be covered with non-erosive surfaces, including pavement, structures and permanent vegetation, all which would reduce or eliminate the amount of exposed soil subject to wind and water erosion. Therefore, project implementation would not permanently increase the potential for wind and water erosion of the site. As a result, project impacts would be greatest during site construction and would not be significant with mitigation.

Mitigation Measures 5.1-3 through 5.1-12 would mitigate project specific impacts associated with the Neptune Marina Parcel FF project.

Conclusion: Less than significant.

5.1.4.4.3 Threshold: Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

Analysis: The Neptune Marina Parcel FF site lies in an area of high liquefaction potential due to the fine sandy soils underlying the area, the presence of shallow groundwater and the proximity of the site to the Newport-Inglewood and Palos Verdes Faults. Potential for liquefaction at the site was investigated for a design earthquake with a PGA of 0.5 g and an associated magnitude of 7.5. Results show that under the design earthquake, zones of loose to medium dense and silty sands, occurring below depths of 5 to 15 feet and above the dense native soil deposit, are liquefiable. In addition, near surface soils to a depth of about

48 feet have liquefiable layers of various thickness and cannot be used for shallow foundation support without some kind of treatment.

Consequences of liquefaction on the project site include liquefaction-induced ground subsidence and lateral spread or deformation toward the low-lying areas of the project site. Liquefaction-induced subsidence could range from 5 to 16 inches at the central and eastern portions of the site. Pseudostatic analysis indicated that during the design earthquake, the factor of safety on the project site and the adjacent slope would fall below one. A pseudo-static factor of safety less than one does not imply that slope would undergo failure, but it would experience an earthquake-induced lateral deformation on the order of 1 to 2 feet. In addition, the project site could experience some subsidence (slumping) due to lateral deformations.

Soils Gas: Concerns were raised over the potential presence of methane gas on project sites located near the Ballona Wetlands, which was historically part of an active oil field and is now the site of an underground natural gas storage facility operated by Southern California Gas Company (SCG). Methane is a natural bi-product of the microbial decomposition of organic matter in an anaerobic environment. In large concentrations, methane can be explosive and, since it is heavier than air, can displace atmospheric oxygen. As the proposed project is located near to abandoned oil wells within Marina del Rey, methane gas has the potential to concentrate within the buildings.

For enclosed structures, construction compliance with the County Building Code may include a sub-slab venting system. An impervious vapor barrier should be installed below the slab and placed around any exterior walls below ground surface. A passive vent system should be installed under the vapor barrier to divert the flow of any methane gas away from structures. The ventilation system should include perforated horizontal pipes, gravel blanket under the impervious surface, gravel blanket around the perforated horizontal pipes and solid-pipe vent risers. Trench dams should be installed in all electrical, plumbing, gas or other trenches beneath the building foundation. All conduits and cables entering structures should be sealed to prevent the transmission of methane gas.

Mitigation Measures:

- 5.1-13.** Proposed structures shall be designed in conformance with all recommendations included in the Group Delta Consultants report (**Appendix 5.1**, Section 4.0, 6-20).
- 5.1-14.** The County Building and Safety, as defined in Los Angeles County Building Code Section 110.4, buildings or structures adjacent to or within 200 feet (60.96 meters) of active, abandoned or idle oil or gas well(s) shall be provided with methane gas-

protection systems. For soil gas safety, the recommendations in the April 18, 2008, Carlin Environmental Consulting report (**Appendix 5.1**) shall be implemented.

Conclusion: Less than significant.

5.1.4.4.4 Threshold: Be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.

Analysis: The Neptune Marina Parcel FF site is not located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994). However, any import material should be tested for expansion potential prior to importing. Given the existing condition impacts associated with expansive soils are not considered significant.

Mitigation Measures:

5.1-17. Proposed structures shall be designed in conformance with all recommendations included in the Group Delta Consultants report (**Appendix 5.1**, Section 4.0, 6-20).

Conclusion: Less than significant.

5.1.4.4.5 Threshold: Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

Analysis: The proposed project does not include provisions for septic tanks or alternative wastewater disposal systems. Sewer connections are available in the project area for project disposal of wastewater. Given that no septic systems are proposed or are required, impacts associated with the disposal and treatment of domestic wastewater on the project site are not considered significant.

Mitigation Measures: No mitigation measures are proposed or are required.

5.1.4.5 Woodfin Suite Hotel and Timeshare Resort Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified that would reduce or avoid potential impacts.

5.1.4.5.1 Threshold: Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; or landslides.

Analysis: The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site is located in an area of high seismic activity, with several major faults in the region that could produce severe shaking at the site. Although the project site is not located in a defined Alquist-Priolo Earthquake Fault Zone and there are no known faults traversing the site, based upon data from recent earthquakes in the area, relatively large peak ground accelerations are possible in the project area (inclusive of the project site).

The hotel structure can be designed to resist earthquake forces in accordance with the 1997 Uniform Building Code (UBC). Based on Figure 16-2 of the 1997 UBC, the site is located within Seismic Zone 4. Van Beveren & Butelo determined the shear wave velocity of the soils within our CPT explorations. The shear wave velocity results presented in Appendix A of the Van Beveren & Butelo Report yield an average velocity of 700 feet per second. LeRoy Crandall and Associates also conducted a downhole seismic survey as part of their 1982 investigation and determined that the upper 100 feet of the soils have an average shear wave velocity of about 740 feet per second. Consequently, the Soil Profile Type, as defined in Section 1636 and shown in Table 16-J of the 1997 UBC, may be assumed to be Type SD, Stiff Soil Profile.

The closest active fault to the site is the Palos Verdes fault, a Type B seismic source, as shown on Map M-33 of the International Conference of Building Officials publication dated February 1998, "Maps of Known Active Fault Near Source Zones in California and Adjacent Portions of Nevada" to be used in conjunction with the 1997 UBC. The site is within 7 kilometers of the Palos Verdes fault.

Given the information provided above, structures can be adversely affected by the magnitude of seismic shaking that could potentially occur on the project site. Without mitigation, impacts associated with seismic shaking are considered adverse and potentially significant.

As defined above, based on the available information, the possibility of the low-lying areas of Marina del Rey being inundated by a tsunami occurring as a result of a seismic event cannot be discounted. The site is located about 0.25 mile from the shore to the west. Finish floor elevation of the lowest parking level is +15 feet msl. It is, therefore, conceivable that if the tsunamis are consistent with the maximum predicted from a 500-year return period event, there may be flooding of the basement level. The lowest finished floor elevation of the proposed residences is +35 feet, well above wave and anticipated run-up heights. From this perspective, mitigation of the potential tsunami hazard is more of an emergency preparedness rather than a design issue.

Given that topography of the site (inclusive of Parcels 10R, FF, and 9U) is relatively flat and the surrounding parcels are developed, the potential for landslides occurring as a result of a seismic event that would expose people or structures to potential substantial adverse effects are not expected.

Mitigation Measures 5.1-1 and 5.1-2 would mitigate project specific impacts associated with the Neptune the Woodfin Suite Hotel and Timeshare Resort Project.

Conclusion: Less than significant.

5.1.4.5.2 **Threshold: Result in substantial soil erosion or the loss of topsoil.**

Analysis: The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site is currently developed with apartment structures and related improvements (Parcel 10R) and an underutilized surface parking lot (Parcel FF). Parcel 9U is an undeveloped vacant lot. Surficial wind and water erosion on the project site has the potential to increase on the project site during construction. This may result in a short-term impact relative to soil erosion or loss of topsoil unless mitigated.

Once developed and operational (i.e., construction of the structures and site landscaping is complete), site erosion and sedimentation would be substantially reduced because the site would be covered with non-erosive surfaces, including pavement, structures and permanent vegetation, all which would reduce or eliminate the amount of exposed soil subject to wind and water erosion. Therefore, project implementation would not permanently increase the potential for wind and water erosion of the site. As a result, project impacts would be greatest during site construction and would not be significant with mitigation.

Mitigation Measures 5.1-3 through 5.1-12 would mitigate project specific impacts associated with the Neptune the Woodfin Suite Hotel and Timeshare Resort Project.

Conclusion: Less than significant.

5.1.4.5.3 Threshold: Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

Analysis: For Parcel 9U, the liquefaction potential was determined for a ground motion with a 10 percent probability of exceedence in 50 years, designated the design basis earthquake. This ground motion corresponds to a predominant earthquake magnitude of 7.1, site to source distance of 6.5 kilometers, and a PGA of 0.46 g, as determined by the California Division of Mines and Geology Seismic Hazard Zone Report 036, Seismic Hazard Evaluation of the Venice Quadrangle for Alluvium Conditions. The Los Angeles County Planning and Zoning Ordinance and the Marina Del Rey Specific Plan (Section 22.46.1180, Item 4) requires that “all new development over three stories in height shall be designed to withstand a seismic event with a ground acceleration of no less than 0.5 g.” Therefore, the PGA used in the liquefaction evaluation was set equal to 0.5 g.

The existing fill and estuary deposits are not suitable for support of the project and foundations should extend through these weak, compressible deposits and into the underlying dense sand and gravel. Deep foundations will be required. Driven piles could be used, but may not be practical because of the noise associated with the pile driving. Auger-cast piles would be a reasonable and practical alternative.

To resist the effects of liquefaction, downdrag loads and potential lateral spreading forces would need to be added to the design loads on the piles, the floor slabs would need to be structurally supported and the lateral resistance of the foundation system would be impaired. Batter piles could be used by the structure to resist the high lateral forces resulting from the lateral spreading, but would not protect adjacent hardscape improvements. In the opinion of Van Beveren & Butelo, the lateral spreading will need to be mitigated. Mitigation could consist of replacement of the seawall to resist the lateral spreading, or ground improvement to mitigate both the liquefaction and lateral spreading.

The existing seawall could be replaced with a suitable structure designed to resist the effects of liquefaction and the forces associated with the lateral spreading. The new seawall could be constructed at the same location as the existing seawall, which would require cooperation with the County. Alternately, the new seawall could be constructed entirely within the project limits, at the east property line.

The seawall would need to be supported on pile foundations extending through the liquefiable soils and be designed to support liquefiable soils to depths below the dredged level of the adjacent basin. The replacement seawall would confine soils within the site, but the possibility of liquefaction and the design requirements for the structure would still be present.

The possibility of liquefaction and the resulting lateral spreading could also be mitigated with an in-situ ground improvement process. The ground improvement process would reduce the liquefaction possibility permitting the use of higher pile capacities and permitting floor slabs to be supported on grade. Ground improvement would also protect the hardscape improvements.

The ground improvement process could include densification of the susceptible soils using a vibro-replacement method. If the ground improvement included the use of stone columns, the stone columns could be integrated into the foundation design of the conference center and underground parking. Auger-cast piles would still be required beneath the hotel/timeshare tower.

Van Beveren & Butelo recommend that liquefaction and lateral spreading be mitigated by ground improvement process, including stone columns. Ground improvement would eliminate the liquefaction and lateral spreading risk for the project. The hotel/timeshare tower should be supported on deep foundations into the underlying dense sand and gravel. The conference center may be supported on a mat foundation.

For Parcel 9U, groundwater was measured in the Van Beveren & Butelo borings as high as Elevation +1 feet and in borings by others as high as Elevation +5. For design purposes, Van Beveren & Butelo recommend that the groundwater level be assumed at Elevation +5 msl. If a subdrain is not provided beneath subterranean slabs on grade and behind basement walls, the floor slabs and walls extending below groundwater should be designed to resist the resulting hydrostatic pressure. The pressure would be equal to that developed by a fluid with a density of 62 pounds per cubic foot. The basement walls and floor slabs should be thoroughly waterproofed and the waterproofing behind the basement walls should extend to the adjacent ground surface.

Soils Gas: Concerns were raised over the potential presence of methane gas on project sites located near the Ballona Wetlands, which was historically part of an active oil field and is now the site of an underground natural gas storage facility operated by SCG. Methane is a natural by-product of the microbial decomposition of organic matter in an anaerobic environment. In large concentrations, methane can be explosive and, since it is heavier than air, can displace atmospheric oxygen. As the proposed project is located near to abandoned oil wells within Marina del Rey, methane gas has the potential to concentrate within the buildings.

For enclosed structures, construction compliance with the County building code may include a sub-slab venting system consisting of a series of vent pipes in gravel filled trenches leading to vent risers passively venting to the atmosphere. An impervious membrane system should be installed below the building foundations and above the venting system, with 2 inches of sand or slurry above and at least 8 inches of

methane gravel surrounding methane gas vent pipes below the membrane. An active ventilation system shall be installed capable of exchanging the interior air at a rate sufficient to eliminate the possibility of methane concentrating within the building.

Mitigation Measures:

- 5.1-14.** The County Building and Safety, as defined in Los Angeles County Building Code Section 110.4, buildings or structures adjacent to or within 200 feet (60.96 meters) of active, abandoned, or idle oil or gas well(s) shall be provided with methane gas-protection systems. For soil gas safety, the recommendations in the August 23, 2006, and May 3, 2008, Methane Specialist reports (**Appendix 5.1**) shall be implemented.
- 5.1-18.** There are several existing pile foundations on the site. Where the foundations are in the building area, they shall be cut off at least 5 feet below the bottom of the proposed mat or the proposed pile caps.
- 5.1-19.** A program of in-situ densification to improve the density of the granular estuary deposits to a minimum N-value of 20 shall be employed. Densification could be accomplished using stone-columns, where a vibrating probe is inserted into the ground and the densified soils are replaced with gravel. Van Beveren & Butelo anticipate that the probes will need to be spaced between 6 and 12 feet on centers to achieve the required minimum N-values. The densification should be performed throughout the estuary deposits to the surface of the dense sand and gravel, which was encountered in the explorations between Elevation -25 to -37 feet or 26 to 38 feet below the lowest parking level.

The densification should be performed within the entire area of the tower and conference center and 15 feet beyond the building footprints in plan. If there is not sufficient space to permit the densification beyond the buildings, then Van Beveren & Butelo recommend that the soils within the building area be confined using a soil-cement column, where the on-site soils are mixed in place with cement to create a confinement around the site's perimeter. The soil-cement columns could be located on the property line.

The densification will need to be evaluated by a test program using cone penetration tests (CPT). Van Beveren & Butelo recommend that the ground improvement program be initiated on a test area about 50 square feet. After the initial ground improvement effort, the results should be evaluation using a CPT and the spacing of the probes be adjusted.

5.1-20. Foundations for the hotel/timeshare tower should extend through the existing fill and estuary deposits and into the underlying dense sand and gravel. Driven piles could be used, but the noise associated with pile driving may be a problem in this residential neighborhood. Auger-cast piles could be used as an option to the driven piles. Each method is described in detail in the Van Beveren & Butelo report (**Appendix 5.1**). Van Beveren & Butelo also recommend a mat foundation and specific retaining wall specifications that shall be integrated into the design of the conference center. These specifications can also be found in **Appendix 5.1**.

Conclusion: Less than significant.

5.1.4.5.4 **Threshold: Be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.**

Analysis: The project site is not located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994). However, any import material should be tested for expansion potential prior to importing. Given the existing condition impacts associated with expansive soils are not considered significant.

Mitigation Measures:

5.1-21. Any import material shall be tested for expansion potential prior to importing.

5.1-22. Expansion index tests shall be performed at the completion of grading if silty subgrade soils are exposed to verify expansion potential.

5.1-23. Any additional recommendations pertinent to expansive soils as shall be carried out in accordance with the recommendations of the Van Beveren & Butelo Report, October 23, 2006.

Conclusion: Less than significant.

5.1.4.5.5 **Threshold: Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.**

Analysis: The proposed project does not include provisions for septic tanks or alternative wastewater disposal systems. Sewer connections are available in the project area for project disposal of wastewater. Given that no septic systems are proposed or are required, impacts associated with the disposal and treatment of domestic wastewater on the project site are not considered significant.

Mitigation Measures: No mitigation measures are proposed or are required.

Conclusion: No impact.

General Mitigation Measures: Mitigation measures are applicable to the proposed project, but do not specifically fall into any threshold category as defined above. The project shall incorporate any additional mitigation measures are defined in the Van Beveren & Butelo Report, October 23, 2006.

Geotechnical and Soil Resources Impacts and Mitigation Measures: Woodfin Suite Hotel and Timeshare Resort Project

5.1.5 CUMULATIVE IMPACTS

5.1.5.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and Other Related Projects

The geographic context of the analysis of rupture of a fault, strong seismic ground shaking, liquefaction, landslide, lateral spreading, subsidence, collapse, and expansive soils are site specific rather than cumulative in nature. This is because each development site has unique geologic considerations that would be subject to specific site development and construction standards. In this way, potential cumulative impacts resulting from geological, seismic and soil conditions would be reduced to less than significant on a site-by-site basis by modern construction methods and enforcement of code requirements. Thus, cumulative impacts associated with other related projects are considered to be less than significant. In addition, development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and other related projects would comply with the most stringent safety standards, consistent with all applicable local, state and federal regulations, such as the UBC. Consequently, the contribution of the project would not be cumulatively considerable and, thus, is less than significant.

Cumulative Mitigation Measures: No specific cumulative mitigation measures are proposed or are required.

5.1.6 UNAVOIDABLE SIGNIFICANT IMPACTS

With mitigation, site development would not significantly impact the geologic environment during either site construction or operation. Impacts would occur in the form of development in a region where severe ground shaking can occur, the adverse effects of liquefaction on building foundations and minor impacts associated with wind and water erosion. However, mitigation measures are incorporated that would reduce these impacts to levels that are not considered significant.

SUMMARY

The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project “proposed project” or “project” site is located in an urbanized area. Proposed development on the site and existing development in nearby off-site areas contain a variety of land uses, some of which are considered noise sensitive. Increases in noise of less than 3 decibels as measured on an A-weighted scale (dB(A)) Community Noise Equivalent Level (CNEL) are not usually perceptible to the human ear. However, changes from 3 to 5 dB(A) may be noticed by some individuals who are sensitive to changes in noise.

Construction noise would affect noise sensitive residential uses proximal to the site and noise sensitive uses along the proposed haul route. Exterior noise levels during site construction of up to 94 dB(A) could be experienced at some noise sensitive receptor locations with direct lines of sight to the construction site. Noise levels generated from the project during construction stages would periodically exceed County standards for exterior noise levels during the workday. To mitigate construction noise, all construction activities would comply with County of Los Angeles Plans and Policies for noise control (Ordinance No. 11773). Construction noise would be limited to normal working hours when many residents in the Marina del Rey area are away from their homes. Nevertheless, construction noise would represent a temporary, but significant impact, as noise levels would periodically exceed County standards, even after mitigation.

During project operation, it is not anticipated that interior noise levels on or off the project site would exceed County standards. The primary source of noise during project operation would be associated with vehicular traffic, which could affect off-site noise sensitive uses along nearby roadways. Operation of the proposed project would introduce an additional 3,104 daily vehicle trips to roadways situated proximal to the project site (1,045 trips from the Neptune Marina Parcel 10R, 499 trips from the Neptune Marina Parcel FF and 1,538 trips from Neptune Marina Parcel 9U, and the balance of the trips from the wetland park and public boat slips). Off-site noise level increases generated by proposed project traffic would be up to 2.0 dB(A) CNEL. The largest change in noise levels would occur along Marquesas Way east of Via Marina along the project frontage. However, this increase would not exceed the off-site mobile source thresholds of significance and would be below the level of human perception. Therefore, no significant on- or off-site noise impacts would occur as a result of project operation.

Noise level increases attributable to traffic generated by cumulative development would be less than 3 dB(A) CNEL at all locations. Marquesas Way would have the largest change, where noise levels as a result of traffic generated by cumulative development would increase from 53.8 dB(A) to 56.7 dB(A), an increase of 2.9 dB(A). This increase would not exceed the off-site mobile source thresholds of significance for this analysis and would be below the level of

human perception. Therefore, no significant off-site cumulative noise impacts would occur as a result of cumulative projects.

5.2.1 INTRODUCTION

5.2.1.1 Characteristics of Noise

Noise is usually defined as unwanted sound. It is an undesirable by-product of human society's normal day-to-day activities. Sound becomes unwanted when it interferes with normal activities, when it causes actual physical harm, or when it has adverse effects on health. The definition of noise as unwanted sound implies that it has an adverse effect on people and their environment.

Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). The human ear does not respond uniformly to sounds at all frequencies, being less sensitive to very low and high frequencies than to medium frequencies that correspond with human speech. In response, the A-weighted noise level (or scale) has been developed. It corresponds better with people's subjective judgment of sound levels. This A-weighted sound level is called the "noise level" referenced in units of dB(A). Because noise is measured on a logarithmic scale, a doubling of sound energy results in a 3 dB(A) increase in noise levels. However, changes in a community noise level of less than 3 dB(A) are not typically noticed by the human ear.¹ Changes from 3 to 5 dB(A) may be noticed by some individuals who are sensitive to changes in noise. A 5 dB(A) increase is readily noticeable, while the human ear perceives a 10 dB(A) increase in sound level to be a doubling of sound.

Noise sources are classified in two forms: (1) point sources, such as stationary equipment; and (2) line sources, such as a roadway with a large number of point sources (motor vehicles). Sound generated by a point source typically diminishes (attenuates) at a rate of 6 dB(A) for each doubling of distance from the source to the receptor at acoustically "hard" sites and 7.5 dB(A) at acoustically "soft" sites.² For example, a 60 dB(A) noise level measured at 50 feet from a point source at an acoustically hard site would be 54 dB(A) at 100 feet from the source and 48 dB(A) at 200 feet from the source. Sound generated by a line source typically attenuates at a rate of 3 dB(A) and 4.5 dB(A) per doubling of distance from the source to the receptor for hard and soft sites, respectively.³ Sound levels can also be attenuated by man-made or natural barriers, as illustrated in **Figure 5.2-1, Noise Attenuation Barriers**. Solid walls, berms, or

¹ *Highway Noise Fundamentals*, (Springfield, Virginia: U.S. Department of Transportation, Federal Highway Administration, September 1980), p. 81.

² *Ibid.*, p. 97. A "hard" or reflective site does not provide any excess ground-effect attenuation and is characteristic of asphalt, concrete, and very hard packed soils. An acoustically "soft" or absorptive site is characteristic of normal earth and most ground with vegetation.

³ *Ibid.*

elevation differences typically reduce noise levels by 5 to 10 dB(A).⁴ The noise attenuation provided by typical structures in California is provided below in **Table 5.2-1, Outside to Inside Noise Attenuation**.

**Table 5.2-1
Outside to Inside Noise Attenuation**

| Building Type | Noise Reduction - dB(A) | |
|------------------------------|-------------------------|----------------|
| | Open Windows | Closed Windows |
| Residences | 12 | 25 |
| Schools | 12 | 25 |
| Churches | 20 | 30 |
| Hospitals/Convalescent Homes | 17 | 25 |
| Offices | 17 | 25 |
| Theaters | 20 | 30 |
| Hotels/Motels | 17 | 25 |

Source: Highway Noise Fundamentals, p. 117.

When assessing community reaction to noise, there is an obvious need for a scale that averages varying noise exposures over time and quantifies the results in terms of a single number descriptor. Several scales have been developed that address community noise levels. Those that are applicable to this analysis are the Equivalent Noise Level (L_{eq}) and CNEL. L_{eq} is the average A-weighted sound level measured over a given time interval. L_{eq} can be measured over any period but is typically measured for 1-minute, 15-minute, 1-hour, or 24-hour periods. CNEL is another average A-weighted sound level measured over a 24-hour period and is adjusted to account for some individual's increased sensitivity to noise levels during the evening and nighttime hours. A CNEL noise measurement is obtained after adding 5 dB to sound levels occurring during the evening from 7:00 PM to 10:00 PM and 10 dB to sound levels occurring during the nighttime from 10:00 PM to 7:00 AM. The five and 10 dB "penalties" are applied to account for peoples' increased sensitivity during the evening and nighttime hours. For example, the logarithmic effect of these additions is that a 60 dB(A) 24-hour L_{eq} would result in a measurement of 66.7 dB(A) CNEL.

⁴ *Highway Noise Mitigation* (Springfield, Virginia: U.S. Department of Transportation, Federal Highway Administration, September 1980), p. 18.

5.2.1.2 Characteristics of Vibration

Vibration is a unique form of noise in that its energy is carried through structures and the earth, whereas noise is carried through the air. Thus, vibration is generally felt and heard. Some vibration effects can be caused by noise; for example, the rattling of windows from truck pass-bys. This phenomenon is related to the coupling of the acoustic energy at frequencies that are close to the resonant frequency of the material being vibrated. Typically, ground-borne vibration generated by man-made activities attenuates rapidly with distance from the source of the vibration.

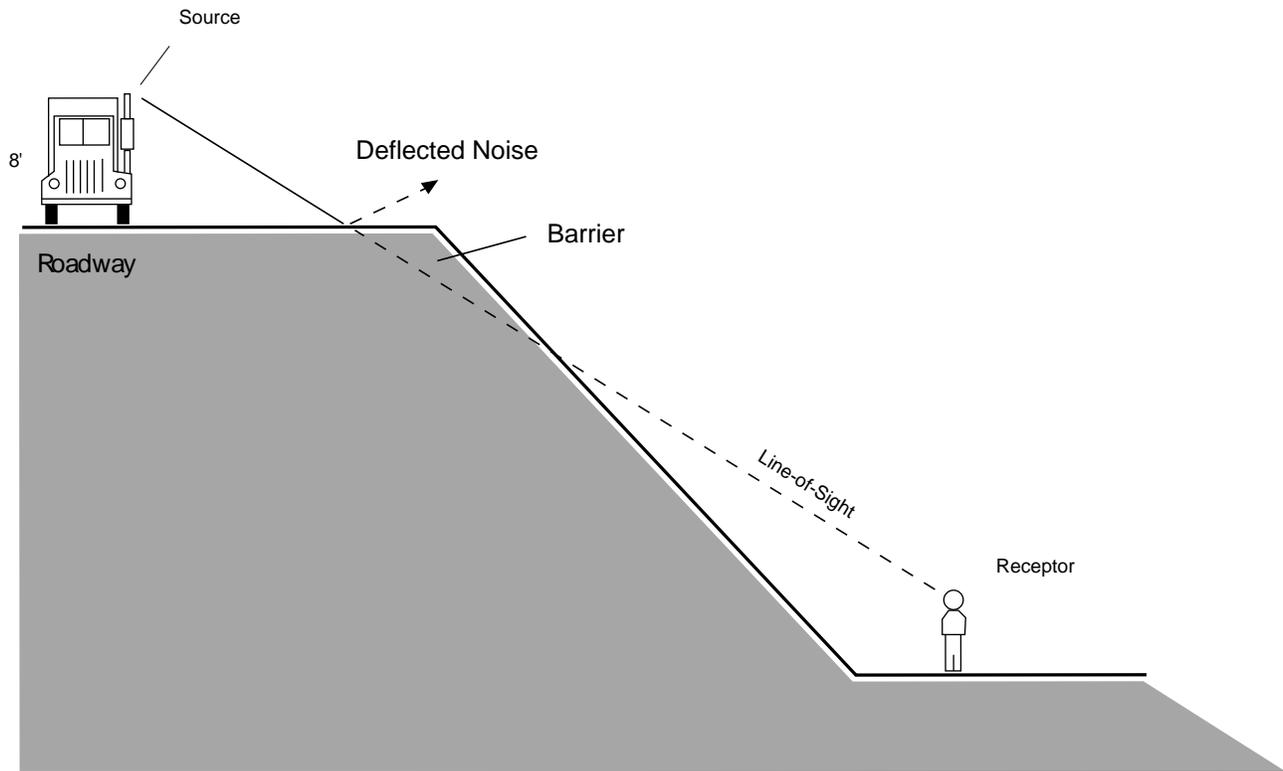
In general, vibration can be described in terms of displacement, velocity or acceleration. For the purpose of this analysis, vibration will be described in terms of velocity. The peak particle velocity (PPV) or the root mean square (RMS) velocities are usually used to describe vibration amplitudes. PPV is defined as the maximum instantaneous peak of the vibration signal, while RMS is defined as the square root of the average of the squared amplitude of the signal. Units for PPV and RMS are described in inches per second. Vibration in terms of velocity can also be described in a decibel notation—the purpose of which is to compress the range of numbers required to describe vibration. **Figure 5.2-2, Typical Levels of Ground-Borne Vibration**, identifies typical groundborne vibration levels in decibels, RMS velocity amplitude and PPV.

The effect of vibration on structures and individuals varies depending on soil type, ground strata and receptor location. Sensitivity to vibration varies from person to person. Peak velocities of 0.01 inch per second RMS are not generally noticeable, while velocities of 0.1 inch per second RMS can be troublesome to persons near the vibration source. Damage to structures can occur above 0.04 inches per second RMS.

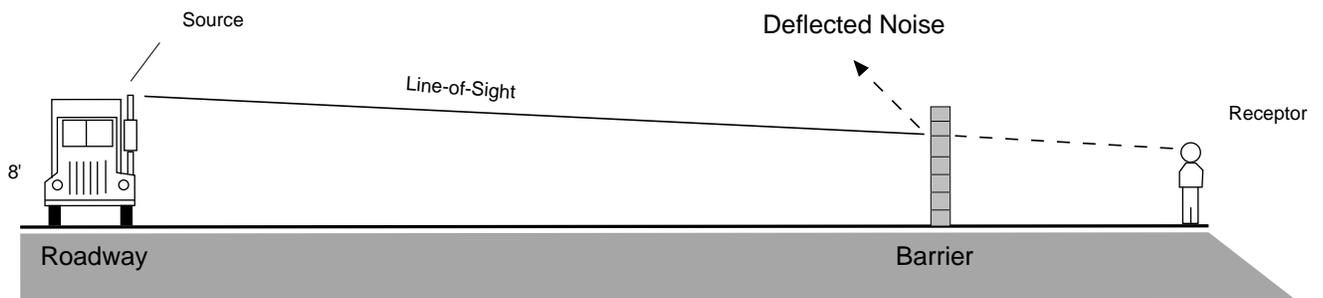
5.2.1.3 Noise Analysis Purpose and Methodology

5.2.1.3.1 Purpose of Analysis

The purpose of this noise analysis is twofold: (1) to evaluate the project in terms of design to ensure that the proposed land uses are planned appropriately from a noise perspective; and (2) to evaluate the noise impact of the project during both construction and operation on the surrounding (off-site) area.

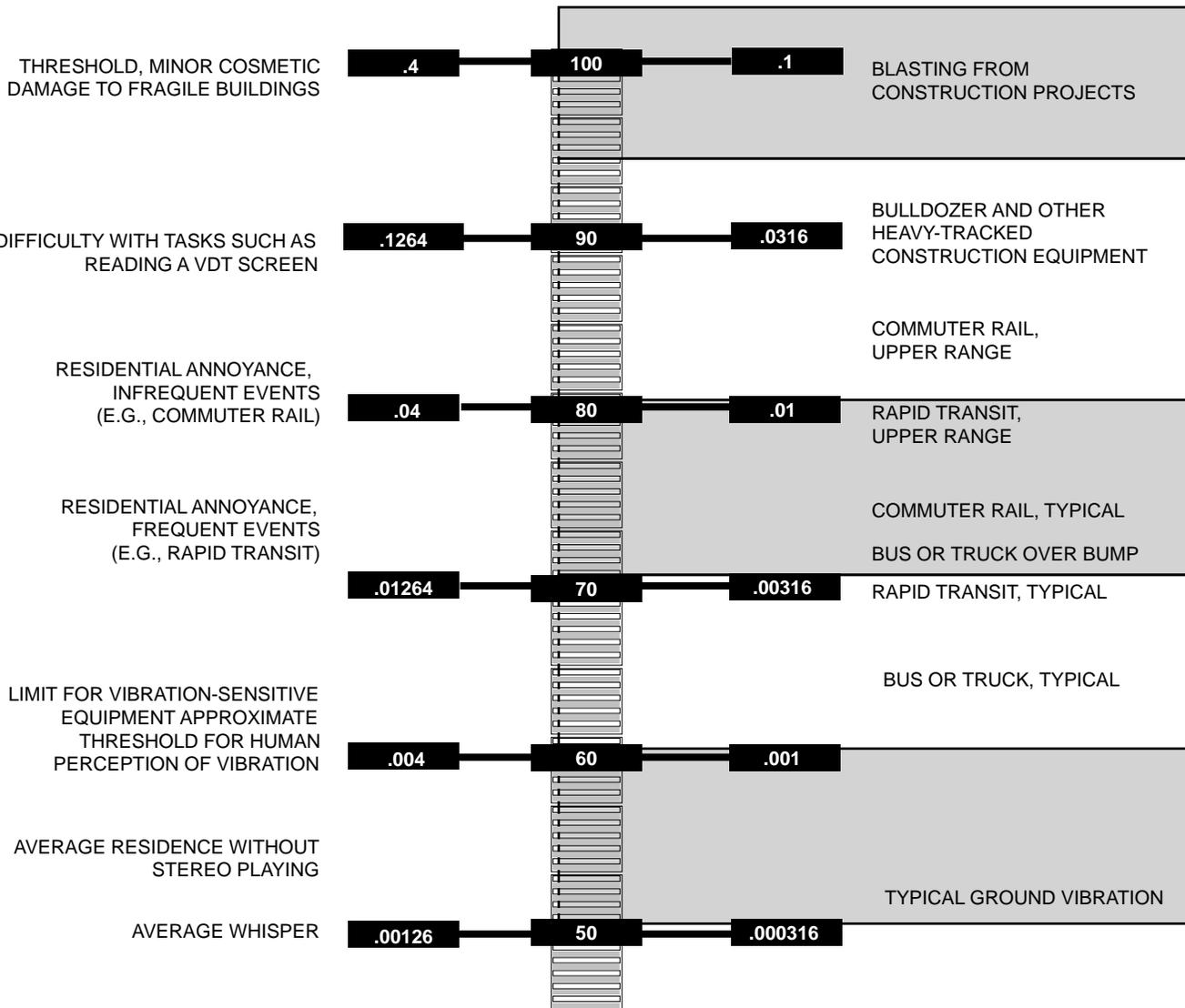


"Barrier Effect" Resulting from Differences in Elevation.



"Barrier Effect" Resulting from Typical Soundwall.

| HUMAN/STRUCTURAL RESPONSE | PPV AMPLITUDE IN INCHES ¹ PER SECOND | VELOCITY LEVEL IN VdB | RMS VELOCITY AMPLITUDE IN ² INCHES/SECOND | TYPICAL SOURCES 50 FEET FROM SOURCE |
|---------------------------|-------------------------------------------------|-----------------------|------------------------------------------------------|-------------------------------------|
|---------------------------|-------------------------------------------------|-----------------------|------------------------------------------------------|-------------------------------------|



¹ PPV is typically a factor 1.7 to 6 times greater than RMS vibration velocity. A factor of 4 was used to calculate noise levels.

² Vibration levels in terms of velocity levels are defined as: $V=20 \times \log_{10} (a/r)$

V = velocity levels in decibels

a = RMS velocity amplitude

r = reference amplitude (accepted reference quantities for vibration velocity are 1×10^{-6} inches/second in the United States)

FIGURE 5.2-2

Typical Levels of Ground-Borne Vibration

5.2.1.3.2 Analysis Methodology

Analysis of the existing and future noise environments presented in this EIR section is based on technical reports, noise monitoring and noise prediction modeling. Existing stationary noise data are identified based on reviews of available technical reports and noise monitoring. Noise level monitoring was conducted by Impact Sciences, Inc. using a Brüel and Kjær Type 2237 controller Integrating Sound Level Meter and a Larson Davis Model 720 Integrating Sound Level Meter. Both meters satisfy the American National Standards Institute (ANSI) for general environmental noise measurement instrumentation. Future noise levels for stationary activities and equipment were estimated based on available technical reports and literature cited in this EIR section. Noise modeling procedures involved the calculation of existing and future vehicular noise levels along individual roadway segments in the vicinity of the project site. This was accomplished using the Federal Highway Administration Highway Noise Prediction Model (FHWA-RD-77-108). This model calculates the average noise level at specific locations based on traffic volumes, average speeds, roadway geometry and site conditions. Average vehicle noise rates (energy rates) utilized in the FHWA Model have been modified to reflect average vehicle noise rates identified for California by the California Department of Transportation (Caltrans).⁵ Caltrans data show that California automobile noise is 0.8 to 1 dB(A) louder than national levels and that medium and heavy truck noise is 0.3 to 3 dB(A) quieter than national levels.⁶ Traffic volumes utilized as data inputs to the noise prediction model were calculated based on information provided by Crain & Associates, the project traffic engineer, and are consistent with the analysis provided in **Section 5.7, Traffic/Access**, of this EIR.

The primary concern regarding on-site noise is to determine whether on-site noise levels are compatible with proposed on-site land uses and land uses surrounding the site. In addition to evaluating on-site noise, this section also evaluates off-site post-project noise conditions at noise-sensitive locations along roadways that would accommodate project traffic. Noise sensitive locations would be those with planned and existing noise-sensitive uses, or those uses that would be most sensitive to an increase in noise levels. Noise sensitive locations are defined as residential uses, transient lodging, schools, libraries, churches, hospitals, day care centers and nursing homes. At these locations, noise levels were modeled both with and without the project's traffic volumes to determine whether or not project-related traffic would significantly increase noise levels at these locations.

⁵ Rudolf W. Hendriks, *California Vehicle Noise Emission Levels*, (Sacramento, California: California Department of Transportation, January 1987), NTIS, FHWA/CA/TL-87/03.

⁶ Ibid.

5.2.2 PLANS AND POLICIES

In advance of presenting the existing and future noise environments and the thresholds of significance utilized in this document, plans and policies which pertain to the noise conditions affecting and affected by the proposed project were reviewed and are discussed below. These plans and policies include (1) the County of Los Angeles Noise Control Ordinance (Ord. 11773 and 11778; Section 12.08 of the County Code); (2) the *State California Environmental Quality Act (CEQA) Guidelines*, Appendix G, Significant Effects; (3) The Los Angeles General Plan Noise Element; and (4) the State of California, Department of Health Services, Environmental Health Division *Guidelines for Noise and Land Use Compatibility*.

5.2.2.1 County of Los Angeles General Plan Noise Element

The general plan Noise Element outlines basic goals and policies for the County and its constituent municipalities to follow. It states as a general goal that noise mitigation costs should be assessed to the producers of the noise. Policy 16 of the Noise Element states that the county should “encourage cities to adopt definitive noise ordinances and policies that are consistent throughout the county.” The Noise Element does not prescribe any specific standards for acceptable noise or vibration levels. Because the Marina del Rey area is in unincorporated Los Angeles County, the specific and applicable noise standards are addressed in the County Noise Control Ordinance (County Code Section 12.08). The Noise Control Ordinance prescribes standards for point and stationary source noise and construction-related noise, as well as general standards for vibration.

5.2.2.2 County of Los Angeles Noise Control Ordinance (For Point and Stationary Source Noise)

The County Noise Control Ordinance (County Code Section 12.08) provides standards for both interior and exterior noise standards and sets guidelines for a variety of activities. Section 12.08.390 identifies exterior noise standards for stationary and point noise sources, specific noise restrictions, exemptions and variances for exterior point or stationary noise sources. Several of these standards are applicable to the project and are discussed below.

The County Noise Control Ordinance states that exterior noise levels caused by stationary or point noise sources shall not exceed the levels identified below in **Table 5.2-2, County of Los Angeles Exterior Noise Standards for Stationary and Point Noise Sources**, or the ambient noise level,⁷ whichever is greater. The Noise Control Ordinance (Section 12.08.400 of the County Code) also states that interior noise levels (resulting from outside point or stationary sources) within multi-family residential units shall not exceed

⁷ Ambient noise level is defined as the existing background noise level at the time of measurement or prediction.

45 dB(A) L_{eq} between 7:00 AM and 10:00 PM and 40 dB(A) L_{eq} between 10:00 PM and 7:00 AM. Conventional construction of buildings with the inclusion of fresh air supply systems or air conditioning will normally ensure that interior noise levels are acceptable (reference **Table 5.2-1** for noise reduction provided by conventional construction techniques). The table also includes the County's standards for acceptable exterior noise levels near receptor properties.

Table 5.2-2
County of Los Angeles Exterior Noise Standards for Stationary and Point Noise Sources

| Noise Zone | Designated Noise Zone | | Exterior Noise Level dB(A) L_{eq} ¹ |
|------------|-----------------------------------|---------------------|-----------------------------------------------------|
| | Land Use (Receptor Property) | Time Interval | |
| I | Noise Sensitive Area ² | Anytime | 45 |
| II | Residential Properties | 10:00 PM to 7:00 AM | 45 |
| | | 7:00 AM to 10:00 PM | 50 |
| III | Commercial Properties | 10:00 PM to 7:00 AM | 55 |
| | | 7:00 AM to 10:00 PM | 60 |
| IV | Industrial Properties | Anytime | 70 |

Source: County of Los Angeles Noise Control Ordinance, County Code Section 12.08.390.

¹ **Standard No. 1** shall be the exterior noise level which may not be exceeded for a cumulative period of more than 30 minutes in any hour. Standard No. 1 shall be the applicable noise level; or, if the ambient L_{50} exceeds the forgoing level, then the ambient L_{50} becomes the exterior noise level for Standard No. 1.

Standard No. 2 shall be the exterior noise level which may not be exceeded for a cumulative period of more than 15 minutes in any hour. Standard No. 2 shall be the applicable noise level from Standard No. 1 plus 5 dB(A); or, if the ambient L_{25} exceeds the forgoing level, then the ambient L_{25} becomes the exterior noise level for Standard No. 2.

Standard No. 3 shall be the exterior noise level which may not be exceeded for a cumulative period of more than 5 minutes in any hour. Standard No. 3 shall be the applicable noise level from Standard No. 1 plus 10 dB(A); or, if the ambient $L_{8.3}$ exceeds the forgoing level, then the ambient $L_{8.3}$ becomes the exterior noise level for Standard No. 3.

Standard No. 4 shall be the exterior noise level which may not be exceeded for a cumulative period of more than 1 minute in any hour. Standard No. 4 shall be the applicable noise level from Standard No. 1 plus 15 dB(A); or, if the ambient $L_{1.7}$ exceeds the forgoing level, then the ambient $L_{1.7}$ becomes the exterior noise level for Standard No. 4.

Standard No. 5 shall be the exterior noise level which may not be exceeded for any period of time. Standard No. 5 shall be the applicable noise level from Standard No. 1 plus 20 dB(A); or, if the ambient L_0 exceeds the forgoing level, then the ambient L_0 becomes the exterior noise level for Standard No. 5.

² Not defined in the County Noise Ordinance. To be designated by the County Health Officer.

5.2.2.3 County of Los Angeles Noise Ordinance (For Construction Noise)

The County Noise Control Ordinance (County Code Section 12.08.440) identifies specific restrictions regarding construction noise. The operation of equipment used in construction, drilling, repair, alteration

or demolition work is prohibited between weekday hours of 7:00 PM to 7:00 AM and anytime on Sundays or legal holidays if such noise would create a noise disturbance across a residential or commercial real-property line.⁸ The Noise Control Ordinance further states that the contractor shall conduct construction activities in such a manner that the maximum noise levels at the affected buildings will not exceed those listed in **Table 5.2-3, County of Los Angeles Construction Equipment Noise Restrictions**. All mobile and stationary internal-combustion-powered equipment and machinery is also required to be equipped with suitable exhaust and air-intake silencers in proper working order.

**Table 5.2-3
County of Los Angeles Construction Equipment Noise Restrictions**

| Residential Structures | Single-Family Residential | Multi-Family Residential | Commercial¹ |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------|-------------------------------|
| Mobile Equipment: Maximum noise levels for nonscheduled, intermittent, short-term operation (less than 10 days) of mobile equipment: | | | |
| Daily, except Sundays and legal holidays, 7:00 AM to 8:00 PM | 75 dB(A) L _{eq} | 80 dB(A) L _{eq} | 85 dB(A) L _{eq} |
| Daily, 8:00 PM to 7:00 AM and all day Sunday and legal holidays | 60 dB(A) L _{eq} | 64 dB(A) L _{eq} | 70 dB(A) L _{eq} |
| Stationary Equipment: Maximum noise level for repetitively scheduled and relatively long-term operation (periods of ten days or more) of stationary equipment: | | | |
| Daily, except Sundays and legal holidays, 7:00 AM to 8:00 PM | 60 dB(A) L _{eq} | 65 dB(A) L _{eq} | 70 dB(A) L _{eq} |
| Daily, 8:00 PM to 7:00 AM and all day Sunday and legal holidays | 50 dB(A) L _{eq} | 55 dB(A) L _{eq} | 60 dB(A) L _{eq} |
| Business Structures | | | |
| Mobile Equipment: Maximum noise levels for nonscheduled, intermittent, short-term operation of mobile equipment: | | | |
| Daily, including Sunday and legal holidays, all hours | | 85 dB(A) L _{eq} | |

Source: County of Los Angeles Noise Control Ordinance, County Code Section 12.08.440.

¹ Refers to residential structures within a commercial area. This standard does not apply to commercial structures.

⁸ Noise disturbance is not defined in the Noise Control Ordinance. The County Health Officer has the authority to define and determine the extent of a noise disturbance on a case-by-case basis.

5.2.2.4 Los Angeles County Code Vibration Guidelines (Section 12.08.560)

The County Code prohibits the operation or permission of operation of any device that creates vibration above the vibration perception threshold (motion velocity of 0.01 in/sec over the range of 1 to 100 hertz) at or beyond the property boundary on private property, or at 150 feet from the source if on a public space or public right of way. These guidelines apply to impacts associated with both project construction and operation.

5.2.2.5 California Department of Health Services (For Operational Mobile Source Noise)

The County exempts all vehicles of transportation (with a few exceptions) that operate in a legal manner within the public right-of-way, railway, or air space, or on private property, from the standards of the Noise Control Ordinance. The County has no adopted ordinance regulating individual motor vehicle noise levels. These are regulated by the state.

The State of California, Department of Health Services, Environmental Health Division has published recommended guidelines for mobile source noise and land use compatibility. Each jurisdiction is required to consider these guidelines when developing its general plan noise element and determining the acceptable noise levels within its community. The County of Los Angeles defers to these guidelines when assessing a land use's compatibility with motor vehicle noise sources. These guidelines are illustrated in **Figure 5.2-3, Land Use Compatibility Guidelines for Noise**.

Based on these guidelines, Los Angeles County typically considers an exterior noise level of 60 dB(A) CNEL to be an acceptable level for conventionally built single-family, duplex and mobile homes (normally acceptable noise levels). Exterior noise levels up to 65 dB(A) CNEL are typically considered acceptable for multi-family units and transient lodging without any special noise insulation requirements. Between these values and 70 dB(A) CNEL, exterior noise levels for both single-family and multi-family units are typically considered acceptable only if the buildings are conditioned to include noise insulation features (conditionally acceptable noise levels). An exterior noise level of 70 dB(A) CNEL is typically the dividing line between an acceptable and unacceptable exterior noise environment for all noise sensitive uses, including schools, libraries, churches, hospitals, day care centers and nursing homes of conventional construction. Noise levels below 75 dB(A) CNEL are typically acceptable for office and commercial buildings, while levels up to 75 dB(A) CNEL are typically acceptable for industrial uses.

5.2.3 EXISTING CONDITIONS

5.2.3.1 On-Site Noise Levels

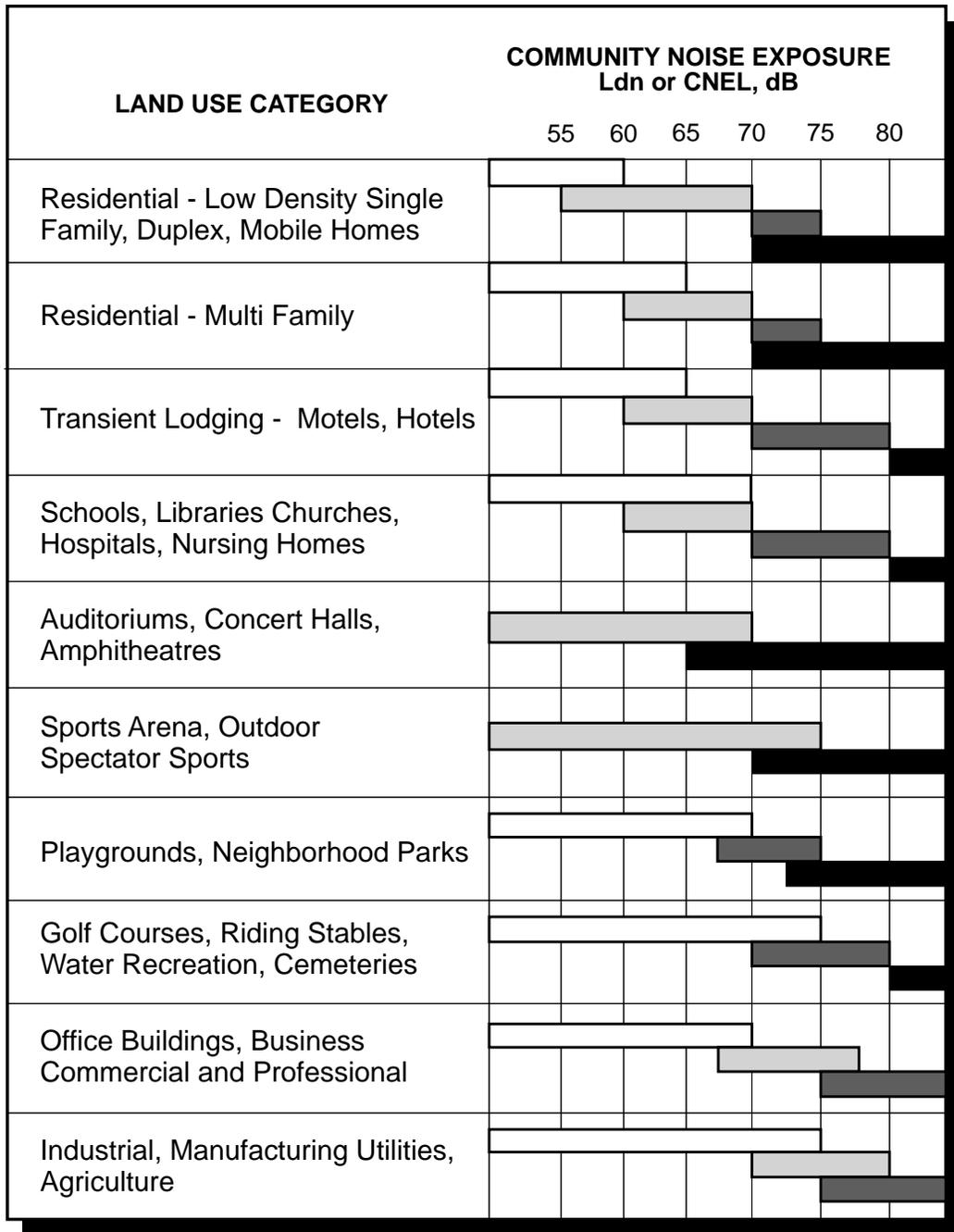
To characterize the ambient noise environment for noise sensitive land uses in the project area, both noise monitoring and noise prediction modeling were conducted. The existing ambient noise environment for off-site roadways was determined by calculating noise levels from vehicular traffic along specific roadway segments adjacent to various noise sensitive locations. Roadway segments evaluated are those that have been determined by the traffic study as being potentially affected by project related traffic.

Noise monitoring was also conducted at selected locations on Parcels 10R and FF and off-site during midday hours (10:00 AM and 1:00 PM) on October 25, 2005. Monitoring on Parcel 9U was conducted at two on-site locations during the PM peak period (4:00 PM and 6:00 PM) on August 15, 2006. Consistent with County standards, noise readings were taken in L_{eq} 60-second periods with "A" frequency fast time weighting. Wind speeds during noise monitoring ranged from 5 to 7 miles per hour during monitoring on Parcels 10R and FF and 5 to 10 miles per hour during monitoring on Parcel 9U in August 2006. **Figure 5.2-4, Noise Monitoring Locations**, illustrates the location of noise monitoring sites on each component of the project site.

5.2.3.1.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

The project site is located in an urban environment and is exposed to a variety of noise typical of such a setting. Visitor-serving commercial, hotel, boating and residential uses are the predominant uses in Marina del Rey. Parcel 10R currently contains 136 apartment units whose residents produce noises generally associated with human activity. Residents of the current apartment buildings both generate and are the recipients of on-site noise from people talking, doors slamming, lawn care equipment operation, personal watercraft operation, stereos, and domestic animal noises. These noises do not typically exceed County criteria for residential land uses. The majority of noise measured on-site was generated by traffic on the adjacent roadways.

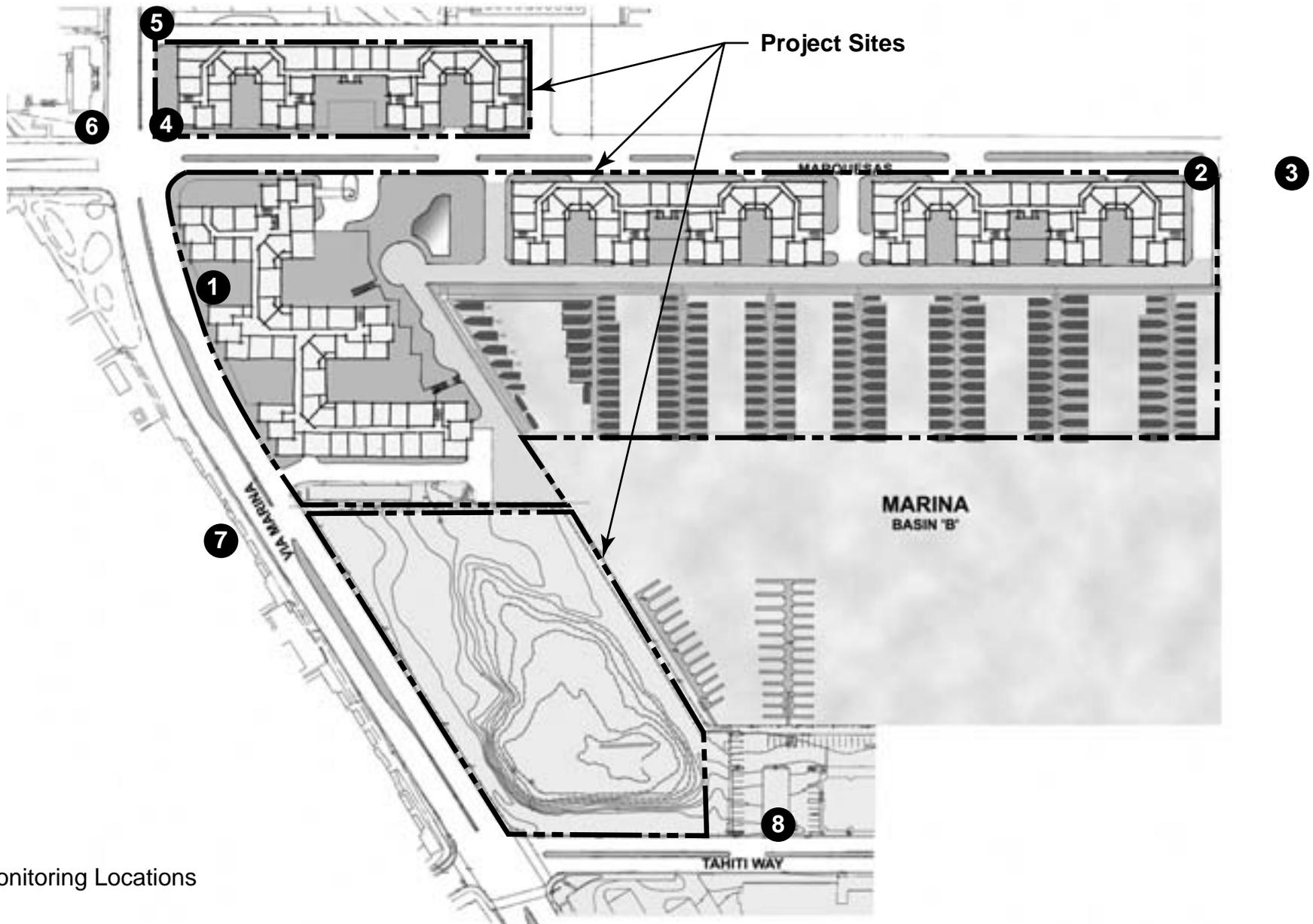
As shown in **Figure 5.2-4**, monitoring was conducted at two locations on Parcel 10R. The first location (Map Location 1) is located on the western portion of the project site, approximately 50 feet east of Via Marina. The average 60-second L_{eq} at this location was recorded at 61.5 dB(A). Noise sources at the time of monitoring included human conversations and occasional traffic.



-  **NORMALLY ACCEPTABLE**
Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.
-  **CONDITIONALLY ACCEPTABLE**
New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.
-  **NORMALLY UNACCEPTABLE**
New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise reduction features included in the design.
-  **CLEARLY UNACCEPTABLE**
New construction or development should generally not be undertaken.

SOURCE: California Department of Health, Office of Health Control, Guidelines for the Preparation and Content of Noise Elements of the General Plan, February 1976.

FIGURE 5.2-3



SOURCE: Impact Sciences, Inc. – May 2005

FIGURE 5.2-4

Noise Monitoring Locations

The second noise monitoring location (Map Location 2) is on the eastern portion of the parcel, approximately 50 feet from the eastern property line. The average 60-second L_{eq} at this location was recorded at 57.6 dB(A). Noise sources at the time of monitoring included human conversations, occasional traffic and construction activity on the adjacent property to the east, and boat motors.

The only existing land use on Parcel FF is a 2-acre surface parking lot. Noise generated from the parking lot includes the starting of car engines, car alarms, doors shutting, people talking and car stereos. However, the majority of noise measured on site was generated by traffic from the adjacent roadways.

As shown in **Figure 5.2-4**, on-site monitoring was conducted at two locations on Parcel FF. The first location (Map Location 5) is located on the northwestern corner of the project site, near existing residential uses fronting Via Marina. The average 60-second L_{eq} at this location was recorded at 64.2 dB(A). Noise during the time of monitoring was dominated by traffic on Via Marina.

The second noise monitoring location (Map Location 4) is on the southwestern portion of the parcel, approximately 50 feet east of Via Marina and 50 feet north of Marquesas Way. The average 60-second L_{eq} at this location was recorded at 64.0 dB(A). Noise during the time of monitoring was dominated by traffic on Via Marina.

Parcel 9U is currently undeveloped and the primary source of noise measured on-site was traffic on Via Marina and to a lesser degree on Tahiti Way. Noise was measured at two locations on Parcel 9U, represented by Map Locations 9 and 10 in **Figure 5.2-4**. The first monitoring location (Map Location 9) is located at the northeastern corner of Parcel 9U at the property boundary. The first monitoring location (Map Location 9) is located at the northeastern corner of Parcel 9U. The average 60-second L_{eq} at this location was recorded at 57.8 dB(A).

The second noise monitoring location (Map Location 10) is located at the northeastern corner of Via Marina and Tahiti Way or the southwestern corner of Parcel 9U. The meter was placed 50 feet from the centerline of both Via Marina and Tahiti Way. Noise readings were dominated by traffic along these roadways and the average 60-second L_{eq} at this location was recorded at 65.8 dB(A).

5.2.3.2 Off-Site Noise

As shown in **Figure 5.2-4**, additional noise readings were taken at four locations off site from the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site and where noise sensitive uses are proximal. Readings were taken on October 25, 2005 between 10:00 AM and 1:00 PM.

Noise monitoring Location 3 is on Marquesas Way, approximately 100 feet east of the eastern boundary of the project site. The average 60-second L_{eq} at this location was recorded at 67.7 dB(A). Noise sources during monitoring included human conversation, traffic along Marquesas Way and new building construction activity.

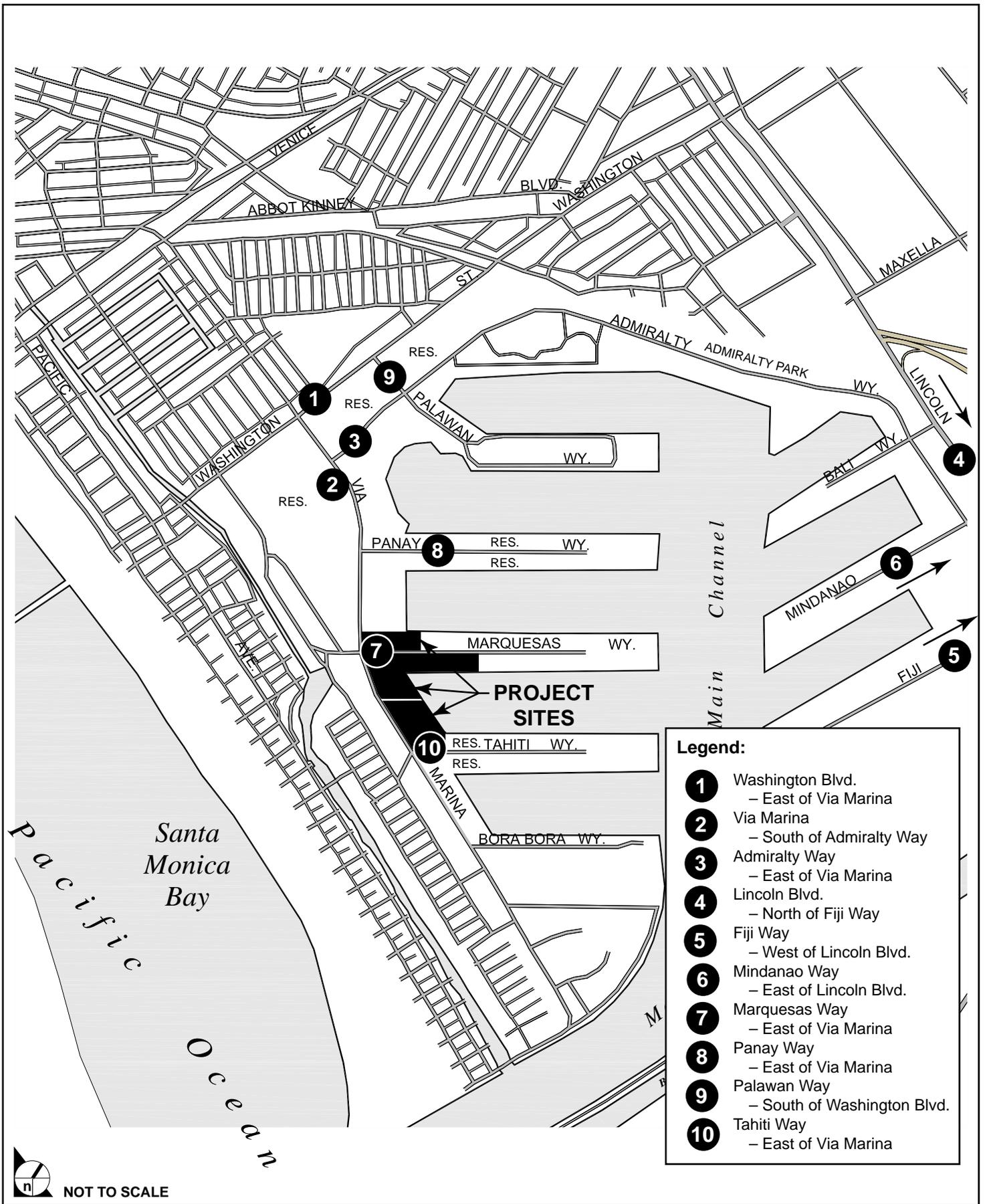
Noise monitoring Location 6 is approximately 100 feet northwest of the project site, across Via Marina and near residential uses. The average 60-second L_{eq} at this location was recorded at 63.9 dB(A). Noise sources during monitoring included traffic and human conversation.

Noise monitoring Location 7 is situated approximately 100 feet west/southwest of the project site, across Via Marina. The average 60-second L_{eq} at this location was recorded at 63.9 dB(A). Noise sources during monitoring included human conversation, construction activity and traffic along Via Marina.

Noise monitoring Location 8 is situated approximately 500 feet south of the project site, across Basin B on Tahiti Way. The average 60-second L_{eq} at this location was recorded at 62.8 dB(A). Noise sources during monitoring included human conversation and traffic along Tahiti Way.

5.2.3.2.1 Off-Site Roadway Noise

Figure 5.2-5, Noise Sensitive Uses Along Studied Roadway Segments, identifies the location of noise sensitive uses along studied roadway segments. As shown, noise-sensitive receptors near the project site include residential uses on Washington Boulevard, Via Marina, Mindanao Way, Fiji Way and a hospital on Lincoln Boulevard. All of the noise sensitive uses are located a minimum of 50 feet from the centerline of the roadway. Existing roadway noise levels are presented in **Table 5.2-4, Existing Off-Site Roadway Noise Levels at Noise-Sensitive Locations**. The noise levels have been calculated based on the existing traffic volumes on the studied roadways within the project area using the *FHWA Highway Noise Prediction Model*. As shown, existing roadway noise levels range from 53.8 dB(A) along Marquesas Way east of Via Marina to 71.7 dB(A) on Lincoln Boulevard north of Fiji Way.



NOT TO SCALE

SOURCE: Impact Sciences, Inc. – June 2005

FIGURE 5.2-5

Noise Sensitive Uses Along Studied Roadway Segments

Table 5.2-4
Existing Off-Site Roadway Noise Levels at Noise Sensitive Locations
Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

| ROADWAY •Segment | Existing and Planned Noise Sensitive Land Uses | dB(A) CNEL |
|------------------------------------------------|---------------------------------------------------|---------------|
| WASHINGTON BOULEVARD • east of Via Marina | Residential (50 feet) | 67.9 |
| VIA MARINA • south of Admiralty Way | Residential (50 feet) | 67.4 |
| ADMIRALTY WAY • east of Via Marina | Admiralty Park (50 feet) | 69.2 |
| LINCOLN BOULEVARD • north of Fiji Way | Daniel Freeman Hospital (50 feet) | 71.7* |
| FIJI WAY • west of Lincoln Boulevard | Residential (50 feet) | 66.3 |
| MINDANAO WAY • east of Lincoln Boulevard | Residential (50 feet) | 65.0 |
| MARQUESAS WAY • east of Via Marina | Residential | 53.8 |
| PANAY WAY • east of Via Marina | Residential/Recreation | 56.4 |
| PALAWAN WAY • south of Washington Boulevard | Recreation | 61.6 |
| TAHITI WAY • east of Via Marina | Residential (50 feet) | 54.6 |

Source: Impact Sciences, Inc. Calculations are provided in Appendix 5.2. Noise levels are calculated for the nearest edge of the nearest existing building to the roadway.

* Roadway segments which exceed the County Land Use Compatibility Guidelines for Noise.

5.2.3.2.2 Off-Site Roadway Calculation Methodology

To determine future off-site roadway noise levels from existing conditions, a variety of scenarios are presented in the impact discussion to clearly show the effect the project would have on surrounding sensitive receptors. The following is a brief summary of the scenarios that are presented for the proposed project, the individual parcels that make up the project, and cumulative conditions.

- **Existing Plus Project:** This scenario takes the CNEL levels described in **Table 5.2-4** and adds the project contribution to the overall CNEL level. Depending on the size of the project and the particular roadway segment being analyzed, this scenario could have a range of higher noise levels to no increase in CNEL. The Existing Plus project scenario presents the immediate effect implementation of the project would have on surrounding sensitive receptors.
- **Future Without Project:** This scenario presents the expected future noise environment at a horizon year when the project would be completed. Ambient growth is factored into this scenario. For this project, 2011 is the horizon year for implementation. These noise levels present the future baseline for which to compare the impact of the proposed project.
- **Future With Project:** This scenario takes the CNEL levels presented in the Future Without project scenario, in horizon year 2011, and adds the project contribution. Similar to the Existing Plus project scenario, depending on the size of the project and the particular roadway segment being analyzed, the increase in expected noise levels could vary. The overall incremental noise increase in the Future With project as compared to the Existing Plus project scenario could differ. This is due to the ambient growth factor that is assumed in the Future Without project scenario. The additional growth through 2011 in this calculation could increase the expected CNEL, depending upon location, assumed for the future. Therefore, it can be anticipated that the Future With project increment would be the same or slightly less than the Existing Plus project increment due to additional growth surrounding the project site.
- **Future With Project and Related Projects:** This scenario looks at the cumulative conditions of the project. The CNEL levels are calculated by factoring the expected noise levels from the proposed project and the expected noise levels from surrounding projects that are either pending approval or have been approved for construction. This noise level presents the expected future noise level in combination with a more precise list of expected development.

5.2.4 ENVIRONMENTAL IMPACTS

5.2.4.1 Project Improvements

Implementation of the proposed project would result in the development of 526 residential dwelling units, a 19-story building with 288 hotel and timeshare suites and an assortment of accessory patron- and visitor- serving uses, 174 private and between 7 and 11 public-serving boat spaces and a 1.46-acre public park that includes a 0.47-acre restored wetland and 0.99-acre upland buffer. There are 136 existing apartments and 198 boat spaces presently on site. Therefore, completion of the proposed project would

result in a net increase of 390 apartment units, 288 hotel and timeshare suites with accessory patron- and visitor- serving uses, a net decrease of up to 17 boat spaces, a 1.46-acre public park that includes a 0.47-acre restored wetland and 0.99-acre upland buffer.

5.2.4.2 Thresholds of Significance

Based on Appendix G of the most recent update of the *State CEQA Guidelines*, impacts related to noise and vibration are considered significant if the project

- would result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance;
- would result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
- would result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; or
- would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

5.2.4.3 Impact Analysis

The applicable thresholds of significance are listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified that would reduce or avoid potentially significant adverse impacts, if applicable.

5.2.4.3.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

5.2.4.3.1.1 **Threshold: Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance?**

Threshold: Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Threshold: Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Threshold: Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Analysis: The significance of noise impacts is based on both the Land Use Compatibility Guidelines, identified in **Figure 5.2-3**, and typical community responses to changes in noise levels. Changes in a noise level of less than 3 dB(A) are not typically noticed by the human ear. Changes from 3 to 5 dB(A) may be noticed by some individuals who are extremely sensitive to changes in noise. Based on this information, significant noise impacts would occur when an increase of 3 dB(A) or greater in noise level occurs from project-related activities.

Additionally, if proposed on-site uses are subject to point source noise levels originating on or off the project site that are above County Noise Control Ordinance standards (identified in **Tables 5.2-2 and 5.2-3**), a significant on-site noise impact would occur.

Construction Impacts: The project is proposed to be constructed in a single phase. Demolition activities on Parcels 10R and FF are expected to occur over a two- to three-month period and are anticipated to begin in January 2009. Demolition of existing uses and construction of the project is anticipated to take 33 months to complete. Given this schedule, anticipated buildout of the project would occur in September 2011. Construction of the proposed project would result in increases in ambient noise levels in the project area on an intermittent basis. This temporary increase in noise will likely be noticeable to nearby residents and on- and off-site employees, as well as visitors to Marina del Rey. It must be emphasized

that noise levels would fluctuate depending on the construction activity, equipment type and duration of use, the distance between the noise source and receptor and the presence or absence of noise attenuation barriers.

Construction of the project would involve the temporary use of heavy equipment, such as tractors, loaders, concrete mixers and cranes. Smaller equipment, such as jackhammers, pneumatic tools, saws and hammers, would also likely be used throughout the site during demolition and construction stages.

The U.S. Environmental Protection Agency (EPA) has compiled data regarding the noise-generating characteristics of specific types of construction equipment. Based on this data, **Table 5.2-5, Noise Levels of Typical Construction Equipment, Neptune Marina**, presents noise levels of typical construction equipment, which could be used on site during various phases of construction. As shown, noise levels generated by heavy equipment can range from approximately 68 dB(A) to noise levels in excess of 100 dB(A) when measured at 50 feet. However, much of this noise would diminish rapidly with distance from the construction site at a rate of approximately 6 dB(A) per doubling of distance.

**Table 5.2-5
Noise Levels of Typical Construction Equipment**

| Equipment Type | Typical Equipment at 50 Feet (dB[A]) | Quiet Equipment at 50 Feet (dB[A])¹ |
|-----------------------|-------------------------------------------------|-----------------------------------------------------------|
| Air Compressor | 81 | 71 |
| Backhoe | 85 | 80 |
| Concrete Pump | 82 | 80 |
| Concrete Vibrator | 76 | 70 |
| Truck Crane | 88 | 80 |
| Dozer | 87 | 83 |
| Generator | 78 | 71 |
| Loader | 84 | 80 |
| Paver | 88 | 80 |
| Pneumatic Tools | 85 | 75 |
| Pile Driver | 100 | NA |
| Water Pump | 76 | 71 |
| Power Hand Saw | 78 | 70 |
| Shovel | 82 | 80 |
| Trucks | 88 | 83 |

¹ Quieted equipment can be designed with enclosures, mufflers, or other noise-reducing features.

Based on a review of the site plan, construction activity would occur as close as 50 feet from existing noise sensitive residential uses (now under construction) located east of the project site. Uses at these locations could experience noise levels that reach 94 dB(A) for short time periods. Construction activity on the

project site would also occur as close as 125 feet from existing residential uses located west of the project site along Via Marina, resulting in noise levels of up to 85 dB(A) at these sensitive receptors. These, as well as any other locations that experience an uninterrupted line of sight to the construction noise sources, could be temporarily exposed to exterior noise levels which could exceed the County's Noise Control Ordinance standards for construction equipment as identified in **Table 5.2-3**. Therefore, construction noise is considered a temporary significant impact.

Construction noise would represent a short-term significant impact based on the potential to exceed County noise standards and the near two and a half-year construction period. Mitigation measures for construction noise impacts are provided below.

Haul Route Noise Impacts: Project construction will require the use of heavy trucks to haul equipment and materials to the site, as well as transport debris and earth excavated during demolition of existing structures and grading of the site. To limit noise impacts associated with construction traffic on nearby land uses, truck haul routes have been established which route vehicles away from sensitive uses to the maximum extent feasible. As depicted in **Figure 5.2-6, Haul Route**, the haul route extends north on Via Marina to Washington Boulevard, then east on Lincoln Boulevard and south on the Marina Freeway.

To minimize potential neighborhood disruption and conflicts along the haul route, a construction traffic control plan will be developed for use during construction. The plan will identify all traffic control measures, signs and time limits to be implemented by the construction contractor during the duration of demolition and construction activity. Measures likely to be used to reduce noise impacts include limitations on the hours and days in which construction activity may occur. All vehicles will be staged either within the property lines or at designated areas as established by a County approved haul route plan.

Trucks on average are expected to enter and leave the site on a daily basis over the construction period, but only during working hours. The trips associated with trucks traveling off-site are based on the URBEMIS 2002 assumptions associated with proposed land uses proposed for the project. According to URBEMIS 2002 calculations prepared for the project, trucks entering and exiting the site would make approximately 42 round trips per day, traveling 7.5 miles each trip during demolition. During site-grading, trucks entering and exiting the site would travel approximately 20 miles round-trip, and would make approximately 131 round trips per day. The Los Angeles County Department of Public Works (LACDPW), Construction Division, limits construction activities to between the hours of 6:30 AM and 8:00 PM daily and prohibits work on Sundays and legal holidays. This reduces the impact on local residents by restricting most construction-based noise generation to hours when most residents are at work and not generally home. The number of truck trips traveling along the designated haul route will

vary daily, depending on the nature of the construction activity. Employment of standard noise attenuation practices would be implemented as required by the LACDPW. As previously discussed, noise sensitive land uses located along the haul route are primarily residential in nature. Based on the information contained in **Table 5.2-5**, uses within 50 feet of the haul route could experience temporary noise events ranging from 83 to 88 dB(A) from trucks, which exceeds County standards outlined above. Therefore, a temporary significant impact would result from trucks traveling to and from the project site along the haul route during the projected buildout of the project.

Vibration Impacts: The primary vibration source associated with development of the proposed project involves the potential use of pile drivers during foundation construction; less severe vibration impacts could result from the use of other heavy equipment on- and off-site due to haul trucks passing on streets adjacent to sensitive receptors. Pile drivers are the pieces of construction equipment most likely to cause potential off-site vibration impacts. Pile drivers create a high intensity, repetitious noise that is disturbing and can result in substantial ground vibration. Usually, peak ground vibrations occur during the initial blows of the hammer and pile through the compacted soil zone. Once the compacted soil layer at the surface is penetrated, the pile typically slides more easily through the ground water saturated zone. Because the use of pile driving equipment is required for foundation construction, vibration impacts that would occur are considered significant and unavoidable, but temporary in type.

Operation Impacts; Point and Stationary Source Noise: On-site residential uses are considered sensitive and could be affected by on- and off-site point source noise. Operation of the proposed project is expected to result in increased noise due to the net increase in resident population on the site and associated vehicular traffic, affecting both future on-site receptors and existing off-site receptors.

Point and stationary noise experienced at on- and off-site locations would consist of intermittent sounds associated with human activity, such as people talking, doors slamming, lawn care equipment operation, stereos, domestic animals, etc. Noise levels generated by these sources typically generate noise levels of between 52 to 62 dB(A) CNEL. Such noises are typical of a residential area and are comparable to the types and levels of noise presently experienced at the site and in the project area. All sensitive receptors are located a minimum of 50 feet from the project site and it is expected that most of the noise generated during project operation on site will have attenuated and would, therefore, not have an impact on these off-site receptors. As shown in **Table 5.2-6, Predicted Future Off-Site Roadway Noise Levels at Noise-Sensitive Locations, Neptune Marina**, the existing dB(A) CNEL measured at all monitoring locations exceed County of Los Angeles Exterior Noise Standards for Stationary and Point Noise Sources for the applicable designated noise zone land use. The County Noise Control Ordinance states that exterior noise levels caused by stationary or point noise sources shall not exceed the levels identified

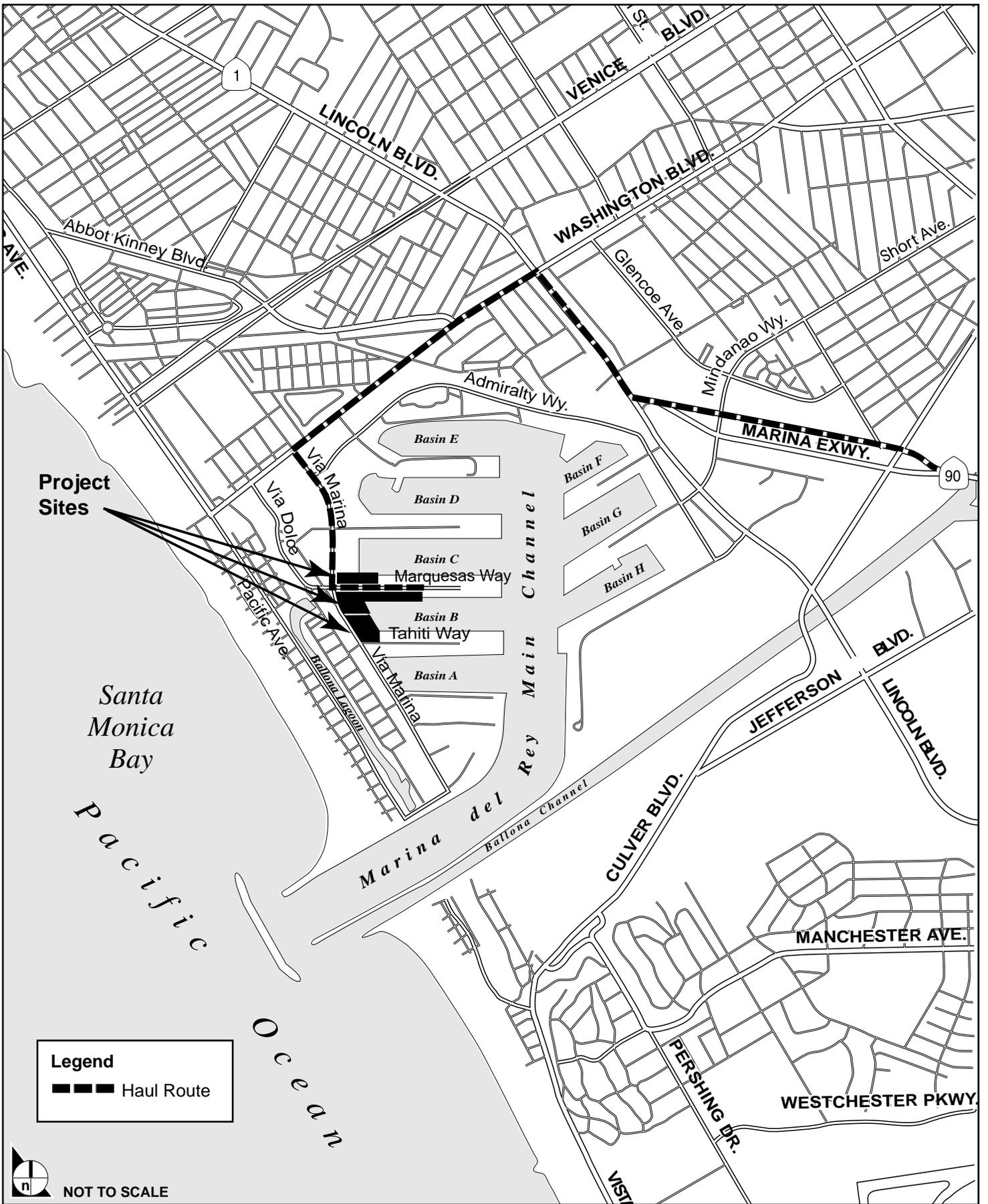


FIGURE 5.2-6

Haul Route

in **Table 5.2-2**, or the ambient noise level,⁹ whichever is greater. Therefore, the levels monitored have become the standard. As stated in **5.2.1.1, Characteristics of Noise**, changes in a community noise level of less than 3 dB(A) are not typically noticed by the human ear.¹⁰ As shown in **Table 5.2-6**, all expected noise increases resulting from the proposed project would be less than 3 dB(A). As a result, noise generated by point or stationary sources on the project site would be consistent with County of Los Angeles noise standards. Thus, noise impacts generated by the new residents located on the project site would not constitute a significant impact to on- or off-site receptors.

Operation Impacts; Mobile Source Noise: Development of the project would increase the traffic volumes along local roadways. To evaluate potential impacts associated with increased vehicle trips, noise prediction modeling was conducted for study roadway segments that are bordered by noise sensitive land uses. Roadway segments include Washington Boulevard east of Via Marina, Via Marina south of Admiralty Way, Admiralty Way east of Via Marina, Lincoln Boulevard north of Fiji Way, Fiji Way west of Lincoln Boulevard, Mindanao Way east of Lincoln Boulevard, Panay Way east of Via Marina, Tahiti Way east of Via Marina, Marquesas Way east of Via Marina and Palawan Way east of Via Marina. Roadway geometrics and traffic volumes segments were obtained from Crain and Associates, the preparers of the traffic study for the proposed project. Scenarios modeled for these roadways are (1) existing (2007) traffic volumes; (2) existing plus project traffic volumes; and (3) future (year 2011) traffic volumes plus project and without project. The results of the noise modeling are shown in the **Table 5.2-6**.

⁹ Ambient noise level is defined as the existing background noise level at the time of measurement or prediction.

¹⁰ *Highway Noise Fundamentals*, (Springfield, Virginia: US Department of Transportation, Federal Highway Administration, September 1980), p. 81.

Table 5.2-6
Predicted Future Off-Site Roadway Noise Levels at Noise-Sensitive Locations
Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

| Roadway Segment | Sensitive Land Uses Distance from Roadway Centerline | Existing dB(A) CNEL | Existing Plus Project dB(A) CNEL | Increase in CNEL from the Project | Future Without Project CNEL | Future With Project CNEL | Increase in CNEL with Project | Significant Impact? |
|------------------------------------------|---------------------------------------------------------|---------------------------|-------------------------------------------|-----------------------------------------------|--------------------------------------|-----------------------------------|----------------------------------------|------------------------|
| Washington Blvd. (east of Via Marina) | Residential, 50 feet | 67.9 | 68.0 | 0.1 | 68.0 | 68.1 | 0.1 | NO |
| Via Marina (south of Admiralty) | Residential, 50 feet | 67.4 | 68.0 | 0.6 | 67.5 | 68.1 | 0.6 | NO |
| Admiralty Way (east of Via Marina) | Admiralty Park, 50 feet | 69.2 | 69.6 | 0.4 | 69.3 | 69.5 | 0.4 | NO |
| Lincoln Boulevard (north of Fiji Way) | Daniel Freeman Hospital, 50 feet | 71.7* | 71.7 | 0.0 | 71.8 | 71.8 | 0.0 | NO |
| Fiji Way (west of Lincoln) | Residential, 50 feet | 66.3 | 66.4 | 0.1 | 66.4 | 66.5 | 0.1 | NO |
| Mindanao Way (east of Lincoln) | Residential, 50 feet | 65.0 | 65.5 | 0.5 | 65.3 | 65.6 | 0.5 | NO |
| Marquesas Way (east of via marina) | Residential, 50 feet | 53.8 | 55.8 | 2.0 | 53.9 | 55.8 | 2.0 | NO |
| Panay Way (east of Via Marina) | Residential, 50 feet | 56.4 | 56.4 | 0.0 | 56.5 | 56.5 | 0.0 | NO |
| Palawan Way (south of Washington) | Recreation | 61.6 | 61.6 | 0.0 | 61.7 | 61.7 | 0.0 | NO |
| Tahiti Way (east of Via Marina) | Residential, 50 feet | 54.6 | 54.6 | 0.0 | 54.7 | 54.7 | 0.1 | NO |

Source: Impact Sciences, Inc. Calculations are provided in **Appendix 5.2**. Noise levels are calculated for the nearest edge of the nearest existing building to the roadway.

* Roadway segments which exceed the County Land Use Compatibility Guidelines for Noise.

Noise level increases attributable to traffic generated by cumulative development would be less than 3 dB(A) CNEL at all locations. As previously stated, increases of less than 3 dB(A) CNEL would not exceed the off-site mobile source thresholds of significance for this analysis and would not generally be perceptible to the human ear, while increases between 3 dB(A) and 5 dB(A) may be noticed by some individuals who are extremely sensitive to changes in noise. Therefore, no significant off-site noise impacts would occur as a result of project operation when compared with existing conditions.

Conclusion:**Construction Impacts:** Significant;**Haul Route Noise Impacts:** Significant;**Vibration Impacts:** Significant;**Operational Impacts; Point and Stationary Sources:** Less than significant;**Operational Impacts; Mobile Source Noise:** Less than significant.**Mitigation Measures:**

Existing Regulations and Standards Applicable to the project: The LACDPW, Construction Division, limits construction activities to between the hours of 6:30 AM and 8:00 PM daily and prohibits work on Sundays and legal holidays. The Los Angeles County Department of Health Services has the authority to restrict construction activities to between the hours of 7:00 AM and 7:00 PM and no time on Sundays or legal holidays if such noise would create a noise disturbance across a residential or commercial real-property line. In addition, a haul route will be reviewed and approved by the County in order to limit neighborhood disturbance to the degree feasible. A construction staging area will be identified as far as possible from existing residential uses for the storage of equipment and material but will remain on the project site. With regard to operations, all stationary and point sources of noise occurring on the project site must adhere to the requirements of the County of Los Angeles Ordinance No. 11773, Section 12.08.390.

Mitigation Measures Recommended by the EIR:

- 5.2-1.** All construction equipment, fixed or mobile, that is utilized on the site for more than two working days shall be in proper operating condition and fitted with standard factory silencing features. To ensure that mobile and stationary equipment is properly maintained and meets all federal, state and local standards, the applicant shall maintain an equipment log. The log shall document the condition of equipment relative to factory specifications and identify the measures taken to ensure that all construction equipment is in proper tune and fitted with an adequate muffling device. The log shall be submitted to the Los Angeles Department of Public Works for review and approval on a quarterly basis. In areas where construction equipment (such as generators and air compressors) is left stationary and operating for more than one day within 100 feet of residential land uses, temporary portable noise structures shall be built. These barriers shall be located

between the piece of equipment and sensitive land uses. As the project is constructed, the use of building structures as noise barrier would be sufficient. The County building official or a designee should spot check to ensure compliance.

- 5.2-2. All exterior construction activity, including grading, transport of material or equipment and warming-up of equipment, shall be limited to between the hours of 8:00 AM to 5:00 PM, except for concrete pours, and shall not occur during weekend periods unless approved by the Los Angeles County Department of Public Works. Construction activity associated with pile driving shall be limited to the hours of 8:00 AM and 4:30 PM. The work schedule shall be posted at the construction site and modified as necessary to reflect deviations approved by the Los Angeles County Building and Safety Division. The County building official or a designee should spot check and respond to complaints.
- 5.2-3. The project applicant shall post a notice at the construction site and along the proposed truck haul route. The notice shall contain information on the type of project and anticipated duration of construction activity, and shall provide a phone number where people can register questions and complaints. The applicant shall keep a record of all complaints and take appropriate action to minimize noise generated by the offending activity where feasible. A monthly log of noise complaints shall be maintained by the applicant and submitted to the County of Los Angeles Department of Public Health.

Conclusion:

Construction Impacts After Mitigation: Significant and unavoidable

Haul Route Noise Impacts After Mitigation: Significant and unavoidable

Vibration Impacts After Mitigation: Significant and unavoidable

Operational Impacts; Point and Stationary Sources (No Mitigation Required): Less than significant

Operational Impacts; Mobile Source Noise (No Mitigation Required): Less than significant

5.2.4.3.2 Neptune Marina Parcel 10R Project

The applicable thresholds of significance are listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts, if applicable.

5.2.4.3.2.1 Threshold: Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance?

Threshold: Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Threshold: Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Threshold: Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Analysis: The significance of noise impacts is based on both the Land Use Compatibility Guidelines, identified in **Figure 5.2-3**, and typical community responses to changes in noise levels. Additionally, if proposed on-site uses are subject to point source noise levels originating on or off the project site that are above County Noise Control Ordinance standards (identified in **Tables 5.2-2** and **5.2-3**), a significant on-site noise impact would occur.

Construction Impacts: Construction of the Neptune Marina Parcel 10R would not be phased. Demolition activities on the existing project site are expected to occur over a two- to three-month period and are anticipated to begin in January 2009. Demolition of existing uses and construction of the Neptune Marina Parcel 10R is anticipated to take 33 months to complete. Given this schedule, anticipated buildout of the project would occur in September 2011. Construction of the proposed project would result in increases in ambient noise levels in the project area on an intermittent basis. This temporary increase in noise will likely be noticeable to nearby residents and on- and off-site employees, as well as visitors to Marina del Rey. It must be emphasized that noise levels would fluctuate depending on the construction activity, equipment type and duration of use, the distance between the noise source and receptor and the presence or absence of noise attenuation barriers.

Construction of the project would involve the temporary use of heavy equipment, such as tractors, loaders, concrete mixers and cranes. Smaller equipment, such as jackhammers, pneumatic tools, saws and hammers, would also likely be used throughout the site during demolition and construction stages.

The EPA has compiled data regarding the noise-generating characteristics of specific types of construction equipment. **Table 5.2-5, Noise Levels of Typical Construction Equipment**, shown above, presents noise levels of typical construction equipment, which could be used on site during various phases of construction. As shown, noise levels generated by heavy equipment can range from approximately 68 dB(A) to noise levels in excess of 100 dB(A) when measured at 50 feet. However, much of this noise would diminish rapidly with distance from the construction site at a rate of approximately 6 dB(A) per doubling of distance.

Based on a review of the site plan, construction activity would occur as close as 50 feet from existing noise sensitive residential uses (now in construction) located east of the project site. Uses at these locations could experience noise levels that reach 94 dB(A) for short time periods. Construction activity on the project site would also occur as close as 125 feet from existing residential uses located west of the project site along Via Marina, resulting in noise levels of up to 85 dB(A). These, as well as any other locations that experience an uninterrupted line of sight to the construction noise sources, could be temporarily exposed to exterior noise levels which could exceed the County's Noise Control Ordinance standards for construction equipment noise levels identified in **Table 5.2-3**. Therefore, construction noise is considered a temporary significant impact.

Construction noise would represent a short-term significant impact based on the potential to exceed County noise standards and the near two and a half-year construction period.

Haul Route Noise Impacts: Project construction will require the use of heavy trucks to haul equipment and materials to the site, as well as transport debris and earth excavated during demolition of existing structures and grading of the site. To limit noise impacts associated with construction traffic on nearby land uses, truck haul routes have been established which route vehicles away from sensitive uses to the maximum extent feasible. As depicted in **Figure 5.2-6**, the haul route extends north on Via Marina to Washington Boulevard, then east on Lincoln Boulevard and south on the Marina Freeway.

To minimize potential neighborhood disruption and conflicts along the haul route, a construction traffic control plan will be developed for use during construction. The plan will identify all traffic control measures, signs and time limits to be implemented by the construction contractor during the duration of demolition and construction activity. Measures likely to be used to reduce noise impacts include limitations on the hours and days in which construction activity may occur. All vehicles will be staged either within the property lines or at designated areas as established by a County approved haul route plan.

Trucks are expected to enter and leave the site on a daily basis over the construction period, but only during working hours. The trips associated with trucks traveling off-site are based on the URBEMIS 2002 assumptions associated with land uses proposed for Parcel 10R. According to the calculations in URBEMIS 2002, trucks entering and exiting the site would make 41 round trips per day, traveling 7.5 miles each trip during the two-month demolition phase. During the three-month site-grading phase, truck entering and exiting the site would travel approximately 20 miles round-trip, and would make 85 round trips per day. The LACDPW, Construction Division, limits construction activities to between the hours of 6:30 AM and 8:00 PM daily and prohibits work on Sundays and legal holidays. This reduces the impact on local residents by restricting most construction-based noise generation to hours when most residents are at work and not generally home. The number of truck trips traveling along the designated haul route will vary daily, depending on the nature of the construction activity. Employment of standard noise attenuation practices would be implemented as required by the LACDPW. As previously discussed, noise sensitive land uses located along the haul route are primarily residential in nature. Based on the information contained in **Table 5.2-5**, uses within 50 feet of the haul route could experience temporary noise events ranging from 83 to 88 dB(A) from trucks, which exceeds County standards outlined above. Therefore, a temporary significant impact would result from trucks traveling to and from the project site along the haul route during the projected buildout of the project.

Vibration Impacts: The primary vibration source associated with development of the Neptune Marina Parcel 10R involves the use of pile drivers during foundation construction. Less severe vibration impacts could result from the use of other heavy equipment on- and off-site due to haul trucks passing on streets adjacent to sensitive receptors. Pile drivers are the pieces of construction equipment most likely to cause potential off-site impacts. Pile drivers create a high intensity, repetitious noise that is disturbing and can result in substantial ground vibration. Usually, peak ground vibrations occur during the initial blows of the hammer and pile through the compacted soil zone. Once the compacted soil layer at the surface is penetrated, the pile typically slides more easily through the ground water saturated zone. Because the use of pile driving equipment is required for foundation construction, vibration impacts that would occur are considered significant and unavoidable, but temporary in type.

Operation Impacts; Point and Stationary Source Noise: On-site new residential uses are considered sensitive and could be affected by on- and off-site point source noise. Operation of the proposed Neptune Marina Parcel 10R is expected to result in increased noise due to the net increase in resident population on the site and associated vehicular traffic, to both future on-site receptors and existing off-site receptors. Noise experienced at on- and off-site locations would consist of intermittent sounds associated with human activity, such as people talking, doors slamming, lawn care equipment operation, stereos, domestic animals, etc. Noise levels generated by these sources typically generate noise levels of between

52 to 62 dB(A) CNEL. Such noises are typical of a residential area and are comparable to the types of noise presently experienced at the site. All sensitive receptors are located a minimum of 50 feet from the project site and it is expected that most of the noise generated on site will have attenuated and would, therefore, not have an impact on these receptors. As shown in **Table 5.2-7, Predicted Future Off-Site Roadway Noise Levels at Noise-Sensitive Locations, Neptune Marina Parcel 10R**, the existing dB(A) CNEL measured at all monitoring locations exceed County of Los Angeles Exterior Noise Standards for Stationary and Point Noise Sources for the applicable designated noise zone land use. The County Noise Control Ordinance states that exterior noise levels caused by stationary or point noise sources shall not exceed the levels identified in **Table 5.2-2, County of Los Angeles Exterior Noise Standards for Stationary and Point Noise Sources**, or the ambient noise level,¹¹ whichever is greater. Therefore, the levels monitored have become the standard. As stated in **5.2.1.1, Characteristics of Noise**, changes in a community noise level of less than 3 dB(A) are not typically noticed by the human ear.¹² As shown in **Table 5.2-7**, all expected noise increases resulting from the Neptune Marina Parcel 10R would be less than 3 dB(A). As a result, noise generated by point or stationary sources on the project site would be consistent with County of Los Angeles noise standards. Thus, noise impacts generated by the new residents located on the project site would not constitute a significant impact to on- or off-site receptors.

Operation Impacts; Mobile Source Noise: Development of the Neptune Marina Parcel 10R would increase the traffic volumes along local roadways. To evaluate potential impacts associated with increased vehicle trips, noise prediction modeling was conducted for study roadway segments that are bordered by noise sensitive land uses. Roadway segments include Washington Boulevard east of Via Marina, Via Marina south of Admiralty Way, Admiralty Way east of Via Marina, Lincoln Boulevard north of Fiji Way, Fiji Way west of Lincoln Boulevard, Mindanao Way east of Lincoln Boulevard, Panay Way east of Via Marina, Tahiti Way east of Via Marina, Marquesas Way east of Via Marina and Palawan Way east of Via Marina. Roadway geometrics and traffic volumes segments were obtained from Crain and Associates, the preparers of the traffic study for the proposed project. Scenarios modeled for these roadways are (1) existing (2007) traffic volumes; (2) existing plus project traffic volumes; and (3) future (year 2011) traffic volumes plus project and without project. The results of the noise modeling are shown in the **Table 5.2-7**.

As shown, noise level increases associated with project generated traffic are predicted to be less than 3 dB(A) CNEL at all locations. As previously stated, increases of less than 3 dB(A) CNEL would not exceed the off-site mobile source thresholds of significance for this analysis and would not generally be

¹¹ Ambient noise level is defined as the existing background noise level at the time of measurement or prediction.

¹² *Highway Noise Fundamentals*, (Springfield, Virginia: U.S. Department of Transportation, Federal Highway Administration, September 1980), p. 81.

perceptible to the human ear while increases between 3 dB(A) and 5 dB(A) may be noticed by some individuals who are extremely sensitive to changes in noise. Therefore, no significant off-site noise impacts would occur as a result of project operation when compared with existing conditions.

**Table 5.2-7
Predicted Future Off-Site Roadway Noise Levels at Noise-Sensitive Locations
Neptune Marina Parcel 10R**

| Roadway Segment | Sensitive Land Uses Adjacent to Roadway, Distance from Roadway Centerline | Existing dB(A) CNEL | Existing Plus | | Future Without Project CNEL | Future With Project CNEL | Increase in CNEL with Project | Significant Impact? |
|------------------------------------------|---------------------------------------------------------------------------------|---------------------------|--------------------------|------------------------|--------------------------------------|-----------------------------------|----------------------------------------|------------------------|
| | | | Project dB(A) CNEL | Increase in CNEL | | | | |
| Washington Blvd. (east of Via Marina) | Residential, 50 feet | 67.9 | 67.9 | 0.0 | 68.0 | 68.0 | 0.0 | NO |
| Via Marina (south of Admiralty) | Residential, 50 feet | 67.4 | 67.6 | 0.2 | 67.5 | 67.7 | 0.2 | NO |
| Admiralty Way (east of Via Marina) | Admiralty Park, 50 feet | 69.2 | 69.3 | 0.1 | 69.3 | 69.4 | 0.1 | NO |
| Lincoln Boulevard (north of Fiji Way) | Daniel Freeman Hospital, 50 feet | 71.7* | 71.7 | 0.0 | 71.8 | 71.8 | 0.0 | NO |
| Fiji Way (west of Lincoln) | Residential, 50 feet | 66.3 | 66.3 | 0.0 | 66.4 | 66.4 | 0.0 | NO |
| Mindanao Way (east of Lincoln) | Residential, 50 feet | 65.0 | 65.1 | 0.1 | 65.3 | 65.4 | 0.1 | NO |
| Marquesas Way (east of via marina) | Residential 50 feet | 53.8 | 55.1 | 1.3 | 53.9 | 55.2 | 1.3 | NO |
| Panay Way (east of Via Marina) | Residential 50 feet | 56.4 | 56.4 | 0.0 | 56.5 | 56.5 | 0.0 | NO |
| Palawan Way (south of Washington) | Recreation | 61.6 | 61.6 | 0.0 | 61.7 | 61.7 | 0.0 | NO |
| Tahiti Way (east of Via Marina) | Residential 50 feet | 54.6 | 54.6 | 0.0 | 54.7 | 54.7 | 0.0 | NO |

Source: Impact Sciences, Inc. Calculations are provided in **Appendix 5.2**. Noise levels are calculated for the nearest edge of the nearest existing building to the roadway.

* Roadway segments which exceed the County Land Use Compatibility Guidelines for Noise.

Noise Impacts and Mitigation Measures: Neptune Marina Parcel 10R Project

Conclusion:**Construction Impacts: Significant****Haul Route Noise Impacts: Significant****Vibration Impacts: Significant****Operational Impacts; Point and Stationary Sources: Less than significant****Operational Impacts; Mobile Source Noise: Less than significant****Mitigation Measures:**

Existing Regulations and Standards Applicable to the project: The LACDPW, Construction Division, limits construction activities to between the hours of 6:30 AM and 8:00 PM daily and prohibits work on Sundays and legal holidays. The Los Angeles County Department of Health Services has the authority to restrict construction activities to between the hours of 7:00 AM and 7:00 PM, and no time on Sundays or legal holidays if such noise would create a noise disturbance across a residential or commercial real-property line. In addition, a haul route will be reviewed and approved by the County in order to limit neighborhood disturbance to the degree feasible. A construction staging area will be identified as far as possible from existing residential uses for the storage of equipment and material while still on the project site. With regard to operations, all stationary and point sources of noise occurring on the project site must adhere to the requirements of the County of Los Angeles Ordinance No. 11773, Section 12.08.390.

Mitigation Measures Recommended by the EIR:

The project application shall implement **Mitigation Measures 5.2-1** through **5.2-3** to reduce significant noise impacts to less than significant levels.

Conclusion:

Construction Impacts: Significant and unavoidable;

Haul Route Noise Impacts: Significant and unavoidable;

Vibration Impacts: Significant and unavoidable;

Operational Impacts; Point and Stationary Sources: Less than significant;

Operational Impacts; Mobile Source Noise: Less than significant after mitigation.

5.2.4.3.3 Neptune Marina Parcel FF Project

The applicable thresholds of significance are listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts, if applicable.

5.2.4.3.3.1 **Threshold: Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance?**

Threshold: Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Threshold: Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Threshold: Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Analysis: The significance of noise impacts is based on both the Land Use Compatibility Guidelines, identified in **Figure 5.2-3**, and typical community responses to changes in noise levels. Additionally, if proposed on-site uses are subject to point source noise levels originating on or off the project site that are above County Noise Control Ordinance standards (identified in **Tables 5.2-2** and **5.2-3**), a significant on-site noise impact would occur.

Construction Impacts: Construction of the Neptune Marina Parcel FF would not be phased. Demolition activities on the existing project site are expected to occur over a one-month period and are anticipated to begin in April 2010. Demolition of existing uses and construction of the Neptune Marina Parcel FF is anticipated to take 18 months to complete. Given this schedule, anticipated buildout of the project would occur in September 2011. Construction of the proposed project would result in increases in ambient noise levels in the project area on an intermittent basis. This temporary increase in noise will likely be noticeable to nearby residents and on- and off-site employees, as well as visitors to Marina del Rey. It must be emphasized that noise levels would fluctuate depending on the construction activity, equipment type and duration of use, the distance between the noise source and receptor and the presence or absence of noise attenuation barriers.

Construction of the project would involve the temporary use of heavy equipment, such as tractors, loaders, concrete mixers and cranes. Smaller equipment, such as jackhammers, pneumatic tools, saws and hammers, would also likely be used throughout the site during demolition and construction stages.

The EPA has compiled data regarding the noise-generating characteristics of specific types of construction equipment. Based on this data, **Table 5.2-5, Noise Levels of Typical Construction**

Equipment, presents noise levels of typical construction equipment, which could be used on site during various phases of construction. As shown in **Table 5.2-5**, noise levels generated by heavy equipment can range from approximately 68 dB(A) to noise levels in excess of 100 dB(A) when measured at 50 feet. However, much of this noise would diminish rapidly with distance from the construction site at a rate of approximately 6 dB(A) per doubling of distance.

Based on a review of the site plan, construction activity would occur as close as 50 feet from existing noise sensitive residential uses located east of the project site. Uses at these locations could experience noise levels that reach 94 dB(A) for short time periods. Construction activity on the project site would also occur as close as 125 feet from existing residential uses located west of the project site along Via Marina, resulting in noise levels of up to 85 dB(A). These, as well as any other locations that experience an uninterrupted line of sight to the construction noise sources, could be temporarily exposed to exterior noise levels which could exceed the County's Noise Control Ordinance standards for construction equipment noise levels identified in **Table 5.2-3**. Therefore, construction noise is considered a temporary significant impact. Mitigation measures for construction noise impacts are provided below.

Construction noise would represent a short-term significant impact based on the potential to exceed County noise standards and the near two-year construction period.

Haul Route Noise Impacts: Construction of the Neptune Marina Parcel FF will require the use of heavy trucks to haul equipment and materials to the site, as well as transport debris and earth excavated during demolition of existing structures and grading of the site. To limit noise impacts associated with construction traffic on nearby land uses, truck haul routes have been established which route vehicles away from sensitive uses to the maximum extent feasible. As depicted in **Figure 5.2-6**, the haul route extends north on Via Marina to Washington Boulevard, then east on Lincoln Boulevard and south on the Marina Freeway.

To minimize potential neighborhood disruption and conflicts along the haul route, a construction traffic control plan will be developed for use during construction. The plan will identify all traffic control measures, signs and time limits to be implemented by the construction contractor during the duration of demolition and construction activity. Measures likely to be used to reduce noise impacts include limitations on the hours and days in which construction activity may occur. All vehicles will be staged either within the property lines or at designated areas as established by a County approved haul route plan.

Trucks are expected to enter and leave the site on a daily basis over the near two-year construction period, but only during working hours. The trips associated with trucks traveling off site are based on the

URBEMIS 2002 assumptions associated with land uses proposed for Parcel FF. According to URBEMIS 2002 calculations prepared for the project, trucks entering and exiting the site would make one round trip per day, traveling 7.5 miles each trip during the half-month demolition phase. During the three-month site-grading phase, trucks entering and exiting the site would travel approximately 20 miles round-trip, and would make 22.4 round trips per day. The LACDPW, Construction Division, limits construction activities to between the hours of 6:30 AM and 8:00 PM daily and prohibits work on Sundays and legal holidays. This reduces the impact on local residents by restricting most construction-based noise generation to hours when most residents are at work and not generally home. The number of truck trips traveling along the designated haul route will vary daily, depending on the nature of the construction activity. Employment of all standard noise attenuation practices would be implemented as required by the LACDPW. As previously discussed, noise sensitive land uses located along the haul route are primarily residential in nature. Based on the information contained in **Table 5.2-5**, uses within 50 feet of the haul route could experience temporary noise events ranging from 83 to 88 dB(A) from trucks, which exceeds County standards outlined above. Therefore, a temporary significant impact would result from trucks traveling to and from the project site along the haul route during the projected buildout of the project.

Vibration Impacts: The primary vibration source associated with development of the Neptune Marina Parcel FF involves the use of pile drivers during foundation construction. Less severe vibration impacts could result from the use of other heavy equipment on- and off-site due to haul trucks passing on streets adjacent to sensitive receptors. Pile drivers are the pieces of construction equipment most likely to cause potential off-site impacts. Pile drivers create a high intensity, repetitious noise that is disturbing and can result in substantial ground vibration. Usually, peak ground vibrations occur during the initial blows of the hammer and pile through the compacted soil zone. Once the compacted soil layer at the surface is penetrated, the pile typically slides more easily through the ground water saturated zone. Because the use of pile driving equipment is required for foundation construction, vibration impacts that would occur are considered significant and unavoidable but temporary in type.

Operation Impacts; Point and Stationary Source Noise: On-site new residential uses are considered sensitive and could be affected by on- and off-site point source noise. Operation of the proposed Neptune Marina Parcel FF is expected to result in increased noise due to the introduction of a residential population on the site and associated vehicular traffic, to both future on-site receptors and existing off-site receptors. Noise experienced at on- and off-site locations would consist of intermittent sounds associated with human activity, such as people talking, doors slamming, lawn care equipment operation, stereos, domestic animals, etc. Noise levels generated by these sources typically generate noise levels of between 52 to 62 dB(A) CNEL. Such noises are typical of a residential area and are comparable to the types of noise presently experienced at the site and in the surrounding area. All sensitive receptors are

located a minimum of 50 feet from the project site and it is expected that most of the noise generated on site will have attenuated and would, therefore, not have an impact on these receptors. As shown in **Table 5.2-8, Predicted Future Off-Site Roadway Noise Levels at Noise-Sensitive Locations, Neptune Marina Parcel FF**, the existing dB(A) CNEL measured at all monitoring locations exceed County of Los Angeles Exterior Noise Standards for Stationary and Point Noise Sources for the applicable designated noise zone land use. The County Noise Control Ordinance states that exterior noise levels caused by stationary or point noise sources shall not exceed the levels identified in **Table 5.2-2, County of Los Angeles Exterior Noise Standards for Stationary and Point Noise Sources**, or the ambient noise level,¹³ whichever is greater. Therefore, the levels monitored have become the standard. As stated in **5.2.1.1, Characteristics of Noise**, changes in a community noise level of less than 3 dB(A) are not typically noticed by the human ear.¹⁴ As shown in **Table 5.2-8**, all expected noise increases resulting from the Neptune Marina Parcel FF would be less than 3 dB(A). As a result, noise generated by point or stationary sources on the project site would be consistent with County of Los Angeles noise standards. Thus, noise impacts generated by the new residents located on the project site would not constitute a significant impact to on- or off-site receptors.

Operation Impacts; Mobile Source Noise: Development of the project would increase the traffic volumes along local roadways. To evaluate potential impacts associated with increased vehicle trips, noise prediction modeling was conducted for study roadway segments that are bordered by noise sensitive land uses. Roadway segments include Washington Boulevard east of Via Marina, Via Marina south of Admiralty Way, Admiralty Way east of Via Marina, Lincoln Boulevard north of Fiji Way, Fiji Way west of Lincoln Boulevard, Mindanao Way east of Lincoln Boulevard, Panay Way east of Via Marina, Tahiti Way east of Via Marina, Marquesas Way east of Via Marina and Palawan Way east of Via Marina. Roadway geometrics and traffic volumes segments were obtained from Crain and Associates, the preparers of the traffic study for the proposed project. Scenarios modeled for these roadways are (1) existing (2007) traffic volumes; (2) existing plus project traffic volumes; and (3) future (year 2011) traffic volumes plus project and without project. The results of the noise modeling are shown in the **Table 5.2-8**.

¹³ Ambient noise level is defined as the existing background noise level at the time of measurement or prediction.

¹⁴ *Highway Noise Fundamentals*, (Springfield, Virginia: U.S. Department of Transportation, Federal Highway Administration, September 1980), p. 81.

**Table 5.2-8
Predicted Future Off-Site Roadway Noise Levels at Noise-Sensitive Locations
Neptune Marina Parcel FF**

| Roadway Segment | Sensitive Land Uses Distance from Roadway Centerline | Existing dB(A) CNEL | Existing Plus Project dB(A) CNEL | Increase in CNEL | Future Without Project CNEL | Future With Project CNEL | Increase in CNEL with Project | Significant Impact? |
|------------------------------------------|---------------------------------------------------------|---------------------------|----------------------------------------|------------------------|--------------------------------|-----------------------------|-------------------------------|---------------------|
| Washington Blvd. (east of Via Marina) | Residential, 50 feet | 67.9 | 67.9 | 0.0 | 68.0 | 68.0 | 0.0 | NO |
| Via Marina (south of Admiralty) | Residential, 50 feet | 67.4 | 67.5 | 0.1 | 67.5 | 67.6 | 0.1 | NO |
| Admiralty Way (east of Via Marina) | Admiralty Park, 50 feet | 69.2 | 69.2 | 0.0 | 69.3 | 69.3 | 0.0 | NO |
| Lincoln Boulevard (north of Fiji Way) | Daniel Freeman Hospital, 50 feet | 71.7* | 71.7 | 0.0 | 71.8 | 71.8 | 0.0 | NO |
| Fiji Way (west of Lincoln) | Residential, 50 feet | 66.3 | 66.3 | 0.0 | 66.4 | 66.4 | 0.0 | NO |
| Mindanao Way (east of Lincoln) | Residential, 50 feet | 65.0 | 65.2 | 0.2 | 65.3 | 65.3 | 0.2 | NO |
| Marquesas Way (east of via marina) | Residential, 50 feet | 53.8 | 54.7 | 0.9 | 53.9 | 54.8 | 0.9 | NO |
| Panay Way (east of Via Marina) | Residential 50 feet | 56.4 | 56.4 | 0.0 | 56.5 | 56.5 | 0.0 | NO |
| Palawan Way (south of Washington) | Recreation | 61.6 | 61.6 | 0.0 | 61.7 | 61.7 | 0.0 | NO |
| Tahiti Way (east of Via Marina) | Residential, 50 feet | 54.6 | 54.6 | 0.0 | 54.7 | 54.7 | 0.0 | NO |

Source: Impact Sciences, Inc. Calculations are provided in **Appendix 5.2**. Noise levels are calculated for the nearest edge of the nearest existing building to the roadway.

* Roadway segments which exceed the County Land Use Compatibility Guidelines for Noise.

As shown, noise level increases associated with project generated traffic are predicted to be less than 3 dB(A) CNEL at all locations. As previously stated, increases of less than 3 dB(A) CNEL would not exceed the off-site mobile source thresholds of significance for this analysis and would not generally be perceptible to the human ear while increases between 3 dB(A) and 5 dB(A) may be noticed by some individuals who are extremely sensitive to changes in noise. Therefore, no significant off-site noise impacts would occur as a result of project operation when compared with existing conditions.

Conclusion:**Construction Impacts:** Significant;**Haul Route Noise Impacts:** Significant;**Vibration Impacts:** Significant;**Operational Impacts; Point and Stationary Sources:** Less than significant;**Operational Impacts; Mobile Source Noise:** Less than significant.**Mitigation Measures:**

Existing Regulations and Standards Applicable to the Project: The LACDPW, Construction Division, limits construction activities to between the hours of 6:30 AM and 8:00 PM daily and prohibits work on Sundays and legal holidays. The Los Angeles County Department of Health Services has the authority to restrict construction activities to between the hours of 7:00 AM and 7:00 PM and no time on Sundays or legal holidays if such noise would create a noise disturbance across a residential or commercial real-property line. In addition, a haul route will be reviewed and approved by the County in order to limit neighborhood disturbance to the degree feasible. A construction staging area will be identified within each parcel as far as possible from existing residential uses for the storage of equipment and material. With regard to operations, all stationary and point sources of noise occurring on the project site must adhere to the requirements of the County of Los Angeles Ordinance No. 11773, Section 12.08.390.

Mitigation Measures Recommended by the EIR:

The project application shall implement mitigation measures 5.2-1 through 5.2-3 to reduce significant noise impacts to less than significant levels.

Conclusion:**Construction Impacts:** Significant and unavoidable;**Haul Route Noise Impacts:** Significant and unavoidable;**Vibration Impacts:** Significant and unavoidable;**Operational Impacts; Point and Stationary Sources:** Less than significant;**Operational Impacts; Mobile Source Noise:** Less than significant with implementation of mitigation.

5.2.4.3.4 Woodfin Suite Hotel and Timeshare Resort Project

The applicable thresholds of significance are listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts, if applicable.

5.2.4.3.4.1 Threshold: Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance?

Threshold: Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Threshold: Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Threshold: Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Analysis: The significance of noise impacts is based on both the Land Use Compatibility Guidelines, identified in **Figure 5.2-3**, and typical community responses to changes in noise levels. Additionally, if proposed on-site uses are subject to point source noise levels originating on or off the project site that are above County Noise Control Ordinance standards (identified in **Tables 5.2-2** and **5.2-3**), a significant on-site noise impact would occur.

Construction Impacts: Construction of the Woodfin Suite Hotel and Timeshare Resort would not be phased. Construction is anticipated to take approximately 24 months, beginning in 2009. Given this schedule, anticipated buildout of the project would occur in 2011. Construction of the proposed project would result in increases in ambient noise levels in the project area on an intermittent basis. This temporary increase in noise will likely be noticeable to nearby residents and on- and off-site employees, as well as visitors to Marina del Rey. It must be emphasized that noise levels would fluctuate depending on the construction activity, equipment type and duration of use, the distance between the noise source and receptor and the presence or absence of noise attenuation barriers.

Construction of the project would involve the temporary use of heavy equipment, such as tractors, loaders, concrete mixers and cranes. Smaller equipment, such as jackhammers, pneumatic tools, saws and hammers, would also likely be used throughout the site during demolition and construction stages.

The EPA has compiled data regarding the noise-generating characteristics of specific types of construction equipment. Based on this data, **Table 5.2-5, Noise Levels of Typical Construction**

Equipment, presents noise levels of typical construction equipment, which could be used on site during various phases of construction. As shown in **Table 5.2-5**, noise levels generated by heavy equipment can range from approximately 68 dB(A) to noise levels in excess of 100 dB(A) when measured at 50 feet. However, much of this noise would diminish rapidly with distance from the construction site at a rate of approximately 6 dB(A) per doubling of distance.

Based on a review of the site plan, construction activity would occur as close as 125 feet from existing noise sensitive residential uses located west of the project site along Via Marina. These, as well as any other locations that experience an uninterrupted line of sight to the construction noise sources, could be temporarily exposed to exterior noise levels which could exceed the County's Noise Control Ordinance standards for construction equipment noise levels identified in **Table 5.2-3**. Therefore, construction noise is considered a temporary significant impact. Mitigation measures for construction noise impacts are provided below.

Construction noise would represent a short-term significant impact based on the potential to exceed County noise standards and the near two-year construction period.

Haul Route Noise Impacts: Construction of the Woodfin Suite Hotel and Timeshare Resort will require the use of heavy trucks to haul equipment and materials to the site, as well as transport earth excavated during site grading. To limit noise impacts associated with construction traffic on nearby land uses, truck haul routes have been established which route vehicles away from sensitive uses to the maximum extent feasible. As depicted in **Figure 5.2-6**, the haul route extends north on Via Marina to Washington Boulevard, then east on Lincoln Boulevard and south on the Marina Freeway.

To minimize potential neighborhood disruption and conflicts along the haul route, a construction traffic control plan will be developed for use during construction. The plan will identify all traffic control measures, signs and time limits to be implemented by the construction contractor throughout the duration of construction activity. Measures likely to be used to reduce noise impacts include limitations on the hours and days in which construction activity may occur. All vehicles will be staged either within the property lines or at designated areas as established by a County approved haul route plan.

Trucks are expected to enter and leave the site on a daily basis over the near two-year construction period, but only during working hours. The trips associated with trucks traveling off-site are based on the URBEMIS 2002 assumptions associated with land uses proposed for Parcel 9U. According to URBEMIS 2002 calculations prepared for the project, trucks entering and exiting the site would travel approximately 20 miles round-trip, and would make 23.8 round trips per day during the three-month site-grading phase. The LACDPW, Construction Division, limits construction activities to between the hours of 6:30

AM and 8:00 PM daily and prohibits work on Sundays and legal holidays. This reduces the impact on local residents by restricting most construction-based noise generation to hours when most residents are at work and not generally home. The number of truck trips traveling along the designated haul route will vary daily, depending on the nature of the construction activity. Employment of all standard noise attenuation practices would be implemented as required by the LACDPW. As previously discussed, noise sensitive land uses located along the haul route are primarily residential in nature. Based on the information contained in **Table 5.2-5**, uses within 50 feet of the haul route could experience temporary noise events ranging from 83 to 88 dB(A) from trucks, which exceeds County standards outlined above. Therefore, a temporary significant impact would result from trucks traveling to and from the project site along the haul route during the projected buildout of the project.

Vibration Impacts: The primary vibration source associated with development of the Woodfin Suite Hotel and Timeshare Resort involves the use of pile drivers during foundation construction. Less severe vibration impacts could result from the use of other heavy equipment on- and off-site due to haul trucks passing on streets adjacent to sensitive receptors. Pile drivers are the pieces of construction equipment most likely to cause potential off-site impacts. Pile drivers create a high intensity, repetitious noise that is disturbing and can result in substantial ground vibration. Usually, peak ground vibrations occur during the initial blows of the hammer and pile through the compacted soil zone. Once the compacted soil layer at the surface is penetrated, the pile typically slides more easily through the ground water saturated zone. Because the use of pile driving equipment is required for foundation construction, vibration impacts that would occur are considered significant and unavoidable, but temporary in type.

Operation Impacts; Point and Stationary Source Noise: Operation of the proposed Woodfin Suite Hotel and Timeshare Resort is expected to result in increased noise due to the introduction of a transient population on the site and associated vehicular traffic, to both future on-site receptors and existing off-site receptors. Noise experienced at on-site and off-site locations would consist of intermittent sounds associated with human activity similar to a residential use, such as people talking, doors slamming, lawn care equipment operation, stereos, etc. Noise levels generated by these sources typically generate noise levels of between 52 to 62 dB(A) CNEL. Such noises are typical of a residential area and are comparable to the types of noise presently experienced from existing surrounding residential uses at the site and in the surrounding area. All sensitive receptors are located a minimum of 50 feet from the project site and it is expected that most of the noise generated on site will have attenuated and would, therefore, not have an impact on these receptors. As shown in **Table 5.2-9, Predicted Future Off-Site Roadway Noise Levels at Noise-Sensitive Locations, Woodfin Suite Hotel and Timeshare Resort**, the existing dB(A) CNEL measured at all monitoring locations exceed County of Los Angeles Exterior Noise Standards for Stationary and Point Noise Sources for the applicable designated noise zone land use. The County Noise

Control Ordinance states that exterior noise levels caused by stationary or point noise sources shall not exceed the levels identified in **Table 5.2-2, County of Los Angeles Exterior Noise Standards for Stationary and Point Noise Sources**, or the ambient noise level,¹⁵ whichever is greater. Therefore, the levels monitored have become the standard. As stated in **5.2.1.1, Characteristics of Noise**, changes in a community noise level of less than 3 dB(A) are not typically noticed by the human ear.¹⁶ As shown in **Table 5.2-9**, all expected noise increases resulting from the Woodfin Suite Hotel and Timeshare Resort would be less than 3 dB(A). As a result, noise generated by point or stationary sources on the project site would be consistent with County of Los Angeles noise standards. Thus, noise impacts generated by the transient population located on the project site would not constitute a significant impact to on-site or off-site receptors.

Operation Impacts; Mobile Source Noise: Development of the project would increase the traffic volumes along local roadways. To evaluate potential impacts associated with increased vehicle trips, noise prediction modeling was conducted for study roadway segments that are bordered by noise sensitive land uses. Roadway segments include Washington Boulevard east of Via Marina, Via Marina south of Admiralty Way, Admiralty Way east of Via Marina, Lincoln Boulevard north of Fiji Way, Fiji Way west of Lincoln Boulevard, Mindanao Way east of Lincoln Boulevard, Panay Way east of Via Marina, Tahiti Way east of Via Marina, Marquesas Way east of Via Marina and Palawan Way east of Via Marina. Roadway geometrics and traffic volumes segments were obtained from Crain and Associates, the preparers of the traffic study for the proposed project. Scenarios modeled for these roadways are (1) existing (2007) traffic volumes; (2) existing plus project traffic volumes; and (3) future (year 2011) traffic volumes plus project and without project. The results of the noise modeling are shown in the **Table 5.2-9**.

¹⁵ Ambient noise level is defined as the existing background noise level at the time of measurement or prediction.

¹⁶ *Highway Noise Fundamentals*, (Springfield, Virginia: U.S. Department of Transportation, Federal Highway Administration, September 1980), p. 81.

**Table 5.2-9
Predicted Future Off-Site Roadway Noise Levels at Noise-Sensitive Locations
Woodfin Suite Hotel and Timeshare Resort**

| Roadway Segment | Sensitive Land Uses Distance from Roadway Centerline | Existing dB(A) CNEL | Existing Plus Project dB(A) CNEL | Increase in CNEL | Future Without Project CNEL | Future With Project CNEL | Increase in CNEL with Project | Significant Impact? |
|------------------------------------------|---------------------------------------------------------|---------------------|----------------------------------|------------------|-----------------------------|--------------------------|-------------------------------|---------------------|
| Washington Blvd. (east of Via Marina) | Residential, 50 feet | 67.9 | 67.9 | 0.0 | 68.0 | 68.0 | 0.0 | NO |
| Via Marina (south of Admiralty) | Residential, 50 feet | 67.4 | 67.7 | 0.3 | 67.5 | 67.8 | 0.3 | NO |
| Admiralty Way (east of Via Marina) | Admiralty Park, 50 feet | 69.2 | 69.3 | 0.1 | 69.3 | 69.4 | 0.1 | NO |
| Lincoln Boulevard (north of Fiji Way) | Daniel Freeman Hospital, 50 feet | 71.7* | 71.7 | 0.0 | 71.8 | 71.8 | 0.0 | NO |
| Fiji Way (west of Lincoln) | Residential, 50 feet | 66.3 | 66.3 | 0.0 | 66.4 | 66.4 | 0.0 | NO |
| Mindanao Way (east of Lincoln) | Residential, 50 feet | 65.0 | 65.1 | 0.1 | 65.3 | 65.4 | 0.1 | NO |
| Marquesas Way (east of via marina) | Residential, 50 feet | 53.8 | 53.8 | 0.0 | 53.9 | 53.9 | 0.0 | NO |
| Panay Way (east of Via Marina) | Residential 50 feet | 56.4 | 56.4 | 0.0 | 56.5 | 56.5 | 0.0 | NO |
| Palawan Way (south of Washington) | Recreation | 61.6 | 61.6 | 0.0 | 61.7 | 61.7 | 0.0 | NO |
| Tahiti Way (east of Via Marina) | Residential, 50 feet | 54.6 | 54.6 | 0.0 | 54.7 | 54.7 | 0.0 | NO |

Source: Impact Sciences, Inc. Calculations are provided in **Appendix 5.2**. Noise levels are calculated for the nearest edge of the nearest existing building to the roadway.

* Roadway segments which exceed the County Land Use Compatibility Guidelines for Noise.

As shown, noise level increases associated with project generated traffic are predicted to be less than 3 dB(A) CNEL at all locations. As previously stated, increases of less than 3 dB(A) CNEL would not exceed the off-site mobile source thresholds of significance for this analysis and would not generally be perceptible to the human ear while increases between 3 dB(A) and 5 dB(A) may be noticed by some individuals who are extremely sensitive to changes in noise. Therefore, no significant off-site noise impacts would occur as a result of project operation when compared with existing conditions.

Conclusion:

Construction Impacts: Significant;

Haul Route Noise Impacts: Significant;

Vibration Impacts: Significant;

Operational Impacts; Point and Stationary Sources: Less than significant;

Operational Impacts; Mobile Source Noise: Less than significant.

Mitigation Measures:

Existing Regulations and Standards Applicable to the Project: The LACDPW, Construction Division, limits construction activities to between the hours of 6:30 AM and 8:00 PM daily and prohibits work on Sundays and legal holidays. The Los Angeles County Department of Health Services has the authority to restrict construction activities to between the hours of 7:00 AM and 7:00 PM and no time on Sundays or legal holidays if such noise would create a noise disturbance across a residential or commercial real-property line. In addition, a haul route will be reviewed and approved by the County in order to limit neighborhood disturbance to the degree feasible. A construction staging area will be identified within each parcel as far as possible from existing residential uses for the storage of equipment and material while still on the project site. With regard to operations, all stationary and point sources of noise occurring on the project site must adhere to the requirements of the County of Los Angeles Ordinance No. 11773, Section 12.08.390.

Mitigation Measures Recommended by the EIR:

The project application shall implement mitigation measures 5.2-1 through 5.2-3 to reduce significant noise impacts to less than significant levels.

Conclusion:

Construction Impacts: Significant and unavoidable;

Haul Route Noise Impacts: Significant and unavoidable;

Vibration Impacts: Significant and unavoidable;

Operational Impacts; Point and Stationary Sources: Less than significant;

Operational Impacts; Mobile Source Noise: Less than significant.

5.2.4.3.5 Wetland Park Project

The applicable thresholds of significance are listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts, if applicable.

5.2.4.3.5.1 Threshold: Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance?

Threshold: Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Threshold: Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Threshold: Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Analysis: The significance of noise impacts is based on both the Land Use Compatibility Guidelines, identified in **Figure 5.2-3**, and typical community responses to changes in noise levels. Additionally, if proposed on-site uses are subject to point source noise levels originating on or off the project site that are above County Noise Control Ordinance standards (identified in **Tables 5.2-2** and **5.2-3**), a significant on-site noise impact would occur.

Construction Impacts: Construction of the 1.46-acre wetland park would not be phased. Construction is limited to the grading necessary for construction of the 1.46-acre wetland and upland buffer. Construction of the project would involve the temporary use of heavy equipment, such as tractors, and loaders. As stated above, the EPA has compiled data regarding the noise-generating characteristics of specific types of construction equipment. **Table 5.2-5, Noise Levels of Typical Construction Equipment**, shown above, presents noise levels of typical construction equipment, which could be used on site during various phases of construction. As shown, noise levels generated by heavy equipment can range from approximately 68 dB(A) to noise levels in excess of 100 dB(A) when measured at 50 feet. However, much of this noise would diminish rapidly with distance from the construction site at a rate of approximately 6 dB(A) per doubling of distance.

Construction activity on the project site would occur as close as 125 feet from existing residential uses located west of the project site along Via Marina and south along Tahiti Way, resulting in noise levels of up to 85 dB(A). These, as well as any other locations that experience an uninterrupted line of sight to the

construction noise sources, could be temporarily exposed to exterior noise levels which could exceed the County's Noise Control Ordinance standards for construction equipment noise levels identified in **Table 5.2-3**. Therefore, construction noise is considered a temporary significant impact.

Construction noise would represent a short-term significant impact based on the potential to exceed County noise standards and the near two and a half-year construction period.

Vibration Impacts: Construction of the 1.46-acre wetland park would involve limited site grading and would not require the use of equipment that would generate substantial ground vibration. As such, vibration impacts would be less than significant.

Operation Impacts: New on-site uses are expected to be limited to those associated with passive recreation. Operation of the proposed wetland park is expected to result in a minor increase in noise due to the net increase in the human population on the site to both future on-site receptors and existing off-site receptors. Noise experienced at on-site and off-site locations would consist of intermittent sounds associated with human activity, such as people talking and domestic animals, etc. Noise levels generated by these sources typically generate noise levels of between 52 to 62 dB(A) CNEL. Such noises are typical of urban areas and are comparable to the types of noise presently experienced at the site. Operation of the wetland park is not expected to result in significant noise impacts during project operation.

Conclusion:

Construction Impacts: Significant;

Vibration Impacts: Less than significant;

Operational Impacts: Less than significant.

Mitigation Measures:

Existing Regulations and Standards Applicable to the Project: The LACDPW, Construction Division, limits construction activities to between the hours of 6:30 AM and 8:00 PM daily and prohibits work on Sundays and legal holidays. The Los Angeles County Department of Health Services has the authority to restrict construction activities to between the hours of 7:00 AM and 7:00 PM, and no time on Sundays or legal holidays if such noise would create a noise disturbance across a residential or commercial real-property line. In addition, a haul route will be reviewed and approved by the County in order to limit neighborhood disturbance to the degree feasible. A construction staging area will be identified as possible from existing residential uses for the storage of equipment and material while still remaining on the project site. With regard to operations, all stationary and point sources of noise occurring on the

project site must adhere to the requirements of the County of Los Angeles Ordinance No. 11773, Section 12.08.390.

Mitigation Measures Recommended by the EIR:

The project application shall implement mitigation measures 5.2-1 through 5.2-3 to reduce significant noise impacts to less than significant levels.

Conclusion:

Construction Impacts: Significant and unavoidable;

Vibration Impacts: Less than significant;

Operational Impacts: Less than significant.

5.2.4.3.6 Public-Serving Boat Space Project

The applicable thresholds of significance are listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts, if applicable.

5.2.4.3.6.1 Threshold: Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance?

Threshold: Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Threshold: Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Threshold: Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Analysis: The significance of noise impacts is based on both the Land Use Compatibility Guidelines, identified in **Figure 5.2-3**, and typical community responses to changes in noise levels. Additionally, if proposed on-site uses are subject to point source noise levels originating on or off the project site that are above County Noise Control Ordinance standards (identified in **Tables 5.2-2** and **5.2-3**), a significant on-site noise impact would occur.

Construction Impacts: Construction of the Public-Serving Boat Spaces would not be phased. As no landside demolition is required, construction would be limited to the development of the 7 to 11 public-serving spaces proposed adjacent to Parcel 9U in Marina del Rey Basin B.

Construction of the project would involve the temporary use of heavy equipment, such as tractors, loaders and concrete mixers. Smaller equipment, such as pneumatic tools, saws and hammers, would also likely be used throughout the site during construction of the boat spaces.

As stated above, the EPA has compiled data regarding the noise-generating characteristics of specific types of construction equipment. **Table 5.2-5, Noise Levels of Typical Construction Equipment**, shown above, presents noise levels of typical construction equipment, which could be used on site during various phases of construction. As shown, noise levels generated by heavy equipment can range from approximately 68 dB(A) to noise levels in excess of 100 dB(A) when measured at 50 feet. However, much of this noise would diminish rapidly with distance from the construction site at a rate of approximately 6 dB(A) per doubling of distance.

Based on a review of the site plan, construction activity (in the marina) would occur as close as 125 feet from existing residential uses located south of the project site along Tahiti Way. These, as well as any other locations that experience an uninterrupted line of sight to the construction noise sources, could be temporarily exposed to exterior noise levels which could exceed the County's Noise Control Ordinance standards for construction equipment noise levels identified in **Table 5.2-3**. Therefore, construction noise is considered a temporary significant impact.

Construction noise would represent a short-term significant impact based on the potential to exceed County noise standards and the near two and a half-year construction period.

Vibration Impacts: The primary vibration source associated with development of the Public Boat Spaces involves the use of pile drivers during construction in the marina. Pile drivers are the pieces of construction equipment most likely to cause potential off-site impacts. Pile drivers create a high intensity, repetitious noise that is disturbing and can result in substantial ground vibration. Usually, peak ground vibrations occur during the initial blows of the hammer and pile through the compacted soil zone. Once the compacted soil layer at the surface is penetrated, the pile typically slides more easily through the ground water saturated zone. Because the use of pile driving equipment is required for foundation construction, vibration impacts that would occur are considered significant and unavoidable, but temporary in type.

Operation Impacts: New on-site uses are expected to be limited to those associated with passive recreation. Operation of the proposed Public Boat Spaces is expected to result in a minor increase in noise due to the net increase in the human population on the site to both future on-site receptors and existing off-site receptors. Noise experienced at on-site and off-site locations would consist of intermittent sounds associated with human activity, such as people talking and the sound of boat engines. Noise levels generated by these sources typically generate noise levels of between 52 to 62 dB(A) CNEL. Such noises are typical of urban areas and are comparable to the types of noise presently experienced at the site. All sensitive receptors are located a minimum of 125 feet from the project site and it is expected that most of the noise generated on site will have attenuated and would, therefore, not have an impact on these receptors. Operation of the Public Boat Spaces are not expected to result in significant noise impacts during project operation.

Conclusion:

Construction Impacts: Significant;

Vibration Impacts: Less than significant;

Operational Impacts: Less than significant.

Mitigation Measures:

Existing Regulations and Standards Applicable to the Project: The LACDPW, Construction Division, limits construction activities to between the hours of 6:30 AM and 8:00 PM daily and prohibits work on Sundays and legal holidays. The Los Angeles County Department of Health Services has the authority to restrict construction activities to between the hours of 7:00 AM and 7:00 PM, and no time on Sundays or legal holidays if such noise would create a noise disturbance across a residential or commercial real-property line. In addition, a haul route will be reviewed and approved by the County in order to limit neighborhood disturbance to the degree feasible. A construction staging area will be identified as possible from existing residential uses for the storage of equipment and material while still remaining on the project site. With regard to operations, all stationary and point sources of noise occurring on the project site must adhere to the requirements of the County of Los Angeles Ordinance No. 11773, Section 12.08.390.

Mitigation Measures Recommended by the EIR:

The project application shall implement **Mitigation Measures 5.2-1** through **5.2-3** to reduce significant noise impacts to less than significant levels.

Conclusion:

Construction Impacts: Significant and unavoidable;

Vibration Impacts: Less than significant;

Operational Impacts: Less than significant.

5.2.5 CUMULATIVE IMPACTS

Cumulative noise impacts would occur as a result of construction activity taking place within Marina del Rey, as well as increased vehicle traffic generated by cumulative development. All construction activities would be subject to the requirements of the “County of Los Angeles Construction Equipment Noise Standards,” County of Los Angeles Noise Control Ordinance (County Code Section 12.08.440) as identified earlier in **Table 5.2-3**. Compliance with the ordinance along with incorporation of mitigation recommended as part of each project’s environmental review would reduce the project’s contribution to any cumulative construction related noise impacts.

Cumulative noise impacts would primarily occur as a result of increased traffic on local roadways due to the proposed project and other developments in the area as identified in **Section 5.7, Traffic/Access**, of this EIR. The noise levels that would be generated by these traffic volumes adjacent to noise sensitive land uses within the project study area are identified in **Table 5.2-10, Predicted Cumulative Roadway Noise Levels at Noise Sensitive Locations**.

As shown, noise level increases attributable to traffic generated by cumulative development would be less than 3 dB(A) CNEL at all locations. The intersection with the greatest increase in noise, Marquesas Way, would increase from 53.8 dB(A) to 56.7 dB(A), an increase of 2.9 dB(A). This increase is below the 3dB(A) threshold of detection. Therefore, significant cumulative noise impacts would not occur.

Table 5.2-10
Predicted Cumulative Roadway Noise Levels at Noise Sensitive Locations
Measured at 50 Feet from Center of Roadway

| Roadway Segment | Sensitive Land Uses Adjacent to Roadway and Distance from Roadway Centerline | Existing dB(A) CNEL | Future (2011) | Change in dB(A) CNEL |
|------------------------------------------|------------------------------------------------------------------------------|---------------------|-----------------------------------------------|----------------------|
| | | | with Project plus Related Projects dB(A) CNEL | |
| Washington Blvd. (east of Via Marina) | Residential, 50 feet | 67.9 | 68.6 | 0.7 |
| Via Marina (south of Admiralty) | Residential, 50 feet | 67.4 | 68.8 | 1.4 |
| Admiralty Way (east of Via Marina) | Admiralty Park, 50 feet | 69.2 | 70.0 | 0.8 |

| Roadway Segment | Sensitive Land Uses Adjacent to Roadway and Distance from Roadway Centerline | Existing dB(A) CNEL | Future (2011) with Project plus Related Projects | |
|---------------------------------------|------------------------------------------------------------------------------|---------------------|--------------------------------------------------|----------------------|
| | | | dB(A) CNEL | Change in dB(A) CNEL |
| Lincoln Boulevard (north of Fiji Way) | Daniel Freeman Hospital, 50 feet | 71.7 | 72.6 | 0.9 |
| Fiji Way (west of Lincoln) | Residential, 50 feet | 66.3 | 67.0 | 0.7 |
| Mindanao Way (east of Lincoln) | Residential, 50 feet | 65.0 | 66.5 | 1.5 |
| Marquesas Way (east of via marina) | Residential, 50 feet | 53.8 | 56.7 | 2.9 |
| Panay Way (east of Via Marina) | Residential 50 feet | 56.4 | 57.1 | 0.7 |
| Palawan Way (south of Washington) | Recreation | 61.6 | 62.8 | 1.2 |
| Tahiti Way (east of Via Marina) | Residential, 50 feet | 54.6 | 54.7 | 0.1 |

Source: Impact Sciences, Inc. Calculations are provided in **Appendix 5.2**. Noise levels are calculated for the nearest edge of the nearest existing building to the roadway.

5.2.6 UNAVOIDABLE SIGNIFICANT IMPACTS

The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would not have a project specific or cumulative impact on- or off-site with respect to operational noise, but will have a short-term noise impact during construction.

Construction activity associated with the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project may expose nearby sensitive receptors to periodic noise levels in excess of the County's Noise Control Ordinance standards for construction equipment as well as significant vibration impacts. While mitigation measures have been provided to reduce this impact to the maximum degree feasible, this impact would remain unavoidably significant. This impact is expected to be periodic in nature, and confined to normal working hours during the 33 months of project buildout.

5.3 HYDROLOGY AND DRAINAGE

SUMMARY

The Neptune Marina Apartments and Anchorage project site (Parcels 10R and FF) is partially developed and generates surface runoff that is discharged to an existing storm water drainage collection and conveyance system. The Woodfin Suite Hotel and Timeshare Resort (Parcel 9U) is an undeveloped vacant lot and drains by sheet flow to a small man-made depression located in the southern portion of the Parcel 9U project site. Current surface water runoff during a 25-year storm event is 16.0 cubic feet per second (cfs) for Neptune Marina Parcel 10R, 4.0 cfs for Neptune Marina Parcel FF, and 5.2 cfs for Woodfin Suite Hotel and Timeshare Resort Parcel 9U. A minimal (1.3 cfs) increase in surface water runoff is anticipated during a 25-year storm event on Parcel 9U. No alteration of surface flow is anticipated for Parcels 10R or FF as the amount of impervious surface would not be altered. Future on-site storm drainage improvements would be designed to accommodate post-development flows during a 25-year storm event. Therefore, no significant flood impact is expected.

The projects would result in potentially significant impacts with respect to erosion, sedimentation, and water quality impacts (pollution from non-point sources) during demolition, construction, and operation. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would be subject to Section 402(p) of the Federal Clean Water Act (CWA) that regulates construction storm water discharges under the National Pollutant Discharge Elimination System (NPDES) program. If required by the Los Angeles County Department of Public Works (LACDPW) as part of final drainage and grading plan approvals, post-development project runoff would be treated to filter sediments and pollutants to levels prescribed by current law, thereby reducing project-related water quality impacts to levels less than are considered significant.

With implementation of mitigation measures identified in this section, no significant flooding, erosion, sedimentation, or water quality impacts from the proposed project would occur.

5.3.1 INTRODUCTION

This section summarizes hydrology studies prepared for Neptune Marina Parcels 10R and FF by Fuscoe Engineering in February 2004 and for Woodfin Suite Hotel and Timeshare Resort Parcel 9U by Hunsaker & Associates, Los Angeles, Inc. in June 2008. The studies, which are included in their entirety in **Appendix 5.3**, were prepared in conformance with the LACDPW *Hydrology Manual*, as amended, and TC Calculator for 25-year and 50-year storm events.

Other references used to prepare this section include:

- *Water Quality Control Plan (basin plan) [for the] Los Angeles Region (4)* prepared by the California Regional Water Quality Control Board (RWQCB), Los Angeles Region (dated June 13, 1994 and approved February 23, 1995);
- *LACDPW Sedimentation Manual* (June 1993).

The following terms and their definitions are provided to assist the reader:

Best Management

Practice (BMP) In water pollution control, the best means available to control pollution of waterways from non-point sources, as opposed to best available technology, which applies to pollution control for point sources.

Erosion The wearing away of land surfaces by water, wind and ice, or by gravity (as in landslides).

First Flush Storm The first storm after a dry period which is large enough to contain the accumulated pollutants from a watershed; assumed to be the first 0.7 inch of runoff from the impervious portion of the project site.

Impervious Description of a substance that will not permit water to flow through it.

Infiltration Downward entry of water into soil.

Runoff The portion of rainfall, melted snow, or irrigation water that flows across the ground surface rather than infiltrating into the soil.

Sedimentation Deposition of waterborne sediments due to a decrease in water velocity and a corresponding reduction in the size and amount of sediment which can be carried by the flowing water.

Sheet Flow The movement of runoff across the ground surface in a thin, unchanneled sheet.

Twenty-five

Year Storm Event A storm whose intensity is seen, on average, once every 25 years.

Hydrology and water quality impacts are generally limited to site development associated with Parcels 10R, FF, and the northern portion of Parcel 9U. Due to the limited impact potential associated with development the 1.46-acre public park, including a restored wetland and upland buffer on the southern portion of Parcel 9U, and construction and operation of the 7 to 11 public-serving boat spaces in Marina del Rey Basin B, these later two project elements are not considered further in this analysis. It should be emphasized that all federal, state, and local mitigation measures defined in this EIR or technical studies that apply to wetland restoration, park construction and/or operation and public-serving boat space construction and operation shall apply.

5.3.2 EXISTING CONDITIONS

5.3.2.1 Project Area

The project sites are situated in Marina del Rey, the Los Angeles Coastal Plain and within the 83,200-acre Ballona Creek watershed. A variety of surface water bodies are located in the project area and include the Santa Monica Bay, Marina del Rey, the Ballona Channel, and the Ballona and Del Rey lagoon. The small-craft harbor serves as the outlet for an improved drainage network which collects and conveys untreated storm water from surrounding urbanized areas. No natural watercourses occur on or in the vicinity of the project sites. The Ballona Channel is located to the south. This waterway is channelized and conveys urban runoff from metropolitan Los Angeles to an ocean discharge point just south of the entrance to the small-craft harbor.

5.3.2.2 Project Site

The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project sites can be divided into several drainage areas. Portions of the Neptune Marina Parcel 10R site drain south, with a slope of approximately 2 percent to Marina del Rey Basin B, while other portions of Parcel 10R drain easterly to Basin B. Neptune Marina Parcel FF site is an existing surface parking lot and water flows northeasterly to Marina del Rey Basin C with a slope of less than 2 percent. Runoff from these parcels is directed to a series of grated inlets in sidewalks that occur along the marina bulkheads. These inlets convey storm water runoff directly to Marina del Rey. No storm water treatment facilities or features are currently in place on the project site (**Appendix 5.3**).

Woodfin Suite Hotel and Timeshare Resort Parcel 9U site is an undeveloped vacant lot with an excavated depression in the southern portion of the project site that has developed over time as a small isolated wetland area. This artificial depression has a 2 percent slope and was created from past dredging and construction efforts and consists of sandy substrate that facilitates a high rate of percolation. Current off-site surface runoff from Parcel 9U is minimal and site runoff is generally collected in the man-made depression situated in the southern portion of the project site. No storm water treatment facilities or features are currently in place on the project site. For more information see the hydrology reports presented in **Appendix 5.3**.

Based on calculations consistent with the LACDPW *Hydrology Manual*, runoff during a 25-year storm event existing runoff is estimated to be approximately 16.0 cfs for Neptune Marina Parcel 10R site, 4.0 cfs for Neptune Marina Parcel FF site, while runoff from Parcel 9U site is estimated to be approximately 6.5 cfs during a 25-year storm event (**Appendix 5.3**).

Both ocean water and urban runoff influence water quality in the Marina del Rey small-craft harbor. Due to the semi-enclosed nature of the small-craft harbor, water temperature, sediment content, and dissolved oxygen content vary seasonally. Based on the State Water Resource Control Board's (SWRCB) 1994 Water Body Fact Sheet, water in Marina del Rey has been assigned an "impaired" rating, which means that the water precludes, compromises, or does not support its designated use. Water quality problems within the small-craft harbor include contamination of the sediments, water and biota with metals, polychlorinated biphenyl (PCB),¹ dichlorodiphenyltrichloroethane (DDT),² chlordane³ and tributyl tin (TBT). Some of these problems are attributed to historic contamination, while current contamination occurs most often from the leaching of anti-fouling paint from watercraft that contributes additional metals and TBT into the small-craft harbor. One additional contaminant of relatively recent concern is the gasoline additive methyl tertiary butyl ether (MTBE). MTBE has not been detected on site, but has been detected in soil and groundwater within the City of Santa Monica, that is located approximately 4 miles north of the project site. MTBE is typically released through leaking underground storage tanks (usually a gasoline station) where it percolates through the soil and into the groundwater table.

Urban runoff and illegal dumping of trash and chemicals has also had a direct influence on local water quality. A sediment analysis performed in 1995 characterized the composition of accumulated sediment at the mouth of Ballona Channel and from a large shoal area at the south entrance of the small-craft harbor. The analysis found that sediments contained elevated concentrations of lead, petroleum-based compounds and multiple pesticides.

A Phase I Environmental Site Assessment for the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort project sites concluded that no indications of hazardous materials use, storage, or disposal were observed on the property. Existing sources of pollutants that may be present on site include animal droppings, atmospheric fallout, land erosion, landscape runoff (pesticides, herbicides, fertilizers), and pavement runoff (these sources are discussed later in this section).

5.3.2.3 Regulatory Setting

The proposed project is subject to the requirements of the RWQCB pursuant to the CWA and the LACDPW, Flood Control Division.

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- 1 PCB is used as an insulating fluid in electrical equipment; as a plasticizer; in surface coatings, inks, adhesives, pesticide extenders and in carbonless duplicating paper. It is toxic by inhalation, ingestion, and skin absorption, and is hazardous to the upper respiratory tract, the digestive system, liver, blood, eyes, and skin.
 - 2 DDT is a pesticide that was banned in the US in the 1970s. It is toxic by inhalation, absorption, ingestion, and contact, and is hazardous to the central nervous system, kidneys, liver, skin, and peripheral nervous system.
 - 3 Chlordane is used as an insecticide and was banned by the US EPA in 1976. It is toxic by inhalation, absorption, ingestion, and contact, and is hazardous to the central nervous system, eyes, lungs, liver, kidneys, and skin.

5.3.2.3.1 Federal Clean Water Act

Being adjacent to a small-craft harbor, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project may be subject to federal permit requirements under Section 404 of the CWA.⁴ Section 404 of the CWA regulates activities that result in the location of a structure, excavation, or discharge of dredged or fill material into “waters of the United States,” which include wetlands along with non-wetland habitats, such as coastal waters, streams (including intermittent streams), rivers, lakes, ponds, etc.⁵

In 1987, the CWA was amended by adding Section 402(p), which established regulations for municipal and industrial storm water discharges under the NPDES program. Section 402, as amended, requires NPDES permits for storm water discharges from storm drain systems⁶ to waters of the United States. Section 402(p)(3)(B) requires that permits for storm drain systems “(i) may be issued on a system- or jurisdiction-wide basis; (ii) shall include a requirement to effectively prohibit non-storm water discharges into the storm sewers; and (iii) shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques and system, design and engineering methods and other such provisions as the Administrator of the State determines appropriate for the control of such pollutants.”

While the US Environmental Protection Agency (US EPA) is responsible for implementing the NPDES program at the federal level,⁷ the State Water Quality Control Board (SWQCB) is responsible for implementing the federal NPDES requirements within California.⁸ The SWQCB elected to issue a statewide General Permit for storm water discharges associated with construction activities requiring a

⁴ Since surface water in the project area is not used as drinking water, it is not subject to the drinking water standards enforced by state and federal agencies.

⁵ By Army Corps of Engineers (ACOE) definition, “waters of the US” include permanent and intermittent streams as defined by the “ordinary high water mark” which can be identified by physical characteristics, such as channel scouring, bank “shelving,” areas cleared of terrestrial vegetation, litter and debris, or other indications that may be appropriate.

⁶ Storm drain systems are described as Municipal Separate Storm Sewer Systems (MS4s) and include streets, gutters, conduits, natural or artificial drains, channels and water courses or other facilities that are owned, operated, maintained or controlled by any permittee (cities and counties) and used for the purpose of collecting, storing, transporting or disposing of storm water.

⁷ On November 16, 1990, pursuant to Section 402(p) of the CWA, the US EPA promulgated federal regulations (40 Code of Federal Regulations (CFR) Part 122.26) establishing requirements for storm water discharges under the NPDES program. The regulations recognize that certain categories of non-storm water discharges may not need to be prohibited if they have been determined not to be significant sources of pollutants.

⁸ The federal regulations allow states which are authorized to implement the NPDES program and have general permit authority to issue general permits or individual permits in order to regulate storm water discharges associated with industrial activity within their jurisdiction. In California, the SWRCB has responsibility for implementing the NPDES program for storm water discharges.

NPDES permit and, in 1992, the SWQCB issued two statewide NPDES General Permits: one for storm water from industrial sites (NPDES No. CAS000001) and the other for storm water from construction sites (CAS000002).

In 1990, the US EPA published final regulations that established storm water permit application requirements for specified categories of industries. Regulations require that discharges of storm water associated with construction activities (storm water discharges), from soil disturbance of 1 acre or more, are regulated as an industrial activity and are required to obtain individual NPDES permits for storm water discharges, or be covered by the statewide General Permits. Developers planning construction greater than 1 acre must file a Notice of Intent (NOI) to discharge under this permit. Once a NOI has been submitted, the discharger is obligated to comply with the specific provisions of the statewide General Permit. The major provisions of the statewide General Permit require construction storm water dischargers to eliminate non-storm discharges to the storm drainage system, develop, and implement a Storm Water Pollution Prevention Plan (SWPPP) and to perform monitoring of discharges to the storm water system from their project site. Each of these components must be completed in conformance with the specific conditions outlined in the statewide General Permit.

The Los Angeles County NPDES Storm Water Permit was issued by the RWQCB in December 2001 and is a joint permit, with the LACDPW as the primary permittee and the cities of Los Angeles and Santa Monica, as well as other local agencies and entities, as co-permittees. As required by the permit, the County has established and is implementing a Countywide SWPPP⁹ with which all dischargers within the County are expected to comply. All discharges are required to submit a Standard Urban Stormwater Mitigation Plan (SUSMP), which would need to be approved by the permittee/co-permittee prior to issuance of grading or building permits.

Landside demolition and construction activities, which would disturb more than 1 acre, would require a NPDES permit and the project applicant would need to identify and implement BMPs to control water quality impacts via a SUSWMP.

5.3.2.3.2 Regional Water Quality Control Board, Los Angeles Region

All the activities required under the NPDES program focus on meeting water quality objectives of receiving waters, including coastal waters, which abut multiple counties and cities. The RWQCB adopted an updated basin plan for the Los Angeles Region on February 23, 1995. The basin plan is designed to preserve and enhance water quality and to protect the beneficial uses of all regional waters. Specifically,

⁹ Telephone interview with Terri Grant, Supervising Civil Engineer III, Los Angeles County Department of Public Works, Flood Control Division, 13 October 1998.

the basin plan designates beneficial uses for surface and groundwater, sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and to conform to the state's anti-degradation policy and describes implementation programs to protect all waters in the region. The basin plan is incorporated by reference as a part of the 2001 Los Angeles County NPDES Municipal Permit No. CAS614001.

5.3.2.3.3 California Ocean Plan

The California Ocean Plan, adopted and effective March 22, 1990, is a statewide plan. Its purpose is to protect the quality of ocean waters for use and enjoyment by the people of the state by controlling waste discharges and to establish beneficial uses and water quality criteria for the coastal waters of California. The beneficial uses of the ocean waters that shall be protected include industrial water supply, water contact and non-contact recreation and Areas of Special Biological Significance (ASBS). The ocean plan also sets forth specific water quality objectives.

5.3.2.3.4 Los Angeles County Flood Control Division

In addition to meeting the requirements of the LACDPW *Hydrology Manual* (December 1991), as amended and *Sedimentation Manual* (June 1993) for preparing the hydrologic analysis for this project, this analysis complies with a 1986 LACDPW memorandum entitled "Level of Flood Protection and Drainage Protection Standards" for development projects in Los Angeles County. The memorandum, which established Los Angeles County policy on levels of flood protection, requires that projects, such as the one proposed, be designed for the urban flood, or runoff from a 25-year storm event.

5.3.3 ENVIRONMENTAL IMPACTS

5.3.3.1 Project Improvements

Implementation of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in the development of 526 residential dwelling units, a 19-story building with 288 hotel and timeshare suites, 174 private and between 7 to 11 public-serving boat spaces, and a restored public wetland and upland park area. There are 136 existing apartments and 198 boat spaces presently on site. Therefore, completion of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in a net increase of 390 apartment units, 288 hotel and timeshare suites, a net decrease of up to 17 boat spaces a 0.47-acre public park, including a 0.47-acre restored wetland and 0.99-acre upland buffer.

5.3.3.2 Thresholds of Significance

The County of Los Angeles Department of Regional Planning has not adopted County specific significance thresholds. However, according to the County of Los Angeles *Environmental Document Reporting Procedures and Guidelines*, County staff are concerned with any development subject to flood hazards and debris flows, including (1) flooding due to its location within a major drainage course; (2) flooding due to its location within a flood plain; and (3) high debris transport and deposition potential.

Project-related drainage and flooding impacts would be considered significant if any of the following events would occur as a result of project implementation:

- Flooding (on- and off-site)
- Increased erosion
- Increased sedimentation and debris production

In addition to thresholds of significance for flood-related impacts, the proposed project is also evaluated relative to its water quality impacts associated with construction and storm runoff. The *California Environmental Quality Act (CEQA) Guidelines* state that a project would normally have a significant effect on the environment if it would substantially degrade water quality.

5.3.3.3 Impact Analysis

5.3.3.3.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

As proposed, the drainage concept for the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project is similar to the existing condition. Runoff from Parcels 10R, FF, and the northern portion of Parcel 9U would be directed as sheetflow across each site to a series of grated inlets that would discharge into the small-craft harbor through subsurface conduits (**Appendix 5.3**). Sheetflow from the northern portion of Parcel 9U would be routed away from the wetland park proposed on the southern portion of Parcel 9U. Future on-site storm drain improvements would be designed to accommodate post-development flows during a 25-year storm event and would be designed to meet all LACDPW standards.

5.3.3.3.1.1 Threshold: Would the project result in on- or off-site flooding?

Analysis: Based on calculations consistent with the LACDPW *Hydrology Manual*, a minimal increase in total site runoff during a 25-year storm event would occur as a result of development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project. As defined above, existing runoff from Parcel 10R is approximately 16.0 cubic feet per second (cfs) and sheetflows to Basin B. Existing runoff from Parcel FF is approximately 4.0 cfs and sheetflows directly to Basin C, also via a series of catch basins. Existing runoff from a portion of Parcel 9U is approximately 5.2 cfs and collects in a man-made depression situated in the southern portion of the parcel. The rest of the Parcel 9U sheetflows directly into Basin B and is approximately 1.3 cfs.

Subsequent to project operation, no alteration of surface flows is anticipated for Parcels 10R or FF. However, runoff from the northern portion of Parcel 9U would be 7.8 cfs and would be routed to Marina del Rey Basin B via an on-site storm drain system. No runoff would be directed to the wetland/upland area to the south. Therefore, no flooding on or adjacent to the hotel and timeshare facility is anticipated.

No flood hazard to the small-craft harbor would occur because the elevation of the bulkhead is substantially (greater than 8 feet) above the tidal elevation. Construction of the partially subterranean parking facilities may require de-watering during excavation only.

Mitigation Measures: None are proposed or are required.

Conclusion: Less than significant.

5.3.3.3.1.2 Threshold: Would the project result in increased erosion?**Threshold: Would the project result in increased sedimentation?**

Analysis: During construction, landside demolition of the existing apartment complex (Parcel 10R) and parking lot (Parcel FF), grading/excavation operations and project construction could result in increased water and wind erosion and a potential for the discharge of sediment to the small-craft harbor during storm events. Increased sedimentation could result in a significant erosion and sedimentation impact unless mitigated.

Temporary de-watering systems for the proposed partially subterranean parking garages also have the potential to discharge sediments from excavation areas directly to the small-craft harbor unless mitigated. Project applicant(s) would be required to prepare an SWPPP for Parcels 10R, FF, and 9U pursuant to the NPDES that would identify the various BMPs that would be implemented at the construction site (see below for a discussion on BMPs).

Upon completion of the proposed project, Parcels 10R, FF, and the northern portion of Parcel 9U would be covered with non-erosive surfaces, including roofs, pavement, and/or permanent vegetation, which would reduce sediment in site runoff. As a result, the potential for post-development sedimentation would be reduced or eliminated and impacts associated with project operation are not significant.

Waterside demolition of the boat anchorages (Parcel 10R only) could also release sediment and debris into the small-craft harbor. However, the applicants will install debris booms around all waterside construction areas to capture and control floating debris. Debris catchers would also be utilized in places where falling debris is unavoidable. Furthermore, siltation collars would be employed around individual piles during pile removal to reduce and/or prevent sediment from crossing into surrounding waters. The project applicants would also be required to comply with all National Pollutant Discharge Elimination System (NPDES) and Regional Water Quality Control Board (RWQCB) requirements governing activities within the small-craft harbor. With these measures in place, water quality impacts during waterside demolition would be less than significant.

Mitigation Measures Already Incorporated into the Project: Waterside demolition of the boat anchorages for the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project (Parcel 10R only) would employ debris booms around all waterside construction areas to capture and control floating debris. Debris catchers will also be utilized in places where falling debris is unavoidable, and siltation collars will be placed around piles prior to removal to reduce and/or prevent sediment from crossing into surrounding waters.

Mitigation Measures Recommended by the EIR: The following measure is recommended to reduce hydrology and water quality impacts to less than significant levels.

- 5.3-1.** A final drainage plan and final grading plan (including an erosion control plan if required) shall be prepared by each applicant to ensure that no significant erosion, sedimentation, or flooding impacts would occur during or after redevelopment of the project sites. These plans shall be prepared to the satisfaction of the Los Angeles County Department of Public Works, Flood Control Division prior to the issuance of grading, demolition, or building permits.

Conclusion: Less than significant.

5.3.3.3.1.3 Threshold: Would the project result in impacts that would affect surface or groundwater quality?

Analysis: Storm Water Quality Impacts; Demolition and Construction Water Quality Impacts:

Temporary dewatering systems for the partially subterranean parking structures may require an NPDES permit for Ground Water Discharge from the RWQCB. This permit would ensure that water discharged to the small-craft harbor would meet all NPDES requirements for suspended solids, organic material and other water quality parameters, thereby, reducing water quality impacts associated with this activity to less than significant.

Landside demolition and construction activities, which would disturb more than 1 acre, would require a NPDES permit to mitigate demolition- and construction-related water quality impacts. Pollutants typical of demolition and construction activities include demolition debris that may fall into the small-craft harbor, sediments from wind and water erosion, nutrients from fertilizing new landscaping, trace metals, pesticides, toxic chemicals (e.g., adhesives, cleaners, sealants, solvents, etc.) and miscellaneous wastes (e.g., debris, wash water from concrete mixers, paints, solid wastes, etc.). Because the site improvements on 10R were originally constructed in the early 1960s, there is potential for asbestos and lead paint debris to enter storm flows unless the project contractor takes the required steps to remove and dispose such materials pursuant to federal and state law. Pollutants that may occur within water collected from the existing parking structure or exterior parking lots may include petroleum products, including gasoline and oil, rubber and other car fluids. As such, the project applicant would be required to prepare a SWPPP pursuant to the NPDES that would identify the various BMPs that would be implemented on the site during demolition and construction (see below for a discussion on BMPs). The project applicant is responsible for obtaining the necessary NPDES construction permit for the project site from the RWQCB,

Wastewater Division. With compliance with the requirements of the NPDES construction permit, demolition and construction related water quality impacts would be less than significant.

Storm Water Quality Impacts; Post-Construction Water Quality Impacts: Common concerns related to surface water quality include the potential deposition of pollutants generated by motor vehicles and the maintenance and operation of landscape areas. Urban runoff contains almost every type of water pollutant, including suspended solids, bacteria, heavy metals, oxygen-demanding substances, nutrients and oil and grease. Primary sources of urban runoff pollutants include animal droppings, atmospheric fallout, land erosion, lawn runoff (pesticides, herbicides, fertilizers), and pavement runoff.¹⁰ These pollutant sources are described below.

Land Erosion: Land erosion can affect water quality by contributing biological oxygen demand (BOD), suspended solids, and heavy metals. The potential for erosion was discussed previously in this impact section.

Landscape Runoff: Runoff from landscaped areas can contribute BOD, pesticides/herbicides/fungicides and nitrates to surface and subsurface water bodies. Similar to the existing condition, less than 2 acres of the project site would be landscaped. Thus, there is a minor potential for increased quantities of pesticides/herbicides/fungicides and nitrates to enter and incrementally degrade surface water if runoff were to enter the drainage system. If required by the LACDPW during preparation of the final drainage plan, the project would contain bioswales or similar features to capture these pollutants before they enter the small-craft harbor. Furthermore, landscaped areas would help control runoff by allowing some percolation into the soil rather than allowing direct runoff into surface water bodies as does paved surfaces. Based on the above, water quality impacts from landscape runoff are considered less than significant.

Pavement Runoff: Runoff from paved surfaces can contribute BOD, suspended solids and heavy metals to water bodies. Oil and grease (hydrocarbons), in particular, represent a low level, chronic release of pollutants into water bodies and may originate from a number of small, non-point sources: vehicle exhausts, crankcase oils, fuel oils, etc. Since a portion of the project site is presently developed, existing surface runoff from the project site contains such material, which discharges directly into the small-craft harbor as parking areas are presently uncovered and located at grade. However, the proposed project would place most parking within covered parking structures, where such pollutants are less likely to be transported by rainfall into the storm drain system. Furthermore, if required by the LACDPW during preparation of the final drainage plan, the project would contain bioswales or similar features to capture

¹⁰ Robert A. Corbitt, *Standard Handbook of Environmental Engineering*, (New York City: McGraw-Hill Publishing Company, 1989), p. 753.

runoff before discharging into it into the small-craft harbor. As a result, pollutants from pavement runoff are likely to be less than experienced under existing conditions and would be considered as less than significant.

Animal Droppings: Animal droppings contribute coliform bacteria, nitrates, and BOD¹¹ to water sources. With more intensive redevelopment of the site, more domesticated animals are expected to reside on the project site than under current conditions. Unless mitigated, the additional droppings would continue to degrade water quality impacts relative to pollutants associated with animal droppings.

Atmospheric Fallout: Atmospheric fallout can contribute to BOD, nutrients and heavy metals to surface water quality. Atmospheric deposition occurs in the form of precipitation (e.g., acid rain) or as dustfall. Although acid rain is not a major concern in the project area, dustfall, especially during periods of high (Santa Ana) wind conditions, would be considered a source of pollution of surface water bodies. However, the surrounding land areas are mostly paved and the site is near the ocean, which serves to limit the amount of fugitive dust entrained in the wind. Further, the project would contain erosion-controlling vegetation which would capture and hold atmospheric fallout which does reach the project site. Atmospheric fallout that would settle onto the site would likely remain on the site during the rainy seasons rather than flow into the small-craft harbor due to the presence of an improved drainage network that must contain design features that limit pollutant runoff pursuant to the SWPPP.

Marine Activity Impacts: Vessel maintenance including painting, varnishing, barnacle removal, and engine maintenance may result in the discharge of contaminants such as tar, oil, gasoline, or refined oil products (varnish, lacquer, or paints) into the small-craft harbor. The potential also exists for boaters to discharge bilge tanks or refuse into the waterway. Section 19 of the County Administrative Code regulates the discharge of waste, petroleum, or paint products into the waters of County maritime facilities, and these regulations are enforced by the Harbor Patrol. However, given the large number of vessels within the small-craft harbor, enforcement is difficult. While the project would result in a modest reduction in the number of available spaces, thereby reducing the potential for such contaminants to enter the small-craft harbor, any contribution to the degradation of water quality in the small-craft harbor would represent a significant impact if unmitigated.

The project applicant would also be required to address long-term monitoring and implementation of BMPs on the project site. With implementation of BMPs and considering project design, water quality impacts of the associated with the Neptune Marina Project would be less than significant.

¹¹ Biological Oxygen Demand (BOD) is a standard test to determine the amount of dissolved oxygen utilized by organic material over a five-day period. It determines the amount of organic material in a water sample.

Consistency with Marina del Rey Land Use Plan: Project-relevant policies from the Land Use Plan (LUP) and the consistency of the project against these policies are found in **Section 5.17; Land Use and Planning** of this EIR.

Mitigation Measures Already Incorporated into the Project: The applicant must obtain NPDES permits for ground water discharge from the RWQCB prior to discharge of groundwater into the small-craft harbor from the dewatering activities during subterranean parking garage excavation. The applicant is required to satisfy all applicable requirements of the NPDES program for construction and demolition activity to the satisfaction of the LACDPW. These requirements currently include preparation of a SWPPP containing design features and BMPs appropriate and applicable to the construction activities.

The project applicant shall implement BMPs to minimize pollutants and sedimentation from entering the small-craft harbor, including implementation of accepted materials storage procedures, spill prevention and other “good housekeeping” practices.

Best Management Practices: The County will require BMPs to minimize pollutants entering the small-craft harbor. BMPs are actions and procedures established to reduce the pollutant loadings in storm drain systems. The two main categories of BMPs, which may be part of public agency activities or, in some cases, applicable to development projects, are “source control” and “treatment control.” Source control BMPs are usually the most effective and economical in preventing pollutants from entering storm and non-storm runoff. Examples of source control BMPs that are relevant to the project include:

- Public Education/Participation activities which make information available to renters.
- Materials Management activities, such as
 1. materials Use Controls, which include good housekeeping practices (storage, use and cleanup) when handling potentially harmful materials, such as cleaning materials, fertilizers, paint, pool chemicals and, where possible, using safer alternative products;
 2. material Exposure Controls, which prevent and reduce pollutant discharge to storm water by minimizing the storage of hazardous materials (such as pesticides) on site, storing materials in a designated area, installing secondary containment, conducting regular inspections and training employees and subcontractors; and
 3. material Disposal and Recycling, which includes storm drain system signs and stenciling with language to discourage illegal dumping of unwanted materials. Household hazardous waste and used oil recycling at collection centers and round-up activities are very productive BMPs.
- Spill prevention and cleanup activities which are directed toward reducing the risk of spills during the outdoor handling and transport of chemicals and toward developing plans and programs to contain and rapidly clean up spills before they get into the storm drain system.

- Street and storm drain maintenance activities that control the movement of pollutants and remove them from pavement through catch basin cleaning, street sweeping and by regularly removing illegally dumped material. Cleaning of the garage surfaces shall also be required.
- Site design alternatives (e.g., roofs over dumpsters, spill containment curbs around stored material, etc.).
- Good housekeeping practices, inclusive of the provision for animal bag stations along the waterfront stroll promenade.

Treatment Control BMPs involve physical treatment of the runoff, usually through structural means. A variety of treatment control measures have been utilized throughout the country for storm water quality. However, the effectiveness of these controls is highly dependent on local conditions, such as climate, hydrology, soils, groundwater conditions, and extent of urbanization.

Mitigation Measures Recommended by the EIR: The following measures are recommended to reduce hydrology and water quality impacts to less than significant levels.

5.3-2. Small-craft harbor lease agreements for the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project shall include prohibitions against engine maintenance and boat painting or scraping activities while on the premises.

Conclusion: Less than significant.

5.3.3.3.2 Neptune Marina Parcel 10R Project

As proposed, the drainage concept for the proposed Neptune Marina Parcel 10R is similar to the existing condition. Runoff would continue as sheetflow across the site to a series of grated inlets that would discharge into the small-craft harbor through subsurface conduits (**Appendix 5.3**). Future on-site storm drain improvements would be designed to accommodate post-development flows during a 25-year storm event and would be designed to meet all LACDPW standards.

5.3.3.3.2.1 Threshold: Would the project result in on- or off-site flooding?

Analysis: Based on calculations consistent with the LACDPW *Hydrology Manual*, no increase in total site runoff during a 25-year storm event would occur as a result of development of the Neptune Marina Parcel 10R. As defined above, existing runoff from the project site is approximately 16.0 cfs and sheetflows to Basin B. Future on-site storm drainage improvements would be designed to accommodate post-development flows during a 25-year storm event and would, per normal practice, be approved by the Los Angeles County Department of Public Works prior to grading. No on- or off-site flood hazard impact would occur.

No flood hazard to the Neptune Marina Parcel 10R from the small-craft harbor would occur because the elevation of the bulkhead is substantially (greater than 8 feet) above the tidal elevation.

Mitigation Measures: None are proposed or are required.

Conclusion: Less than significant.

5.3.3.3.2.2 Threshold: Would the project result in increased erosion?

Threshold: Would the project result in increased sedimentation?

Analysis: Landside demolition of the existing apartment complex, grading/excavation operations and project construction could result in increased water and wind erosion and a potential for the discharge of sediment to the small-craft harbor during storm events. Increased sedimentation could result in a significant erosion and sedimentation impact unless mitigated.

Temporary de-watering systems for the proposed partially subterranean parking garages also have the potential to discharge sediments from excavation areas directly to the small-craft harbor unless mitigated. The project applicant would be required to prepare an SWPPP pursuant to the NPDES that would identify the various BMPs that would be implemented at the construction site (see below for a discussion on BMPs).

Upon completion of the proposed project, the site would be covered with non-erosive surfaces, including roofs, pavement and permanent vegetation, which would reduce sediment in site runoff. As a result, the potential for post-development sedimentation would be reduced or eliminated and impacts associated with project operation are not significant.

Waterside demolition of the boat anchorages could also release sediment and debris into the small-craft harbor. However, the applicant proposes a debris boom around all waterside construction areas to capture and control floating debris. Debris catchers would also be utilized in places where falling debris is unavoidable. Furthermore, siltation collars would be employed around individual piles during pile removal to reduce and/or prevent sediment from crossing into surrounding waters. The project applicant would also be required to comply with all NPDES and RWQCB requirements governing activities within the small-craft harbor. With these measures in place, water quality impacts during waterside demolition would be less than significant.

Mitigation Measures Already Incorporated into the Project: Waterside demolition of the boat anchorages for the Neptune Marina Parcel 10R will employ a debris boom around all waterside construction areas to capture and control floating debris. Debris catchers will also be utilized in places where falling debris is unavoidable, and siltation collars will be placed around piles prior to removal to reduce and/or prevent sediment from crossing into surrounding waters.

Mitigation Measures Recommended by the EIR: The following measure is recommended to reduce hydrology and water quality impacts to less than significant levels.

Mitigation Measure 5.3-1 would mitigate this impact for Neptune Marina Parcel 10R Project.

Conclusion: Less than significant.

5.3.3.2.3 Threshold: Would the project result in impacts that would affect surface or groundwater quality?

Analysis: Storm Water Quality Impacts; Demolition and Construction Water Quality Impacts: Temporary dewatering systems for the partially subterranean parking structures may require an NPDES permit for Ground Water Discharge from the RWQCB. This permit would ensure that water discharged to the small-craft harbor would meet all NPDES requirements for suspended solids, organic material and other water quality parameters, thereby, reducing water quality impacts associated with this activity to less than significant.

Landside demolition and construction activities, which would disturb more than 1 acre, would require a NPDES permit to mitigate demolition- and construction-related water quality impacts. Pollutants typical

of demolition and construction activities include demolition debris that may fall into the small-craft harbor, sediments from wind and water erosion, nutrients from fertilizing new landscaping, trace metals, pesticides, toxic chemicals (e.g., adhesives, cleaners, sealants, solvents, etc.) and miscellaneous wastes (e.g., debris, wash water from concrete mixers, paints, solid wastes, etc.). Because the site improvements were originally constructed in the early 1960s, there is potential for asbestos and lead paint debris to enter storm flows unless the project contractor takes the required steps to remove and dispose such materials pursuant to federal and state law. Pollutants that may occur within water collected from the parking structure or exterior parking lots may include petroleum products, including gasoline and oil, rubber and other car fluids. As such, the project applicant would be required to prepare a SWPPP pursuant to the NPDES that would identify the various BMPs that would be implemented on the site during demolition and construction (see below for a discussion on BMPs). The project applicant is responsible for obtaining the necessary NPDES construction permit for the project site from the RWQCB, Wastewater Division. With compliance with the requirements of the NPDES construction permit, demolition and construction related water quality impacts would be less than significant.

Storm Water Quality Impacts; Post-Construction Water Quality Impacts: Common concerns related to surface water quality include the potential deposition of pollutants generated by motor vehicles and the maintenance and operation of landscape areas. Urban runoff contains almost every type of water pollutant, including suspended solids, bacteria, heavy metals, oxygen-demanding substances, nutrients and oil and grease. Primary sources of urban runoff pollutants include animal droppings, atmospheric fallout, land erosion, lawn runoff (pesticides, herbicides, fertilizers), and pavement runoff.¹² These pollutant sources are described below.

Land Erosion: Land erosion can affect water quality by contributing BOD, suspended solids and heavy metals. The potential for erosion was discussed previously in this impact section.

Landscape Runoff: Runoff from landscaped areas can contribute BOD, pesticides/herbicides/fungicides and nitrates to surface and subsurface water bodies. Similar to the existing condition, less than 2 acres of the project site would be landscaped. Thus, there is a minor potential for increased quantities of these substances to enter and incrementally degrade surface water if runoff were to enter the drainage system. If required by the LACDPW during preparation of the final drainage plan, the project would contain bioswales or similar features to capture these pollutants before they enter the small-craft harbor. Furthermore, landscaped areas would help control runoff by allowing some percolation into the soil

¹² Robert A. Corbitt, *Standard Handbook of Environmental Engineering*, (New York City: McGraw-Hill Publishing Company, 1989), p. 753.

rather than allowing direct runoff into surface water bodies as does paved surfaces. Based on the above, water quality impacts from landscape runoff are considered less than significant.

Pavement Runoff: Runoff from paved surfaces can contribute BOD, suspended solids and heavy metals to water bodies. Oil and grease (hydrocarbons), in particular, represent a low level, chronic release of pollutants into water bodies and may originate from a number of small, non-point sources: vehicle exhausts, crankcase oils, fuel oils, etc. Since a portion of the project site is presently developed, existing surface runoff from the project site contains such material, which discharges directly into the small-craft harbor as parking areas are presently uncovered and located at grade. However, the proposed project would place most parking within covered parking structures, where such pollutants are less likely to be transported by rainfall into the storm drain system. Furthermore, if required by the LACDPW during preparation of the final drainage plan, the project would contain bioswales or similar features to capture runoff before discharging into it into the small-craft harbor. As a result, pollutants from pavement runoff are likely to be less than experienced under existing conditions and would be considered as less than significant.

Animal Droppings: Water quality impacts associated with animal droppings are described above.

Atmospheric Fallout: Water quality impacts associated with animal droppings are described above.

Marine Activity Impacts: Water quality impacts associated with vessel maintenance including painting, varnishing, barnacle removal and engine maintenance may result in the discharge of contaminants such as tar, oil, gasoline, or refined oil products (varnish, lacquer or paints) into the small-craft harbor are described above.

Mitigation Measures Already Incorporated into the Project: The applicant must obtain NPDES permits for ground water discharge from the RWQCB prior to discharge of groundwater into the small-craft harbor from the dewatering activities during subterranean parking garage excavation. The applicant is required to satisfy all applicable requirements of the NPDES program for construction and demolition activity to the satisfaction of the LACDPW. These requirements currently include preparation of a SWPPP containing design features and BMPs appropriate and applicable to the construction activities.

The project applicant shall implement BMPs to minimize pollutants and sedimentation from entering the small-craft harbor, including implementation of accepted materials storage procedures, spill prevention and other “good housekeeping” practices.

Best Management Practices: The County will require BMPs to minimize pollutants entering the small-craft harbor. BMPs are actions and procedures established to reduce the pollutant loadings in storm drain

systems. The two main categories of BMPs, which may be part of public agency activities or, in some cases, applicable to development projects, are “source control” and “treatment control.” Source control BMPs are usually the most effective and economical in preventing pollutants from entering storm and non-storm runoff. Examples of source control BMPs that are relevant to the project include:

- Public Education/Participation activities which make information available to renters.
- Materials Management activities, such as
 1. materials Use Controls, which include good housekeeping practices (storage, use and cleanup) when handling potentially harmful materials, such as cleaning materials, fertilizers, paint, pool chemicals and, where possible, using safer alternative products;
 2. material Exposure Controls, which prevent and reduce pollutant discharge to storm water by minimizing the storage of hazardous materials (such as pesticides) on site, storing materials in a designated area, installing secondary containment, conducting regular inspections and training employees and subcontractors; and
 3. material Disposal and Recycling, which includes storm drain system signs and stenciling with language to discourage illegal dumping of unwanted materials. Household hazardous waste and used oil recycling at collection centers and round-up activities are very productive BMPs.
- Spill Prevention and Cleanup activities which are directed toward reducing the risk of spills during the outdoor handling and transport of chemicals and toward developing plans and programs to contain and rapidly clean up spills before they get into the storm drain system.
- Street and Storm Drain Maintenance activities that control the movement of pollutants and remove them from pavement through catch basin cleaning, street sweeping and by regularly removing illegally dumped material. Cleaning of the garage surfaces shall also be required.
- Site design alternatives (e.g., roofs over dumpsters, spill containment curbs around stored material, etc.).
- Good housekeeping practices, inclusive of the provision for animal bag stations along the waterfront stroll promenade.

Treatment Control BMPs involve physical treatment of the runoff, usually through structural means. A variety of treatment control measures have been utilized throughout the country for storm water quality. However, the effectiveness of these controls is highly dependent on local conditions, such as climate, hydrology, soils, groundwater conditions, and extent of urbanization.

Mitigation Measures Recommended by the EIR: The following measure is recommended to reduce hydrology and water quality impacts to less than significant levels.

Mitigation Measure 5.3-2 would mitigate this impact for Neptune Marina Parcel 10R Project.

Consistency with Marina del Rey Land Use Plan: Project-relevant policies from the LUP and the consistency of the project against these policies are found in **Section 5.17, Land Use and Planning**, of this EIR.

Conclusion: Less than significant.

5.3.3.3 Neptune Marina Parcel FF Project

As proposed, the drainage concept for the proposed Neptune Marina Parcel FF is similar to the existing condition. Runoff would continue as sheetflow across the site to a series of grated inlets that would discharge into Basin C of the small-craft harbor through subsurface conduits (**Appendix 5.3**). Future on-site storm drain improvements would be designed to accommodate post-development flows during a 25-year storm event and would be designed to meet all LACDPW standards.

5.3.3.3.1 Threshold: Would the project result in on- or off-site flooding?

Analysis: Based on calculations consistent with the LACDPW *Hydrology Manual*, no increase in total site runoff during a 25-year storm event would occur as a result of the Neptune Marina Parcel FF. Existing runoff from the project site is approximately 4.0 cfs and sheetflows directly to Marina del Rey Basin C via a series of catch basins (**Appendix 5.3**). Future on-site storm drainage improvements would be designed to accommodate post-development flows during a 25-year storm event and would, per normal practice, be approved by the Los Angeles County Department of Public Works prior to grading. No on- or off-site flood hazard impact would occur.

No flood hazard to the Neptune Marina Parcel FF from the small-craft harbor would occur because the elevation of the bulkhead is substantially (greater than 8 feet) above the tidal elevation.

Mitigation Measures: None are proposed or are required.

Conclusion: No impact.

5.3.3.3.2 Threshold: Would the project result in increased erosion?

Threshold: Would the project result in increased sedimentation?

Analysis: Landside demolition of the existing parking lot, grading/excavation operations and project construction could result in increased water and wind erosion and a potential for the discharge of sediment to the small-craft harbor during storm events. Increased sedimentation could result in a significant erosion and sedimentation impact unless mitigated.

Temporary de-watering systems for the proposed partially subterranean parking garages also have the potential to discharge sediments from excavation areas directly to the small-craft harbor unless mitigated. The project applicant would be required to prepare an SWPPP pursuant to the NPDES that would identify the various BMPs that would be implemented at the construction site (see below for a discussion on BMPs).

Upon completion of the proposed project, the site would be covered with non-erosive surfaces, including roofs, pavement and permanent vegetation, which would reduce sediment in site runoff. As a result, the potential for post-development sedimentation would be reduced or eliminated and impacts are not significant.

Mitigation Measures Recommended by the EIR: The following measure is recommended to reduce hydrology and water quality impacts to less than significant levels.

Mitigation Measure 5.3-1 would mitigate this impact for Neptune Marina Parcel FF Project.

Conclusion: Less than significant.

5.3.3.3.3 Threshold: Would the project result in impacts that would affect surface or groundwater quality?

Analysis: Storm Water Quality Impacts; Demolition and Construction Water Quality Impacts: Temporary dewatering systems for the partially subterranean parking structures may require an NPDES permit for ground water discharge from the RWQCB. This permit would ensure that water discharged to the small-craft harbor would meet all NPDES requirements for suspended solids, organic material and other water quality parameters, thereby, reducing water quality impacts associated with this activity to less than significant.

Landside demolition and construction activities, which would disturb more than 1 acre, would require a NPDES permit to mitigate demolition- and construction-related water quality impacts. Pollutants typical of demolition and construction activities include demolition debris that may fall into the small-craft harbor, sediments from wind and water erosion, nutrients from fertilizing new landscaping, trace metals, pesticides, toxic chemicals (e.g., adhesives, cleaners, sealants, solvents, etc.) and miscellaneous wastes (e.g., debris, wash water from concrete mixers, paints, solid wastes, etc.). Pollutants that may occur within water collected from the parking structure or exterior parking lots may include petroleum products, including gasoline and oil, rubber and other car fluids. As such, the project applicant would be required to prepare a SWPPP pursuant to the NPDES that would identify the various BMPs that would be implemented on the site during demolition and construction (see below for a discussion on BMPs). The project applicant is responsible for obtaining the necessary NPDES construction permit for the project site from the RWQCB, Wastewater Division. With compliance with the requirements of the NPDES construction permit, demolition and construction related water quality impacts would be less than significant.

Storm Water Quality Impacts; Post-Construction Water Quality Impacts: Common concerns related to surface water quality include the potential deposition of pollutants generated by motor vehicles and the maintenance and operation of landscape areas. Urban runoff contains almost every type of water pollutant, including suspended solids, bacteria, heavy metals, oxygen-demanding substances, nutrients and oil and grease. Primary sources of urban runoff pollutants include animal droppings, atmospheric fallout, land erosion, lawn runoff (pesticides, herbicides, fertilizers), and pavement runoff.¹³ These pollutant sources are described below.

Land Erosion: Land erosion can affect water quality by contributing BOD, suspended solids and heavy metals. The potential for erosion was discussed previously in this impact section.

Landscape Runoff: Runoff from landscaped areas can contribute BOD, pesticides/herbicides/fungicides and nitrates to surface and subsurface water bodies. Similar to the existing condition, less than 1 acre of the project site would be landscaped. Landscaped areas would help control runoff by allowing some percolation into the soil rather than allowing direct runoff into surface water bodies as does paved surfaces. If required by the LACDPW during preparation of the final drainage plan, the project would contain bioswales or similar features to capture pollutants before they enter the small-craft harbor. Based on the above, water quality impacts from landscape runoff are considered less than significant.

Pavement Runoff: Runoff from paved surfaces can contribute BOD, suspended solids and heavy metals to water bodies. Oil and grease (hydrocarbons), in particular, represent a low level, chronic release of pollutants into water bodies and may originate from a number of small, non-point sources: vehicle exhausts, crankcase oils, fuel oils, etc. Since the project site is presently developed, existing surface runoff from the project site contains such material, which discharges directly into the small-craft harbor as parking areas are presently uncovered and are located at grade. However, the proposed project would place most parking within covered parking structures, where such pollutants are less likely to be transported by rainfall into the storm drain system. Furthermore, if required by the LACDPW during preparation of the final drainage plan, the project would contain bioswales or similar features to capture runoff before discharging into it into the small-craft harbor as well as a regular cleaning of the parking surfaces. As a result, pollutants from pavement runoff are likely to be less than experienced under existing conditions, and impacts would be considered less than significant.

Animal Droppings: Water quality impacts associated with animal droppings are described above.

Atmospheric Fallout: Water quality impacts associated with atmospheric fallout are described above.

¹³ Robert A. Corbitt, *Standard Handbook of Environmental Engineering*, (New York City: McGraw-Hill Publishing Company, 1989), p. 753.

Mitigation Measures Already Incorporated into the Project: The applicant must obtain NPDES permits for ground water discharge from the RWQCB prior to discharge of groundwater into the small-craft harbor from the dewatering activities during subterranean parking garage excavation. The applicant is required to satisfy all applicable requirements of the NPDES program for construction and demolition activity to the satisfaction of the LACDPW. These requirements currently include preparation of a storm water pollution prevention plan containing design features and BMPs appropriate and applicable to the construction activities.

The project applicant shall implement BMPs to minimize pollutants and sedimentation from entering the small-craft harbor, including implementation of accepted materials storage procedures, spill prevention and other “good housekeeping” practices.

Best Management Practices: The County will require BMPs to minimize pollutants entering the small-craft harbor. BMPs are actions and procedures established to reduce the pollutant loadings in storm drain systems. The two main categories of BMPs, which may be part of public agency activities or, in some cases, applicable to development projects, are “source control” and “treatment control.” Source control BMPs are usually the most effective and economical in preventing pollutants from entering storm and non-storm runoff.

Examples of source control BMPs that are relevant to the project include the following:

- Public Education/Participation activities which make information available to renters.
- Materials Management activities, such as
 1. materials Use Controls, which include good housekeeping practices (storage, use and cleanup) when handling potentially harmful materials, such as cleaning materials, fertilizers, paint, pool chemicals and, where possible, using safer alternative products;
 2. material Exposure Controls, which prevent and reduce pollutant discharge to storm water by minimizing the storage of hazardous materials (such as pesticides) on site, storing materials in a designated area, installing secondary containment, conducting regular inspections and training employees and subcontractors; and
 3. material Disposal and Recycling, which includes storm drain system signs and stenciling with language to discourage illegal dumping of unwanted materials. Household hazardous waste and used oil recycling at collection centers and round-up activities are very productive BMPs.
- Spill Prevention and Cleanup activities which are directed toward reducing the risk of spills during the outdoor handling and transport of chemicals and toward developing plans and programs to contain and rapidly clean up spills before they get into the storm drain system.

- Street and Storm Drain Maintenance activities that control the movement of pollutants and remove them from pavement through catch basin cleaning, street sweeping and by regularly removing illegally dumped material. Cleaning of the garage surfaces shall also be required.
- Site design alternatives (e.g., roofs over dumpsters, spill containment curbs around stored material, etc.).
- Good housekeeping practices, inclusive of the provision for animal bag stations along the waterfront stroll promenade.

Treatment Control BMPs involve physical treatment of the runoff, usually through structural means. A variety of treatment control measures have been utilized throughout the country for storm water quality. However, the effectiveness of these controls is highly dependent on local conditions, such as climate, hydrology, soils, groundwater conditions, and extent of urbanization.

Mitigation Measures Recommended by the EIR: No additional mitigation measures are proposed or are required.

Conclusion: Less than significant.

5.3.3.3.4 Woodfin Suite Hotel and Timeshare Resort Project

Drainage for the proposed Woodfin Suite Hotel and Timeshare Resort would be accommodated by a storm drain system that would direct runoff to the adjacent Basin B. Future on-site storm drain improvements would be designed to accommodate post-development flows during a 25-year storm event and would be designed to meet all LACDPW standards.

5.3.3.3.4.1 Threshold: Would the project result in on- or off-site flooding?

Analysis: Based on calculations consistent with the LACDPW *Hydrology Manual*, a minimal (1.3 cfs) increase in total site runoff during a 25-year storm event would occur as a result of development of the Woodfin Suite Hotel and Timeshare Resort. The existing volume of runoff collecting in the wetlands area from Parcel 9U is 5.2 cfs in the southern portion of the site. The rest of the site in the parcel sheet flows at 1.3 cfs into Basin B. Future on-site storm drainage improvements would direct runoff to the adjacent Basin B. No runoff from the Woodfin Suite Hotel and Timeshare Resort would be directed to the proposed wetland situated to the south. It is estimated that the runoff flow rate under the proposed condition would be 7.8 cfs (**Appendix 5.3**). The storm drain system would be designed to accommodate post-development flows during a 25-year storm event and, per normal practice, would be approved by the Los Angeles County Department of Public Works prior to grading. No on- or off-site flood hazard impact would occur.

No flood hazard to the Woodfin Suite Hotel and Timeshare Resort from the small-craft harbor would occur because the elevation of the bulkhead is substantially (greater than 8 feet) above the tidal elevation.

Parking for the proposed facility would be provided by a parking structure connected to the northern end of the hotel. Five floors would be above and one floor would be below finished grade. Construction of the partially subterranean parking structure may require de-watering during excavation only. De-watering would be required when groundwater is found at an elevation above the depth of grading. If necessary, de-watering wells would be drilled and pumps would be placed in the wells as needed to draw down the water table as necessary. Excess groundwater would be treated as directed by the conditions associated with the NPDES permit and discharged into the small-craft harbor. Once complete, the partially subterranean parking structure would consist of structural slabs that are designed to be “water tight.” Therefore, flooding of the garage is not anticipated.

Mitigation Measures: None are proposed or are required.

Conclusion: Less than significant.

5.3.3.3.4.2 Threshold: Would the project result in increased erosion?

Threshold: Would the project result in increased sedimentation?

Analysis: Landside grading/excavation operations and project construction could result in increased water and wind erosion and a potential for the discharge of sediment to the small-craft harbor during storm events. Increased sedimentation could result in a significant erosion and sedimentation impact unless mitigated.

Upon completion of the proposed project, the site would be covered with non-erosive surfaces including roof and pavement, which would reduce sediment in site runoff. As a result, the potential for post-development sedimentation would be reduced or eliminated and impacts associated with project operation are not significant.

Mitigation Measures Recommended by the EIR: The following measure is recommended to reduce hydrology and water quality impacts to less than significant levels.

Mitigation Measure 5.3-1 would mitigate this impact for the Woodfin Suite Hotel and Timeshare Resort Project.

Conclusion: Less than significant.

5.3.3.3.4.3 Threshold: Would the project result in impacts that would affect surface or groundwater quality?

Analysis: Storm Water Quality Impacts; Demolition and Construction Water Quality Impacts: Landside demolition and construction activities, which would disturb more than 1 acre, would require a NPDES permit to mitigate demolition- and construction-related water quality impacts. Pollutants typical of site grading that would be required prior to implementation of the wetland and upland buffer include sediments from wind and water erosion and nutrients from fertilizing new landscaping. The project applicant may be required to prepare a SWPPP pursuant to the NPDES that would identify the various BMPs that would be implemented on the site during grading and wetland construction (see below for a discussion on BMPs). The project applicant is responsible for obtaining the necessary NPDES construction permit for the project site from the RWQCB, Wastewater Division. With compliance with the requirements of the NPDES construction permit, demolition and construction related water quality impacts would be less than significant.

Storm Water Quality Impacts; Post-Construction Water Quality Impacts: Common concerns related to surface water quality include the maintenance and operation of paved surfaces and landscape areas. Urban runoff contains almost every type of water pollutant, including suspended solids, bacteria, heavy

metals, oxygen-demanding substances, nutrients and oil and grease. Primary sources of urban runoff pollutants include animal droppings, atmospheric fallout, land erosion and lawn runoff (pesticides, herbicides, fertilizers) and pavement runoff.¹⁴ These pollutant sources are described below.

Land Erosion: Land erosion can affect water quality by contributing BOD, suspended solids and heavy metals. The potential for erosion was discussed previously in this impact section.

Landscape Runoff: Runoff from landscaped areas can contribute BOD, pesticides/herbicides/fungicides and nitrates to surface and subsurface water bodies. Less than 2 acres of the project site would be landscaped. Thus, there is a minor potential for increased quantities of these substances to enter and incrementally degrade surface water if runoff were to enter the drainage system. If required by the LACDPW during preparation of the final drainage plan, the project would contain bioswales or similar features to capture these pollutants before they enter the small-craft harbor. Furthermore, landscaped areas would help control runoff by allowing some percolation into the soil rather than allowing direct runoff into surface water bodies as does paved surfaces. Based on the above, water quality impacts from landscape runoff are considered less than significant.

Animal Droppings: Water quality impacts associated with animal droppings are described above.

Atmospheric Fallout: Water quality impacts associated with animal droppings are described above.

Mitigation Measures Already Incorporated into the Project: The applicant must obtain NPDES permits for ground water discharge from the RWQCB prior to discharge of groundwater into the small-craft harbor from the dewatering activities. The applicant is required to satisfy all applicable requirements of the NPDES program for construction and demolition activity to the satisfaction of the LACDPW. These requirements currently include preparation of a SWPPP containing design features and BMPs appropriate and applicable to the construction activities.

The project applicant shall implement BMPs to minimize pollutants and sedimentation from entering the small-craft harbor, including implementation of accepted materials storage procedures, spill prevention and other “good housekeeping” practices.

Best Management Practices: The County will require BMPs to minimize pollutants entering the small-craft harbor. BMPs are actions and procedures established to reduce the pollutant loadings in storm drain systems. The two main categories of BMPs, which may be part of public agency activities or, in some cases, applicable to development projects, are “source control” and “treatment control.” Source control

¹⁴ Robert A. Corbitt, *Standard Handbook of Environmental Engineering*, (New York City: McGraw-Hill Publishing Company, 1989), p. 753.

BMPs are usually the most effective and economical in preventing pollutants from entering storm and non-storm runoff. Examples of source control BMPs that are relevant to the project include:

- Public Education/Participation activities which make information available to renters.
- Materials Management activities, such as
 1. materials Use Controls, which include good housekeeping practices (storage, use and cleanup) when handling potentially harmful materials, such as cleaning materials, fertilizers, paint, pool chemicals and, where possible, using safer alternative products;
 2. material Exposure Controls, which prevent and reduce pollutant discharge to storm water by minimizing the storage of hazardous materials (such as pesticides) on site, storing materials in a designated area, installing secondary containment, conducting regular inspections and training employees and subcontractors; and
 3. material Disposal and Recycling, which includes storm drain system signs and stenciling with language to discourage illegal dumping of unwanted materials. Household hazardous waste and used oil recycling at collection centers and round-up activities are very productive BMPs.
- Spill Prevention and Cleanup activities which are directed toward reducing the risk of spills during the outdoor handling and transport of chemicals and toward developing plans and programs to contain and rapidly clean up spills before they get into the storm drain system.
- Street and Storm Drain Maintenance activities that control the movement of pollutants and remove them from pavement through catch basin cleaning, street sweeping and by regularly removing illegally dumped material. Cleaning of the garage surfaces shall also be required.
- Site design alternatives (e.g., roofs over dumpsters, spill containment curbs around stored material, etc.).
- Good housekeeping practices, inclusive of the provision for animal bag stations along the waterfront stroll promenade.

Treatment Control BMPs involve physical treatment of the runoff, usually through structural means. A variety of treatment control measures have been utilized throughout the country for storm water quality. However, the effectiveness of these controls is highly dependent on local conditions, such as climate, hydrology, soils, groundwater conditions, and extent of urbanization. BMPs proposed by the site include:

Mitigation Measures Recommended by the EIR: No additional mitigation measures are recommended or are required.

Consistency with Marina del Rey Land Use Plan: Project-relevant policies from the LUP and the consistency of the project against these policies are found in **Section 5.17, Land Use and Planning**, of this EIR.

Conclusion: Less than significant.

5.3.4 CUMULATIVE IMPACTS

5.3.4.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and Other Related Projects

Cumulative impacts for this analysis are discussed relative to buildout of the upstream tributary watershed in which the project lies. Development and redevelopment projects in the watershed must comply with storm drainage design criteria that prohibit significant increases in post-development storm flows into the small-craft harbor and significant increases in storm flow velocities. As a result, overall storm runoff discharge quantities into the small-craft harbor under post-development runoff conditions would be no greater than under existing conditions.

Because on-site drainage facilities would have adequate capacity to capture and convey off-site flows from the site and from developed upstream areas during a 25-year frequency storm, and because any new or upgraded storm drainage improvements in the remainder of the watershed would be required to convey design year storm flows, no significant increases in velocity and related scouring, and no significant cumulative project flooding impacts are expected to occur downstream of the site.

Furthermore, the development and redevelopment of the remainder of the watershed would result in water quality impacts similar to those of the proposed project and would be subject to the same types of water quality requirements as the project. Therefore, no cumulative water quality impacts are anticipated.

5.3.5 UNAVOIDABLE SIGNIFICANT IMPACTS

Implementation of the identified mitigation measures in accordance with LACDPW and RWQCB requirements would reduce erosion, sedimentation, and water quality impacts to less than significant levels. Therefore, no unavoidable significant project-specific impacts are anticipated.

As all development within the tributary watershed are expected to comply with jurisdictional requirements to ensure that upstream or downstream flooding does not occur and to ensure that downstream erosion and sedimentation do not occur, no unavoidable significant cumulative flooding, erosion or sedimentation impacts would be created. These developments must also comply with the water quality requirements of the RWQCB. Therefore, no unavoidable significant cumulative water quality impacts would occur.

SUMMARY

Implementation of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project (Parcels 10R, FF and Parcel 9U) would result in the development of four, four-story apartment buildings totaling 526 units, 288 hotel/vacation suites within a 19-story hotel structure, the construction of 174 boat spaces and end-tie spaces adjacent to Parcel 10R, between 7 and 11 public/transient boat spaces adjacent to Parcel 9U and a 2,023-foot public Waterfront Stroll Promenade. A total of 1,510 parking spaces would be provided throughout the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project. These would include 1,150 spaces in two-level structured parking garages below the apartment buildings and 360 spaces in a six-level structured parking garage with one level below the hotel structure. The Neptune Marina/Woodfin Suite Hotel and Timeshare Resort Project also incorporates a restored wetland and upland buffer area on a portion of Parcel 9U. The Neptune Marina Project (Parcel 10R only) would require the removal of 136 existing residential units and 198 boat spaces. Recommended South Coast Air Quality Management District (SCAQMD) thresholds for construction emissions would be exceeded for oxides of nitrogen (NO_x) during construction of the project. In addition, localized ambient air quality impacts would occur during project construction for particulate matter less than 10 microns in diameter (PM₁₀), particulate matter less than 2.5 microns in diameter (PM_{2.5}), and nitrogen dioxide (NO₂). Recommended thresholds for operational emissions would not be exceeded.

5.4.1 ENVIRONMENTAL SETTING

5.4.1.1 Regional Climate

Air quality is affected by both the rate and location of pollutant emissions. It is also heavily influenced by meteorological conditions that affect the movement and dispersal of pollutants. Atmospheric conditions such as wind speed, wind direction, and air temperature gradients, along with local topography, strongly affect the relationship between pollutant emissions and air quality.

The proposed project lies within the South Coast Air Basin (the basin). The basin, shown in **Figure 5.4-1, South Coast Air Basin**, consists of all or portions of four counties, including all of Orange County, most of Los Angeles County, and the western, non-desert portions of San Bernardino and Riverside Counties.

Atmospheric pollution potential of an area is largely dependent on winds, atmospheric stability, solar radiation, and topography. The combination of low wind speeds and low inversions produce the greatest

concentration of air pollutants. Smog potential is greatly reduced on days without inversions or on days with winds averaging over 15 miles per hour (mph).¹

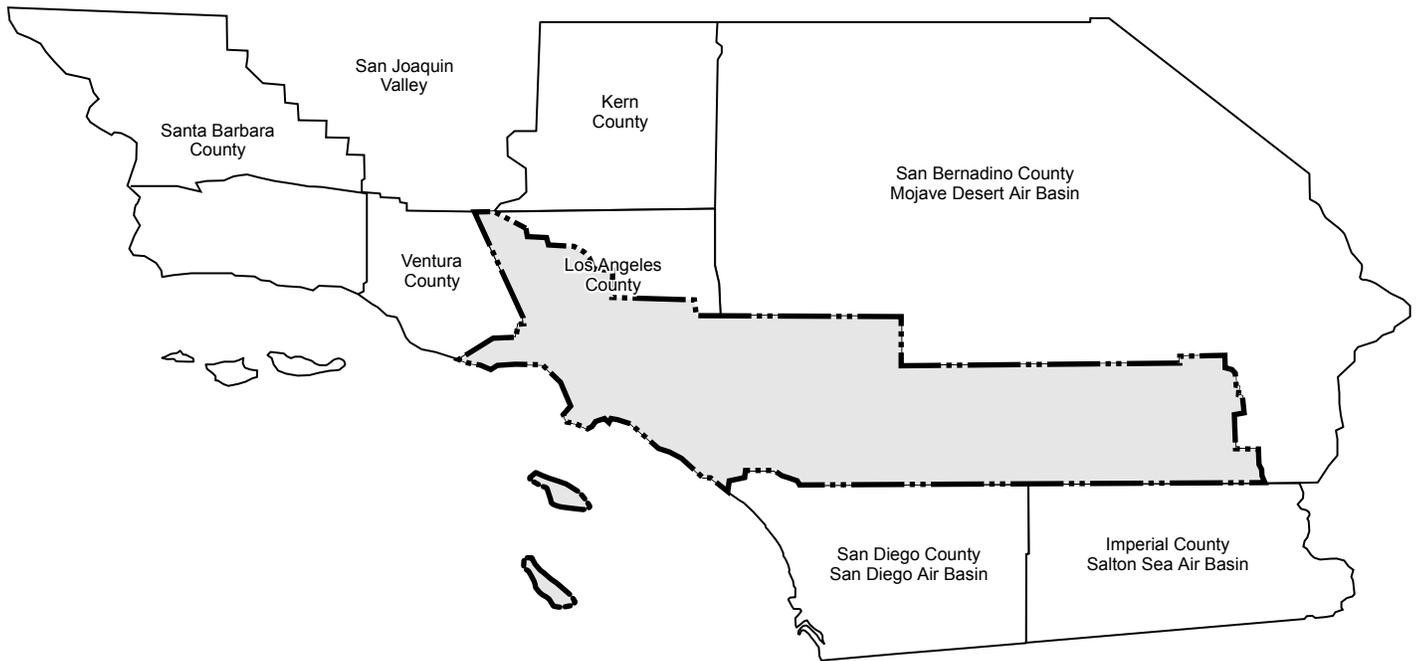
The regional climate significantly influences the air quality in the basin. Temperature, wind, humidity, precipitation, and even the amount of sunshine influence the quality of the air. In addition, the basin is frequently subjected to an inversion layer that traps air pollutants. Temperature has an important influence on Basin wind flow, pollutant dispersion, vertical mixing, and photochemistry.

Annual average temperatures throughout the basin vary from the low to middle 60s Fahrenheit (°F). However, due to decreased marine influence, the eastern portion of the basin shows greater variability in average annual minimum and maximum temperatures. January is the coldest month throughout the basin, and annual average minimum temperatures are 56°F in downtown Los Angeles, 49°F in San Bernardino, and 55°F in Long Beach. July and August are the warmest months in the basin, and annual average maximum temperatures are 83°F in downtown Los Angeles, 95°F in San Bernardino, and 85°F in Long Beach. All portions of the basin have recorded maximum temperatures above 100°F.

Although climate of the basin can be characterized as semi arid, the air near the land surface is quite moist on most days because of the presence of a marine layer. This shallow layer of sea air is an important modifier of Basin climate. Humidity restricts visibility in the basin, and the conversion of sulfur dioxide (SO₂) to sulfates is heightened in air with high relative humidity. The marine layer is an excellent environment for that conversion process, especially during the spring and summer months. The annual average relative humidity is 71 percent along the coast and 59 percent inland. Because the ocean effect is dominant, periods of heavy early morning fog are frequent and low stratus clouds are a characteristic feature. These effects decrease with distance from the coast.

More than 90 percent of the basin's rainfall occurs from November through April. Annual average rainfall varies from approximately 9 inches in Riverside to 14 inches in downtown Los Angeles. Monthly and yearly rainfall totals are extremely variable. Summer rainfall usually consists of widely scattered thundershowers near the coast and slightly heavier shower activity in the eastern portion of the region near the mountains.

¹ South Coast Air Quality Management District, *CEQA Air Quality Handbook*, (Diamond Bar, California: South Coast Air Quality Management District, November 1993), p A8-1.



Legend:
 SCAQMD Jurisdiction



NOT TO SCALE

SOURCE: Impact Sciences, Inc. – May 2005

FIGURE 5.4-1

South Coast Air Basin

5.4.1.2 Local Climate

The project site lies within the western portion of the 6,600-square-mile air basin. Predominant meteorological conditions in the basin are primarily light winds and shallow vertical mixing due to low-altitude temperature inversion. These conditions, when coupled with the surrounding mountain ranges, hinder the regional dispersion of air pollutants. The strength and location of a semi-permanent, high-pressure cell over the northern Pacific Ocean is the primary climatological influence on the basin, as is the ocean, which moderates the local climate by acting like a large heat reservoir. As a result of these influences, warm summers, mild winters, infrequent rainfall and moderate humidity typify climatic conditions through most of the basin. These meteorological conditions, in combination with regional topography, are also conducive to the formation and retention of ozone (O₃).

In the immediate project vicinity, climatic conditions are characterized by mild summers, mild winters, infrequent rainfall, moderate afternoon breezes and generally fair weather. Average annual temperature range from the low- to mid-60s °F. Summer daytime temperatures often reach over 76 degrees °F, and winter daytime temperatures often drop to 45 °F. Due to its proximity to the coast, temperatures in the project vicinity are on average lower than further inland due to the moderating effect of the ocean.

This microclimate is influenced by a marine layer that is characterized by fog or low stratus clouds. This marine layer occurs frequently throughout the year, but is most prevalent during the non-summer months. The stratus clouds generally recede seaward (or “burn off”) during the morning and afternoon and then return during the late afternoon and evening. The project site also experiences a high annual mean relative humidity of 71 percent as compared with some of the more inland areas that have mean relative humidities in the 60s. Average rainfall at Los Angeles International Airport, located within 2 miles of the project site, is approximately 12.5 inches per year.

Figure 5.4-2, Wind Patterns, illustrates the typical observed wind direction and average speed in the basin for both daytime and nighttime wind conditions during the annual seasons. Daytime wind patterns exhibit relatively strong onshore winds from the west and southwest at 3 to 12 miles per hour (mph) in July and January. Daytime wind velocities are on average lower in the months around January as compared with July. Nighttime wind patterns differ from those during the day and are characterized by lower wind velocities and a change in wind direction. As illustrated for nighttime in January, winds flow offshore to the south and southwest at 2 to 8 mph. During many days in July, the onshore wind directions occurring during the day continue throughout the night at 2 to 5 mph, with the exception of the areas near the San Gabriel Mountains where the winds blow down the slopes of the mountains in response to radiational cooling.

Long-term diurnal wind patterns in the general vicinity of the project site are dominated by higher-velocity on-shore daytime winds of 5 to 12 mph from the south and southeast. Diurnal winds from the south and southeast are created by pressure differences between the relatively cold ocean and the unevenly heated land. Nocturnal winds are weaker and flow at speeds of 3 to 5 mph from the north and northeast. Nocturnal winds are created when air along the mountain slopes cools and descends into the lower elevations of the basin towards the ocean. These diurnal and nocturnal wind patterns play an important role in dispersing air pollutants and moderating the temperatures throughout the basin and the project vicinity.²

5.4.1.3 Regional Air Quality

Air pollutants within the basin are primarily generated by two categories of sources: stationary and mobile. Stationary sources are known as “point sources,” which have one or more emission sources at a single facility, or “area sources,” which are widely distributed and produce many small emissions. Point sources are usually associated with manufacturing and industrial uses and include sources such as refinery boilers or combustion equipment that produces electricity or process heat. Examples of “area sources” include residential water heaters, painting operations, lawn mowers, agricultural fields, landfills, and consumer products, such as barbecue lighter fluid or hair spray. “Mobile sources” refer to operational and evaporative emissions from motor vehicles. In 2006, mobile sources accounted for over 95 percent of the carbon monoxide (CO) emissions, approximately 58 percent of the oxides of sulfur (SO_x) emissions, over 91 percent of the NO_x emissions, and over 60 percent of the volatile organic compounds (VOC) found within the basin.^{3,4} Smog is formed when VOC and NO_x undergo photochemical reactions in sunlight to form O₃.

The determination of whether a region’s air quality is healthful or unhealthful is evaluated by comparing contaminant levels in ambient air samples to national and state standards. Health-based air quality standards have been established by California and the federal government for the following seven “criteria” air pollutants: (1) O₃, (2) CO, (3) NO₂, (4) SO₂, (5) PM₁₀, (6) PM_{2.5}, and (7) lead. These standards

² Because of these wind patterns, the Basin both transports and receives air pollutants from the coastal portions of Ventura and Santa Barbara counties that are located in the South Central Coast Air Basin. The South Central Coast Air Basin also receives air pollutants from oil and gas development operations on the outer continental shelf. The 1997 AQMP does not specifically address the control requirements for these adjacent areas. However, the control measures in this plan meet both the CAA and CCAA transport requirements and will assist downwind areas in complying with the federal O₃ air quality standard (South Coast Air Quality Management District, 1997 AQMP, November 1996, p. I-23.).

³ California Air Resources Board. “2006 Estimated Basin Data – South Coast Air Basin.” <http://www.arb.ca.gov/ei/maps/basins/absmap.htm>

⁴ Percentages do not include natural sources.



Typical Summer Daytime Ocean Winds
(noon to 7:00 pm)



Typical Summer Night Drainage Winds
(midnight to 5:00 am)



Typical Winter Daytime Ocean Winds
(noon to 7:00 pm)



Typical Winter Night Drainage Winds
(midnight to 5:00 am)



NOT TO SCALE

SOURCE: South Coast Air Quality Management District, CEQA Air Quality Handbook

FIGURE 5.4-2

Wind Patterns

were established to protect sensitive receptors from adverse health impacts due to exposure to air pollution with a margin of safety. California standards are more stringent than the federal standards and in the case of PM₁₀ and SO₂, much more stringent. California has also established standards for sulfates, visibility reducing particles, hydrogen sulfide and vinyl chloride, none of which have corresponding federal standards. Generally, the sources for hydrogen sulfide emissions include decomposition of human and animal wastes and industrial activities, such as food processing, coke ovens, kraft paper mills, tanneries, and petroleum refineries. There are no such uses or sources generated by the proposed project. Similarly, the sources for vinyl chloride emissions include manufacturing of plastic products, hazardous waste sites, and landfills; and, there are no such uses or sources generated by the proposed project. As a result, there is no need for any further evaluation of the hydrogen sulfide or vinyl chloride emissions associated with this project. In addition, according to the SCAQMD 2003 Air Quality Management Plan, the sulfate and visibility reducing particle standards have not been exceeded anywhere in the basin; and, therefore, due to its size and associated types of air pollution sources, the project is not expected to have any direct impact on those pollutants. Accordingly, this air quality analysis will focus primarily on the seven "criteria" air pollutants identified above.

Each of the air pollutants, inclusive of volatile organic compounds that are relevant to this project and that are of concern in the basin is briefly described below.

- Ozone (O₃). O₃ is a gas that is formed when VOCs and NO_x, both byproducts of internal combustion engine exhaust and other sources, undergo slow photochemical reactions in the presence of sunlight. Ozone concentrations are generally highest during the summer months when direct sunlight, light wind, and warm temperature conditions are favorable to the formation of this pollutant.
- Carbon Monoxide (CO). CO is a colorless, odorless gas produced by the incomplete combustion of fuels. CO concentrations tend to be the highest during winter mornings, with little to no wind, when surface-based inversions trap the pollutant at ground levels. Because CO is emitted directly from internal combustion engines, unlike ozone, and motor vehicles operating at slow speeds are the primary source of CO in the basin, the highest ambient CO concentrations are generally found near congested transportation corridors and intersections.
- Nitrogen Dioxide (NO₂). A reddish-brown, highly reactive gas that is formed in the ambient air through the oxidation of nitric oxide (NO). NO₂ is also a byproduct of fuel combustion. The principle form of NO_x produced by combustion is NO, but NO reacts quickly to form NO₂, creating the mixture of NO and NO₂ referred to as NO_x. NO₂ acts as an acute irritant and, in equal concentrations, is more injurious than NO. At atmospheric concentrations, however, NO_x is only potentially irritating. NO₂ absorbs blue light; the result of which is a brownish-red cast to the atmosphere and reduced visibility.
- Volatile Organic Compounds (VOCs). VOCs are compounds comprised primarily of atoms of hydrogen and carbon. Internal combustion associated with motor vehicle usage is the major source of hydrocarbons. Adverse effects on human health are not caused directly by VOCs, but rather by

reactions of VOCs to form secondary air pollutants, including ozone. VOCs are also referred to as reactive organic compounds (ROCs) or reactive organic gases (ROGs). VOCs themselves are not “criteria” pollutants; however, they contribute to formation of O₃.

- Respirable Particulate Matter (PM₁₀). PM₁₀ consists of extremely small, suspended particles or droplets 10 microns or smaller in diameter. Some sources of PM₁₀, like pollen and windstorms, are naturally occurring. However, in populated areas, most PM₁₀ is caused by road dust, diesel soot, combustion products, abrasion of tires and brakes, and construction activities.
- Fine Particulate Matter (PM_{2.5}). PM_{2.5} refers to particulate matter that is 2.5 micrometers or smaller in size. The sources of PM_{2.5} include fuel combustion from automobiles, power plants, wood burning, industrial processes, and diesel-powered vehicles such as buses and trucks. These fine particles are also formed in the atmosphere when gases such as sulfur dioxide, NO_x, and VOCs are transformed in the air by chemical reactions.
- Sulfur dioxide (SO₂). SO₂ is a colorless, extremely irritating gas or liquid. It enters the atmosphere as a pollutant mainly as a result of burning high-sulfur-content fuel oils and coal and from chemical processes occurring at chemical plants and refineries. When sulfur dioxide oxidizes in the atmosphere, it forms sulfates (SO₄).
- Lead (Pb). Pb occurs in the atmosphere as particulate matter. The combustion of leaded gasoline is the primary source of airborne lead in the basin. The use of leaded gasoline is no longer permitted for on-road motor vehicles, so most such combustion emissions are associated with off-road vehicles such as racecars that use leaded gasoline. Other sources of Pb include the manufacturing and recycling of batteries, paint, ink, ceramics, ammunition, and secondary lead smelters.

Air quality of a region is considered to be in attainment of the state standards if the measured ambient air pollutant levels for O₃, CO, NO₂, PM₁₀, PM_{2.5}, SO₂ (1- and 24-hour), and lead are not exceeded, and all other standards are not equaled or exceeded at any time in any consecutive three-year period. The National Ambient Air Quality Standards (NAAQS) (other than O₃, PM₁₀, PM_{2.5}, and those based on annual averages or arithmetic mean) are not to be exceeded more than once per year. The NAAQS for O₃, PM₁₀, and PM_{2.5} are based on statistical calculations over one- to three-year periods, depending on the pollutant.

The basin is currently designated as nonattainment for O₃, PM₁₀, and CO (federal). These violations are largely due to automotive vehicle emissions from the Los Angeles metropolitan area. Once designated as nonattainment, the federal Clean Air Act (CAA) and the California Clean Air Act (CCAA) require the particular air basin to develop a plan that will reach attainment status. This usually involves the local air quality district (e.g., the SCAQMD), along with the California Air Resources Board (CARB) and the US Environmental Protection Agency (US EPA) adopting emission control measures to cumulatively reduce a particular pollutant emission. Those criteria pollutants currently in attainment within the basin are expected to continue to decrease as control measures and strategies are developed to improve air quality.

The state and national ambient air quality standards for each of the “criteria” pollutants and their effects on health are summarized in **Table 5.4-1, Ambient Air Quality Standards**. **Table 5.4-1** also sets forth the state ambient air quality standards and health effects applicable to sulfates, visibility reducing particles, hydrogen sulfide and vinyl chloride, even though such pollutants are generally not applicable to the proposed uses on the project site.

**Table 5.4-1
Ambient Air Quality Standards**

| Air Pollutant | Concentration/Averaging Time | | Most Relevant Health Effects |
|---------------------------------------------------|------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | State Standard | Federal Primary Standard | |
| Ozone | 0.070 ppm, 8-hr. avg. 0.09 ppm, 1-hr avg. | 0.075 ppm, 8-hr avg. (3-year average of annual 4 th -highest daily maximum) | (a) Short-term exposures: (1) Pulmonary function decrements and localized lung edema in humans and animals; and (2) Risk to public health implied by alterations in pulmonary morphology and host defense in animals; (b) Long-term exposures: Risk to public health implied by altered connective tissue metabolism and altered pulmonary morphology in animals after long-term exposures and pulmonary function decrements in chronically exposed humans; (b) Vegetation damage; and (c) Property damage |
| Carbon Monoxide | 9.0 ppm, 8-hr avg. 20 ppm, 1-hr avg. | 9 ppm, 8-hr avg. 35 ppm, 1-hr avg. | (a) Aggravation of angina pectoris and other aspects of coronary heart disease; (b) Decreased exercise tolerance in persons with peripheral vascular disease and lung disease; (c) Impairment of central nervous system functions; and (d) Possible increased risk to fetuses |
| Nitrogen Dioxide | 0.18 ppm, 1-hr avg. 0.030 ppm, annual arithmetic mean | 0.053 ppm, annual arithmetic mean | (a) Potential to aggravate chronic respiratory disease and respiratory symptoms in sensitive groups; (b) Risk to public health implied by pulmonary and extra-pulmonary biochemical and cellular changes and pulmonary structural changes; and (c) Contribution to atmospheric discoloration |
| Sulfur Dioxide | 0.04 ppm, 24-hr avg. 0.25 ppm, 1-hr avg. | 0.030 ppm, annual arithmetic mean 0.14 ppm, 24-hr avg. | (a) Bronchoconstriction accompanied by symptoms which may include wheezing, shortness of breath and chest tightness, during exercise or physical activity in person with asthma |
| Respirable Particulate Matter (PM ₁₀) | 20 µg/m ³ , annual arithmetic mean 50 µg/m ³ , 24-hr avg. | 150 µg/m ³ , 24-hr avg. | (a) Excess deaths from short-term exposures and exacerbation of symptoms in sensitive patients with respiratory disease; and (b) Excess seasonal declines in pulmonary function, especially in children |

| Air Pollutant | Concentration/Averaging Time | | Most Relevant Health Effects |
|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | State Standard | Federal Primary Standard | |
| Fine Particulate Matter (PM _{2.5}) | 12 µg/m ³ , annual arithmetic mean | 15 µg/m ³ , annual arithmetic mean (3-year average) 35 µg/m ³ , 24-hr avg. (3-year average of 98 th percentile) | (a) Increased hospital admissions and emergency room visits for heart and lung disease; (b) Increased respiratory symptoms and disease; and (c) Decrease lung functions and premature death |
| Sulfates | 25 µg/m ³ , 24-hr avg. | None | (a) Decrease in ventilatory function; (b) Aggravation of asthmatic symptoms; (c) Aggravation of cardio-pulmonary disease; (d) Vegetation damage; (e) Degradation of visibility; and (f) Property damage |
| Lead* | 1.5 µg/m ³ , 30-day avg. | 1.5 µg/m ³ , calendar quarterly average | (a) Increased body burden; and (b) Impairment of blood formation and nerve conduction |
| Visibility-Reducing Particles | In sufficient amount to produce extinction of 0.23 per kilometer due to particles when relative humidity is less than 70%, 8-hour average (10 AM – 6 PM) | None | Visibility impairment on days when relative humidity is less than 70 percent |
| Hydrogen Sulfide | 0.03 ppm, 1-hr avg. | None | Odor annoyance |
| Vinyl Chloride* | 0.01 ppm, 24-hr avg. | None | Known carcinogen |

Source:

¹ California Air Resources Board. "Air Quality Standards." <http://www.arb.ca.gov/research/aaqs/aaqs.htm>.

² South Coast Air Quality Management District. Final Program Environmental Impact Report to the 2003 Draft AQMP (Diamond Bar, California: South Coast Air Quality Management District, August 2003), Table 3.1-1, p. 3.1-2. This report may be reviewed on the SCAQMD website at http://www.aqmd.gov/ceqa/documents/2003/aqmd/finalEA/aqmp/AQMP_FEIR.html.

µg/m³ = microgram per cubic meter.

ppm = parts per million by volume.

* CARB has identified lead and vinyl chloride as "toxic air contaminants" with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

5.4.1.4 Local Air Quality

To monitor the concentrations of the pollutants, the SCAQMD has divided the basin into Source Receptor Areas (SRAs) in which 33 air quality monitoring stations are operated. The project site is located in the Northwest Coastal Los Angeles County SRA (SRA 2). The monitoring station for this area is located at the Veterans Administration Hospital in West Los Angeles. This station monitors emission levels of O₃, CO, NO₂ and sulfate. The nearest station that monitors SO₂ and PM₁₀ is the Hawthorne station in the

Southwest Coastal Los Angeles County SRA (SRA 3).⁵ The nearest station monitoring PM_{2.5} and lead is the North Main Street station in the Central Los Angeles County SRA (SRA 1).

Table 5.4-2, Ambient Pollutant Concentrations Registered in SRA 2, lists the ambient pollutant concentrations registered and the violations of state and federal standards that have occurred at the abovementioned monitoring stations from 2003 through 2007. As shown, the monitoring station has registered values above state and federal standards for O₃. However, the station has not registered any exceedances of the state or federal CO and NO₂ standards in the past five years. Concentrations of sulfur dioxide and lead have not been exceeded anywhere within the basin for several years.

**Table 5.4-2
Ambient Pollutant Concentrations Registered in SRA 2**

| Pollutant | Standards ¹ | Year | | | | |
|-------------------------------------------------------------|------------------------|--------|--------|--------|--------|--------|
| | | 2003 | 2004 | 2005 | 2006 | 2007 |
| OZONE (O₃) | | | | | | |
| Maximum 1-hr concentration (ppm) | | 0.134 | 0.107 | 0.114 | 0.10 | 0.117 |
| Maximum 8-hr concentration (ppm) | | 0.105 | 0.089 | 0.090 | 0.074 | 0.087 |
| Number of days exceeding state 1-hr standard | 0.09 ppm | 11 | 5 | 7 | 3 | 2 |
| Number of days exceeding federal 8-hr standard ² | 0.075 ppm | 1 | 1 | 1 | 0 | 1 |
| CARBON MONOXIDE (CO) | | | | | | |
| Maximum 1-hr concentration (ppm) | | 5 | 4 | 3 | 3 | 3 |
| Maximum 8-hr concentration (ppm) | | 2.7 | 2.3 | 2.1 | 2.0 | 1.9 |
| Number of days exceeding state 8-hr standard | 9.0 ppm | 0 | 0 | 0 | 0 | 0 |
| Number of days exceeding federal 8-hr standard | 9 ppm | 0 | 0 | 0 | 0 | 0 |
| NITROGEN DIOXIDE (NO₂) | | | | | | |
| Maximum 1-hr concentration (ppm) | | 0.12 | 0.09 | 0.08 | 0.08 | 0.08 |
| Annual arithmetic mean concentration (ppm) | | 0.0231 | 0.0198 | 0.0178 | 0.0173 | 0.0200 |
| Number of days exceeding state 1-hr standard ³ | 0.18 ppm | 0 | 0 | 0 | 0 | 0 |
| SULFUR DIOXIDE (SO₂)⁴ | | | | | | |
| Maximum 1-hr concentration (ppm) | | 0.03 | 0.02* | 0.04 | 0.02 | 0.02 |
| Maximum 24-hr concentration (ppm) | | 0.006 | 0.007* | 0.012 | 0.006 | 0.09 |
| Annual arithmetic mean concentration (ppm) | | 0.001 | 0.003* | 0.006 | 0.002 | 0.003 |
| Number of days exceeding state 1-hr standard | 0.25 ppm | 0 | 0 | 0 | 0 | 0 |
| Number of days exceeding state 24-hr standard | 0.04 ppm | 0 | 0 | 0 | 0 | 0 |
| Number of days exceeding federal 24-hr standard | 0.14 ppm | 0 | 0 | 0 | 0 | 0 |
| PARTICULATE MATTER (PM₁₀)⁴ | | | | | | |
| Maximum 24-hr concentration (µg/m ³) | | 58 | 47* | 44 | 45 | 96 |
| Annual arithmetic mean concentration (µg/m ³) | | 29.7 | 25.1* | 22.9 | 26.5 | 27.7 |
| Number of samples exceeding state 24-hr std. | 50 µg/m ³ | 3 | 0 | 0 | 0 | 2 |
| Number of samples exceeding federal 24-hr std. | 150 µg/m ³ | 0 | 0 | 0 | 0 | 0 |
| PARTICULATE MATTER (PM_{2.5})⁵ | | | | | | |
| Maximum 24-hr concentration (µg/m ³) | | 83.7 | 75.0 | 73.7 | 56.2 | 64.2 |
| Annual arithmetic mean concentration (µg/m ³) | | 21.3 | 19.6 | 18.1 | 15.6 | 16.8 |

⁵ The Hawthorne (SRA 3) monitoring station was moved to Los Angeles in 2004. Air monitoring data from 2004, 2005, 2006, and 2007 are from the Los Angeles monitoring station.

| Pollutant | Standards ¹ | Year | | | | |
|----------------------------------------------------------------------------------|------------------------|------|------|------|------|------|
| | | 2003 | 2004 | 2005 | 2006 | 2007 |
| Number of samples exceeding federal 24-hr std. ⁶ LEAD ⁵ | 35 µg/m ³ | 5 | 2 | 2 | 0 | 0 |
| Maximum 30-day average concentration (µg/m ³) | | 0.15 | 0.03 | 0.02 | 0.02 | na |
| Maximum quarterly average concentration (µg/m ³) | | 0.15 | 0.03 | 0.02 | 0.01 | na |
| Number of months exceeding the state standard SULFATE | 1.5 µg/m ³ | 0 | 0 | 0 | 0 | na |
| Maximum 24-hr concentration (µg/m ³) | | 14.3 | 11.4 | 11.7 | 12.2 | na |
| Number of days exceeding state standard | 25 µg/m ³ | 0 | 0 | 0 | 0 | na |

na = not available

* = Less than 12 full months of data. May not be representative.

Sources:

(i) South Coast Air Quality Management District, Air Quality Data (for 2003, 2004, 2005, 2006, and 2007), (Diamond Bar, California: South Coast Air Quality Management District, 2003, 2004, 2005, 2006, and 2007); <http://www.aqmd.gov/smog/historicaldata.htm>.

(ii) California Air Resources Board Air Quality Database <http://www.arb.ca.gov/adam/welcome.html>.

(iii) U.S Environmental Protection Agency Air Quality Database <http://www.epa.gov/air/data/>.

¹ Parts by volume per million of air (ppm), micrograms per cubic meter of air (µg/m³), or annual arithmetic mean (aam).

² The federal 8-hour ozone standard was changed to 0.075 ppm in 2008. Statistics shown on are based on the previous 0.08 ppm standard.

³ The state NO₂ standard was revised to 1-hour average of 0.18 ppm and a new annual arithmetic mean standard of 0.030 ppm was adopted in March 2008. Statistics shown are based on the previous 1-hour standard of 0.25 ppm. The federal standard is annual arithmetic mean (AAM) of 0.053 ppm.

⁴ Pollutant is monitored at Southwest Coastal L.A. County (SRA 3), which is the nearest monitoring station to monitor the particular pollutant. In 2004, the SRA 3 monitoring station was moved from 534 W. 120th St in Hawthorne to 7201 W. Westchester Parkway in Los Angeles. Statistics for 2004 are based on the Los Angeles monitoring station, which accounted for a majority of the monitoring data. Nevertheless, data from 2004 does not contain 12 months of full data and therefore may not be representative.

⁵ Pollutant is monitored at Central L.A. County (SRA 1), which is the nearest monitoring station to monitor the particular pollutant.

⁶ The federal standard for PM_{2.5} was changed to 35 µg/m³ in 2006. Statistics shown are based on the 65 µg/m³ standard. However, in 2006 and 2007, the SRA 1 monitoring station registered 11 and 20 samples, respectively, that exceeded the 35 µg/m³ standard.

Hydrogen sulfide, vinyl chloride and visibility reducing particles were not monitored by CARB or the SCAQMD in Los Angeles County during the period of 2003 to 2007.

The vicinity of the project site is characterized by residential and visitor-serving commercial uses, including a number of hotels, restaurants and marine-oriented commercial development. Emissions sources include stationary activities, such as space heating, cooking and water heating, and mobile activities, primarily automobile and truck traffic.

5.4.1.5 Global Climate Change

5.4.1.5.1 Description of the Greenhouse Effect

Heat retention within our atmosphere is an essential process to sustain life on Earth. The natural process through which heat is retained in the troposphere⁶ is called the “greenhouse effect”. The greenhouse

⁶ The troposphere is the bottom layer of the atmosphere, which varies in height from the Earth’s surface to 10 to 12 kilometers).

effect traps heat in the troposphere through a three-fold process as follows: Short-wave radiation emitted by the Sun is absorbed by the Earth; the Earth emits a portion of this energy in the form of long-wave radiation; and greenhouse gases (GHGs) in the upper atmosphere absorb this long-wave radiation and emit this long-wave radiation into space and toward the Earth. This “trapping” of the long-wave (thermal) radiation emitted back toward the Earth is the underlying process of the greenhouse effect. Without the greenhouse effect, the Earth’s average temperature would be approximately -18 degrees Celsius (°C) (0° F) instead of its present 14°C (57°F).⁷ The most abundant GHGs are water vapor and carbon dioxide. Many other trace gases have greater ability to absorb and re-radiate long-wave radiation; however, these gases are not as plentiful. For this reason, and to gauge the potency of GHGs, scientists have established a Global Warming Potential (GWP) for each GHG based on its ability to absorb and re-radiate long-wave radiation. The GWP of a gas is determined using carbon dioxide as the reference gas with a GWP of 1.

5.4.1.5.2 Greenhouse Gases

5.4.1.5.2.1 Primary Greenhouse Gases

Greenhouse gases include, but are not limited to, the following⁸:

- Water vapor (H₂O). Although water vapor has not received the scrutiny of other GHGs, it is the primary contributor to the greenhouse effect. Water vapor and clouds contribute 66 to 85 percent of the greenhouse effect (water vapor alone contributes 36 to 66 percent).⁹ Natural processes such as evaporation from oceans and rivers and transpiration from plants contribute 90 percent and 10 percent of the water vapor in our atmosphere, respectively.¹⁰ The primary human-related source of water vapor comes from fuel combustion in motor vehicles; however, this is not believed to contribute a significant amount (less than 1 percent) to atmospheric concentrations of water vapor.¹¹ Therefore, the control and reduction of water vapor emissions is not within reach of human actions. The Intergovernmental Panel on Climate Change (IPCC) has not determined a GWP for water vapor.
- Carbon dioxide (CO₂). Carbon dioxide is primarily generated by fossil fuel combustion in stationary and mobile sources. Due to the emergence of industrial facilities and mobile sources in the past 250

⁷ National Climatic Data Center. Global Warming Frequently Asked Questions. <http://www.ncdc.noaa.gov/oa/climate/globalwarming.html>.

⁸ All Global Warming Potentials (GWPs) are given as 100-year GWP. Unless noted otherwise, all GWPs were obtained from the Intergovernmental Panel on Climate Change. *Climate Change 1995: The Science of Climate Change – Contribution of Working Group I to the Second Assessment Report of the IPCC*. Cambridge (UK): Cambridge University Press. 1996.

⁹ Real Climate. Water Vapour: Feedback or Forcing?. <http://www.realclimate.org/index.php?p=142>.

¹⁰ United States Geological Survey. The Water Cycle: Evaporation. <http://ga.water.usgs.gov/edu/watercycleevaporation.html>.

¹¹ Energy Information Administration. Alternatives to Traditional Transportation Fuels 1994. <http://www.eia.doe.gov/cneaf/alternate/page/environment/exec2.html>.

years, the concentration of carbon dioxide in the atmosphere has increased 35 percent.¹² Carbon dioxide is the most widely emitted GHG and is the reference gas (GWP of 1) for determining GWPs for other GHGs. In 2004, 83.8 percent of California's GHG emissions were carbon dioxide.¹³

- Methane (CH₄). Methane is emitted from biogenic sources, incomplete combustion in forest fires, landfills, manure management, and leaks in natural gas pipelines. In the United States, the top three sources of methane come from landfills, natural gas systems, and enteric fermentation.¹⁴ Methane is the primary component of natural gas, which is used for space and water heating, steam production, and power generation. The GWP of methane is 21.
- Nitrous oxide (N₂O). Nitrous oxide is produced by both natural and human-related sources. Primary human-related sources include agricultural soil management, animal manure management, sewage treatment, mobile and stationary combustion of fossil fuel, adipic acid production, and nitric acid production. The GWP of nitrous oxide is 310.
- Hydrofluorocarbons (HFCs). HFCs are typically used as refrigerants for both stationary refrigeration and mobile air conditioning. The use of HFCs for cooling and foam blowing is growing as the continued phase-out of chlorofluorocarbons (CFCs) and hydrochlorofluorocarbons (HCFCs) gains momentum. The GWP of HFCs range from 140 for HFC-152a to 6,300 for HFC-236fa.
- Perfluorocarbons (PFCs). Perfluorocarbons are compounds consisting of carbon and fluorine. They are primarily created as a byproduct of aluminum production and semi-conductor manufacturing. Perfluorocarbons are potent GHGs with a GWP several thousand times that of carbon dioxide, depending on the specific PFC. Another area of concern regarding PFCs is their long atmospheric lifetime (up to 50,000 years).¹⁵ The GWP of PFCs range from 5,700 to 11,900.
- Sulfur hexafluoride. Sulfur hexafluoride is a colorless, odorless, nontoxic, nonflammable gas. It is most commonly used as an electrical insulator in high voltage equipment that transmits and distributes electricity. Sulfur hexafluoride is the most potent GHG that has been evaluated by the IPCC with a GWP of 23,900. However, its global warming contribution is not as high as the GWP would indicate due to its low mixing ratio compared to carbon dioxide (4 parts per trillion [ppt] in 1990 versus 365 parts per million [ppm]).¹⁶

¹² United States Environmental Protection Agency. Inventory of U.S. Greenhouse Gas Emissions and Sinks 1990-2006. 2008.<http://www.epa.gov/climatechange/emissions/usinventoryreport.html>.

¹³ California Energy Commission. Inventory of California Greenhouse Gas Emissions and Sinks 1990 to 2004. Figure 2. 2006.<http://www.energy.ca.gov/2006publications/CEC-600-2006-013/CEC-600-2006-013-SF.PDF>.

¹⁴ United States Environmental Protection Agency. Methane: Sources and Emissions. <http://www.epa.gov/methane/sources.html>.

¹⁵ Energy Information Administration. Other Gases: Hydrofluorocarbons, Perfluorocarbons, and Sulfur Hexafluoride. 2001.http://www.eia.doe.gov/oiaf/1605/gg00rpt/other_gases.html.

¹⁶ United States Environmental Protection Agency. High GWP Gases and Climate Change. <http://www.epa.gov/highgwp/scientific.html#sf6>.

5.4.1.5.2.2 Other Greenhouse Gases

In addition to the six major GHGs discussed above (excluding water vapor), many other compounds have the potential to contribute to the greenhouse effect. Some of these substances were previously identified as stratospheric ozone depletors; therefore, their gradual phase-out is currently in effect. A few of these compounds are discussed below:

- Hydrochlorofluorocarbons (HCFCs). HCFCs are solvents, similar in use and chemical composition to CFCs. The main uses of HCFCs are for refrigerant products and air conditioning systems. As part of the Montreal Protocol, all developed countries that adhere to the protocol are subject to a consumption cap and gradual phase-out of HCFCs. The United States is scheduled to achieve a 100 percent reduction to the cap by 2030. The GWPs of HCFCs range from 93 for HCFC-123 to 2,000 for HCFC-142b.¹⁷
- 1,1,1-trichloroethane. 1,1,1-trichloroethane or methyl chloroform is a solvent and degreasing agent commonly used by manufacturers. In 1992, the US EPA issued Final Rule 57 FR 33754 scheduling the phase out of methyl chloroform by 2002.¹⁸ Therefore, the threat posed by methyl chloroform as a GHG will diminish. Nevertheless, the GWP of methyl chloroform is 110 times that of carbon dioxide.¹⁹
- Chlorofluorocarbons (CFCs). CFCs are used as refrigerants, cleaning solvents, and aerosols spray propellants. CFCs were also part of the US EPA's Final Rule 57 FR 3374 for the phase out of ozone depleting substances. Currently, CFCs have been replaced by HFCs in cooling systems and a variety of alternatives for cleaning solvents. Nevertheless, CFCs remain suspended in the atmosphere contributing to the greenhouse effect. CFCs are potent GHGs with GWPs ranging from 4,600 for CFC-11 to 14,000 for CFC-13.²⁰
- Ozone. Ozone occurs naturally in the stratosphere where it is largely responsible for filtering harmful ultraviolet (UV) radiation. In the troposphere, ozone acts as a GHG by absorbing and re-radiating the infrared energy emitted by the Earth. As a result of the industrial revolution and rising emissions of NO_x and volatile organic compounds (VOCs) (ozone precursors), the concentrations of ozone in the troposphere have increased.²¹ Due to the short life span of ozone in the troposphere, its concentration

¹⁷ United States Environmental Protection Agency. Protection of Stratospheric Ozone: Listing of Global Warming Potential for Ozone-Depleting Substances. <http://www.epa.gov/fedrgstr/EPA-AIR/1996/January/Day-19/pr-372.html>.

¹⁸ United States Environmental Protection Agency. The Accelerated Phase-Out of Class 1 Ozone-Depleting Substances. <http://www.epa.gov/ozone/title6/phaseout/acfact.html>.

¹⁹ United States Environmental Protection Agency. Protection of Stratospheric Ozone: Listing of Global Warming Potential for Ozone-Depleting Substances. <http://www.epa.gov/fedrgstr/EPA-AIR/1996/January/Day-19/pr-372.html>.

²⁰ United States Environmental Protection Agency. Class I Ozone Depleting Substances. <http://www.epa.gov/ozone/ods.html>.

²¹ Intergovernmental Panel on Climate Change. Climate Change 2001: Tropospheric Ozone. http://www.grida.no/climate/ipcc_tar/wg1/142.htm.

and contribution as a GHG is not well established. However, the greenhouse effect of tropospheric ozone is considered small, as the radiative forcing²² of ozone is 25 percent of that of carbon dioxide.²³

5.4.1.5.3 Contributions to Greenhouse Gas Emissions

5.4.1.5.3.1 Global

Anthropogenic GHG emissions worldwide as of 2005 (the latest year for which data are available for Annex I countries) totaled approximately 30,800 CO₂ equivalent million metric tons (MMTCo₂E).²⁴ It should be noted that global emissions inventory data are not all from the same year and may vary depending on the source of the emissions inventory data.²⁵ Six countries and the European Community accounted for approximately 70 percent of the total global emissions (See **Table 5.4-3, Six Top GHG Producer Countries and the European Community**). The GHG emissions in more recent years may be substantially different than those shown in **Table 5.4-3**.

²² Radiative forcing, measured in Watts/m², is an externally imposed perturbation (e.g., stimulated by greenhouse gases) in the radiative energy budget of the Earth's climate system (i.e., energy and heat retained in the troposphere minus energy passed to the stratosphere).

²³ Intergovernmental Panel on Climate Change, "Climate Change 2007: The Physical Science Basis, Summary for Policymakers," http://ipcc-wg1.ucar.edu/wg1/docs/WG1AR4_SPM_PlenaryApproved.pdf. 2007.

²⁴ The CO₂ equivalent emissions are commonly expressed as "million metric tons of carbon dioxide equivalent (MMTCo₂E)" The carbon dioxide equivalent for a gas is derived by multiplying the tons of the gas by the associated GWP, such that MMTCo₂E = (million metric tons of a GHG) × (GWP of the GHG). For example, the GWP for methane is 21. This means that emissions of one million metric tons of methane are equivalent to emissions of 21 million metric tons of CO₂.

²⁵ The global emissions are the sum of Annex I and non-Annex I countries without counting Land-Use, Land-Use Change and Forestry (LULUCF). For countries that 2004 data were unavailable, the UNFCCC data for the most recent year were used. United Nations Framework Convention on Climate Change, "Annex I Parties – GHG total without LULUCF," http://unfccc.int/ghg_emissions_data/ghg_data_from_unfccc/time_series_annex_i/items/3841.php and "Flexible GHG Data Queries" with selections for total GHG emissions excluding LULUCF/LUCF, all years, and non-Annex I countries, <http://unfccc.int/di/FlexibleQueries/Event.do?event=showProjection.n.d>.

Table 5.4-3
Six Top GHG Producer Countries and the European Community

| Emitting Countries | GHG Emissions (MMTCO₂E)* |
|---------------------------|------------------------------------------------|
| United States | 7,241.5 ¹ |
| China | 4,882.7 ² |
| European Community | 4,192.6 ¹ |
| Russian Federation | 2,132.5 ¹ |
| India | 1,606.5 ² |
| Japan | 1,359.9 ¹ |
| Germany ³ | 1,001.5 ¹ |
| Total | 21,415.7 |

Sources:

¹ United Nations Framework Convention on Climate Change http://unfccc.int/ghg_emissions_data/ghg_data_from_unfccc/time_series_annex_i/items/3841.php

² GHG emissions for China and India (Calendar Year 2000) were obtained from the World Resources Institute's Climate Analysis Indicators Tool (CAIT) <http://www.cait.wri.org/cait.php>

³ Germany's GHG emissions are included in the European Community.

* Excludes emissions/removals from land use, land-use change and forestry (LULUCF)

5.4.1.5.3.2 United States

As noted in **Table 5.4-3**, the United States was the top producer of greenhouse gas emissions, as of 2005. Based on GHG emissions in 2004, six of the states—Texas, California, Pennsylvania, Ohio, Illinois, and Florida, in ranked order—would each rank among the top 30 GHG emitters internationally.²⁶ The primary greenhouse gas emitted by human activities in the United States was CO₂, representing approximately 84 percent of total greenhouse gas emissions.²⁷ Carbon dioxide from fossil fuel combustion, the largest source of US greenhouse gas emissions, accounted for approximately 80 percent of US GHG emissions.²⁸

5.4.1.5.3.3 California

Based upon the 2004 GHG inventory data (the latest year available) compiled by CARB for the California 1990 greenhouse gas emissions inventory, California emitted emissions of 484 MMTCO₂E, including

²⁶ World Resources Institute. "How U.S. State GHG Emissions Compare Internationally." <http://earthtrends.wri.org/updates/node/106>.

²⁷ United States Environmental Protection Agency. "Inventory of U.S. Greenhouse Gas Emissions."

²⁸ United States Environmental Protection Agency. "Inventory of U.S. Greenhouse Gas Emissions."

emission resulting from out-of-state electrical generation.²⁹ Based on the CARB inventory and GHG inventories for countries contributing to the worldwide GHG emissions inventory compiled by the United Nations Framework Convention on Climate Change (UNFCCC) for 2005, California's GHG emissions rank second in the United States (Texas is number one) with emissions of 423 MMTCO₂E (excluding emissions related to imported power) and internationally between Ukraine (418.9 MMTCO₂E) and Spain (460.6 MMTCO₂E).³⁰

A California Energy Commission (CEC) emissions inventory report placed CO₂ produced by fossil fuel combustion in California as the largest source of GHG emissions in 2004, accounting for 81 percent of the total GHG emissions.³¹ CO₂ emissions from other sources contributed 2.8 percent of the total GHG emissions, methane emissions 5.7 percent, nitrous oxide emissions 6.8 percent, and the remaining 2.9 percent was composed of emissions of high-GWP gases.³² These high GWP gases are largely composed of refrigerants and a small contribution of sulfur hexafluoride (SF₆) used as insulating materials in electricity transmission and distribution.

The primary contributors to GHG emissions in California are transportation, electric power production from both in-state and out-of-state sources; industry; agriculture and forestry; and other sources, which include commercial and residential activities. These primary contributors to California's GHG emissions and their relative contributions are presented in **Table 5.4-4, GHG Sources in California**.

²⁹ California Air Resources Board. *California 1990 Greenhouse Gas Emissions Level and 2020 Emissions Limit*. November 16, 2007.

³⁰ United Nations Framework Convention on Climate Change, "Annex I Parties – GHG total without LULUCF," http://unfccc.int/ghg_emissions_data/ghg_data_from_unfccc/time_series_annex_i/items/3841.php.

³¹ California Energy Commission, *Inventory of California Greenhouse Gas Emissions and Sinks 1990 to 2004*. 2006.

³² California Energy Commission. *Inventory of California Greenhouse Gas Emissions and Sinks 1990 to 2004*.

Table 5.4-4
GHG Sources in California¹

| Source Category | Annual GHG Emissions (MMTCO ₂ E) ^a | Percent of Total | Annual GHG Emissions (MMTCO ₂ E) ^b | Percent of Total |
|----------------------------|----------------------------------------------------------|------------------|----------------------------------------------------------|------------------|
| Agriculture | 27.9 | 5.8% | 27.9 | 6.6% |
| Commercial Uses | 12.8 | 2.6% | 12.8 | 3.0% |
| Electricity Generation | 119.8 | 24.7% | 58.5 | 13.8% |
| Forestry (excluding sinks) | 0.2 | 0.0% | 0.2 | 0.0% |
| Industrial Uses | 96.2 | 19.9% | 96.2 | 22.7% |
| Residential Uses | 29.1 | 6.0% | 29.1 | 6.9% |
| Transportation | 182.4 | 37.7% | 182.4 | 43.1% |
| Other ^c | 16.0 | 3.3% | 16.0 | 3.8% |
| Totals | 484.4 | 100.0% | 423.1 | 100.0% |

Sources:

¹ California Air Resources Board. California 1990 Greenhouse Gas Emissions Level and 2020 Emissions Limit. November 16, 2007.

^a Includes emissions associated with imported electricity, which account for 61.3 MMTCO₂E annually.

^b Excludes emissions associated with imported electricity.

^c Unspecified combustion and use of ozone-depleting substances.

It should be noted that emissions from each of these economic sectors are not confined to emissions from a single process, since there is cross-over with other sectors. For example, the GHG emissions from cement production places clinker manufacturing in its own category and the fuel used to heat the cement production process within the industrial fuel category. In the case of landfills, methane emissions and CO₂ emissions and sinks are reported in their respective portions of the inventory. Taken together, the CO₂ sinks approximately offset the landfill methane emissions. Additionally, fuel-related GHG emissions from transporting wastes to landfills are included in transportation fuels.

5.4.15.4 Global Climate Change

Climate change refers to any significant change in measures of climate (such as temperature, precipitation, or wind) lasting for an extended period (decades or longer).³³ Climate change may result from:

³³ United States Environmental Protection Agency. Glossary of Climate Change Terms. http://www.epa.gov/climatechange/glossary.html#Climate_change.

- Natural factors, such as changes in the sun's intensity or slow changes in the Earth's orbit around the sun;
- Natural processes within the climate system (e.g., changes in ocean circulation, reduction in sunlight from the addition of GHG and other gases to the atmosphere from volcanic eruptions); and
- Human activities that change the atmosphere's composition (e.g., through burning fossil fuels) and the land surface (e.g., deforestation, reforestation, urbanization, desertification).

5.4.1.5.4.1 Indications of Anthropogenic Influences

The impact of anthropogenic activities on global climate change is readily apparent in the observational record. For example, surface temperature data shows that 11 of the 12 years from 1995 to 2006 rank among the 12 warmest since 1850, the beginning of the instrumental record for global surface temperature.³⁴ In addition, the atmospheric water vapor content has increased since at least the 1980s over land, sea, and in the upper atmosphere, consistent with the capacity of warmer air to hold more water vapor; ocean temperatures are warmer to depths of 3,000 feet; and a marked decline has occurred in mountain glaciers and snow pack in both hemispheres, polar ice and ice sheets in both the arctic and Antarctic regions.³⁵

5.4.1.5.4.2 Influence of Industrialization

Air trapped by ice has been extracted from core samples taken from polar ice sheets to determine the global atmospheric variation of carbon dioxide, methane, and nitrous oxide from before the start of the industrialization, around 1750, to over 650,000 years ago. For that period, it was found that carbon dioxide concentrations ranged from 180 ppm to 300 ppm. For the period from around 1750 to the present, global carbon dioxide concentrations increased from a pre-industrialization period concentration of 280 ppm to 379 ppm in 2005, with the 2005 value far exceeding the upper end of the pre-industrial period range.³⁶ Global methane and nitrous oxide concentrations show similar increases for the same period (see **Table 5.4-5, Comparison of Global Pre-Industrial and Current GHG Concentrations**).

³⁴ Intergovernmental Panel on Climate Change. Climate Change 2007: The Physical Science Basis, Summary for Policymakers. http://ipcc-wg1.ucar.edu/wg1/docs/WG1AR4_SPM_PlenaryApproved.pdf.

³⁵ Intergovernmental Panel on Climate Change. Climate Change 2007: The Physical Science Basis, Summary for Policymakers.

³⁶ Intergovernmental Panel on Climate Change. Climate Change 2007: The Physical Science Basis, Summary for Policymakers.

**Table 5.4-5
Comparison of Global Pre-Industrial and Current GHG Concentrations¹**

| Greenhouse Gas | Early Industrial Period Concentrations (ppm) | Natural Range for Last 650,000 Years (ppm) | 2005 Concentrations (ppm) |
|-----------------------|-----------------------------------------------------|---------------------------------------------------|----------------------------------|
| Carbon Monoxide | 280 | 180 to 300 | 379 |
| Methane | 715 | 320 to 790 | 1774 |
| Nitrous Oxide | 270 | NA | 319 |

Sources:

¹ Intergovernmental Panel on Climate Change. *Climate Change 2007: The Physical Science Basis, Summary for Policymakers*. February 2007.

5.4.1.5.5 Effects of Global Climate Change

The primary effect of global climate change has been a rise in average global tropospheric temperature of 0.2° Celsius per decade, determined from meteorological measurements worldwide between 1990 and 2005.³⁷ Climate change modeling using 2000 emission rates shows that further warming would occur, which would induce further changes in the global climate system during the current century.³⁸ Changes to the global climate system and ecosystems and to California would include, but would not be limited to

- the loss of sea ice and mountain snow pack resulting in higher sea levels and higher sea surface evaporation rates with a corresponding increase in tropospheric water vapor due to the atmosphere's ability to hold more water vapor at higher temperatures;³⁹
- rise in global average sea level primarily due to thermal expansion and melting of glaciers and ice caps, the Greenland and Antarctic ice sheets;⁴⁰

³⁷ Intergovernmental Panel on Climate Change. *Climate Change 2007: The Physical Science Basis, Summary for Policymakers*.

³⁸ Intergovernmental Panel on Climate Change. *Climate Change 2007: The Physical Science Basis, Summary for Policymakers*.

³⁹ Intergovernmental Panel on Climate Change. *Climate Change 2007: The Physical Science Basis, Summary for Policymakers*.

⁴⁰ Intergovernmental Panel on Climate Change. *Climate Change 2007: The Physical Science Basis, Summary for Policymakers*.

- changes in weather that includes, widespread changes in precipitation, ocean salinity, and wind patterns, and more energetic and aspects of extreme weather including droughts, heavy precipitation, heat waves, extreme cold, and the intensity of tropical cyclones;⁴¹
- decline of Sierra snowpack, which accounts for approximately half of the surface water storage in California, by 70 percent to as much as 90 percent over the next 100 years;⁴²
- increase in the number of days conducive to ozone formation by 25 to 85 percent (depending on the future temperature scenario) in high ozone areas of Los Angeles and the San Joaquin Valley by the end of the 21st century;⁴³ and
- high potential for erosion of California's coastlines and sea water intrusion into the Delta and levee systems due to the rise in sea level.⁴⁴

5.4.1.6 Sensitive Receptors

Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved. Sensitive population groups include children, the elderly, the acutely ill, and the chronically ill, especially those with cardiorespiratory diseases. Any facilities that house these sensitive receptors are considered sensitive land uses. Residential areas are considered sensitive to air pollution because residents (including children and the elderly) tend to be at home for extended periods of time. It is, therefore, a primary goal to avoid subjecting these populations to sustained exposure of any pollutants. Recreational land uses are considered moderately sensitive to air pollution. Although exposure periods are generally short, exercise places a high demand on respiratory functions that can magnify the damage caused by air pollution. Industrial and commercial workers are considered the least sensitive to air pollution. Exposure periods are relatively short and intermittent due to a majority of the workers staying indoors. In addition, the working population is generally the healthiest segment of the public.

Sensitive receptors within the project vicinity include residential uses along Tahiti Way, Marquesas Way, Panay Way, Via Marina, Washington Boulevard, Mindanao Way and Fiji Way and the Centinela Freeman Regional Medical Center Marina Campus at 4650 Lincoln Boulevard.

⁴¹ Intergovernmental Panel on Climate Change. Climate Change 2007: The Physical Science Basis, Summary for Policymakers.

⁴² California Environmental Protection Agency, Climate Action Team, Climate Action Team Report to Governor Schwarzenegger and the Legislature (Executive Summary). March 2006.

⁴³ California Environmental Protection Agency, Climate Action Team. Climate Action Team Report to Governor Schwarzenegger and the Legislature (Executive Summary).

⁴⁴ California Environmental Protection Agency, Climate Action Team. Climate Action Team Report to Governor Schwarzenegger and the Legislature (Executive Summary).

5.4.2 REGULATORY AGENCIES AND RESPONSIBILITIES

The SCAQMD has jurisdiction over an area of approximately 10,743 square miles, consisting of the four-county Basin (Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties) and the Riverside County portions of the Salton Sea Air Basin (SSAB) and Mojave Desert Air Basin (MDAB). The project site is located within the basin, which is bound by the Pacific Ocean to the west and the San Gabriel, San Bernardino and San Jacinto mountains to the north and east (see **Figure 5.4-1, South Coast Air Basin**).

Air quality within the basin is addressed through the efforts of various federal, state, regional and local government agencies. These agencies work jointly, as well as individually, to improve air quality through legislation, regulations, planning, policy making, education and a variety of programs. The agencies primarily responsible for improving the air quality within the basin are discussed below along with their individual responsibilities.

5.4.2.1 US Environmental Protection Agency

The US EPA is responsible for enforcing the federal CAA and the NAAQS that it establishes. These standards identify levels of air quality for seven “criteria” pollutants: O₃, CO, NO₂, SO₂, PM₁₀, PM_{2.5}, and lead. The threshold levels are considered to be the maximum concentration of ambient (background) air pollutants determined safe (within an adequate margin of safety) to protect the public health and welfare. The federal ambient air quality standards are listed in **Table 5.4-1**. As indicated, the averaging times for the various pollutants range from 1 hour to annual. The standards are reported as a concentration, in ppm, by volume, or as a weighted mass of material per a volume of air, in micrograms of pollutant per cubic meter of air (µg/m³).

The 1990 CAA Amendments were enacted in order to better protect the public’s health and create more efficient methods of lowering pollutant emissions. The major areas of improvement from the amendments include air basin designations, automobile/heavy duty engine emissions, and toxic air pollutants. The US EPA designates air basins as being in “attainment” or “nonattainment” for each of the seven “criteria” pollutants. Nonattainment air basins are ranked (marginal, moderate, serious, severe, or extreme) according to the degree of the threshold violation. The air basin is then required to submit a State Implementation Plan (SIP) that describes how the state will achieve the federal standards by specified dates. The stringency of emission control measures in a given SIP depends on the severity of the air quality within specific air basin. The status of the basin with respect to NAAQS attainment is summarized in **Table 5.4-6, National Ambient Air Quality Standards and Status – South Coast Air Basin**.

**Table 5.4-6
National Ambient Air Quality Standards and Status
South Coast Air Basin (Los Angeles County)**

| Pollutant | Averaging Time | Designation/Classification |
|---------------------------------------------------|---------------------------------|-----------------------------------|
| Ozone (O ₃) | 8 Hour | Nonattainment/Severe 17 |
| Carbon Monoxide (CO) | 1 Hour, 8 Hour | Attainment |
| Nitrogen Dioxide (NO ₂) | Annual Arithmetic Mean | Attainment/Unclassifiable |
| Sulfur Dioxide (SO ₂) | 24 Hour, Annual Arithmetic Mean | Attainment |
| Respirable Particulate Matter (PM ₁₀) | 24 Hour | Nonattainment/Serious |
| Fine Particulate Matter (PM _{2.5}) | 24 Hour, Annual Arithmetic Mean | Nonattainment |
| Lead (Pb) | Calendar Quarter | Attainment |

Source: Environmental Protection Agency. "Region 9: Air Programs, Air Quality Maps." http://www.epa.gov/region9/air/maps/maps_top.html.

In response to the rapid population growth and its subsequent rise in automobile operations, the 1990 CAA Amendments address tailpipe emissions from automobiles, heavy-duty engines, and diesel fuel engines. The 1990 Amendments established more stringent standards for hydrocarbons, NO_x, and CO emissions in order to reduce ozone and carbon monoxide levels in heavily populated areas. Fuels became more strictly regulated by requiring new fuels to be less volatile, contain less sulfur (regarding diesel fuels), and have higher levels of oxygenates (oxygen-containing substances to improve fuel combustion). The US EPA also has regulatory and enforcement jurisdiction over emission sources beyond state waters (outer continental shelf), and those that are under the exclusive authority of the federal government, such as aircraft, locomotives, and interstate trucking.

Due to the lack of toxic emissions reduction by the 1977 CAA, the 1990 CAA Amendments listed 189 hazardous air pollutants (HAPs) that are carcinogenic, mutagenic, and/or reproductive toxins to be reduced. Title III of the 1990 federal CAA Amendments amended Section 112 of the CAA to replace the former program with an entirely new technology-based program. This program involves identifying all major sources (greater than 10 tons/year of a single HAP or 25 tons/year of combined HAPs) and area sources (i.e., non-major sources) in order to implement maximum achievable control technology (MACT) that will reduce health impacts.

5.4.2.2 California Air Resources Board

CARB, a branch of the California Environmental Protection Agency (CalEPA), oversees air quality planning and control throughout California. It is primarily responsible for ensuring implementation of the CCAA, responding to the federal CAA requirements and for regulating emissions from motor vehicles and consumer products within the state. CARB has established emission standards for vehicles

sold in California and for various types of equipment available commercially. It also sets fuel specifications to further reduce vehicular emissions.

The CCAA established a legal mandate to achieve the California ambient air quality standards by the earliest practicable date. These standards apply to the same seven criteria pollutants as the federal CAA and also include sulfates, visibility reducing particles, hydrogen sulfide and vinyl chloride. They are also more stringent than the federal standards and, in the case of PM₁₀ and SO₂, far more stringent.

Health and Safety Code Section 39607(e) requires CARB to establish and periodically review area designation criteria. These designation criteria provide the basis for CARB to designate areas of the state as “attainment,” “nonattainment,” or “unclassified” for the state standards. In addition, Health and Safety Code Section 39608 requires CARB to use the designation criteria to designate areas of California and to annually review those area designations. CARB makes area designations for 10 criteria pollutants: O₃, CO, NO₂, SO₂, PM₁₀, PM_{2.5}, sulfates, lead, hydrogen sulfide and visibility-reducing particles.⁴⁵ The status of the basin with respect to attainment with the California Ambient Air Quality Standards (CAAQS) is summarized in **Table 5.4-7, California Ambient Air Quality Standards and Status – South Coast Air Basin**, below.

**Table 5.4-7
California Ambient Air Quality Standards and Status
South Coast Air Basin**

| Pollutant | Averaging Time | Designation/Classification |
|---------------------------------------------------|---------------------------------|----------------------------|
| Ozone (O ₃) | 1 Hour, 8 Hour | Nonattainment ¹ |
| Carbon Monoxide (CO) | 1 Hour, 8 Hour | Attainment |
| Nitrogen Dioxide (NO ₂) | 1 Hour | Attainment |
| Sulfur Dioxide (SO ₂) | 1 Hour, 24 Hour | Attainment |
| Respirable Particulate Matter (PM ₁₀) | 24 Hour, Annual Arithmetic Mean | Nonattainment |
| Fine Particulate Matter (PM _{2.5}) | Annual Arithmetic Mean | Nonattainment |

⁴⁵ California Air Resources Board. “Area Designations (Activities and Maps).” <http://www.arb.ca.gov/desig/desig.htm>; Written communication with Marcy Nystrom, California Air Resources Board, 24 December 2003, stating that state law states requires ARB to make area designations for pollutants with state standards listed in California Code of Regulations, Title 17, Section 70200. However, vinyl chloride is not included in this section of the California Code of Regulations; therefore, the ARB does not make area designations for vinyl chloride.

| Pollutant | Averaging Time | Designation/Classification |
|-------------------------------------|---------------------|----------------------------|
| Lead (Pb) ² | 30 Day Average | Attainment |
| Sulfates (SO ₄) | 24 Hour | Attainment |
| Hydrogen Sulfide (H ₂ S) | 1 Hour | Unclassified |
| Vinyl Chloride ² | 24 Hour | Unclassified |
| Visibility Reducing Particles | 8 Hour (10 AM–6 PM) | Unclassified |

Source: California Air Resources Board. "Area Designations Maps/State and National." <http://www.arb.ca.gov/desig/adm/adm.htm>.

¹ CARB has not issued area classifications based on the new state 8-hour standard. The previous classification for the 1-hour ozone standard was Extreme.

² CARB has identified lead and vinyl chloride as "toxic air contaminants" with no threshold level of exposure for adverse health effects determined.

5.4.2.3 Greenhouse Gas Regulatory Programs

5.4.2.3.1 International Activities

5.4.2.3.1.1 Kyoto Protocol

The original Kyoto Protocol was negotiated in December 1997 and came into force on February 16, 2005. As of May 2008, 181 countries and the European Economic Community have ratified the agreement.⁴⁶ Notably however, the US has not ratified the protocol. Participating nations are separated into Annex 1 (i.e., industrialized countries) and Non-Annex 1 (i.e., developing countries) countries that have different requirements for GHG reductions. The goal of the protocol is to achieve overall emissions reduction targets for six GHGs by the period 2008 to 2012. The six GHGs regulated under the protocol are carbon dioxide, methane, nitrous oxide, sulfur hexafluoride, HFCs, and PFCs. Each nation has an emissions reduction target for which they must reduce GHG emissions a certain percentage below 1990 levels (e.g., 8 percent reduction for the European Union, 6 percent reduction for Japan). The average reduction target for nations participating in the Kyoto Protocol is approximately 5 percent below 1990 levels.⁴⁷ Although the United States has not ratified the protocol, it has established an 18 percent reduction in GHG emissions intensity by 2012.⁴⁸ Greenhouse gas intensity is the ratio of GHG emissions to economic output (i.e., gross domestic product).

⁴⁶ United Nations Framework Convention on Climate Change, "Status of Ratification," http://unfccc.int/kyoto_protocol/background/status_of_ratification/items/2613.php. n.d.

⁴⁷ Pew Center on Global Climate Change. Bush Policy vs. Kyoto. http://www.pewclimate.org/what_s_being_done/in_the_world/bush_intensity_targe_2.cfm

⁴⁸ The White House. Addressing Global Climate Change. <http://www.whitehouse.gov/ceq/global-change.html>

5.4.2.3.1.2 Intergovernmental Panel on Climate Change

The World Meteorological Organization (WMO) and United Nations Environmental Program (UNEP) established the Intergovernmental Panel on Climate Change (IPCC) in 1988. The goal of the IPCC is to evaluate the risk of climate change caused by human activities. Rather than performing research or monitoring climate, the IPCC relies on peer-reviewed and published scientific literature to make its assessment. The IPCC assesses information (i.e., scientific literature) regarding human-induced climate change, impacts of human-induced climate change, and options for adaptation and mitigation of climate change. The IPCC reports its evaluation through special reports called “assessment reports.” The latest assessment report (i.e., Fourth Assessment Report, consisting of three working group reports and a synthesis report based on the first three reports) was published in 2007.⁴⁹

5.4.2.3.2 Federal Activities

In *Massachusetts vs. EPA*, the Supreme Court held that US EPA has the statutory authority under Section 202 of the CAA to regulate GHGs from new motor vehicles. The court did not hold that the USEPA was required to regulate GHG emissions; however, it indicated that the agency must decide whether GHGs from motor vehicles cause or contribute to air pollution that is reasonably anticipated to endanger public health or welfare. Upon the final decision, President Bush signed Executive Order 13432 on May 14, 2007, directing the US EPA, along with the Departments of Transportation, Energy, and Agriculture, to initiate a regulatory process that responds to the Supreme Court’s decision. The order requires the US EPA to coordinate closely with other federal agencies and to consider the president’s Twenty-in-Ten plan in this process. The Twenty-in-Ten plan would establish a new alternative fuel standard that would require the use of 35 billion gallons of alternative and renewable fuels by 2017. The US EPA will be working closely with the Department of Transportation in developing new automotive efficiency standards.

5.4.2.3.3 California Activities

5.4.2.3.3.1 AB 1493

In a response to the transportation sector accounting for more than half of California’s CO₂ emissions, Assembly Bill 1493 (AB 1493, Pavley) was enacted on July 22, 2002. AB 1493 required CARB to set GHG emission standards for passenger vehicles, light-duty trucks, and other vehicles determined by the state board to be vehicles whose primary use is noncommercial personal transportation in the state. The bill required that CARB set the GHG emission standards for motor vehicles manufactured in 2009 and all

⁴⁹ The IPCC’s Fourth Assessment Report is available online at <http://www.ipcc.ch/>.

subsequent model years. In setting these standards, CARB must consider cost-effectiveness, technological feasibility, economic impacts, and provide maximum flexibility to manufacturers. CARB adopted the standards in September 2004. These standards are intended to reduce emissions of carbon dioxide and other greenhouse gases (e.g., nitrous oxide, methane). The new standards would phase in during the 2009 through 2016 model years. When fully phased in, the near-term (2009 through 2012) standards will result in reduction of about 22 percent in greenhouse gas emissions compared to the emissions from the 2002 fleet, while the mid-term (2013 through 2016) standards will result in a reduction of about 30 percent. Some currently used technologies that achieve GHG reductions include small engines with superchargers, continuously variable transmissions, and hybrid electric drive.

In December 2004, these regulations were challenged in federal court by the Alliance of Automobile Manufacturers, who claimed that the law regulated vehicle fuel economy, a duty assigned to the federal government. The case had been put on hold by a federal judge in Fresno pending the US Supreme Court's decision in *Massachusetts vs. EPA*. The US Supreme Court's ruling in favor of the state of Massachusetts has been discussed as a likely vindication of state efforts to control GHG emissions. In December 2007, Judge Ishii of the US District Court for the Eastern District dismissed the case by the Alliance of Automobile Manufacturers. However, before these regulations may go into effect, the US EPA must grant California a waiver under the federal Clean Air Act, which ordinarily preempts state regulation of motor vehicle emission standards. Following the issuance of the *Massachusetts vs. EPA* decision, the US EPA announced that it would decide whether to grant California a waiver by December 2007. On December 19, 2007, Stephen Johnson, the US EPA Administrator, denied the waiver citing the need for a national approach to reducing greenhouse gas emissions, the lack of a "need to meet compelling and extraordinary conditions," and the benefits to be achieved through the Energy Independence and Security Act of 2007.⁵⁰ The California Attorney General subsequently filed suit in January 2008 to overturn the administrator's decision.

5.4.2.3.3.2 Executive Order S-3-05

In June 2005, Governor Schwarzenegger established California's GHG emissions reduction targets in Executive Order S-3-05. The Executive Order established the following goals: GHG emissions should be reduced to 2000 levels by 2010; GHG emissions should be reduced to 1990 levels by 2020; and GHG emissions should be reduced to 80 percent below 1990 levels by 2050. The Secretary of CalEPA is required to coordinate efforts of various agencies in order to collectively and efficiently reduce GHGs. Some of the agencies involved in the GHG reduction plan include Secretary of Business, Transportation and Housing Agency, Secretary of Department of Food and Agriculture, Secretary of Resources Agency, Chairperson

⁵⁰ Letter to Governor Arnold Schwarzenegger from Stephen L. Johnson, December 19, 2007.

of CARB, Chairperson of the Energy Commission, and the President of the Public Utilities Commission. Representatives from each of the aforementioned agencies comprise the Climate Action Team. The Climate Action Team is responsible for implementing global warming emissions reduction programs. In order to achieve these goals, the Climate Action Team is organized into two subgroups: the market-based options subgroup and the scenario analysis subgroup. The CalEPA secretary is required to submit a biannual progress report from the Climate Action Team to the governor and state legislature disclosing the progress made toward GHG emission reduction targets. In addition, another biannual report must be submitted illustrating the impacts of global warming on California's water supply, public health, agriculture, the coastline, and forestry, and reporting possible mitigation and adaptation plans to combat these impacts. The Climate Action Team has fulfilled both of these report requirements through its March 2006 Climate Action Team Report to Governor Schwarzenegger and the legislature.⁵¹ Some strategies currently being implemented by state agencies include CARB introducing vehicle climate change standards and diesel anti-idling measures, the Energy Commission implementing building and appliance efficiency standards, and the Cal/EPA implementing their green building initiative. The Climate Action Team also recommends future emission reduction strategies, such as using only low-GWP refrigerants in new vehicles, developing ethanol as an alternative fuel, reforestation, solar power initiatives for homes and businesses, and investor-owned utility energy efficiency programs. According to the report, implementation of current and future emission reduction strategies have the potential to achieve the goals set forth in Executive Order S-3-05.

5.4.2.3.3.3 AB 32

In furtherance of the goals established in Executive Order S-3-05, the legislature enacted Assembly Bill 32 (AB 32, Nunez), the California Global Warming Solutions Act of 2006, which Governor Schwarzenegger signed on September 27, 2006. AB 32 represents the first enforceable statewide program to limit GHG emissions from all major industries with penalties for noncompliance.

CARB has been assigned to carry out and develop the programs and requirements necessary to achieve the goals of AB 32. The foremost objective of CARB is to adopt regulations that require the reporting and verification of statewide GHG emissions. This program will be used to monitor and enforce compliance with the established standards. The first GHG emissions limit is equivalent to the 1990 levels, which are to be achieved by 2020. CARB is also required to adopt rules and regulations to achieve the maximum technologically feasible and cost-effective GHG emission reductions. AB 32 allows CARB to adopt market-based compliance mechanisms to meet the specified requirements. Finally, CARB is ultimately responsible for monitoring compliance and enforcing any rule, regulation, order, emission limitation,

⁵¹ Climate Action Team, *Climate Action Team Report*

emission reduction measure, or market-based compliance mechanism adopted. In order to advise CARB, it must convene an Environmental Justice Advisory Committee and an Economic and Technology Advancement Advisory Committee. By January 2008, the first deadline for AB 32, a statewide cap for 2020 emissions based on 1990 levels and mandatory reporting rules for significant sources of GHGs must be adopted. The following year (January 2009), CARB must adopt a scoping plan indicating how reductions in significant GHG sources will be achieved through regulations, market mechanisms, and other actions.

The first action under AB 32 resulted in the adoption of a report listing early action greenhouse gas emission reduction measures on June 21, 2007. The early actions include three specific GHG control rules. On October 25, 2007, CARB approved an additional six early action GHG reduction measures under AB 32. These early action GHG reduction measures are to be adopted and enforced before January 1, 2010, along with 32 other climate-protecting measures CARB is developing between now and 2011. The report divides early actions into three categories:

- Group 1 - GHG rules for immediate adoption and implementation
- Group 2 - Several additional GHG measures under development
- Group 3 - Air pollution controls with potential climate co-benefits

The original three adopted early action regulations meeting the narrow legal definition of “discrete early action GHG reduction measures” include:

- a low-carbon fuel standard to reduce the “carbon intensity” of California fuels;
- reduction of refrigerant losses from motor vehicle air conditioning system maintenance to restrict the sale of “do-it-yourself” automotive refrigerants; and
- increased methane capture from landfills to require broader use of state-of-the-art methane capture technologies.

The additional six early action regulations adopted on October 25, 2007, also meeting the narrow legal definition of “discrete early action GHG reduction measures,” include:

- reduction of aerodynamic drag, and thereby fuel consumption, from existing trucks and trailers through retrofit technology;
- reduction of auxiliary engine emissions of docked ships by requiring port electrification;
- reduction of perfluorocarbons from the semiconductor industry;

- reduction of propellants in consumer products (e.g., aerosols, tire inflators, and dust removal products);
- requirements that all tune-up, smog check and oil change mechanics ensure proper tire inflation as part of overall service in order to maintain fuel efficiency; and
- restriction on the use of sulfur hexafluoride (SF₆) from non-electricity sectors if viable alternatives are available.

As required under AB 32, on December 6, 2007, CARB approved the 1990 greenhouse gas emissions inventory, thereby establishing the emissions limit for 2020. The 2020 emissions limit was set at 427 MMT CO₂E. The inventory revealed that in 1990 transportation, with 35 percent of the state's total emissions, was the largest single sector, followed by industrial emissions, 24 percent; imported electricity, 14 percent; in-state electricity generation, 11 percent; residential use, 7 percent; agriculture, 5 percent; and commercial uses, 3 percent.

In addition to the 1990 emissions inventory, CARB also adopted regulations requiring mandatory reporting of greenhouse gases for large facilities on December 6, 2007. The mandatory reporting regulations require annual reporting from the largest facilities in the state, which account for 94 percent of greenhouse gas emissions from industrial and commercial stationary sources in California. About 800 separate sources that fall under the new reporting rules and include electricity generating facilities, electricity retail providers and power marketers, oil refineries, hydrogen plants, cement plants, cogeneration facilities, and industrial sources that emit over 25,000 tons of carbon dioxide each year from on-site stationary combustion sources. Transportation sources, which account for 38 percent of California's total greenhouse gas emissions, are not covered by these regulations but will continue to be tracked through existing means. Affected facilities will begin tracking their emissions in 2008, to be reported beginning in 2009 with a phase-in process to allow facilities to develop reporting systems and train personnel in data collection. Emissions for 2008 may be based on best available emission data. Beginning in 2010, however, emissions reports will be more rigorous and will be subject to third-party verification. Verification will take place annually or every three years, depending on the type of facility.

5.4.2.3.3.4 SB 1368

Governor Schwarzenegger, just two days after signing AB 32, reiterated California's commitment to reducing GHGs by signing SB 1368. SB 1368 requires the CEC to develop and adopt regulations for GHG emissions performance standards for the long-term procurement of electricity by local publicly-owned utilities. The CEC must adopt the standards on or before June 30, 2007. These standards must be consistent with the standards adopted by the Public Utilities Commission. This effort will help to protect energy customers from financial risks associated with investments in carbon-intensive generation by

allowing new capital investments in power plants whose GHG emissions are as low or lower than new combined-cycle natural gas plants, by requiring imported electricity to meet GHG performance standards in California and requiring that the standards be developed and adopted in a public process.

5.4.2.3.3.5 Executive Order S-1-07

On January 18, 2007, California further solidified its dedication to reducing GHGs by setting a new Low Carbon Fuel Standard (LCFS) for transportation fuels sold within the state. Executive Order S-1-07 sets a declining standard for GHG emissions measured in CO₂-equivalent gram per unit of fuel energy sold in California. The target of the LCFS is to reduce the carbon intensity of California passenger vehicle fuels by at least 10 percent by 2020. The LCFS will apply to refiners, blenders, producers, and importers of transportation fuels and will use market-based mechanisms to allow these providers to choose how they reduce emissions during the “fuel cycle” using the most economically feasible methods. The Executive Order requires the Secretary of the CalEPA to coordinate with actions of the California Energy Commission (CEC), CARB, the University of California, and other agencies to develop a protocol to measure the “life-cycle carbon intensity” of transportation fuels. CARB is anticipated to complete its review of the LCFS protocols no later than June 2007 and implement the regulatory process for the new standard by December 2008.

5.4.2.3.3.6 SB 97

In August 2007, as part of the legislation accompanying the state budget negotiations, the legislature enacted SB 97 (Dutton), which directs the Governor’s Office of Planning and Research (OPR) to develop guidelines under California Environmental Quality Act (CEQA) for the mitigation of greenhouse gas emissions. OPR is to develop proposed guidelines by July 1, 2009, and the Resources Agency is directed to adopt guidelines by January 1, 2010. On June 19, 2008, OPR issued a technical advisory as interim guidance regarding the analysis of GHG emissions in CEQA documents. The advisory indicated that a project’s GHG emissions, including those associated with vehicular traffic, energy consumption, water usage, and construction activities, should be identified and estimated. The advisory further recommended that the lead agency determine significance of the impacts and impose all mitigation measures that are necessary to reduce GHG emissions to a less than significant level. The advisory did not recommend a specific threshold of significance—either quantitative or qualitative—leaving this to the lead agency’s judgment and discretion, based upon factual data and guidance from regulatory agencies and other sources where available and applicable.

5.4.2.4 Southern California Association of Governments

The Southern California Association of Governments (SCAG) is a council of governments for the Counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura. As a regional planning agency, SCAG serves as a forum for regional issues relating to transportation, the economy, community development and the environment. SCAG also serves as the regional clearinghouse for projects requiring environmental documentation under federal and state law. In this role, SCAG reviews projects to analyze their impacts on SCAG's regional planning efforts.

Although SCAG is not an air quality management agency, it is responsible for several air quality planning issues. Specifically, as the designated Metropolitan Planning Organization (MPO) for the Southern California region, it is responsible, pursuant to Section 176(c) of the 1990 amendments to the CAA, for providing current population, employment, travel and congestion projections for regional air quality planning efforts.

5.4.2.5 South Coast Air Quality Management District

The management of air quality in the basin is the responsibility of the SCAQMD. This responsibility was given to SCAQMD by the California Legislature's adoption of the 1977 Lewis-Presley Air Quality Management Act, which merged four county air pollution control bodies into one regional district. Under the Lewis-Presley Air Quality Act, SCAQMD is responsible for bringing air quality in the areas under its jurisdiction into conformity with federal and state air quality standards. Specifically, SCAQMD is responsible for monitoring ambient air pollutant levels throughout the basin and for developing and implementing attainment strategies to ensure that future emissions will be within federal and state standards. The SCAQMD adopts rules, control measures, and permitting programs that are appropriate for their specific region according to technical feasibility, cost effectiveness, and the severity of nonattainment. The SCAQMD must then implement and enforce compliance with those rules and programs.

5.4.2.5.1 SCAQMD Air Quality Management Plan

The SCAQMD and SCAG have the responsibility of preparing an air quality management plan (AQMP) that addresses both federal and state CAA requirements. The AQMP must specify goals, policies, and programs for improving air quality, and it establishes thresholds for daily operation emissions. A multi-level partnership of governmental agencies at the federal, state, regional, and local levels implement the programs contained in these plans. Agencies involved include the US EPA, CARB, local governments, SCAG, and the SCAQMD. Environmental review of individual projects within the region

must demonstrate whether daily construction and operational emissions exceed thresholds established by the SCAQMD.

The SCAQMD is required to produce plans describing how air quality will be improved. The CCAA requires that these plans be updated triennially in order to incorporate the most recent available technical information. In addition, the US EPA requires that transportation conformity budgets be established based on the most recent planning assumptions (i.e., within the last five years). Plan updates are necessary to ensure continued progress toward attainment and to avoid a transportation conformity lapse and associated federal funding losses. On November 8, 2005, the US EPA issued a final rule outlining the requirements for a new plan to achieve the 8-hour standard. The plan was to be submitted to the US EPA by June 15, 2007 (three years after the attainment designation).

To meet the planning requirements for the 8-hour standard, the SCAQMD published the Draft Final 2007 AQMP, which was adopted by the SCAQMD Governing Board on June 1, 2007. The purpose of the 2007 AQMP for the basin (and those portions of the Salton Sea Air Basin under the SCAQMD's jurisdiction) is to set forth a comprehensive program that will lead these areas into compliance with federal and state air quality planning requirements for ozone and PM_{2.5}. In addition, as part of the 2007 AQMP, the SCAQMD is requesting US EPA's approval of a "bump-up" to the "extreme" nonattainment classification for the basin, which would extend the attainment date to 2024 and allow for the attainment demonstration to rely on emission reductions from measures that anticipate the development of new technologies or improvement of existing control technologies. Although PM_{2.5} plans for nonattainment areas are due in April 2008, the 2007 AQMP also focuses on attainment strategies for the PM_{2.5} standard through stricter control of sulfur oxides, directly-emitted PM_{2.5}, NO_x, and VOCs. The need to commence PM_{2.5} control strategies before April 2008 is due to the attainment date for PM_{2.5} (2015) being much earlier than that for ozone (2021 for the current designation of severe-17 or 2024 for the extreme designation). Control measures and strategies for PM_{2.5} will also help control ozone generation in the region because PM_{2.5} and ozone share similar precursors (e.g., NO_x). The District has integrated PM_{2.5} and ozone reduction control measures and strategies in the 2007 AQMP. In addition, the AQMP focuses on reducing VOC emissions, which have not been reduced at the same rate as NO_x emissions in the past. Hence, the basin has not achieved the reductions in ozone as were expected in previous plans. The AQMP was based on assumptions provided by both CARB and SCAG in the new EMFAC2007 motor vehicle model and the most recent demographics information, respectively. On September 27, 2007, the CARB Board adopted the 2007 SCAQMD AQMP as part of the SIP.

5.4.2.5.2 SCAQMD Rules and Regulations

The SCAQMD is responsible for limiting the amount of emissions that can be generated throughout the basin by various stationary, area and mobile sources. Specific rules and regulations have been adopted by the SCAQMD Governing Board, which limit the emissions that can be generated by various uses/activities and that identify specific pollution reduction measures, which must be implemented in association with various uses and activities. These rules not only regulate the emissions of the federal and state criteria pollutants but also toxic air contaminants (TACs) and acutely hazardous materials. The rules are also subject to ongoing refinement by SCAQMD.

Among the SCAQMD rules applicable to the proposed project are Rule 403, Fugitive Dust, Rule 1113, Architectural Coatings and Rule 1403, Asbestos Emissions from Demolition/Renovation Activities. Rule 403 requires the use of stringent best available control measures to minimize PM₁₀ emissions during grading and construction activities. Rule 1113 will require reductions in the VOC content of coatings, with a substantial reduction in the VOC content limit for flat coatings in July 2008. Compliance with SCAQMD Rule 1403 requires that the owner or operator of any demolition or renovation activity to have an asbestos survey performed prior to demolition and provide notification to the SCAQMD prior to commencing demolition activities.

Stationary emissions sources subject to these rules are regulated through SCAQMD's permitting process. Through this permitting process, SCAQMD also monitors the amount of stationary emissions being generated and uses this information in developing the 2007 AQMP. The project would be subject to SCAQMD rules and regulations to reduce specific emissions and to mitigate potential air quality impacts.

5.4.2.5.3 SCAQMD CEQA Air Quality Handbook

In 1993, the SCAQMD prepared its *CEQA Air Quality Handbook* to assist local government agencies and consultants in preparing environmental documents for projects subject to CEQA. There has been one full update to the document in November 1993, and it is currently undergoing an update process. The document describes the criteria that SCAQMD uses when reviewing and commenting on the adequacy of environmental documents. The handbook recommends thresholds of significance in order to determine if a project will have a significant adverse environmental impact. Other important contents are methodologies for predicting project emissions and mitigation measures that can be taken to avoid or reduce air quality impacts. Although the Governing Board of the SCAQMD has adopted the *CEQA Air Quality Handbook*, it does not, nor does it intend to, supersede a local jurisdiction's CEQA procedures.

The *CEQA Air Quality Handbook* is currently undergoing revision. As of June 2007, the *CEQA Air Quality Handbook* was still undergoing revision. However, the air quality significance thresholds have been

revised, and a new procedure referred to as “localized significance thresholds,” has been added. The *CEQA Air Quality Handbook* and these revised methodologies were used in preparing the air quality analysis in this EIR section.

5.4.2.6 Local Governments

Local governments have the authority and responsibility to reduce air pollution through their police power and land use decision-making authority. Specifically, local governments are responsible for the mitigation of emissions resulting from land use decisions and for the implementation of transportation control measures as outlined in the AQMP.⁵² The AQMP assigns local governments certain responsibilities to assist the basin in meeting air quality goals and policies. In general, a first step toward implementation of a local government’s responsibility is accomplished by identifying air quality goals, policies and implementation measures in its general plan, such as the Air Quality section in the County of Los Angeles General Plan. Through capital improvement programs, local governments can fund infrastructure that contributes to improved air quality, by requiring such improvements as bus turnouts, energy-efficient streetlights and synchronized traffic signals.⁵³ In accordance with the CEQA requirements and the CEQA review process, local governments assess air quality impacts, require mitigation of potential air quality impacts by conditioning discretionary permits, and monitor and enforce implementation of such mitigation.⁵⁴

5.4.3 ENVIRONMENTAL IMPACTS

5.4.3.1 Site-Specific Emissions

The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site is currently developed with 136 apartment units and 198 boat spaces (Parcel 10R) and a surface parking lot (Parcel FF). Parcel 9U is an undeveloped vacant lot. All developed land uses would be removed in order to construct the proposed project.

⁵² South Coast Air Quality Management District, *CEQA Air Quality Handbook* (Diamond Bar, California: South Coast Air Quality Management District, April 1993), p. 2-2.

⁵³ South Coast Air Quality Management District. *CEQA Air Quality Handbook*. p. 2-2.

⁵⁴ South Coast Air Quality Management District. *CEQA Air Quality Handbook*. p. 2-2.

Under existing conditions, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site generates the following air emissions summarized in **Table 5.4-8, Existing Project Site Air Emissions**.

**Table 5.4-8
Existing Project Site Air Emissions**

| Emissions Source | Emissions in Pounds per Day | | | | | |
|-----------------------------------------|-----------------------------|-------|-----------------|-----------------|------------------|-------------------|
| | CO | VOC | NO _x | SO _x | PM ₁₀ | PM _{2.5} |
| Summertime Emissions¹ | | | | | | |
| Operational (Mobile) Sources | 132.77 | 13.67 | 13.93 | 0.10 | 16.41 | 3.20 |
| Area Sources | 4.01 | 7.88 | 1.37 | 0.00 | 0.01 | 0.01 |
| Summertime Emission Totals: | 136.78 | 21.55 | 15.30 | 0.10 | 16.42 | 3.21 |
| Wintertime Emissions² | | | | | | |
| Operational (Mobile) Sources | 129.37 | 13.59 | 16.91 | 0.08 | 16.41 | 3.20 |
| Area Sources | 0.57 | 7.59 | 1.33 | 0.00 | 0.00 | 0.00 |
| Wintertime Emission Totals: | 129.94 | 21.18 | 18.24 | 0.08 | 16.41 | 3.20 |

Source: Impact Sciences, Inc. Emissions calculations are provided in **Appendix 5.4**.

Totals in table may not appear to add exactly due to rounding in the computer model calculations.

¹ "Summertime Emissions" are representative of worst-case conditions that may occur during O₃ season (May 1 to October 31).

² "Wintertime Emissions" are representative of worst-case conditions that may occur during the balance of the year (November 1 to April 30).

In addition, the existing sources generated GHG emissions, which were quantified using the methods described in **subsection 5.4.3.4.1.7**. Direct emissions of GHG due to fuel combustion in motor vehicles and building heating systems are associated with the existing uses. In addition, indirect GHG emissions are associated with the electrical demand, as well as with the electrical demand resulting from the provision of water to the existing uses, electrical demand and process emissions due to wastewater treatment, and decomposition of solid waste generated by the existing uses. The existing GHG emissions are summarized in **Table 5.4-9, Existing Operational Greenhouse Gas Emissions**.

**Table 5.4-9
Existing Operational Greenhouse Gas Emissions**

| Emissions Source | Emissions in Metric Tons CO ₂ E Per Year |
|------------------------------|-----------------------------------------------------|
| Direct GHG Emissions | |
| Operational (Mobile) Sources | 1,651 |
| Area Sources | 284 |
| Total Direct GHG Emissions | 1,935 |
| Indirect GHG Emissions | |
| Electrical Generation | 380 |
| Water Supply | 8 |
| Wastewater Treatment | 20 |
| Solid Waste | 16 |
| Total Indirect GHG Emissions | 424 |
| Existing GHG Emissions | 2,359 |

Source: Impact Sciences, Inc. Emissions calculations are provided in Appendix 5.4.

5.4.3.2 Project Improvements

Implementation of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in the development of 526 residential dwelling units, a 19-story building with 288 hotel and timeshare suites with an assortment of accessory patron- and visitor- serving uses, 174 private and between 7 and 11 public/transient boat spaces and a restored public wetland and upland park area. There are 136 existing apartments and 198 boat spaces presently on site. Therefore, completion of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in a net increase of 390 apartment units, 288 hotel and timeshare suites, a net decrease of up to 17 boat spaces, a 0.47-acre public wetland and 0.99-acre upland park area.

5.4.3.3 Thresholds of Significance

New and modified projects will often affect regional air quality, both directly and indirectly. When determining the extent of a project's environmental impact and the significance of such impact, the project should be compared with established thresholds of significance. The following discusses the thresholds set forth by the SCAQMD for both construction and operational emissions that would be generated by the project.

5.4.3.3.1 Construction Emission Thresholds

The SCAQMD recommends that projects with construction-related emissions that exceed any of the following emissions thresholds should be considered significant:

- 550 pounds per day of CO;
- 75 pounds per day of VOC;
- 100 pounds per day of NO_x;
- 150 pounds per day of SO_x;
- 150 pounds per day of PM₁₀; and
- 55 pounds per day of PM_{2.5}.

In addition to the above listed emission-based thresholds, the SCAQMD also recommends that the potential impacts on ambient air concentrations due to construction emissions be evaluated.

This evaluation requires that anticipated ambient air concentrations, determined using a computer-based air quality dispersion model, be compared to localized significance thresholds for PM₁₀, PM_{2.5}, NO₂ and CO.⁵⁵

The SCAQMD's concentration-based PM₁₀ threshold from its Localized Significance Threshold Methodology (LST Methodology)⁵⁶ is a 24-hour average concentration of 10.4 micrograms per cubic meter (µg/m³) based on compliance with Rule 403 (Fugitive Dust). The threshold for PM_{2.5}, which is also 10.4 µg/m³, is intended to constrain emissions so as to aid in progress toward attainment of the ambient air quality standards.⁵⁷ The thresholds for NO₂ and CO are based on the maximum concentrations that occurred during the last three years (2005 through 2007) as shown in **Table 5.4-10, Localized Significance Thresholds for SRA 2**. These thresholds represent the allowable increase in NO₂ and CO concentrations above background levels in the vicinity of the project that would not cause or contribute to an exceedance of the relevant ambient air quality standards. The localized significance thresholds for SRA 2 (Northwest Coastal Los Angeles) along with the relevant CAAQS or NAAQS are shown in **Table 5.4-10**.

⁵⁵ South Coast Air Quality Management District, *Final Localized Significance Threshold Methodology*, June 2008. This methodology includes "lookup tables" that can be used to determine the maximum allowable emissions that would satisfy the localized significance criteria; however, these tables may be used only for project sites less than 5 acres in overall area.

⁵⁶ South Coast Air Quality Management District, *Final Localized Significance Threshold Methodology*, June 2008.

⁵⁷ South Coast Air Quality Management District, *Final Methodology to Calculate Particulate Matter (PM) 2.5 and PM 2.5 Significance Thresholds*, October 2006.

**Table 5.4-10
Localized Significance Thresholds for SRA 2**

| Pollutant | Averaging Period | CAAQS/NAAQS ¹ | | Peak Conc. in ppm | LST Criteria ² | |
|---------------------------------------------------|---------------------|--------------------------|------|-------------------------|---------------------------|------|
| | | µg/m ³ | ppm | | µg/m ³ | ppm |
| Respirable Particulate Matter (PM ₁₀) | 24 hours | 50 | NA | NA | 10.4 | NA |
| Fine Particulate Matter (PM _{2.5}) | 24 hours | 35 | NA | NA | 10.4 | NA |
| Nitrogen Dioxide (NO ₂) | 1 hour | 338 | 0.18 | 0.08 | 188 | 0.10 |
| Carbon Monoxide (CO) | 1 hour | 23,000 | 20 | 3 | 19,454 | 17 |
| Carbon Monoxide (CO) | 8 hours | 10,000 | 9.0 | 2.1 | 7,896 | 6.9 |

Source. South Coast Air Quality Management District, Final Localized Significance Threshold Methodology, June 2008.

¹ California has not adopted a 24-hour AAQS for PM_{2.5}; the 24-hour PM_{2.5} AAQS shown is the national standard. All other standards are the California standards.

² LST Criteria for NO₂ and CO are the difference between CAAQS and the Peak Concentrations during the last three years (see Table 5.4-2).

5.4.3.3.2 Operational Emission Thresholds

The SCAQMD has recommended two types of air pollution thresholds to assist lead agencies in determining whether or not the operational phase of a project's development would be significant. These are identified in the following discussion under **Emission Significance Thresholds and Other Indicators of Potential Air Quality Impacts**. The SCAQMD recommends that a project's impacts be considered significant if either of these thresholds are exceeded.

5.4.3.3.2.1 Emission Significance Thresholds

The SCAQMD has established these thresholds, in part based on Section 182(e) of the Federal CAA, which identifies 10 tons a year of VOC or NO_x as the significance threshold for stationary sources of emissions in extreme nonattainment areas for O₃.⁵⁸ As discussed earlier, VOC and NO_x undergo photochemical reactions in sunlight to form O₃. The basin was an extreme nonattainment area for O₃ at the time the significance thresholds were established. This emission threshold has been converted to a pound-per-day threshold for the operational phase of a project. Thresholds for other emissions have been identified based on regulatory limits set by the SCAQMD. Because they are converted from a CAA threshold, the SCAQMD believes that these thresholds are based on scientific and factual data.⁵⁹

⁵⁸ South Coast Air Quality Management District, *CEQA Air Quality Handbook* (Diamond Bar, California: South Coast Air Quality Management District, April 1993), p. 6-1.

⁵⁹ South Coast Air Quality Management District, *CEQA Air Quality Handbook* (Diamond Bar, California: South Coast Air Quality Management District, April 1993), p. 6-1.

Therefore, the SCAQMD recommends that the following thresholds be used by lead agencies in making a determination of operation-related project significance:

- 550 pounds per day of CO;
- 55 pounds per day of VOC;
- 55 pounds per day of NO_x;
- 150 pounds per day of SO_x;
- 150 pounds per day of PM₁₀; and
- 55 pounds per day of PM_{2.5}.

5.4.3.3.2.2 Other Indicators of Potential Air Quality Impacts

The SCAQMD recommends that projects meeting any of the following criteria also be considered to have significant air quality impacts:

- The project could interfere with the attainment of the federal or state ambient air quality standards by either violating or contributing to an existing or projected air quality violation.
- The project could result in population increases within an area, which would be in excess of that projected by SCAG in the AQMP, or increase the population in an area where SCAG has not projected that growth for the project's buildout year.
- The project could generate vehicle trips that cause a CO hotspot or project could be occupied by sensitive receptors that are exposed to a CO hotspot.
- The project will have the potential to create, or be subjected to, an objectionable odor that could impact sensitive receptors.
- The project will have hazardous materials on site and could result in an accidental release of toxic air emissions or acutely hazardous materials posing a threat to public health and safety.
- The project could emit a toxic air contaminant regulated by SCAQMD rules or that is on a federal or state air toxic list.
- The project could be occupied by sensitive receptors within 0.25 mile of an existing facility that emits air toxics identified in SCAQMD Rule 1401.
- The project could emit carcinogenic or toxic air contaminants that individually or cumulatively exceed the maximum individual cancer risk of 10 in one million.

An evolving air quality issue is the impact of a project's greenhouse gas emissions on global climate. To date, no state or local air quality agencies have established numerical or qualitative thresholds for

assessing this issue. Nonetheless, the project's contribution of greenhouse gases will be estimated to the extent feasible, and this issue will be evaluated.

The following discussion reviews the project's potential impacts relative to each of the recommended significance criteria identified above.

5.4.3.3.2.3 Wind Impacts

The certified Marina del Rey Land Use Plan restricts development of structures that would significantly impede wind access to the boats in Marina del Rey. Therefore, if the proposed project significantly affects wind patterns in the small-craft harbor to the disadvantage of boat traffic, it would result in a significant wind impact. This criterion will also be evaluated as a whole and for each project component.

5.4.3.4 Impact Analysis

The applicable thresholds of significance are listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts, if applicable.

5.4.3.4.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

5.4.3.4.1.1 Threshold: The project will generate air pollutant quantities in excess of established SCAQMD emissions thresholds.

Analysis: Development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would generate air emissions from a wide variety of stationary, area, and mobile sources. Fugitive dust (PM₁₀ and PM_{2.5}) would be generated by on-site construction activities. Once the proposed uses are occupied, emissions would be generated by stationary and area sources such as water and space heaters, landscape maintenance equipment and consumer products. Stationary and source emissions could also result from the operation of certain types of commercial business, such as restaurants, within the project site. Mobile source emissions would be generated by motor vehicle travel associated with construction activities and occupancy of the proposed development. An assessment of construction and operational emissions are presented below based on the methodologies recommended in the SCAQMD's *CEQA Air Quality Handbook*.

Demolition, Excavation/Grading and Construction Impacts: During development of the proposed project, criteria pollutant emissions would be generated due to heavy-duty construction equipment, grading activities, construction-worker trips, and construction material vendor trips. In addition, VOC emissions would consist of evaporative emissions from architectural coatings, asphalt paving, and building materials (i.e., paints, solvents, roofing materials, etc.). This analysis assumed that only readily available surface-coating materials meeting all current SCAQMD rules would be used to paint the surfaces of the proposed structures (materials not meeting SCAQMD rules are not available for sale or use within the basin). As discussed below, the emissions associated with demolition, excavation and grading and construction of all the project components would exceed the SCAQMD emission thresholds of significance for NO_x, as well as cause localized significant ambient air quality impacts for PM₁₀, PM_{2.5}, and NO₂. If only one of these project components were constructed at a time, the emissions would still exceed these significance thresholds, and the construction phase would cause significant short-term air quality impacts. **Table 5.4-11, Estimated Unmitigated Demolition, Excavation/Grading and Construction Emissions – Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and**

Timeshare Resort Project, identifies maximum daily emissions occurring in a construction year for each development parcel based on information provided by the project applicants and default construction values generated by URBEMIS2007 Version 9.2.4. URBEMIS2007 is a land use and transportation model that estimates construction equipment and emissions for development projects. It should be noted that the maximum daily emissions from each parcel would not necessarily overlap and **Table 5.4-11** provides a conservative estimate of project-related construction emissions.

Table 5.4-11
Estimated Unmitigated Demolition, Excavation/Grading and Construction Emissions
Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

| Construction Year/Parcel | Emissions in Pounds per Day | | | | | |
|-------------------------------|-----------------------------|-------|-----------------|-----------------|------------------|-------------------|
| | CO | VOC | NO _x | SO _x | PM ₁₀ | PM _{2.5} |
| 2009 | | | | | | |
| Parcel 10R | 44.71 | 9.38 | 88.71 | 0.05 | 41.73 | 11.96 |
| Woodfin Suite Hotel | 71.45 | 20.01 | 113.21 | 0.02 | 13.81 | 5.98 |
| Maximum 2009 Emissions | 116.16 | 29.39 | 201.92 | 0.07 | 55.54 | 17.94 |
| 2010 | | | | | | |
| Parcel 10R | 80.78 | 14.95 | 112.68 | 0.07 | 47.72 | 13.81 |
| Parcel FF | 7.11 | 1.51 | 11.75 | 0.00 | 1.51 | 0.78 |
| Woodfin Suite Hotel | 56.83 | 19.40 | 90.16 | 0.01 | 4.76 | 4.34 |
| Wetland Park | 16.21 | 3.36 | 22.39 | 0.01 | 1.65 | 1.50 |
| Maximum 2010 Emissions | 160.93 | 39.22 | 236.98 | 0.09 | 55.64 | 20.43 |
| 2011 | | | | | | |
| Parcel 10R | 66.40 | 14.15 | 75.27 | 0.06 | 4.37 | 3.87 |
| Parcel FF | 34.26 | 6.84 | 52.85 | 0.02 | 13.69 | 4.39 |
| Maximum 2011 Emissions | 100.66 | 20.99 | 128.12 | 0.08 | 18.06 | 8.26 |
| 2012 | | | | | | |
| Parcel 10R | 63.15 | 13.58 | 68.97 | 0.06 | 4.05 | 3.58 |
| Parcel FF | 23.82 | 6.61 | 34.74 | 0.02 | 1.71 | 1.53 |
| Maximum 2012 Emissions | 86.97 | 20.19 | 103.71 | 0.08 | 5.76 | 5.11 |
| Maximum Emissions in Any Year | 160.93 | 39.22 | 236.98 | 0.09 | 55.64 | 20.43 |
| SCAQMD Thresholds | 550 | 75 | 100 | 150 | 150 | 55 |
| Exceeds Thresholds? | NO | NO | YES | NO | NO | NO |

Source: Impact Sciences, Inc. Emissions calculations are provided in **Appendix 5.4**.

Note: Emissions for each parcel represent the maximum daily emissions occurring in the particular construction year.

Totals in table may not appear to add exactly due to rounding in the computer model calculations.

As shown, the recommended threshold of significance for NO_x would be exceeded during each year of construction activities primarily due to the operation of heavy-duty construction equipment.

Nevertheless, other construction-related sources such as construction worker trips and vendor trips would also generate NO_x emissions. As shown in **Table 5.4-11**, no other significance threshold is anticipated to be exceeded during construction of the proposed project; however, construction of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort would cause significant impacts for NO_x.

Demolition, Excavation/Grading and Construction Impacts; Localized Significance Thresholds: An analysis of the impacts of the emissions resulting from the concurrent construction of the Neptune Marina Parcel 10R, the Neptune Marina Parcel FF, Woodfin Suite Hotel and Timeshare Resort Project, and Restored Wetland and Upland Buffer on ambient concentrations of PM₁₀, PM_{2.5}, NO₂ and CO was conducted. This analysis determined the ambient air quality impacts due to construction activities on the day with the highest estimated daily mass emission rates. For this analysis, a more detailed evaluation of the construction activities (e.g., demolition, grading, building construction, and/or asphalt paving) that would occur simultaneously was performed. The methodology and results are described in detail in **Appendix 5.4**. The results of the dispersion modeling analysis are compared to the localized significance thresholds in **Table 5.4-12, Localized Significance Thresholds Analysis – Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project**. As shown, the construction of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort would cause localized significant impacts for PM₁₀, PM_{2.5}, and NO₂.

Table 5.4-12
Localized Significance Thresholds Analysis
Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

| Pollutant | Averaging Period | Modeling Results | | LST Criteria | | Exceeds Threshold? |
|---------------------------------------------------|------------------|-------------------|------|-------------------|------|--------------------|
| | | µg/m ³ | ppm | µg/m ³ | ppm | |
| Respirable Particulate Matter (PM ₁₀) | 24 hours | 75.8 | NA | 10.4 | NA | YES |
| Fine Particulate Matter (PM _{2.5}) | 24 hours | 26.4 | NA | 10.4 | NA | YES |
| Nitrogen Dioxide (NO ₂) | 1 hour | 351 | 0.19 | 188 | 0.10 | YES |
| Carbon Monoxide (CO) | 1 hour | 6,373 | 5.6 | 19,454 | 17 | NO |
| Carbon Monoxide (CO) | 8 hours | 3,398 | 3.0 | 7,896 | 6.9 | NO |

Source: South Coast Air Quality Management District, Final Localized Significance Threshold Methodology, June 2008.

¹ LST Criteria for NO₂ and CO are the difference between CAAQS and the Peak Concentrations during the last three years (see **Table 5.4-2**).

Project construction would involve the demolition and removal of existing structures located on the Parcel 10R site. Demolition of the existing structures would be a potential hazard if the buildings contained asbestos fibers. The existing buildings were constructed in the 1960s. Typically, buildings built before 1978 are considered to have a higher probability of containing asbestos fibers; however, under

SCAQMD Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities), all buildings must be properly inspected for the presence of asbestos. Demolition of all existing structures must comply with the precautionary requirements specified in Rule 1403. All structures must be stabilized and removed in accordance with applicable regulations including Rule 1403. This rule is intended to limit asbestos emissions from demolition or renovation of structures and the associated disturbance of asbestos-containing waste material generated or handled during these activities. The rule addresses the US EPA NESHAP and provides additional requirements to cover non-NESHAP areas. The rule requires that the SCAQMD be notified before any demolition or renovation activity occurs. This notification includes a description of the structures and methods utilized to determine the presence or absence of asbestos. All asbestos-containing material found on the site must be removed prior to demolition or renovation activity. As part of project implementation, the project applicant must comply with the requirements of Rule 1403. Project compliance with Rule 1403 would ensure that asbestos-containing materials would be removed and disposed of appropriately. With adherence to this applicable regulation, the potential for significant adverse health impacts would be reduced to less than significant level.

Operational Impacts; Daily Emissions: Operational emissions would be generated by area, mobile, and possibly stationary, sources as a result of normal day-to-day activities at the project site. Although the development of the 1.46-acre Restored Wetland and Upland Buffer and between 7 and 11 public/transient boat spaces would only generate approximately 50 vehicle trips per day, the operational emissions generated by these components were included in this analysis as a conservative estimate. Project area and mobile source emissions from Neptune Marina Parcel 10R, the Neptune Marina Parcel FF, Woodfin Suite Hotel and Timeshare Resort Project, and the Restored Wetland and Upland Buffer as estimated using URBEMIS2007 for the operational year 2013⁶⁰ (project buildout year) are shown in **Table 5.4-13, Estimated Operational Emissions without Mitigation – Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project**. The values shown are the total of those values in **Table 5.4-20, Estimated Operational Emissions without Mitigation – Neptune Marina Parcel 10R**, **Table 5.4-26, Estimated Operational Emissions without Mitigation – Neptune Marina Parcel FF**, **Table 5.4-32, Estimated Operational Emissions without Mitigation – Woodfin Suite Hotel and Timeshare Resort**, and **Table 5.4-38, Estimated Operational Emissions Without Mitigation – Restored Wetland and Upland Buffer**. Due to the demolition of the existing apartments on the site on which the Neptune Marina Parcel 10R would be constructed, the emissions associated with the existing land uses and the net emissions are also shown in **Table 5.4-13** and **Table 5.4-20**.

⁶⁰ Although some components of the proposed project would be completed prior to 2013 (e.g., Woodfin Suite Hotel and Timeshare Resort would be built out by 2011), all components of the proposed project would be fully operational in 2013.

Table 5.4-13
Estimated Operational Emissions without Mitigation
Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

| Emissions Source | Emissions in Pounds per Day | | | | | |
|-----------------------------------------|-----------------------------|-------|-----------------|-----------------|------------------|-------------------|
| | CO | VOC | NO _x | SO _x | PM ₁₀ | PM _{2.5} |
| Summertime Emissions¹ | | | | | | |
| Operational (Mobile) Sources | 326.64 | 30.09 | 35.67 | 0.42 | 69.00 | 13.40 |
| Area Sources | 11.88 | 29.89 | 7.56 | 0.00 | 0.05 | 0.05 |
| Summertime Emission Totals: | 338.52 | 59.98 | 43.23 | 0.42 | 69.05 | 13.45 |
| Emissions Due To Existing Land Uses: | 136.78 | 21.55 | 15.30 | 0.10 | 16.42 | 3.21 |
| Net Increase In Emissions | 201.74 | 38.43 | 27.93 | 0.32 | 52.63 | 10.24 |
| Recommended Threshold: | 550 | 55 | 55 | 150 | 150 | 55 |
| Exceeds Threshold? | NO | NO | NO | NO | NO | NO |
| Wintertime Emissions² | | | | | | |
| Operational (Mobile) Sources | 310.39 | 30.00 | 42.99 | 0.34 | 69.00 | 13.40 |
| Area Sources | 4.14 | 29.28 | 7.46 | 0.00 | 0.01 | 0.01 |
| Wintertime Emission Totals: | 314.53 | 59.28 | 50.45 | 0.34 | 69.01 | 13.41 |
| Emissions Due To Existing Land Uses: | 129.94 | 21.18 | 18.24 | 0.08 | 16.41 | 3.20 |
| Net Emissions | 184.59 | 38.10 | 32.21 | 0.26 | 52.60 | 10.21 |
| Recommended Threshold: | 550 | 55 | 55 | 150 | 150 | 55 |
| Exceeds Threshold? | NO | NO | NO | NO | NO | NO |

Source: Impact Sciences, Inc. Emissions calculations are provided in **Appendix 5.4**.

Totals in table may not appear to add exactly due to rounding in the computer model calculations.

¹ "Summertime Emissions" are representative of worst-case conditions that may occur during the O₃ season (May 1 to October 31).

² "Wintertime Emissions" are representative of worst-case conditions that may occur during the balance of the year (November 1 to April 30).

As shown in **Table 5.4-13**, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project at full buildout and operation would not generate a net increase in emissions that would exceed SCAQMD recommended thresholds for any criteria pollutants. Therefore, the operational emissions of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would not result in a significant air quality impact.

Operational Impacts; Wind: Rowan Williams Davies & Irwin, Inc. (RWDI) prepared a wind study for the proposed projects to assess the project's development and/or building placement on wind patterns within the marina, loss of surface winds used by birds and sailboats and general air circulation (this report is included in **Appendix 5.4** in its entirety). The study concluded:

From the results of this wind study, it has been concluded that the proposed Neptune Marina will produce similar wind conditions over a majority of the areas of Marina del Rey. There will be localized areas of altered wind directions and speeds at the west end of Basins B and C. The change in wind conditions noted at the west end of Basins B and C is assumed not to be significant as boats would be under power at this location in the marina. The overall wind conditions predicted with the proposed and expected future developments are similar to those presently experienced in

and around the marina and, therefore, the general air circulation patterns and the use of surface winds by birds will not be affected.

Operational Impacts; Additional Indicators: As previously discussed, the SCAQMD lists criteria indicating when a project may create potential air quality impacts. These criteria are listed below along with an analysis of whether or not the project meets any of them. If a project meets any one of the criteria, project air quality impacts would be significant relative to that criterion.

5.4.3.4.1.2 Threshold: The project could interfere with the attainment of the federal or state ambient air quality standards by either violating or contributing to an existing or projected air quality violation.

Analysis: SCAQMD's *CEQA Air Quality Handbook* indicates that an air quality modeling analysis would need to be performed to identify the project's impact on ambient air quality.⁶¹ In order for a project to be found consistent with applicable AQMP, the analysis would have to demonstrate that the project's emissions would not increase the frequency or the severity of existing air quality violations, or contribute to a new violation.⁶² The CO analysis for traffic emissions described below assesses the potential ambient air quality impacts with respect to this pollutant. Furthermore, URBEMIS2007 was used to calculate project emissions for comparison with thresholds addressing regional significance. The estimated operational emissions due to proposed project are found to be less than significant. Hence, the project is not expected to violate ambient air quality standards or contribute to an existing or projected air quality violation.

5.4.3.4.1.3 Threshold: The project could result in population increases within an area, which would be in excess of that projected by SCAG in the AQMP, or increase the population in an area where SCAG has not projected that growth for the project's buildout year.

Analysis: As discussed earlier in this analysis, the 2007 AQMP is designed to accommodate growth, to reduce the high levels of pollutants within the areas under the jurisdiction of SCAQMD, to achieve the federal 8-hour ozone standard by 2021⁶³ and to minimize the impact on the economy. Projects that are considered to be consistent with the AQMP do not interfere with attainment and do not contribute to the exceedance of an existing air quality violation because this growth is included in the projections utilized

⁶¹ South Coast Air Quality Management District, *CEQA Air Quality Handbook* (Diamond Bar, California: South Coast Air Quality Management District, April 1993), p. 12-3.

⁶² South Coast Air Quality Management District. *CEQA Air Quality Handbook*. p. 12-3.

⁶³ The 2007 AQMP has determined that the basin will still exceed the federal 8-hour ozone standard in 2021 even with implementation of 2007 AQMP control measures.

in the formulation of the AQMP. Therefore, projects, uses and activities that are consistent with the applicable assumptions used in the development of the AQMP would not jeopardize attainment of the air quality levels identified in the AQMP, even if they exceed the SCAQMD's recommended thresholds. The following analysis discusses the project's consistency with the AQMP.

Projects that are consistent with the projections of population forecasts identified in the Growth Management Chapter of the *Regional Comprehensive Plan and Guide* (RCPG) are considered consistent with the AQMP growth projections. This is because the Growth Management Chapter forms the basis of the land use and transportation control portions of the AQMP.

As discussed in **Section 5.16, Population and Housing**, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project is considered to be consistent with the future population and employment figures projected for the site's census tract. The project would not increase population over that which has been planned for the area, would be consistent with the AQMP forecasts for this area, would be considered consistent with the air quality-related regional plans and should not jeopardize attainment of state and federal ambient air quality standards in the basin.

Another measurement tool in determining AQMP consistency is to determine how a project accommodates the expected increase in population and employment. Generally, if a project is planned in a way that results in the minimization of vehicle miles traveled (VMT) both within the project and in the community in which it is located and consequently the minimization of air pollutant emissions, that project is consistent with the AQMP.⁶⁴

The nature of the project and its location within the Marina del Rey and surrounding urban areas with supporting commercial and office uses would minimize the need for or distance of some automobile trips, thereby, reducing automotive emissions from such trips. This type of development is consistent with the goals of the AQMP for reducing motor vehicle emissions. In addition, the project site is located in proximity to existing job centers that provide employment opportunities to many Marina del Rey residents. With these job centers, many local residents do not have to commute to distant employment centers. The project site is also linked to various employment, shopping and recreation areas throughout the Los Angeles Basin through the local transit system. Use of these facilities could reduce the need for some motor vehicle trips. As a result of reduced commutes and other vehicle trips, VMT and, consequently, air pollutant emissions could be further reduced.

⁶⁴ South Coast Air Quality Management District, *CEQA Air Quality Handbook* (Diamond Bar, California: South Coast Air Quality Management District, April 1993), p. 12-5.

5.4.3.4.1.4 Threshold: The project could generate vehicle trips that cause a CO hotspot or the project could be occupied by sensitive receptors that are exposed to a CO hotspot.

Analysis: Motor vehicles are the primary source of pollutants within the project vicinity. Traffic-congested roadways and intersections have the potential to generate localized high levels of CO. Localized areas where ambient CO concentrations exceed state and/or federal standards are termed CO “hotspots.” There are no notable stationary sources generating CO emissions in the local area; thus, local area CO emissions result primarily from vehicles traveling along local roadways.

Section 9.4 of the *CEQA Air Quality Handbook* identifies CO as a localized problem requiring additional analysis when a project is likely to subject sensitive receptors to CO hotspots. Sensitive receptors are populations that are more susceptible to the effects of air pollution than is the population at large.⁶⁵ The SCAQMD identifies the following as sensitive receptors: long-term healthcare facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, childcare centers and athletic facilities.⁶⁶

This impact analysis evaluates ten intersections located in the project study area for the presence of existing CO hotspots. These intersections, identified by the project traffic engineer as those that are affected adversely by project-related traffic, include the following:

1. Admiralty Way/Mindanao Way
2. Lincoln Boulevard/Fiji Way
3. Lincoln Boulevard/Marina Expressway (SR-90)
4. Lincoln Boulevard/Mindanao Way
5. Lincoln Boulevard/Washington Boulevard
6. Marina Expressway (SR-90) eastbound/Mindanao Way
7. Palawan Way/Admiralty Way
8. Palawan Way/Washington Boulevard
9. Via Marina/Admiralty Way
10. Via Marina/Washington Boulevard

⁶⁵ South Coast Air Quality Management District, *CEQA Air Quality Handbook* (Diamond Bar, California: South Coast Air Quality Management District, April 1993), p. 5-1.

⁶⁶ South Coast Air Quality Management District, *CEQA Air Quality Handbook* (Diamond Bar, California: South Coast Air Quality Management District, April 1993), p. 5-7.

Maximum existing CO concentrations for project study intersections were calculated for peak hour traffic volumes at each of these intersections using CALINE4, a dispersion model for predicting CO concentrations near roadways. For this analysis, CO concentrations were calculated based on a simplified CALINE4 screening model developed by the Bay Area Air Quality Management District (BAAQMD). The simplified model is intended as a screening analysis that identifies a potential CO hotspot. If a hotspot is identified, the complete CALINE4 model is then utilized to precisely determine the CO concentrations predicted at the intersections in question. This methodology assumes worst-case conditions (i.e., wind direction is parallel to the primary roadway and 90 degrees to the secondary road, wind speed of less than 1 meter per second and extreme atmospheric stability) and provides a screening of maximum, worst-case, CO concentrations. The simplified approach is acceptable to the SCAQMD as long as it is used consistently with the *BAAQMD Guidelines*.⁶⁷

The simplified CALINE4 screening procedure was used to predict future CO concentrations at 0 and 25 feet from the intersections in the study area for future traffic and the proposed project without the cumulative related projects. The CO concentrations shown on the following page in **Table 5.4-14, Carbon Monoxide Concentrations Future with Project Traffic (2013)**, are a result of ambient traffic volume growth in 2013 and traffic generated by the proposed project (i.e., Parcels 10R, FF, and Woodfin Suite Hotel and Timeshare Resort). Ambient traffic volumes for the analysis year, 2013, were estimated by applying an annual traffic growth rate factor of 0.6 to existing traffic volumes.⁶⁸

⁶⁷ Personal communication with Steve Smith, Program Supervisor, South Coast Air Quality Management District, Diamond Bar, California, 12 May 2004.

⁶⁸ Crain & Associates, *Traffic Analysis for a Proposed 526-Unit Residential Development, 288-Room Hotel/Timeshare Resort, and 1.46-Acre Public Park on Parcels 10R, FF and 9U in Marina del Rey* (Los Angeles, California: Crain & Associates, December 2007).

Table 5.4-14
Carbon Monoxide Concentrations
Future with Project Traffic (2013)
(parts per million)

| Intersection | LOS | 0 Feet | | 25 Feet | |
|---------------------------------------------|-----|---------------------|---------------------|---------------------|---------------------|
| | | 1-Hour ¹ | 8-Hour ² | 1-Hour ¹ | 8-Hour ² |
| Admiralty Way & Mindanao Way | D | 7.4 | 4.3 | 6.5 | 3.7 |
| Lincoln Blvd. & Fiji Way | C | 8.4 | 5.0 | 7.3 | 4.2 |
| Lincoln Blvd. & Marina Expressway (SR-90) | C | 7.8 | 4.6 | 6.8 | 3.9 |
| Lincoln Blvd. & Mindanao Way | E | 7.7 | 4.5 | 6.8 | 3.9 |
| Lincoln Blvd. & Washington Blvd. | F | 9.0 | 5.4 | 7.7 | 4.5 |
| Marina Expressway (SR-90 EB) & Mindanao Way | C | 6.5 | 3.6 | 5.9 | 3.3 |
| Palawan Way & Admiralty Way | B | 7.2 | 4.1 | 6.3 | 3.6 |
| Palawan Way & Washington Blvd. | C | 6.8 | 3.9 | 6.1 | 3.4 |
| Via Marina & Admiralty Way | D | 5.5 | 3.0 | 5.4 | 2.9 |
| Via Marina & Washington Blvd. | D | 7.1 | 4.1 | 6.2 | 3.5 |

Source: Impact Sciences, Inc. The CO concentration calculations are provided in **Appendix 5.4**.

Note: Not all intersections would operate at a level of service (LOS) that could generate a CO hotspot (i.e., D or worse). However, for consistency purposes all ten intersections that were adversely affected during the "Cumulative with Project" scenario were analyzed for a potential CO hotspot.

¹ State standard is 20 parts per million. Federal standard is 35 parts per million.

² State standard is 9.0 parts per million. Federal standard is 9 parts per million.

As shown, the state and federal 1- and 8-hour CO standards would not be exceeded at any of the modeled intersections at project buildout during future conditions with the contribution of project-related traffic. Therefore, CO hotspots are not predicted to occur near these intersections with the contribution of ambient growth in the area and the proposed project's traffic. The impact of the proposed project's traffic to these intersections would be considered less than significant.

As was done to assess CO concentrations with the future and proposed project traffic, the simplified CALINE4 screening procedure was also used to predict future CO concentrations at 0 and 25 feet from the intersections in the study area for cumulative related projects and the proposed project. If it can be demonstrated that no CO hotspots would occur even with all anticipated traffic, then the project itself would not result in exceedances of the CO standards. The results of the screening model for the project study area are shown in **Table 5.4-15, Carbon Monoxide Concentrations Cumulative with Project Traffic (2013)**. The values in this table reflect the traffic impact on ambient air quality from 41 related projects (i.e., cumulative projects), ambient growth in the area, and from the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project as predicted in the traffic

impact analysis for the project.⁶⁹ It should be noted that although ambient traffic growth is anticipated to account for all traffic increases in the area, traffic from related projects were also added for the purpose of a conservative analysis.⁷⁰ Project traffic volumes would diminish outside of the project study area, thereby reducing the potential for project-related CO hotspots outside the study area.

Table 5.4-15
Carbon Monoxide Concentrations
Cumulative with Project Traffic (2013)
(parts per million)

| Intersection | LOS | 0 Feet | | 25 Feet | |
|---------------------------------------------|-----|---------------------|---------------------|---------------------|---------------------|
| | | 1-Hour ¹ | 8-Hour ² | 1-Hour ¹ | 8-Hour ² |
| Admiralty Way & Mindanao Way | F | 7.8 | 4.6 | 6.7 | 3.8 |
| Lincoln Blvd. & Fiji Way | E | 8.9 | 5.4 | 7.6 | 4.4 |
| Lincoln Blvd. & Marina Expressway (SR-90) | D | 8.2 | 4.9 | 7.1 | 4.1 |
| Lincoln Blvd. & Mindanao Way | F | 8.1 | 4.8 | 7.1 | 4.1 |
| Lincoln Blvd. & Washington Blvd. | F | 9.5 | 5.8 | 8.0 | 4.7 |
| Marina Expressway (SR-90 EB) & Mindanao Way | D | 6.7 | 3.8 | 6.0 | 3.4 |
| Palawan Way & Admiralty Way | D | 7.5 | 4.4 | 6.5 | 3.7 |
| Palawan Way & Washington Blvd. | E | 7.1 | 4.1 | 6.3 | 3.5 |
| Via Marina & Admiralty Way | E | 5.5 | 3.0 | 5.4 | 2.9 |
| Via Marina & Washington Blvd. | E | 7.2 | 4.2 | 6.4 | 3.6 |

Source: Impact Sciences, Inc. The CO concentration calculations are provided in **Appendix 5.4**.

¹ State standard is 20 parts per million. Federal standard is 35 parts per million.

² State standard is 9.0 parts per million. Federal standard is 9 parts per million.

As shown, the state and federal 1- and 8-hour CO standards would not be exceeded at any of the modeled intersections at project buildout with related projects' traffic and ambient traffic growth. Therefore, CO hotspots are not predicted to occur near these intersections in the future with the contribution of related projects, and the proposed project traffic-related CO at these intersections would not be considered significant. Furthermore, the proposed project would not expose any sensitive receptors to substantial CO concentrations.

It should be noted that the project would not be wholly responsible for all of the traffic at these intersections; rather, at most intersections, the project would contribute only a fraction of the traffic. The

⁶⁹ Crain & Associates, *Traffic Analysis for a Proposed 526-Unit Residential Development, 288-Room Hotel/Timeshare Resort, and 1.46-Acre Public Park on Parcels 10R, FF and 9U in Marina del Rey* (Los Angeles, California: Crain & Associates, December 2007).

⁷⁰ Crain & Associates, *Traffic Analysis for a Proposed 526-Unit Residential Development, 288-Room Hotel/Timeshare Resort, and 1.46-Acre Public Park on Parcels 10R, FF and 9U in Marina del Rey* (Los Angeles, California: Crain & Associates, December 2007).

remaining traffic would consist of existing (ambient) traffic, ambient growth in the area, and traffic from related projects that would be developed and on line by project buildout, all of which would contribute to the carbon monoxide concentrations at these intersections (see Table 8 of the project traffic study in **Appendix 5.7** for a listing of the projects that have been included in the project buildout year traffic modeling by Crain & Associates).

5.4.3.4.1.5 Threshold: The project will have the potential to create, or be subjected to, an objectionable odor that could impact sensitive receptors.

Analysis: Residential uses associated with the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project are not expected to be a source of odors. The adjacent land uses are such that the project residents would not be subjected to objectionable odors from any surrounding land use. Consequently, no significant impacts from such odors are anticipated.

5.4.3.4.1.6 Threshold: The project will have hazardous materials on site and could result in an accidental release of toxic air emissions or acutely hazardous materials posing a threat to public health and safety;

Threshold: The project could emit a toxic air contaminant regulated by SCAQMD rules or that is on a federal or state air toxic list;

Threshold: The project could be occupied by sensitive receptors within 0.25 mile of an existing facility that emits air toxics identified in SCAQMD Rule 1401; or

Threshold: The project could emit carcinogenic or toxic air contaminants that individually or cumulatively exceed the maximum individual cancer risk of ten in one million.

Analysis: The proposed land uses of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project will not use hazardous materials or emit toxic air contaminants in appreciable quantities. Adjacent land uses would not subject project site residents, employees, or visitors to toxic air emissions. Accordingly, no significant impacts with respect to the criteria listed above are expected to occur.

5.4.3.4.1.7 Threshold: The project would generate emissions of greenhouse gases that could contribute to changes in global climate.

Analysis: As previously discussed, the primary source of GHGs in California is fossil fuel combustion. The primary GHG associated with fuel combustion is carbon dioxide, with lesser amounts of methane

and nitrous oxide. Accordingly, the construction and operation of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in direct emissions of these GHGs due to fuel combustion in motor vehicles, construction equipment, and building heating systems associated with the project. Building and motor vehicle air conditioning systems may use HFCs (and HCFCs and CFCs to the extent that they have not been completely phased out at later dates), which may result in emissions through leaks. The other primary GHGs (perfluorocarbons and sulfur hexafluoride) are associated with specific industrial sources and are not expected to be associated with the proposed project.

The direct GHG emissions associated with operation of the project and existing uses were estimated using URBEMIS2007 with the following adjustments to convert CO₂ emissions to GHG emissions on a carbon dioxide equivalent (CO₂E) basis:

- Motor vehicles: The annual CO₂ emissions associated with construction workers and project residents and users of the hotel and park multiplied by a factor based on the assumption that CO₂ represents 95 percent of the CO₂E emissions associated with passenger vehicles, which account for most of these project-related trips.⁷¹
- Area sources (natural gas combustion): The annual CO₂ emissions obtained from URBEMIS2007 for natural gas consumption for multifamily residences and the hotel were adjusted based on emission factors for CO₂, CH₄, and N₂O for natural gas combustion in the California Climate Action Registry (CCAR)'s *General Reporting Protocol*⁷² and the global warming potential for each GHG.
- Construction diesel trucks and equipment: No adjustment was made to the annual CO₂ emissions because the GHGs in the exhaust from diesel engines are almost entirely CO₂ (less than one percent CH₄ and N₂O on a CO₂ equivalent basis).

The project would also result in indirect GHG emissions due to the electrical demands of the project. Emission factors for GHGs due to electrical demand from the project's land uses were obtained from the CCAR *General Reporting Protocol*.⁷³ The CCAR is a private non-profit organization formed by the State of California and serves as a voluntary GHG registry to protect and promote early actions to reduce GHG emissions by organizations. This emission factor takes into account the mix of energy sources used to generate electricity in the State of California and the relative carbon intensities of these sources, and includes natural gas, coal, nuclear, large hydroelectric, and other renewable sources of energy. The

⁷¹ US Environmental Protection Agency, "Greenhouse Gas Emissions from a Typical Passenger Vehicle", Office of Transportation and Air Quality, EPA420-F-05-004 (Washington, D.C.: U.S. Environmental Protection Agency, February 2005), p. 4.

⁷² California Climate Action Registry, *General Reporting Protocol: Reporting Entity-Wide Greenhouse Gas Emissions, Version 3.0*, (2008).

⁷³ California Climate Action Registry, *General Reporting Protocol*, (2008) 91-93.

estimated annual electrical demand for the project was obtained from factors in the California Air Pollution Control Officers Association's *CEQA and Climate Change*⁷⁴ whitepaper and the *CCAR General Reporting Protocol*.⁷⁵

Indirect GHG emissions are also associated with the electrical demand resulting from the provision of water to the project site, electrical demand and process emissions due to wastewater treatment, and decomposition of solid waste generated by the project. The electrical demand associated with supplying water to the project site were calculated based on the estimated water use (see **Section 5.9, Water Service**), CEC estimates of electric use for water conveyance, treatment, and distribution,⁷⁶ and the electrical generation factor from the *CCAR General Reporting Protocol*.⁷⁷ The wastewater-related GHG emissions were calculated based on the estimated wastewater production (see **Section 5.8, Sewer Service**) and state and federal estimates of GHG associated with wastewater treatment⁷⁸ and the electrical generation factor from the *CCAR General Reporting Protocol*.⁷⁹ Lastly, the solid waste-related emissions were calculated based on the solid waste generation of the project (see **Section 5.10, Solid Waste Service**) and a US EPA emission factor.⁸⁰

The estimated GHG emissions associated with construction of the project are shown in **Table 5.4-16, Estimated Construction Greenhouse Gas Emissions – Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project**. The values shown are the total of those values in **Table 5.4-22, Estimated Construction Greenhouse Gas Emissions – Neptune Marina Parcel 10R**, **Table 5.4-28, Estimated Construction Greenhouse Gas Emissions – Neptune Marina Parcel FF**, **Table 5.4-35, Estimated Construction Greenhouse Gas Emissions – Woodfin Suite Hotel and Timeshare Resort** and **Table 5.4-39, Estimated Construction Greenhouse Gas Emissions – Restored Wetland and Upland Buffer** for the relevant construction activities in a given year.

⁷⁴ California Air Pollution Control Officers Association, *CEQA and Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act*, (2008) 61.

⁷⁵ California Climate Action Registry, *General Reporting Protocol*, (2008) 34.

⁷⁶ California Energy Commission, *California's Water-Energy Relationship*, Final Staff Report (CEC-700-2005-011-SF), (2005) 26 and *Refining Estimates of Water-Related Energy Use in California*, *PIER Final Project Report* (CEC-500-2006-118), (2006) 22.

⁷⁷ California Climate Action Registry, *General Reporting Protocol*, (2008) 34.

⁷⁸ California Energy Commission, *Refining Estimates of Water-Related Energy Use in California*, *PIER Final Project Report* (CEC-500-2006-118), (2006) 22; US Environmental Protection Agency, *Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2006* (EPA 430-R-08-005), (2008) 8-15.

⁷⁹ California Climate Action Registry, *General Reporting Protocol*, (2008) 34.

⁸⁰ US Environmental Protection Agency, Office of Solid Waste and Emergency Response, *Greenhouse Gas Emission Factors for Management of Selected Materials in Municipal Solid Waste* (EPA-530-R-98-013), (1998).

The estimated GHG emissions associated with the project are shown in **Table 5.4-17, Estimated Operational Greenhouse Gas Emissions – Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project**. The values shown are the total of those values in **Table 5.4-23, Estimated Operational Greenhouse Gas Emissions – Neptune Marina Parcel 10R**, **Table 5.4-29, Estimated Operational Greenhouse Gas Emissions – Neptune Marina Parcel FF**, **Table 5.4-36, Estimated Operational Greenhouse Gas Emissions – Woodfin Suite Hotel and Timeshare Resort** and **Table 5.4-40, Estimated Operational Greenhouse Gas Emissions – Restored Wetland and Upland Buffer**.

Table 5.4-16
Estimated Construction Greenhouse Gas Emissions
Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

| Construction Year | Emissions in Metric Tons CO ₂ E Per Year |
|-------------------|-----------------------------------------------------|
| 2009 | 1,090 |
| 2010 | 2,951 |
| 2011 | 2,351 |
| 2012 | 1,624 |

Source: Impact Sciences, Inc. Emissions calculations are provided in Appendix 5.4.

Table 5.4-17
Estimated Operational Greenhouse Gas Emissions
Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

| Emissions Source | Emissions in Metric Tons CO ₂ E Per Year |
|-------------------------------------|-----------------------------------------------------|
| Direct GHG Emissions | |
| Operational (Mobile) Sources | 6,940 |
| Area Sources | 1,555 |
| Total Direct GHG Emissions | 8,495 |
| Indirect GHG Emissions | |
| Electrical Generation | 2,282 |
| Water Supply | 55 |
| Wastewater Treatment | 149 |
| Solid Waste | 83 |
| Total Indirect GHG Emissions | 2,569 |
| Project GHG Emissions | 11,064 |
| Emissions Due To Existing Land Uses | 2,391 |
| Net GHG Emissions | 8,673 |

Source: Impact Sciences, Inc. Emissions calculations are provided in Appendix 5.4.

While the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in emissions of GHGs, no guidance exists to indicate what level of GHG emissions would be considered substantial enough to result in a significant adverse impact on global climate. However, it is generally the case that an individual project of this size is of insufficient magnitude by itself to influence climate change or result in a substantial contribution to the global GHG inventory. Thus, GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective.⁸¹ Accordingly, further discussion of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project's greenhouse gas emissions and their impact on global climate are addressed in **Section 5.4.4.2, Cumulative Impacts, Global Climate Change.**

⁸¹ California Air Pollution Control Officers Association, *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act*, (2008) 35.

5.4.3.4.1.8 Summary of Project Impacts Without Mitigation – Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

Demolition, Excavation/Grading and Construction Impacts: Significant;

Demolition, Excavation/Grading and Construction Impacts; Localized Significance Thresholds: Significant;

Operational Impacts; Daily Emissions: Less than significant;

Operational Impacts; Wind: Less than significant;

Operational Impacts; Additional SCAQMD Indicators: Less than significant.

5.4.3.4.1.9 Mitigation Measures: Existing Regulations and Standards Applicable to the Project – Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

Mitigation for Demolition, Excavation/Grading and Construction Impacts: The SCAQMD has prepared a list of measures to reduce the impacts of construction-related emissions to the greatest extent possible. Those that could be feasibly implemented during the development of the project to mitigate NO_x, PM_{2.5}, and PM₁₀ emissions are as follows:

- 5.4-1.** Develop and implement a construction management plan, as approved by the County, which includes the following measures recommended by the SCAQMD, or equivalently effective measures approved by the SCAQMD:
- a. Configure construction parking to minimize traffic interference.
 - b. Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g., flag person).
 - c. Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the degree practicable.
 - d. Reroute construction trucks away from congested streets.
 - e. Consolidate truck deliveries when possible.
 - f. Provide dedicated turn lanes for movement of construction trucks and equipment on and off site.
 - g. Maintain equipment and vehicle engines in good condition and in proper tune according to manufacturers' specifications and per SCAQMD rules, to minimize exhaust emissions.

- h. Suspend use of all construction equipment operations during second stage smog alerts. Contact the SCAQMD at 800/242-4022 for daily forecasts.
- i. Use electricity from power poles rather than temporary diesel- or gasoline-powered generators.
- j. Use methanol- or natural gas-powered mobile equipment and pile drivers instead of diesel if readily available at competitive prices.
- k. Use propane- or butane-powered on-site mobile equipment instead of gasoline if readily available at competitive prices.

5.4-2. Develop and implement a dust control plan, as approved by the County, which includes the following measures recommended by the SCAQMD, or equivalently effective measures approved by the SCAQMD:

- a. Apply approved non-toxic chemical soil stabilizers according to manufacturer's specification to all inactive construction areas (previously graded areas inactive for four days or more).
- b. Replace ground cover in disturbed areas as quickly as possible.
- c. Enclose, cover, water twice daily, or apply approved soil binders to exposed piles (i.e., gravel, sand, dirt) according to manufacturers' specifications.
- d. Water active grading sites at least twice daily (SCAQMD Rule 403).
- e. Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 mph.
- f. Provide temporary wind fencing consisting of 3- to 5-foot barriers with 50 percent or less porosity along the perimeter of sites that have been cleared or are being graded.
- g. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer), in accordance with Section 23114 of the California Vehicle Code.
- h. Sweep streets at the end of the day if visible soil material is carried over to adjacent roads (recommend water sweepers using reclaimed water if readily available).
- i. Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip.
- j. Apply water three times daily or chemical soil stabilizers according to manufacturers' specifications to all unpaved parking or staging areas or unpaved road surfaces.
- k. Enforce traffic speed limits of 15 mph or less on all unpaved roads.

- l. Pave construction roads when the specific roadway path would be utilized for 120 days or more.

5.4-3. In the event asbestos is identified within existing on-site structures, the project applicant/developer shall comply with SCAQMD Rule 1403 (Asbestos Emissions From Demolition/Renovation Activities). Compliance with Rule 1403 is considered to mitigate asbestos-related impacts to less than significant.

Construction mitigation measures recommended in the SCAQMD's *CEQA Air Quality Handbook* that were rejected for the proposed project are listed below along with a discussion of why each measure was rejected:

- Prohibit truck idling in excess of 2 minutes: The nature of diesel engines does not lend them to constant turning on and off during construction activities. However, CARB has adopted an Airborne Toxics Control Measure (ATCM) that applies to all diesel-fueled commercial vehicles over 10,000 pounds and prohibits idling for more than 5 minutes except under limited circumstances. Accordingly, this restriction is required by law and should not be considered mitigation.
- Implement a shuttle service to and from retail services and food establishments during lunch hours: Construction workers typically take a 0.5-hour lunch at various times of the day and eat on-site food that was either brought by the workers (brown bag) or purchased from mobile caterers who travel to the site. This measure would therefore be ineffective in reducing project construction-related emissions.

5.4.3.4.1.10 Summary of Project Impacts With Mitigation: Neptune Marina Apartments and Anchorage Project/Woodfin Suite Hotel and Timeshare Resort

Demolition, Excavation/Grading and Construction Impacts: Significant and unavoidable;

Demolition, Excavation/Grading and Construction Impacts; Localized Significance Thresholds: Significant and unavoidable;

Operational Impacts; Daily Emissions: Less than significant;

Operational Impacts; Wind: Less than significant;

Operational Impacts; Additional SCAQMD Indicators: Less than significant.

5.4.3.4.2 Neptune Marina Parcel 10R

5.4.3.4.2.1 Threshold: The project will generate air pollutant quantities in excess of established SCAQMD emissions thresholds.

Analysis: Development of the Neptune Marina Parcel 10R would generate air emissions from a wide variety of stationary, area, and mobile sources. Fugitive dust (PM₁₀ and PM_{2.5}) would be generated by on-site construction activities. Once the proposed uses are occupied, emissions would be generated by stationary and area sources such as water and space heaters, landscape maintenance equipment and consumer products. Stationary and area source emissions could also result from the operation of certain types of commercial business, such as restaurants, within the project site. Mobile source emissions would be generated by motor vehicle travel associated with construction activities and occupancy of the proposed development. An assessment of construction and operational emissions are presented below based on the methodologies recommended in the SCAQMD's *CEQA Air Quality Handbook*.

Demolition, Excavation/Grading and Construction Impacts: Development of the Neptune Marina Parcel 10R would require removal of existing uses, site excavation and grading and construction of the proposed improvements. These activities would occur over a 33-month period and, during this time emissions would be generated by on-site stationary sources, heavy-duty construction vehicles, construction worker vehicles and generators. Fugitive dust would also be generated during all project development phases (i.e., demolition, excavation, grading and construction). In addition, for structures built before 1978, microscopic asbestos fibers may also pose an air quality concern.

Because of the duration of project development and the normal day-to-day variability in construction activities, it is difficult to precisely quantify the daily emissions associated with each phase of the proposed construction activities. **Table 5.4-18, Estimated Unmitigated Demolition, Excavation/Grading and Construction Emissions – Neptune Marina Parcel 10R**, identifies daily emissions associated with typical equipment for different construction phases based on information provided by the project applicant and default construction values generated by URBEMIS2007 Version 9.2.4. These emissions assume that some of the construction equipment and activities would occur continuously over an 8-hour period. In reality, this would not occur, as most equipment would operate only a fraction of each workday. Therefore, **Table 5.4-18** represents a worst-case scenario for the construction phase of the project.

Table 5.4-18
Estimated Unmitigated Demolition, Excavation/Grading and Construction Emissions
Neptune Marina Parcel 10R

| Year | Emissions in Pounds per Day | | | | | |
|-------------------------------|-----------------------------|-------|-----------------|-----------------|------------------|-------------------|
| | CO | VOC | NO _x | SO _x | PM ₁₀ | PM _{2.5} |
| 2009 | 44.71 | 9.38 | 88.71 | 0.05 | 41.73 | 11.96 |
| 2010 | 80.78 | 14.95 | 112.68 | 0.07 | 47.72 | 13.81 |
| 2011 | 66.40 | 14.15 | 75.27 | 0.06 | 4.37 | 3.87 |
| 2012 | 63.15 | 13.58 | 68.97 | 0.06 | 4.05 | 3.58 |
| Maximum Emissions in Any Year | 80.78 | 14.95 | 112.68 | 0.07 | 47.72 | 13.81 |
| SCAQMD Thresholds | 550 | 75 | 100 | 150 | 150 | 55 |
| Exceeds Thresholds? | NO | NO | YES | NO | NO | NO |

Source: Impact Sciences, Inc. Emissions calculations are provided in Appendix 5.4.

Totals in table may not appear to add exactly due to rounding in the computer model calculations.

As shown, the recommended significance threshold for NO_x would be exceeded during the grading phase due to the operation of heavy-duty vehicles, heavy-duty haul trucks, and worker trips. Therefore, construction impacts associated with the construction of Parcel 10R would be considered significant for NO_x emissions.

Demolition, Excavation/Grading and Construction Impacts; Localized Significance Thresholds: An analysis of the impacts of the Neptune Marina Parcel 10R construction emissions on ambient concentrations of PM₁₀, PM_{2.5}, NO₂ and CO was conducted. This analysis determined the ambient air quality impacts on the day with the highest estimated daily mass emission rates. The methodology and results are described in detail in **Appendix 5.4**. The results of the dispersion modeling analysis are compared to the localized significance thresholds in **Table 5.4-19, Localized Significance Thresholds Analysis – Parcel 10R**.

Table 5.4-19
Localized Significance Thresholds Analysis – Parcel 10R

| Pollutant | Averaging Period | Modeling Results | | LST Criteria | | Exceeds Threshold? |
|---------------------------------------------------|------------------|-------------------|------|-------------------|------|--------------------|
| | | µg/m ³ | ppm | µg/m ³ | ppm | |
| Respirable Particulate Matter (PM ₁₀) | 24 hours | 48.5 | NA | 10.4 | NA | YES |
| Fine Particulate Matter (PM _{2.5}) | 24 hours | 15.8 | NA | 10.4 | NA | YES |
| Nitrogen Dioxide (NO ₂) | 1 hour | 121 | 0.06 | 188 | 0.10 | NO |
| Carbon Monoxide (CO) | 1 hour | 782 | 0.68 | 19,454 | 17 | NO |
| Carbon Monoxide (CO) | 8 hours | 273 | 0.24 | 7,896 | 6.9 | NO |

Source: South Coast Air Quality Management District, Final Localized Significance Threshold Methodology, June 2008.

¹ LST Criteria for NO₂ and CO are the difference between CAAQS and the Peak Concentrations during the last three years (see Table 5.4-2).

As shown in **Table 5.4-19**, the construction of the Neptune Marina Parcel 10R would cause localized significant impacts for PM₁₀ and PM_{2.5}.

Project construction would involve the demolition and removal of existing structures located on the Parcel 10R site. Demolition of the existing structures would be a potential hazard if the buildings contained asbestos fibers. The existing buildings were constructed in the 1960s. Typically, buildings built before 1978 are considered to have a higher probability of containing asbestos fibers; however, under SCAQMD Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities), all buildings must be properly inspected for the presence of asbestos. Demolition of all existing structures must comply with the precautionary requirements specified in Rule 1403. All structures must be stabilized and removed in accordance with applicable regulations including Rule 1403. This rule is intended to limit asbestos emissions from demolition or renovation of structures and the associated disturbance of asbestos-containing waste material generated or handled during these activities. The rule addresses the US EPA NESHAP and provides additional requirements to cover non-NESHAP areas. The rule requires that the SCAQMD be notified before any demolition or renovation activity occurs. This notification includes a description of the structures and methods utilized to determine the presence or absence of asbestos. All asbestos-containing material found on the site must be removed prior to demolition or renovation activity. As part of project implementation, the project applicant must comply with the requirements of Rule 1403. Project compliance with Rule 1403 would ensure that asbestos-containing materials would be removed and disposed of appropriately. With adherence to this applicable regulation, the potential for significant adverse health impacts would be reduced to less than significant level.

Operational Impacts; Daily Emissions: Operational emissions would be generated by area and mobile, and possibly by stationary, sources as a result of normal day-to-day activities on the project site after occupation. The emissions from such sources are primarily associated with fuel combustion, which is

addressed in the area and mobile source emission calculations by URBEMIS2007 discussed below. Area sources emissions would be generated by the consumption of natural gas for space and water heating devices and food preparation and from the operation of gasoline-powered landscape maintenance equipment and consumer products (e.g., hair spray, deodorants, lighter fluid, air fresheners, automotive products and household cleaners). Mobile emissions would be generated by the motor vehicles traveling to and from the residential units, boat spaces and commercial uses. The Neptune Marina Parcel 10R area and mobile source emissions as estimated using URBEMIS2007 are shown in **Table 5.4-20, Estimated Operational Emissions without Mitigation – Neptune Marina Parcel 10R**. Because the existing apartments would be demolished, the emissions associated with the existing land use and the net emissions are also shown in **Table 5.4-20**.

Table 5.4-20
Estimated Operational Emissions without Mitigation
Neptune Marina Parcel 10R

| Emissions Source | Emissions in Pounds per Day | | | | | |
|-----------------------------------------|-----------------------------|-------|-----------------|-----------------|------------------|-------------------|
| | CO | VOC | NO _x | SO _x | PM ₁₀ | PM _{2.5} |
| Summertime Emissions¹ | | | | | | |
| Operational (Mobile) Sources | 169.28 | 15.96 | 18.29 | 0.22 | 35.40 | 6.88 |
| Area Sources | 4.76 | 21.75 | 3.96 | 0.00 | 0.02 | 0.02 |
| Summertime Emission Totals: | 174.04 | 37.71 | 22.25 | 0.22 | 35.42 | 6.90 |
| Emissions Due To Existing Land Uses: | 136.78 | 21.55 | 15.30 | 0.10 | 16.42 | 3.21 |
| Net Increase In Emissions | 37.26 | 16.16 | 6.95 | 0.12 | 19.00 | 3.69 |
| Recommended Threshold: | 550 | 55 | 55 | 150 | 150 | 55 |
| Exceeds Threshold? | NO | NO | NO | NO | NO | NO |
| Wintertime Emissions² | | | | | | |
| Operational (Mobile) Sources | 160.59 | 15.66 | 22.04 | 0.18 | 35.40 | 6.88 |
| Area Sources | 1.67 | 21.50 | 3.92 | 0.00 | 0.01 | 0.01 |
| Wintertime Emission Totals: | 162.26 | 37.16 | 25.96 | 0.18 | 35.41 | 6.89 |
| Emissions Due To Existing Land Uses: | 129.94 | 21.18 | 18.24 | 0.08 | 16.41 | 3.20 |
| Net Emissions | 32.32 | 15.98 | 7.72 | 0.10 | 19.00 | 3.69 |
| Recommended Threshold: | 550 | 55 | 55 | 150 | 150 | 55 |
| Exceeds Threshold? | NO | NO | NO | NO | NO | NO |

Source: Impact Sciences, Inc. Emissions calculations are provided in **Appendix 5.4**.

Totals in table may not appear to add exactly due to rounding in the computer model calculations.

¹ "Summertime Emissions" are representative of worst-case conditions that may occur during the O₃ season (May 1 to October 31).

² "Wintertime Emissions" are representative of worst-case conditions that may occur during the balance of the year (November 1 to April 30).

As shown, the Neptune Marina Parcel 10R at buildout and in full operation would not generate a net increase in emissions that would exceed SCAQMD recommended thresholds. Therefore, the operation of the proposed Neptune Marina Parcel 10R would not result in a significant air quality impact.

Operational Impacts; Wind: RWDI prepared a wind study for the proposed project to assess the project's development and/or building placement on wind patterns within the marina, loss of surface winds used by birds and sailboats and general air circulation (this report is included in **Appendix 5.4** in its entirety).

The study concluded:

From the results of this wind study, it has been concluded that the proposed Neptune Marina will produce similar wind conditions over a majority of the areas of Marina del Rey. There will be localized areas of altered wind directions and speeds at the west end of Basins B and C. The change in wind conditions noted at the west end of Basins B and C is assumed not to be significant as boats would be under power at this location in the marina. The overall wind conditions predicted with the proposed and expected future developments are similar to those presently experienced in and around the marina and, therefore, the general air circulation patterns and the use of surface winds by birds will not be affected.

Operational Impacts; Additional Indicators: As previously discussed, the SCAQMD lists criteria indicating when a project may create potential air quality impacts. These criteria are listed below along with an analysis of whether or not the project meets any of them. If a project meets any one of the criteria, project air quality impacts would be significant relative to that criterion.

5.4.3.4.2.2 Threshold: The project could interfere with the attainment of the federal or state ambient air quality standards by either violating or contributing to an existing or projected air quality violation.

Analysis: SCAQMD's *CEQA Air Quality Handbook* indicates that an air quality modeling analysis would need to be performed to identify the project's impact on ambient air quality.⁸² In order for a project to be found consistent with the applicable AQMP, the analysis would have to demonstrate that the project's emissions would not increase the frequency or the severity of existing air quality violations, or contribute to a new violation.⁸³ The CO analysis for traffic emissions described below assesses the potential ambient air quality impacts with respect to this pollutant. URBEMIS2007 was used to calculate project emissions for comparison with thresholds addressing regional significance. The estimated operational emissions due to proposed project were found to be less than significant. Hence, the project is not expected to violate ambient air quality standards or contribute to an existing or projected air quality violation.

⁸² South Coast Air Quality Management District, *CEQA Air Quality Handbook* (Diamond Bar, California: South Coast Air Quality Management District, April 1993), p. 12-3.

⁸³ South Coast Air Quality Management District, *CEQA Air Quality Handbook*, p. 12-3.

5.4.3.4.2.3 Threshold: The project could result in population increases within an area, which would be in excess of that projected by SCAG in the AQMP, or increase the population in an area where SCAG has not projected that growth for the project's buildout year.

Analysis: As discussed earlier in this analysis, the 2007 AQMP is designed to accommodate growth, to reduce the high levels of pollutants within the areas under the jurisdiction of SCAQMD, to achieve the federal 8-hour ozone standard by 2021⁸⁴ and to minimize the impact on the economy. Projects that are considered to be consistent with the AQMP do not interfere with attainment and do not contribute to the exceedance of an existing air quality violation because this growth is included in the projections utilized in the formulation of the AQMP. Therefore, projects, uses and activities that are consistent with the applicable assumptions used in the development of the AQMP would not jeopardize attainment of the air quality levels identified in the AQMP, even if they exceed the SCAQMD's recommended thresholds. The following analysis discusses the project's consistency with the AQMP.

Projects that are consistent with the projections of population forecasts identified in the Growth Management Chapter of the RCPG are considered consistent with the AQMP growth projections. This is because the Growth Management Chapter forms the basis of the land use and transportation control portions of the AQMP.

As discussed in **Section 5.16, Population and Housing**, the Neptune Marina Parcel 10R is considered to be consistent with the future population and employment figures projected for the site's census tract. The project would not increase population over that which has been planned for the area, would be consistent with the AQMP forecasts for this area, would be considered consistent with the air quality-related regional plans and should not jeopardize attainment of state and federal ambient air quality standards in the basin.

Another measurement tool in determining AQMP consistency is to determine how a project accommodates the expected increase in population and employment. Generally, if a project is planned in a way that results in the minimization of VMT both within the project and in the community in which it is located and consequently the minimization of air pollutant emissions, that project is consistent with the AQMP.⁸⁵

The nature of the project and its location within the Marina del Rey and surrounding urban areas with supporting commercial and office uses would minimize the need for or distance of some automobile trips, thereby, reducing automotive emissions from such trips. This type of development is consistent

⁸⁴ The 2007 AQMP has determined that the basin will still exceed the federal 8-hour ozone standard in 2021 even with implementation of 2007 AQMP control measures.

⁸⁵ South Coast Air Quality Management District, *CEQA Air Quality Handbook* (Diamond Bar, California: South Coast Air Quality Management District, April 1993), p. 12-5.

with the goals of the AQMP for reducing motor vehicle emissions. In addition, the project site is located in proximity to existing job centers that provide employment opportunities to many Marina del Rey residents. With these job centers, many local residents do not have to commute to distant employment centers. The project site is also linked to various employment, shopping and recreation areas throughout the Los Angeles Basin through the local transit system. Use of these facilities could reduce the need for some motor vehicle trips. As a result of reduced commutes and other vehicle trips, VMT and, consequently, air pollutant emissions could be further reduced.

5.4.3.4.2.4 Threshold: The project could generate vehicle trips that cause a CO hotspot or the project could be occupied by sensitive receptors that are exposed to a CO hotspot.

Analysis: As was done to assess cumulative CO concentrations, the simplified CALINE4 screening procedure was used to predict future CO concentrations 0 and 25 feet from the intersections in the study area for future traffic with the addition of Parcel 10R only. The results of air emissions modeling for the project study area are shown in **Table 5.4-21, Carbon Monoxide Concentrations Future with Parcel 10R Traffic (2013)**. The values in this table reflect the ambient air quality impacts of emissions resulting from ambient traffic growth in the area along with traffic resulting from the proposed Parcel 10R development as predicted in the traffic impact analysis for the project.⁸⁶

**Table 5.4-21
Carbon Monoxide Concentrations
Future with Parcel 10R Traffic (2013) (parts per million)**

| Intersection | LOS | 0 Feet | | 25 Feet | |
|---------------------------------------------|-----|---------------------|---------------------|---------------------|---------------------|
| | | 1-Hour ¹ | 8-Hour ² | 1-Hour ¹ | 8-Hour ² |
| Admiralty Way & Mindanao Way | C | 7.4 | 4.3 | 6.5 | 3.7 |
| Lincoln Blvd. & Fiji Way | C | 8.4 | 5.0 | 7.3 | 4.2 |
| Lincoln Blvd. & Marina Expressway (SR-90) | C | 7.8 | 4.6 | 6.8 | 3.9 |
| Lincoln Blvd. & Mindanao Way | D | 7.7 | 4.5 | 6.8 | 3.9 |
| Lincoln Blvd. & Washington Blvd. | F | 9.0 | 5.4 | 7.7 | 4.5 |
| Marina Expressway (SR-90 EB) & Mindanao Way | C | 6.4 | 3.6 | 5.9 | 3.2 |
| Palawan Way & Admiralty Way | B | 7.1 | 4.1 | 6.3 | 3.5 |
| Palawan Way & Washington Blvd. | C | 6.8 | 3.9 | 6.1 | 3.4 |
| Via Marina & Admiralty Way | C | 5.5 | 3.0 | 5.4 | 2.9 |
| Via Marina & Washington Blvd. | D | 7.0 | 4.0 | 6.2 | 3.5 |

Source: Impact Sciences, Inc. The CO concentration calculations are provided in **Appendix 5.4**.

Note: Not all intersections would operate at a level of service (LOS) that could generate a CO hotspot (i.e., D or worse). However, for consistency purposes all ten intersections that were adversely affected during the "Cumulative with Project" scenario were analyzed for a potential CO hotspot.

¹ State standard is 20 parts per million. Federal standard is 35 parts per million.

² State standard is 9.0 parts per million. Federal standard is 9 parts per million.

⁸⁶ Crain & Associates, *Traffic Analysis for a Proposed 526-Unit Residential Development, 288-Room Hotel/Timeshare Resort, and 1.46-Acre Public Park on Parcels 10R, FF and 9U in Marina del Rey* (Los Angeles, California: Crain & Associates, December 2007).

As shown, the state and federal 1- and 8-hour CO standards would not be exceeded at any of the modeled intersections at Parcel 10R buildout with ambient traffic growth. Therefore, CO hotspots are not predicted to occur near these intersections in the future with the contribution of related projects, and the proposed project traffic-related CO at these intersections would not be considered significant.

5.4.3.4.2.5 Threshold: The project will have the potential to create, or be subjected to, an objectionable odor that could impact sensitive receptors.

Analysis: The residential uses associated with the Neptune Marina Parcel 10R are not expected to be a source of odors. The adjacent land uses are such that the project residents would not be subjected to objectionable odors from any surrounding land use. Consequently, no significant impacts from such odors are anticipated.

5.4.3.4.2.6 Threshold: The project will have hazardous materials on site and could result in an accidental release of toxic air emissions or acutely hazardous materials posing a threat to public health and safety;

Threshold: The project could emit a toxic air contaminant regulated by SCAQMD rules or that is on a federal or state air toxic list;

Threshold: The project could be occupied by sensitive receptors within 0.25 mile of an existing facility that emits air toxics identified in SCAQMD Rule 1401; or

Threshold: The project could emit carcinogenic or toxic air contaminants that individually or cumulatively exceed the maximum individual cancer risk of ten in one million.

Analysis: The proposed land use of the Neptune Marina Parcel 10R will not use hazardous materials or emit toxic air contaminants in appreciable quantities. Adjacent land uses would not subject project site residents, employees, or visitors to toxic air emissions. Accordingly, no significant impacts with respect to the criteria listed above are expected to occur.

5.4.3.4.2.7 Threshold: The project would generate emissions of greenhouse gases that could contribute to changes in global climate.

As previously discussed, the primary source of GHGs in California is fossil fuel combustion. The primary GHG associated with fuel combustion is carbon dioxide, with lesser amounts of methane and nitrous oxide. Accordingly, the construction and operation of the Neptune Marina Parcel 10R would result in direct emissions of these GHGs due to fuel combustion in motor vehicles, construction equipment, and

building heating systems associated with the project. Building and motor vehicle air conditioning systems may use HFCs (and HCFCs and CFCs to the extent that they have not been completely phased out at later dates), which may result in emissions through leaks. The other primary GHGs (perfluorocarbons and sulfur hexafluoride) are associated with specific industrial sources and are not expected to be associated with the proposed project. In addition, indirect GHG emissions would be associated with the electrical demand of the apartments, the electrical demand resulting from the provision of water to the project site, the electrical demand and process emissions due to wastewater treatment, and the decomposition of solid waste generated by the project.

Using the methods described in **Section 5.4.3.4.1.7**, the construction and operational GHG emissions associated with the project were estimated and are shown in **Table 5.4-22, Estimated Construction Greenhouse Gas Emissions – Neptune Marina Parcel 10R** and **Table 5.4-23, Estimated Operational Greenhouse Gas Emissions – Neptune Marina Parcel 10R**, respectively.

Table 5.4-22
Estimated Construction Greenhouse Gas Emissions
Neptune Marina Parcel 10R

| Construction Year | Emissions in Metric Tons CO ₂ E Per Year |
|-------------------|-----------------------------------------------------|
| 2009 | 95 |
| 2010 | 1,585 |
| 2011 | 1,635 |
| 2012 | 1,101 |

Source: Impact Sciences, Inc. Emissions calculations are provided in Appendix 5.4.

Table 5.4-23
Estimated Operational Greenhouse Gas Emissions
Neptune Marina Parcel 10R

| Emissions Source | Emissions in Metric Tons CO ₂ E Per Year |
|--------------------------------------|-----------------------------------------------------|
| Direct GHG Emissions | |
| Operational (Mobile) Sources | 3,568 |
| Area Sources | 832 |
| Total Direct GHG Emissions | 4,400 |
| Indirect GHG Emissions | |
| Electrical Generation | 1,118 |
| Water Supply | 24 |
| Wastewater Treatment | 67 |
| Solid Waste | 47 |
| Total Indirect GHG Emissions | 1,256 |
| Project GHG Emissions: | 5,656 |
| Emissions Due To Existing Land Uses: | 2,391 |
| Net GHG Emissions: | 3,265 |

Source: Impact Sciences, Inc. Emissions calculations are provided in Appendix 5.4.

While the Neptune Marina Parcel 10R would result in emissions of GHGs, no guidance exists to indicate what level of GHG emissions would be considered substantial enough to result in a significant adverse impact on global climate. However, it is generally the case that an individual project of this size is of insufficient magnitude by itself to influence climate change or result in a substantial contribution to the global GHG inventory. Thus, GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective.⁸⁷ Accordingly, further discussion of the Neptune Marina Parcel 10R greenhouse gas emissions and their impact on global climate are addressed in **Section 5.4.4.2, Cumulative Impacts, Global Climate Change**.

5.4.3.4.2.8 Summary of Project Impacts Without Mitigation – Neptune Marina Parcel 10R

Demolition, Excavation/Grading and Construction Impacts: Significant;

Demolition, Excavation/Grading and Construction Impacts; Localized Significance Thresholds: Significant;

Operational Impacts; Daily Emissions: Less than significant;

⁸⁷ California Air Pollution Control Officers Association, *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act*, (2008) 35.

Operational Impacts; Wind: Less than significant;

Operational Impacts; Additional SCAQMD Indicators: Less than significant.

5.4.3.4.2.9 Summary of Mitigation; Existing Regulations and Standards Applicable to the Project – Neptune Marina Parcel 10R

Mitigation for Demolition, Excavation/Grading and Construction Impacts: The SCAQMD has prepared a list of measures to reduce the impacts of construction-related emissions to the greatest extent possible. Those that could be feasibly implemented during the development of the project to mitigate NO_x, PM_{2.5}, and PM₁₀ emissions are as follows:

- 5.4.4.** Develop and implement a construction management plan, as approved by the County, which includes the following measures recommended by the SCAQMD, or equivalently effective measures approved by the SCAQMD:
- a. Configure construction parking to minimize traffic interference.
 - b. Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g., flag person).
 - c. Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the degree practicable.
 - d. Reroute construction trucks away from congested streets.
 - e. Consolidate truck deliveries when possible.
 - f. Provide dedicated turn lanes for movement of construction trucks and equipment on and off site.
 - g. Maintain equipment and vehicle engines in good condition and in proper tune according to manufacturers' specifications and per SCAQMD rules, to minimize exhaust emissions.
 - h. Suspend use of all construction equipment operations during second stage smog alerts. Contact the SCAQMD at 800/242-4022 for daily forecasts.
 - i. Use electricity from power poles rather than temporary diesel- or gasoline-powered generators.
 - j. Use methanol- or natural gas-powered mobile equipment and pile drivers instead of diesel if readily available at competitive prices.
 - k. Use propane- or butane-powered on-site mobile equipment instead of gasoline if readily available at competitive prices.

5.4-5. Develop and implement a dust control plan, as approved by the County, which includes the following measures recommended by the SCAQMD, or equivalently effective measures approved by the SCAQMD:

- a. Apply approved non-toxic chemical soil stabilizers according to manufacturer's specification to all inactive construction areas (previously graded areas inactive for four days or more).
- b. Replace ground cover in disturbed areas as quickly as possible.
- c. Enclose, cover, water twice daily, or apply approved soil binders to exposed piles (i.e., gravel, sand, dirt) according to manufacturers' specifications.
- d. Water active grading sites at least twice daily (SCAQMD Rule 403).
- e. Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 mph.
- f. Provide temporary wind fencing consisting of 3- to 5-foot barriers with 50 percent or less porosity along the perimeter of sites that have been cleared or are being graded.
- g. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer), in accordance with Section 23114 of the California Vehicle Code.
- h. Sweep streets at the end of the day if visible soil material is carried over to adjacent roads (recommend water sweepers using reclaimed water if readily available).
- i. Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip.
- j. Apply water three times daily or chemical soil stabilizers according to manufacturers' specifications to all unpaved parking or staging areas or unpaved road surfaces.
- k. Enforce traffic speed limits of 15 mph or less on all unpaved roads.
- l. Pave construction roads when the specific roadway path would be utilized for 120 days or more.

5.4-6. In the event asbestos is identified within existing on-site structures, the project applicant/developer shall comply with SCAQMD Rule 1403 (Asbestos Emissions From Demolition/Renovation Activities). Compliance with Rule 1403 is considered to mitigate asbestos-related impacts to less than significant.

Construction mitigation measures recommended in the SCAQMD's *CEQA Air Quality Handbook* that were rejected for the proposed project are listed below along with a discussion of why each measure was rejected:

- Prohibit truck idling in excess of 2 minutes: The nature of diesel engines does not lend them to constant turning on and off during construction activities. However, CARB has adopted an ATCM that applies to all diesel-fueled commercial vehicles over 10,000 pounds and prohibits idling for more than 5 minutes except under limited circumstances. Accordingly, this restriction is required by law and should not be considered mitigation.
- Implement a shuttle service to and from retail services and food establishments during lunch hours: Construction workers typically take a 0.5-hour lunch at various times of the day and eat on-site food that was either brought by the workers (brown bag) or purchased from mobile caterers who travel to the site. This measure would therefore be ineffective in reducing project construction-related emissions.

5.4.3.4.2.10 Summary of Project Impacts With Mitigation – Neptune Marina Parcel 10R

Demolition, Excavation/Grading and Construction Impacts: Significant and unavoidable;

Demolition, Excavation/Grading and Construction Impacts; Localized Significance Thresholds: Significant and unavoidable;

Operational Impacts; Daily Emissions: Less than significant;

Operational Impacts; Wind: Less than significant;

Operational Impacts; Additional SCAQMD Indicators: Less than significant.

5.4.3.4.3 Neptune Marina Parcel FF

5.4.3.4.3.1 **Threshold: The project will generate air pollutant quantities in excess of established SCAQMD emissions thresholds.**

Analysis: Development of the Neptune Marina Parcel FF would generate air emissions from a wide variety of stationary, area, and mobile sources. Fugitive dust (PM₁₀ and PM_{2.5}) would be generated by on-site construction activities. Once the proposed uses are occupied, emissions would be generated by stationary and area sources such as water and space heaters, landscape maintenance equipment and consumer products. Stationary and area source emissions could also result from the operation of certain types of commercial business, such as restaurants, within the project site. Mobile source emissions would be generated by motor vehicle travel associated with construction activities and occupancy of the proposed development. An assessment of construction and operational emissions are presented below based on the methodologies recommended in the SCAQMD's *CEQA Air Quality Handbook*.

Demolition, Excavation/Grading and Construction Impacts: Development of the Neptune Marina Parcel FF would require removal of an existing surface parking lot, site excavation and grading and construction of the proposed improvements. These activities would occur over a 21-month period and, during this time, emissions would be generated by on-site stationary sources, heavy-duty construction vehicles, construction worker vehicles and generators. Fugitive dust would also be generated during all project development phases (i.e., demolition, excavation, grading and construction). Because of the duration of project development and the normal day-to-day variability in construction activities, it is difficult to precisely quantify the daily emissions associated with each phase of the proposed construction activities. **Table 5.4-24, Estimated Unmitigated Demolition, Excavation/Grading and Construction Emissions – Neptune Marina Parcel FF**, identifies daily emissions associated with typical equipment for different construction phases based on information provided by the project applicant and default construction values generated by URBEMIS2007 Version 9.2.4. These emissions assume that some of the construction equipment and activities would occur continuously over an 8-hour period. In reality, this would not occur, as most equipment would operate only a fraction of each workday. Therefore, **Table 5.4-24** represents a worst-case scenario for the construction phase of the Neptune Marina Parcel FF.

Table 5.4-24
Estimated Unmitigated Demolition, Excavation/Grading and Construction Emissions
Neptune Marina Parcel FF

| Year | Emissions in Pounds per Day | | | | | |
|-------------------------------|-----------------------------|------|-----------------|-----------------|------------------|-------------------|
| | CO | VOC | NO _x | SO _x | PM ₁₀ | PM _{2.5} |
| 2010 | 7.11 | 1.51 | 11.75 | 0.00 | 1.51 | 0.78 |
| 2011 | 34.26 | 6.84 | 52.85 | 0.02 | 13.69 | 4.39 |
| 2012 | 23.82 | 6.61 | 34.74 | 0.02 | 1.71 | 1.53 |
| Maximum Emissions in Any Year | 34.26 | 6.84 | 52.85 | 0.02 | 13.69 | 4.39 |
| SCAQMD Thresholds | 550 | 75 | 100 | 150 | 150 | 55 |
| Exceeds Thresholds? | NO | NO | NO | NO | NO | NO |

Source: Impact Sciences, Inc. Emissions calculations are provided in **Appendix 5.4**.
 Totals in table may not appear to add exactly due to rounding in the computer model calculations.

As shown, construction emissions associated with development of Parcel FF would not exceed the thresholds of significance during any construction year. Therefore, proposed construction on Parcel FF would not result in a significant air quality impact.

Demolition, Excavation/Grading and Construction Impacts; Localized Significance Thresholds: An analysis of the impacts of the Neptune Marina Parcel FF construction emissions on ambient concentrations of PM₁₀, PM_{2.5}, NO₂ and CO was conducted. This analysis determined the ambient air quality impacts from construction activities on the day with the highest estimated daily mass emission rates. The methodology and results are described in detail in **Appendix 5.4**. The results of the dispersion modeling analysis are compared to the localized significance thresholds in **Table 5.4-25, Localized Significance Thresholds Analysis – Neptune Marina Parcel FF**.

Table 5.4-25
Localized Significance Thresholds Analysis
Neptune Marina Parcel FF

| Pollutant | Averaging Period | Modeling Results | | LST Criteria ¹ | | Exceeds Threshold? |
|---------------------------------------------------|------------------|-------------------|------|---------------------------|------|--------------------|
| | | µg/m ³ | ppm | µg/m ³ | ppm | |
| Respirable Particulate Matter (PM ₁₀) | 24 hours | 31.2 | NA | 10.4 | NA | YES |
| Fine Particulate Matter (PM _{2.5}) | 24 hours | 11.0 | NA | 10.4 | NA | YES |
| Nitrogen Dioxide (NO ₂) | 1 hour | 96.1 | 0.05 | 188 | 0.10 | NO |
| Carbon Monoxide (CO) | 1 hour | 635 | 0.55 | 19,454 | 17 | NO |
| Carbon Monoxide (CO) | 8 hours | 229 | 0.20 | 7,896 | 6.9 | NO |

Source: Impact Sciences, Inc.

¹ South Coast Air Quality Management District, Final Localized Significance Threshold Methodology, June 2008.

As shown in **Table 5.4-25**, the construction of the Neptune Marina Parcel FF would cause localized significant impacts for PM₁₀ and PM_{2.5}.

Operational Impacts; Daily Emissions: Operational emissions would be generated by area and mobile, and possibly by stationary, sources as a result of normal day-to-day activities on the project site after occupation. The emissions from such sources are primarily associated with fuel combustion, which is addressed in the area and mobile source emission calculations by URBEMIS2007 discussed below. Area sources emissions would be generated by the consumption of natural gas for space and water heating devices and food preparation and from the operation of gasoline-powered landscape maintenance equipment and consumer products (e.g., hair spray, deodorants, lighter fluid, air fresheners, automotive products and household cleaners). Mobile emissions would be generated by the motor vehicles traveling to and from the residential units, boat spaces and commercial uses. The Neptune Marina Parcel FF area and mobile source emissions as estimated using URBEMIS2007 are shown in **Table 5.4-26, Estimated Operational Emissions without Mitigation – Neptune Marina Parcel FF.**

Table 5.4-26
Estimated Operational Emissions without Mitigation
Neptune Marina Parcel FF

| Emissions Source | Emissions in Pounds per Day | | | | | |
|-----------------------------------------|-----------------------------|-------|-----------------|-----------------|------------------|-------------------|
| | CO | VOC | NO _x | SO _x | PM ₁₀ | PM _{2.5} |
| Summertime Emissions¹ | | | | | | |
| Operational (Mobile) Sources | 42.02 | 3.84 | 4.49 | 0.05 | 8.71 | 1.69 |
| Area Sources | 2.08 | 6.89 | 1.26 | 0.00 | 0.01 | 0.01 |
| Summertime Emission Totals: | 44.10 | 10.73 | 5.75 | 0.05 | 8.72 | 1.70 |
| Recommended Threshold: | 550 | 55 | 55 | 150 | 150 | 55 |
| Exceeds Threshold? | NO | NO | NO | NO | NO | NO |
| Wintertime Emissions² | | | | | | |
| Operational (Mobile) Sources | 39.80 | 3.82 | 5.42 | 0.04 | 8.71 | 1.69 |
| Area Sources | 0.53 | 6.77 | 1.24 | 0.00 | 0.00 | 0.00 |
| Wintertime Emission Totals: | 40.33 | 10.59 | 6.66 | 0.04 | 8.71 | 1.69 |
| Recommended Threshold: | 550 | 55 | 55 | 150 | 150 | 55 |
| Exceeds Threshold? | NO | NO | NO | NO | NO | NO |

Source: Impact Sciences, Inc. Emissions calculations are provided in **Appendix 5.4**.

Totals in table may not appear to add exactly due to rounding in the computer model calculations.

¹ "Summertime Emissions" are representative of worst-case conditions that may occur during the O₃ season (May 1 to October 31).

² "Wintertime Emissions" are representative of worst-case conditions that may occur during the balance of the year (November 1 to April 30).

As shown, the Neptune Marina Parcel FF at buildout and in full operation would not generate emissions that would exceed SCAQMD recommended thresholds. Therefore, the proposed Neptune Marina Parcel FF would not result in a significant air quality impact.

Operational Impacts; Wind: RWDI prepared a wind study for the proposed project to assess the project's development and/or building placement on wind patterns within the marina, loss of surface winds used by birds and sailboats and general air circulation (this report is included in **Appendix 5.4** in its entirety). The study concluded:

From the results of this wind study, it has been concluded that the proposed Neptune Marina will produce similar wind conditions over a majority of the areas of Marina del Rey. There will be localized areas of altered wind directions and speeds at the west end of Basins B and C. The change in wind conditions noted at the west end of Basins B and C is assumed not to be significant as boats would be under power at this location in the marina. The overall wind conditions predicted with the proposed and expected future developments are similar to those presently experienced in and around the marina and, therefore, the general air circulation patterns and the use of surface winds by birds will not be affected.

Operational Impacts; Additional Indicators: As previously discussed, the SCAQMD lists criteria indicating when a project may create potential air quality impacts. These criteria are listed below along with an analysis of whether or not the project meets any of them. If a project meets any one of the criteria, project air quality impacts would be significant relative to that criterion.

5.4.3.4.3.2 Threshold: The project could interfere with the attainment of the federal or state ambient air quality standards by either violating or contributing to an existing or projected air quality violation.

Analysis: SCAQMD's *CEQA Air Quality Handbook* indicates that an air quality modeling analysis would need to be performed to identify the project's impact on ambient air quality.⁸⁸ In order for a project to be found consistent with the applicable AQMP, the analysis would have to demonstrate that the project's emissions would not increase the frequency or the severity of existing air quality violations, or contribute to a new violation.⁸⁹ The CO analysis for traffic emissions described below assesses the potential ambient air quality impacts with respect to this pollutant. URBEMIS2007 was used to calculate project emissions for comparison with thresholds addressing regional significance. The estimated operational emissions due to proposed project were found to be less than significant. Hence, the project is not expected to violate ambient air quality standards or contribute to an existing or projected air quality violation.

⁸⁸ South Coast Air Quality Management District, *CEQA Air Quality Handbook* (Diamond Bar, California: South Coast Air Quality Management District, April 1993), p. 12-3.

⁸⁹ South Coast Air Quality Management District, *CEQA Air Quality Handbook*, p. 12-3.

5.4.3.4.3.3 Threshold: The project could result in population increases within an area, which would be in excess of that projected by SCAG in the AQMP, or increase the population in an area where SCAG has not projected that growth for the project's buildout year.

Analysis: As discussed earlier in this analysis, the 2007 AQMP is designed to accommodate growth, to reduce the high levels of pollutants within the areas under the jurisdiction of SCAQMD, to achieve the federal 8-hour ozone standard by 2021⁹⁰ and to minimize the impact on the economy. Projects that are considered to be consistent with the AQMP do not interfere with attainment and do not contribute to the exceedance of an existing air quality violation because this growth is included in the projections utilized in the formulation of the AQMP. Therefore, projects, uses and activities that are consistent with the applicable assumptions used in the development of the AQMP would not jeopardize attainment of the air quality levels identified in the AQMP, even if they exceed the SCAQMD's recommended thresholds. The following analysis discusses the project's consistency with the AQMP.

Projects that are consistent with the projections of population forecasts identified in the Growth Management Chapter of the RCPG are considered consistent with the AQMP growth projections. This is because the Growth Management Chapter forms the basis of the land use and transportation control portions of the AQMP.

As discussed in **Section 5.16, Population and Housing**, the Neptune Marina Parcel FF is considered to be consistent with the future population and employment figures projected for the site's census tract. The project would not increase population over that which has been planned for the area, would be consistent with the AQMP forecasts for this area, would be considered consistent with the air quality-related regional plans and should not jeopardize attainment of state and federal ambient air quality standards in the basin.

Another measurement tool in determining AQMP consistency is to determine how a project accommodates the expected increase in population and employment. Generally, if a project is planned in a way that results in the minimization of VMT both within the project and in the community in which it is located and consequently the minimization of air pollutant emissions, that project is consistent with the AQMP.⁹¹

The nature of the project and its location within the Marina del Rey and surrounding urban areas with supporting commercial and office uses would minimize the need for or distance of some automobile

⁹⁰ The 2007 AQMP has determined that the basin will still exceed the federal 8-hour ozone standard in 2021 even with implementation of 2007 AQMP control measures.

⁹¹ South Coast Air Quality Management District, *CEQA Air Quality Handbook* (Diamond Bar, California: South Coast Air Quality Management District, April 1993), p. 12-5.

trips, thereby, reducing automotive emissions from such trips. This type of development is consistent with the goals of the AQMP for reducing motor vehicle emissions. In addition, the project site is located in proximity to existing job centers that provide employment opportunities to many Marina del Rey residents. With these job centers, many local residents do not have to commute to distant employment centers. The project site is also linked to various employment, shopping and recreation areas throughout the Los Angeles Basin through the local transit system. Use of these facilities could reduce the need for some motor vehicle trips. As a result of reduced commutes and other vehicle trips, VMT and, consequently, air pollutant emissions could be further reduced.

5.4.3.4.3.4 Threshold: The project could generate vehicle trips that cause a CO hotspot or the project could be occupied by sensitive receptors that are exposed to a CO hotspot.

Analysis: As was done to assess cumulative CO concentrations, the simplified CALINE4 screening procedure was used to predict CO concentrations 0 and 25 feet from the intersections in the study area for future traffic with the addition of Parcel FF only. The results of air emissions modeling for the project study area are shown in **Table 5.4-27, Carbon Monoxide Concentrations Future with Parcel FF Traffic (2013)**. The values in this table reflect the ambient air quality impacts of emissions resulting from ambient traffic growth in the area along with traffic resulting from the proposed Parcel FF development as predicted in the traffic impact analysis for the project.⁹²

⁹² Crain & Associates, *Traffic Analysis for a Proposed 526-Unit Residential Development, 288-Room Hotel/Timeshare Resort, and 1.46-Acre Public Park on Parcels 10R, FF and 9U in Marina del Rey* (Los Angeles, California: Crain & Associates, May 2007).

**Table 5.4-27
Carbon Monoxide Concentrations
Future with Parcel FF Traffic (2013)
(parts per million)**

| Intersection | LOS | 0 Feet | | 25 Feet | |
|---------------------------------------------|-----|---------------------|---------------------|---------------------|---------------------|
| | | 1-Hour ¹ | 8-Hour ² | 1-Hour ¹ | 8-Hour ² |
| Admiralty Way & Mindanao Way | C | 7.3 | 4.3 | 6.5 | 3.7 |
| Lincoln Blvd. & Fiji Way | C | 8.4 | 5.0 | 7.3 | 4.2 |
| Lincoln Blvd. & Marina Expressway (SR-90) | C | 7.8 | 4.6 | 6.8 | 3.9 |
| Lincoln Blvd. & Mindanao Way | D | 7.7 | 4.5 | 6.8 | 3.9 |
| Lincoln Blvd. & Washington Blvd. | F | 9.0 | 5.4 | 7.7 | 4.5 |
| Marina Expressway (SR-90 EB) & Mindanao Way | C | 6.4 | 3.6 | 5.9 | 3.2 |
| Palawan Way & Admiralty Way | B | 7.1 | 4.1 | 6.3 | 3.5 |
| Palawan Way & Washington Blvd. | C | 6.8 | 3.9 | 6.1 | 3.4 |
| Via Marina & Admiralty Way | C | 5.5 | 3.0 | 5.4 | 2.9 |
| Via Marina & Washington Blvd. | D | 7.0 | 4.0 | 6.2 | 3.5 |

Source: Impact Sciences, Inc. The CO concentration calculations are provided in **Appendix 5.4**.

Note: Not all intersections would operate at a level of service (LOS) that could generate a CO hotspot (i.e., D or worse). However, for consistency purposes all ten intersections that were adversely affected during the "Cumulative with Project" scenario were analyzed for a potential CO hotspot.

¹ State standard is 20 parts per million. Federal standard is 35 parts per million.

² State standard is 9.0 parts per million. Federal standard is 9 parts per million.

As shown, the state and federal 1- and 8-hour CO standards would not be exceeded at any of the modeled intersections at Parcel FF buildout with ambient traffic growth. Therefore, CO hotspots are not predicted to occur near these intersections in the future with the contribution of related projects, and the proposed project traffic-related CO at these intersections would not be considered significant.

5.4.3.4.3.5 Threshold: The project will have the potential to create, or be subjected to, an objectionable odor that could impact sensitive receptors.

Analysis: The residential uses associated with the Neptune Marina Parcel FF are not expected to be a source of odors. The adjacent land uses are such that the project residents would not be subjected to objectionable odors from any surrounding land use. Consequently, no significant impacts from such odors are anticipated.

5.4.3.4.3.6 Threshold: The project will have hazardous materials on site and could result in an accidental release of toxic air emissions or acutely hazardous materials posing a threat to public health and safety;

Threshold: The project could emit a toxic air contaminant regulated by SCAQMD rules or that is on a federal or state air toxic list;

Threshold: The project could be occupied by sensitive receptors within 0.25 mile of an existing facility that emits air toxics identified in SCAQMD Rule 1401; or

Threshold: The project could emit carcinogenic or toxic air contaminants that individually or cumulatively exceed the maximum individual cancer risk of 10 in one million.

Analysis: The proposed land use of the Neptune Marina Parcel FF will not use hazardous materials or emit toxic air contaminants in appreciable quantities. Adjacent land uses would not subject project site residents, employees, or visitors to toxic air emissions. Accordingly, no significant impacts with respect to the criteria listed above are expected to occur.

5.4.3.4.3.7 Threshold: The project would generate emissions of greenhouse gases that could contribute to changes in global climate.

Analysis: As previously discussed, the primary source of GHGs in California is fossil fuel combustion. The primary GHG associated with fuel combustion is carbon dioxide, with lesser amounts of methane and nitrous oxide. Accordingly, the construction and operation of the Neptune Marina Parcel FF would result in direct emissions of these GHGs due to fuel combustion in motor vehicles, construction equipment, and building heating systems associated with the project. Building and motor vehicle air conditioning systems may use HFCs (and HCFCs and CFCs to the extent that they have not been completely phased out at later dates), which may result in emissions through leaks. The other primary GHGs (perfluorocarbons and sulfur hexafluoride) are associated with specific industrial sources and are not expected to be associated with the proposed project. In addition, indirect GHG emissions would be associated with the electrical demand of the apartments, the electrical demand resulting from the provision of water to the project site, the electrical demand and process emissions due to wastewater treatment, and the decomposition of solid waste generated by the project.

Using the methods described in **Section 5.4.3.4.1.7**, the construction and operational GHG emissions associated with the project were estimated and are shown in **Table 5.4-28, Estimated Construction**

Greenhouse Gas Emissions – Neptune Marina Parcel FF and Table 5.4-29, Estimated Operational Greenhouse Gas Emissions – Neptune Marina Parcel FF, respectively.

Table 5.4-28
Estimated Construction Greenhouse Gas Emissions
Neptune Marina Parcel FF

| Construction Year | Emissions in Metric Tons CO ₂ E Per Year |
|-------------------|-----------------------------------------------------|
| 2010 | 7 |
| 2011 | 716 |
| 2012 | 523 |

Source: Impact Sciences, Inc. Emissions calculations are provided in Appendix 5.4.

Table 5.4-29
Estimated Operational Greenhouse Gas Emissions
Neptune Marina Parcel FF

| Emissions Source | Emissions in Metric Tons CO ₂ E Per Year |
|------------------------------|-----------------------------------------------------|
| Direct GHG Emissions | |
| Operational (Mobile) Sources | 879 |
| Area Sources | 262 |
| Total Direct GHG Emissions | 1,141 |
| Indirect GHG Emissions | |
| Electrical Generation | 352 |
| Water Supply | 8 |
| Wastewater Treatment | 21 |
| Solid Waste | 15 |
| Total Indirect GHG Emissions | 396 |
| Project GHG Emissions: | 1,537 |

Source: Impact Sciences, Inc. Emissions calculations are provided in Appendix 5.4.

While the Neptune Marina Parcel FF would result in emissions of GHGs, no guidance exists to indicate what level of GHG emissions would be considered substantial enough to result in a significant adverse impact on global climate. However, it is generally the case that an individual project of this size is of insufficient magnitude by itself to influence climate change or result in a substantial contribution to the global GHG inventory. Thus, GHG impacts are recognized as exclusively cumulative impacts; there are

no non-cumulative GHG emission impacts from a climate change perspective.⁹³ Accordingly, further discussion of the Neptune Marina Parcel FF project's greenhouse gas emissions and their impact on global climate are addressed in **Section 5.4.4.2, Cumulative Impacts, Global Climate Change**.

5.4.3.4.3.8 Summary of Project Impacts Without Mitigation – Neptune Marina Parcel FF

Demolition, Excavation/Grading and Construction Impacts: Less than significant;

Demolition, Excavation/Grading and Construction Impacts; Localized Significance Thresholds: Significant;

Operational Impacts; Daily Emissions: Less than significant;

Operational Impacts; Wind: Less than significant;

Operational Impacts; Additional SCAQMD Indicators: Less than significant.

5.4.3.4.3.9 Summary of Mitigation; Existing Regulations and Standards Applicable to the Project – Neptune Marina Parcel FF

Mitigation for Demolition, Excavation/Grading and Construction Impacts: The SCAQMD has prepared a list of measures to reduce the impacts of construction-related emissions to the greatest extent possible. Those that could be feasibly implemented during the development of the project to mitigate PM_{2.5} and PM₁₀ emissions are as follows:

- 5.4-7. Develop and implement a construction management plan, as approved by the County, which includes the following measures recommended by the SCAQMD, or equivalently effective measures approved by the SCAQMD:
- a. Configure construction parking to minimize traffic interference.
 - b. Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g., flag person).
 - c. Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the degree practicable.
 - d. Reroute construction trucks away from congested streets.
 - e. Consolidate truck deliveries when possible.

⁹³ California Air Pollution Control Officers Association, *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act*, (2008) 35.

- f. Provide dedicated turn lanes for movement of construction trucks and equipment on and off site.
- g. Maintain equipment and vehicle engines in good condition and in proper tune according to manufacturers' specifications and per SCAQMD rules, to minimize exhaust emissions.
- h. Suspend use of all construction equipment operations during second stage smog alerts. Contact the SCAQMD at 800/242-4022 for daily forecasts.
- i. Use electricity from power poles rather than temporary diesel- or gasoline-powered generators.
- j. Use methanol- or natural gas-powered mobile equipment and pile drivers instead of diesel if readily available at competitive prices.
- k. Use propane- or butane-powered on-site mobile equipment instead of gasoline if readily available at competitive prices.

5.4-8. Develop and implement a dust control plan, as approved by the County, which includes the following measures recommended by the SCAQMD, or equivalently effective measures approved by the SCAQMD:

- a. Apply approved non-toxic chemical soil stabilizers according to manufacturer's specification to all inactive construction areas (previously graded areas inactive for four days or more).
- b. Replace ground cover in disturbed areas as quickly as possible.
- c. Enclose, cover, water twice daily, or apply approved soil binders to exposed piles (i.e., gravel, sand, dirt) according to manufacturers' specifications.
- d. Water active grading sites at least twice daily (SCAQMD Rule 403).
- e. Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 mph.
- f. Provide temporary wind fencing consisting of 3- to 5-foot barriers with 50 percent or less porosity along the perimeter of sites that have been cleared or are being graded.
- g. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer), in accordance with Section 23114 of the California Vehicle Code.
- h. Sweep streets at the end of the day if visible soil material is carried over to adjacent roads (recommend water sweepers using reclaimed water if readily available).
- i. Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip.

- j. Apply water three times daily or chemical soil stabilizers according to manufacturers' specifications to all unpaved parking or staging areas or unpaved road surfaces.
- k. Enforce traffic speed limits of 15 mph or less on all unpaved roads.
- l. Pave construction roads when the specific roadway path would be utilized for 120 days or more.

5.4.3.4.3.10 Summary of Project Impacts With Mitigation – Neptune Marina Parcel FF

Demolition, Excavation/Grading and Construction Impacts: Less than significant;

Demolition, Excavation/Grading and Construction Impacts; Localized Significance Thresholds: Significant and unavoidable;

Operational Impacts; Daily Emissions: Less than significant;

Operational Impacts; Wind: Less than significant;

Operational Impacts; Additional SCAQMD Indicators: Less than significant.

5.4.3.4.4 Woodfin Suite Hotel and Timeshare Resort Project

5.4.3.4.4.1 Threshold: The project will generate air pollutant quantities in excess of established SCAQMD emissions thresholds.

Analysis: Development of the Woodfin Suite Hotel and Timeshare Resort would generate air emissions from a wide variety of stationary, area, and mobile sources. Fugitive dust (PM₁₀ and PM_{2.5}) would be generated by on-site construction activities. Once the proposed uses are occupied, emissions would be generated by stationary and area sources such as water and space heaters, landscape maintenance equipment and consumer products. Stationary and area source emissions could also result from the operation of certain types of commercial business, such as restaurants, within the project site. Mobile source emissions would be generated by motor vehicle travel associated with construction activities and occupancy of the proposed development. An assessment of construction and operational emissions are presented below based on the methodologies recommended in the SCAQMD's *CEQA Air Quality Handbook*.

Demolition, Excavation/Grading and Construction Impacts: Development of the Woodfin Suite Hotel and Timeshare Resort would require site excavation and grading and construction of the proposed improvements. These activities would occur over an estimated 24-month period. During this time, emissions would be generated by on-site stationary sources, heavy-duty construction vehicles, construction worker vehicles and generators. Fugitive dust would also be generated during all project development phases (i.e., excavation, grading and construction). Because of the duration of project development and the normal day-to-day variability in construction activities, it is difficult to precisely quantify the daily emissions associated with each phase of the proposed construction activities. **Table 5.4-30, Estimated Unmitigated Demolition, Excavation/Grading and Construction Emissions – Woodfin Suite Hotel and Timeshare Resort**, identifies daily emissions associated with typical equipment for different construction phases based on information provided by the project applicant and default construction values generated by URBEMIS2007 Version 9.2.4. These emissions assume that some of the construction equipment and activities would occur continuously over an 8-hour period. In reality, this would not occur, as most equipment would operate only a fraction of each workday. Therefore, **Table 5.4-30** represents a worst-case scenario for the construction phase of the Woodfin Suite Hotel and Timeshare Resort.

Table 5.4-30
Estimated Unmitigated Demolition, Excavation/Grading and Construction Emissions
Woodfin Suite Hotel and Timeshare Resort

| Year | Emissions in Pounds per Day | | | | | |
|-------------------------------|-----------------------------|-------|-----------------|-----------------|------------------|-------------------|
| | CO | VOC | NO _x | SO _x | PM ₁₀ | PM _{2.5} |
| 2009 | 71.45 | 20.01 | 113.21 | 0.02 | 13.81 | 5.98 |
| 2010 | 56.83 | 19.40 | 90.16 | 0.01 | 4.76 | 4.34 |
| Maximum Emissions in Any Year | 71.45 | 20.01 | 113.21 | 0.02 | 13.81 | 5.98 |
| SCAQMD Thresholds | 550 | 75 | 100 | 150 | 150 | 55 |
| Exceeds Thresholds? | NO | NO | YES | NO | NO | NO |

Source: Impact Sciences, Inc. Emissions calculations are provided in **Appendix 5.4**.

Totals in table may not appear to add exactly due to rounding in the computer model calculations.

As shown, recommended thresholds for NO_x would likely be exceeded during the construction and asphalt paving phases due to the operation of heavy-duty vehicles. Therefore, proposed construction of the Woodfin Suite Hotel and Timeshare Resort would result in a significant air quality impact for NO_x emissions.

Demolition, Excavation/Grading and Construction Impacts; Localized Significance Thresholds: An analysis of the impacts of the Woodfin Suite Hotel and Timeshare Resort construction emissions on ambient concentrations of PM₁₀, PM_{2.5}, NO₂ and CO was conducted. This analysis determined the ambient air quality impacts on the day with the highest estimated daily mass emission rates. The methodology and results are described in detail in **Appendix 5.4**. The results of the dispersion modeling analysis are compared to the localized significance thresholds in **Table 5.4-31, Localized Significance Thresholds Analysis – Woodfin Suite Hotel and Timeshare Resort**.

**Table 5.4-31
Localized Significance Thresholds Analysis
Woodfin Suite Hotel and Timeshare Resort**

| Pollutant | Averaging Period | Modeling Results | | LST Criteria ¹ | | Exceeds Threshold? |
|---------------------------------------------------|------------------|--------------------------|------|---------------------------|------|--------------------|
| | | $\mu\text{g}/\text{m}^3$ | ppm | $\mu\text{g}/\text{m}^3$ | ppm | |
| Respirable Particulate Matter (PM ₁₀) | 24 hours | 28.8 | NA | 10.4 | NA | YES |
| Fine Particulate Matter (PM _{2.5}) | 24 hours | 16.2 | NA | 10.4 | NA | YES |
| Nitrogen Dioxide (NO ₂) | 1 hour | 229 | 0.12 | 188 | 0.10 | YES |
| Carbon Monoxide (CO) | 1 hour | 1,802 | 1.6 | 19,454 | 17 | NO |
| Carbon Monoxide (CO) | 8 hours | 472 | 0.41 | 7,896 | 6.9 | NO |

Source: Impact Sciences, Inc.

¹ South Coast Air Quality Management District, Final Localized Significance Threshold Methodology, June 2008.

As shown in **Table 5.4-31**, the construction of the Woodfin Suite Hotel and Timeshare Resort would cause localized significant impacts for PM₁₀, PM_{2.5}, and NO₂.

Operational Impacts; Daily Emissions: Operational emissions would be generated by area, mobile and possibly stationary, sources as a result of normal day-to-day activities on the project site after occupation. The emissions from such sources are primarily associated with fuel combustion, which are addressed in the area and mobile source emission calculations by URBEMIS2007 discussed below. Area source emissions would be generated by the consumption of natural gas for space and water heating devices and food preparation and from the operation of gasoline-powered landscape maintenance equipment and consumer products (e.g., hair spray, deodorants, lighter fluid, air fresheners, automotive products and household cleaners). Mobile emissions would be generated by the motor vehicles traveling to and from the hotel. The Woodfin Suite Hotel and Timeshare Resort area and mobile source emissions as estimated using URBEMIS2007 are shown in **Table 5.4-32, Estimated Operational Emissions without Mitigation – Woodfin Suite Hotel and Timeshare Resort**.

Table 5.4-32
Estimated Operational Emissions without Mitigation
Woodfin Suite Hotel and Timeshare Resort

| Emissions Source | Emissions in Pounds per Day | | | | | |
|-----------------------------------------|-----------------------------|-------|-----------------|-----------------|------------------|-------------------|
| | CO | VOC | NO _x | SO _x | PM ₁₀ | PM _{2.5} |
| Summertime Emissions¹ | | | | | | |
| Operational (Mobile) Sources | 111.71 | 10.02 | 12.48 | 0.15 | 24.11 | 4.68 |
| Area Sources | 3.49 | 1.13 | 2.32 | 0.00 | 0.01 | 0.01 |
| Summertime Emission Totals: | 115.20 | 11.15 | 14.80 | 0.15 | 24.12 | 4.69 |
| Recommended Threshold: | 550 | 55 | 55 | 150 | 150 | 55 |
| Exceeds Threshold? | NO | NO | NO | NO | NO | NO |
| Wintertime Emissions² | | | | | | |
| Operational (Mobile) Sources | 106.54 | 10.21 | 15.04 | 0.12 | 24.11 | 4.68 |
| Area Sources | 1.94 | 1.01 | 2.30 | 0.00 | 0.00 | 0.00 |
| Wintertime Emission Totals: | 108.48 | 11.22 | 17.34 | 0.12 | 24.11 | 4.68 |
| Recommended Threshold: | 550 | 55 | 55 | 150 | 150 | 55 |
| Exceeds Threshold? | NO | NO | NO | NO | NO | NO |

Source: Impact Sciences, Inc. Emissions calculations are provided in **Appendix 5.4**.

Totals in table may not appear to add exactly due to rounding in the computer model calculations.

¹ "Summertime Emissions" are representative of worst-case conditions that may occur during the O₃ season (May 1 to October 31).

² "Wintertime Emissions" are representative of worst-case conditions that may occur during the balance of the year (November 1 to April 30).

As shown, the Woodfin Suite Hotel and Timeshare Resort at buildout and in full operation would not generate an increase in emissions that would exceed SCAQMD recommended thresholds. Therefore, operation of the proposed Woodfin Suite Hotel and Timeshare Resort would not result in a significant air quality impact.

Operational Impacts; Wind: RWDI prepared a wind study for the proposed project to assess the project's development and/or building placement on wind patterns within the marina, loss of surface winds used by birds and sailboats and general air circulation (this report is included in **Appendix 5.4** in its entirety).

The study concluded:

From the results of this wind study, it has been concluded that the proposed Neptune Marina will produce similar wind conditions over a majority of the areas of Marina del Rey. There will be localized areas of altered wind directions and speeds at the west end of Basins B and C. The change in wind conditions noted at the west end of Basins B and C is assumed not to be significant as boats would be under power at this location in the marina. The overall wind conditions predicted with the proposed and expected future developments are similar to those presently experienced in and around the marina and, therefore, the general air circulation patterns and the use of surface winds by birds will not be affected.

Operational Impacts; Additional Indicators: As previously discussed, the SCAQMD lists criteria indicating when a project may create potential air quality impacts. These criteria are listed below along

with an analysis of whether or not the project meets any of them. If a project meets any one of the criteria, project air quality impacts would be significant relative to that criterion.

5.4.3.4.4.2 Threshold: The project could interfere with the attainment of the federal or state ambient air quality standards by either violating or contributing to an existing or projected air quality violation.

Analysis: SCAQMD's *CEQA Air Quality Handbook* indicates that an air quality modeling analysis would need to be performed to identify the project's impact on ambient air quality.⁹⁴ In order for a project to be found consistent with the applicable AQMP, the analysis would have to demonstrate that the project's emissions would not increase the frequency or the severity of existing air quality violations, or contribute to a new violation.⁹⁵ The CO analysis for traffic emissions described below assesses the potential ambient air quality impacts with respect to this pollutant. URBEMIS2007 was used to calculate project emissions for comparison with thresholds addressing regional significance. The estimated operational emissions due to proposed project were found to be less than significant. Hence, the project is not expected to violate ambient air quality standards or contribute to an existing or projected air quality violation.

5.4.3.4.4.3 Threshold: The project could result in population increases within an area, which would be in excess of that projected by SCAG in the AQMP, or increase the population in an area where SCAG has not projected that growth for the project's buildout year.

Analysis: As discussed earlier in this analysis, the 2007 AQMP is designed to accommodate growth, to reduce the high levels of pollutants within the areas under the jurisdiction of SCAQMD, to achieve the federal 8-hour ozone standard by 2021⁹⁶ and to minimize the impact on the economy. Projects that are considered to be consistent with the AQMP do not interfere with attainment and do not contribute to the exceedance of an existing air quality violation because this growth is included in the projections utilized in the formulation of the AQMP. Therefore, projects, uses and activities that are consistent with the applicable assumptions used in the development of the AQMP would not jeopardize attainment of the air quality levels identified in the AQMP, even if they exceed the SCAQMD's recommended thresholds. The following analysis discusses the project's consistency with the AQMP.

⁹⁴ South Coast Air Quality Management District, *CEQA Air Quality Handbook* (Diamond Bar, California: South Coast Air Quality Management District, April 1993), p. 12-3.

⁹⁵ South Coast Air Quality Management District, *CEQA Air Quality Handbook*, p. 12-3.

⁹⁶ The 2007 AQMP has determined that the basin will still exceed the federal 8-hour ozone standard in 2021 even with implementation of 2007 AQMP control measures.

Projects that are consistent with the projections of population forecasts identified in the Growth Management Chapter of the RCPG are considered consistent with the AQMP growth projections. This is because the Growth Management Chapter forms the basis of the land use and transportation control portions of the AQMP.

As discussed in **Section 5.16, Population and Housing**, the Woodfin Suite Hotel and Timeshare Resort is considered to be consistent with the future population and employment figures projected for the site's census tract. The project would not increase population over that which has been planned for the area, would be consistent with the AQMP forecasts for this area, would be considered consistent with the air quality-related regional plans and should not jeopardize attainment of state and federal ambient air quality standards in the basin.

Another measurement tool in determining AQMP consistency is to determine how a project accommodates the expected increase in population and employment. Generally, if a project is planned in a way that results in the minimization of VMT both within the project and in the community in which it is located and consequently the minimization of air pollutant emissions, that project is consistent with the AQMP.⁹⁷

The nature of the project and its location within the Marina del Rey and surrounding urban areas with supporting commercial and office uses would minimize the need for or distance of some automobile trips, thereby, reducing automotive emissions from such trips. This type of development is consistent with the goals of the AQMP for reducing motor vehicle emissions. In addition, the project site is located in proximity to existing job centers that provide employment opportunities to many Marina del Rey residents. With these job centers, many local residents do not have to commute to distant employment centers. The project site is also linked to various employment, shopping and recreation areas throughout the Los Angeles Basin through the local transit system. Use of these facilities could reduce the need for some motor vehicle trips. As a result of reduced commutes and other vehicle trips, VMT and, consequently, air pollutant emissions could be further reduced.

5.4.3.4.4.4 Threshold: The project could generate vehicle trips that cause a CO hotspot or project could be occupied by sensitive receptors that are exposed to a CO hotspot.

Analysis: As was done to assess cumulative CO concentrations, the simplified CALINE4 screening procedure was used to predict future CO concentrations at 0 and 25 feet from the intersections in the study area for future traffic with the addition of Woodfin Suite Hotel and Timeshare Resort only. The results of air emissions modeling for the project study area are shown in **Table 5.4-33, Carbon Monoxide**

⁹⁷ South Coast Air Quality Management District, *CEQA Air Quality Handbook* (Diamond Bar, California: South Coast Air Quality Management District, April 1993), p. 12-5.

Concentrations Future with Woodfin Suite Hotel and Timeshare Resort Traffic (2013). The values in this table reflect the ambient air quality impacts of emissions resulting from ambient traffic growth in the area along with traffic resulting from the proposed Woodfin Suite Hotel and Timeshare Resort development as predicted in the traffic impact analysis for the project.⁹⁸

Table 5.4-33
Carbon Monoxide Concentrations
Future with Woodfin Suite Hotel and Timeshare Resort Traffic (2013)
(parts per million)

| Intersection | LOS | 0 Feet | | 25 Feet | |
|---------------------------------------------|-----|---------------------|---------------------|---------------------|---------------------|
| | | 1-Hour ¹ | 8-Hour ² | 1-Hour ¹ | 8-Hour ² |
| Admiralty Way & Mindanao Way | C | 7.4 | 4.3 | 6.5 | 3.7 |
| Lincoln Blvd. & Fiji Way | C | 8.4 | 5.0 | 7.3 | 4.2 |
| Lincoln Blvd. & Marina Expressway (SR-90) | C | 7.8 | 4.6 | 6.8 | 3.9 |
| Lincoln Blvd. & Mindanao Way | D | 7.7 | 4.5 | 6.8 | 3.9 |
| Lincoln Blvd. & Washington Blvd. | F | 9.0 | 5.4 | 7.7 | 4.5 |
| Marina Expressway (SR-90 EB) & Mindanao Way | C | 6.4 | 3.6 | 5.9 | 3.2 |
| Palawan Way & Admiralty Way | B | 7.1 | 4.1 | 6.3 | 3.5 |
| Palawan Way & Washington Blvd. | C | 6.8 | 3.9 | 6.1 | 3.4 |
| Via Marina & Admiralty Way | C | 5.5 | 3.0 | 5.4 | 2.9 |
| Via Marina & Washington Blvd. | D | 7.0 | 4.0 | 6.2 | 3.5 |

Source: Impact Sciences, Inc. The CO concentration calculations are provided in **Appendix 5.4**.

Note: Not all intersections would operate at a level of service (LOS) that could generate a CO hotspot (i.e., D or worse). However, for consistency purposes all ten intersections that were adversely affected during the "Cumulative with Project" scenario were analyzed for a potential CO hotspot.

¹ State standard is 20 parts per million. Federal standard is 35 parts per million.

² State standard is 9.0 parts per million. Federal standard is 9 parts per million.

As shown, the state and federal 1- and 8-hour CO standards would not be exceeded at any of the modeled intersections at Woodfin Suite Hotel and Timeshare Resort buildout with ambient traffic growth. Therefore, CO hotspots are not predicted to occur near these intersections in the future with the contribution of ambient growth and the proposed project's traffic. The proposed project would not expose sensitive receptors to CO hotspots and its impact with respect to this criterion would be considered less than significant.

⁹⁸ Crain & Associates, *Traffic Analysis for a Proposed 526-Unit Residential Development, 288-Room Hotel/Timeshare Resort, and 1.46-Acre Public Park on Parcels 10R, FF and 9U in Marina del Rey* (Los Angeles, California: Crain & Associates, May 2007).

5.4.3.4.4.5 Threshold: The project will have the potential to create, or be subjected to, an objectionable odor that could impact sensitive receptors.

Analysis: The uses associated with the Woodfin Suite Hotel and Timeshare Resort are not expected to be a source of odors. The adjacent land uses are such that users of the hotel/timeshare resort would not be subjected to objectionable odors from any surrounding land use. Consequently, no significant impacts from such odors are anticipated.

5.4.3.4.4.6 Threshold: The project will have hazardous materials on site and could result in an accidental release of toxic air emissions or acutely hazardous materials posing a threat to public health and safety;

Threshold: The project could emit a toxic air contaminant regulated by SCAQMD rules or that is on a federal or state air toxic list;

Threshold: The project could be occupied by sensitive receptors within 0.25 mile of an existing facility that emits air toxics identified in SCAQMD Rule 1401; or

Threshold: The project could emit carcinogenic or toxic air contaminants that individually or cumulatively exceed the maximum individual cancer risk of 10 in one million.

Analysis: The proposed land use of the Woodfin Suite Hotel and Timeshare Resort will not use hazardous materials or emit toxic air contaminants in appreciable quantities. Adjacent land uses would not subject project site visitors or employees to toxic air emissions. Accordingly, no significant impacts with respect to the criteria listed above are expected to occur.

5.4.3.4.4.7 Threshold: The project would generate emissions of greenhouse gases that could contribute to changes in global climate.

Analysis: As previously discussed, the primary source of GHGs in California is fossil fuel combustion. The primary GHG associated with fuel combustion is carbon dioxide, with lesser amounts of methane and nitrous oxide. Accordingly, the construction and operation of the Woodfin Suite Hotel and Timeshare Resort would result in direct emissions of these GHGs due to fuel combustion in motor vehicles, construction equipment, and building heating systems associated with the project. Building and motor vehicle air conditioning systems may use HFCs (and HCFCs and CFCs to the extent that they have not been completely phased out at later dates), which may result in emissions through leaks. The other primary GHGs (perfluorocarbons and sulfur hexafluoride) are associated with specific industrial sources

and are not expected to be associated with the proposed project. In addition, indirect GHG emissions would be associated with the electrical demand of the hotel, the electrical demand resulting from the provision of water to the project site, the electrical demand and process emissions due to wastewater treatment, and the decomposition of solid waste generated by the project.

Using the methods described in **Section 5.4.3.4.1.7**, the construction and operational GHG emissions associated with the project were estimated and are shown in **Table 5.4-34, Estimated Construction Greenhouse Gas Emissions – Woodfin Suite Hotel and Timeshare Resort Project** and **Table 5.4-35, Estimated Operational Greenhouse Gas Emissions – Woodfin Suite Hotel and Timeshare Resort Project**, respectively.

Table 5.4-34
Estimated Construction Greenhouse Gas Emissions
Woodfin Suite Hotel and Timeshare Resort Project

| Construction Year | Emissions in Metric Tons CO ₂ E Per Year |
|-------------------|-----------------------------------------------------|
| 2009 | 995 |
| 2010 | 1,168 |

Source: Impact Sciences, Inc. Emissions calculations are provided in Appendix 5.4.

Table 5.4-35
Estimated Operational Greenhouse Gas Emissions
Woodfin Suite Hotel and Timeshare Resort Project

| Emissions Source | Emissions in Metric Tons CO ₂ E Per Year |
|------------------------------|-----------------------------------------------------|
| Direct GHG Emissions | |
| Operational (Mobile) Sources | 2,415 |
| Area Sources | 460 |
| Total Direct GHG Emissions | 2,875 |
| Indirect GHG Emissions | |
| Electrical Generation | 812 |
| Water Supply | 23 |
| Wastewater Treatment | 61 |
| Solid Waste | 21 |
| Total Indirect GHG Emissions | 917 |
| GHG Emissions: | 3,792 |

Source: Impact Sciences, Inc. Emissions calculations are provided in Appendix 5.4.

While the Woodfin Suite Hotel and Timeshare Resort Project would result in emissions of GHGs, no guidance exists to indicate what level of GHG emissions would be considered substantial enough to result in a significant adverse impact on global climate. However, it is generally the case that an individual project of this size is of insufficient magnitude by itself to influence climate change or result in a substantial contribution to the global GHG inventory. Thus, GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective.⁹⁹ Accordingly, further discussion of the Woodfin Suite Hotel and Timeshare Resort Project's greenhouse gas emissions and their impact on global climate are addressed in **Section 5.4.4.2, Cumulative Impacts, Global Climate Change.**

5.4.3.4.4.8 Summary of Project Impacts Without Mitigation – Woodfin Suite Hotel and Timeshare Resort

Demolition, Excavation/Grading and Construction Impacts: Significant;

Demolition, Excavation/Grading and Construction Impacts; Localized Significance Thresholds: Significant;

Operational Impacts; Daily Emissions: Less than significant;

Operational Impacts; Wind: Less than significant;

Operational Impacts; Additional SCAQMD Indicators: Less than significant.

5.4.3.4.4.9 Summary of Project Mitigation; Existing Regulations and Standards Applicable to the Project – Woodfin Suite Hotel and Timeshare Resort

Mitigation for Demolition, Excavation/Grading and Construction Impacts: The SCAQMD has prepared a list of measures to reduce the impacts of construction-related emissions to the greatest extent possible. Those that could be feasibly implemented during the development of the project to mitigate NO_x, PM_{2.5}, and PM₁₀ emissions are as follows:

- 5.4-9. Develop and implement a construction management plan, as approved by the County, which includes the following measures recommended by the SCAQMD, or equivalently effective measures approved by the SCAQMD:
 - a. Configure construction parking to minimize traffic interference.

⁹⁹ California Air Pollution Control Officers Association, *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act*, (2008) 35.

- b. Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g., flag person).
 - c. Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the degree practicable.
 - d. Reroute construction trucks away from congested streets.
 - e. Consolidate truck deliveries when possible.
 - f. Provide dedicated turn lanes for movement of construction trucks and equipment on and off site.
 - g. Maintain equipment and vehicle engines in good condition and in proper tune according to manufacturers' specifications and per SCAQMD rules, to minimize exhaust emissions.
 - h. Suspend use of all construction equipment operations during second stage smog alerts. Contact the SCAQMD at 800/242-4022 for daily forecasts.
 - i. Use electricity from power poles rather than temporary diesel- or gasoline-powered generators.
 - j. Use methanol- or natural gas-powered mobile equipment and pile drivers instead of diesel if readily available at competitive prices.
 - k. Use propane- or butane-powered on-site mobile equipment instead of gasoline if readily available at competitive prices.
- 5.4-10.** Develop and implement a dust control plan, as approved by the County, which includes the following measures recommended by the SCAQMD, or equivalently effective measures approved by the SCAQMD:
- a. Apply approved non-toxic chemical soil stabilizers according to manufacturer's specification to all inactive construction areas (previously graded areas inactive for four days or more).
 - b. Replace ground cover in disturbed areas as quickly as possible.
 - c. Enclose, cover, water twice daily, or apply approved soil binders to exposed piles (i.e., gravel, sand, dirt) according to manufacturers' specifications.
 - d. Water active grading sites at least twice daily (SCAQMD Rule 403).
 - e. Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 mph.
 - f. Provide temporary wind fencing consisting of 3- to 5-foot barriers with 50 percent or less porosity along the perimeter of sites that have been cleared or are being graded.

- g. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer), in accordance with Section 23114 of the California Vehicle Code.
- h. Sweep streets at the end of the day if visible soil material is carried over to adjacent roads (recommend water sweepers using reclaimed water if readily available).
- i. Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip.
- j. Apply water three times daily or chemical soil stabilizers according to manufacturers' specifications to all unpaved parking or staging areas or unpaved road surfaces.
- k. Enforce traffic speed limits of 15 mph or less on all unpaved roads.
- l. Pave construction roads when the specific roadway path would be utilized for 120 days or more.

Construction mitigation measures recommended in the SCAQMD's *CEQA Air Quality Handbook* that were rejected for the proposed project are listed below along with a discussion of why each measure was rejected:

- Prohibit truck idling in excess of 2 minutes: The nature of diesel engines does not lend them to constant turning on and off during construction activities. However, CARB has adopted an ATCM that applies to all diesel-fueled commercial vehicles over 10,000 pounds and that prohibits idling for more than 5 minutes except under limited circumstances. Accordingly, this restriction is required by law and should not be considered mitigation.
- Implement a shuttle service to and from retail services and food establishments during lunch hours: Construction workers typically take a 0.5-hour lunch at various times of the day and eat on-site food that was either brought by the workers (brown bag) or purchased from mobile caterers who travel to the site. This measure would therefore be ineffective in reducing project construction-related emissions.

5.4.3.4.4.10 Summary of Project Impacts With Mitigation – Woodfin Suite Hotel and Timeshare Resort

Demolition, Excavation/Grading and Construction Impacts: Significant and unavoidable;

Demolition, Excavation/Grading and Construction Impacts; Localized Significance Thresholds: Significant and unavoidable;

Operational Impacts; Daily Emissions: Less than significant;

Operational Impacts; Wind: Less than significant;

Operational Impacts; Additional SCAQMD Indicators: Less than significant.

5.4.3.4.5 Restored Wetland and Upland Buffer

5.4.3.4.5.1 **Threshold: The project will generate air pollutant quantities in excess of established SCAQMD emissions thresholds.**

Analysis: Development of the restored wetland and upland buffer would generate air emissions from a variety of area and mobile sources. Fugitive dust (PM₁₀ and PM_{2.5}) would be generated by on-site construction activities. Once the proposed park has been developed, emissions would be generated by area sources such as landscape maintenance equipment. Mobile source emissions would be generated by motor vehicle travel associated with construction and operation of the proposed development. An assessment of construction and operational emissions are presented below based on the methodologies recommended in the SCAQMD's *CEQA Air Quality Handbook*.

Demolition, Excavation/Grading and Construction Impacts: Development of the restored wetland and upland buffer would require on-site soil excavation that would be moved on site to create the upland buffer. Additional soil material would also be imported to help create the upland buffer. During excavation and grading activities, as well as construction activities, fugitive dust would be generated. During construction activities, emissions would be generated by on-site stationary sources, heavy-duty construction equipment, construction worker vehicles, and generators. Due to the normal day-to-day variability in construction activities, it is difficult to precisely quantify the daily emissions associated with each phase of the proposed construction activities. **Table 5.4-36, Estimated Unmitigated Demolition, Excavation/Grading, and Construction Emissions – Restored Wetland and Upland Buffer**, identifies daily emissions associated with typical equipment for the various construction phases based on information provided by the applicant and default construction values generated by URBEMIS2007 Version 9.2.4. These emissions assumed that some of the construction equipment and activities would occur continuously for an 8-hour period. In reality, this would not occur, as most equipment would operate only a fraction of each workday. Therefore, **Table 5.4-36**, represents a worst-case scenario for the construction phase of the Restored Wetland and Upland Buffer.

Table 5.4-36
Estimated Unmitigated Demolition, Excavation/Grading, and Construction Emissions
Restored Wetland Park and Upland Buffer

| Year | Emissions in Pounds per Day | | | | | |
|-------------------------------|-----------------------------|------|-----------------|-----------------|------------------|-------------------|
| | CO | VOC | NO _x | SO _x | PM ₁₀ | PM _{2.5} |
| 2010 | 16.21 | 3.36 | 22.39 | 0.01 | 1.65 | 1.50 |
| Maximum Emissions in Any Year | 16.21 | 3.36 | 22.39 | 0.01 | 1.65 | 1.50 |
| SCAQMD Thresholds | 550 | 75 | 100 | 150 | 150 | 55 |
| Exceeds Thresholds? | NO | NO | NO | NO | NO | NO |

Source: Impact Sciences, Inc. Emissions calculations are provided in **Appendix 5.4**.

Totals in table may not appear to add exactly due to rounding in the computer model calculations.

Demolition, Excavation/Grading and Construction Impacts; Localized Significance Thresholds: An analysis of the impacts of the restored wetland and upland buffer construction emissions on ambient concentrations of PM₁₀, PM_{2.5}, NO₂, and CO was conducted. This analysis determined the ambient air quality impacts on the day with the highest estimated daily mass emission rates. The methodology and results are described in detail in **Appendix 5.4**. The results of the dispersion modeling analysis are compared to the localized significance thresholds in **Table 5.4-37, Localized Significance Thresholds Analysis – Restored Wetland and Upland Buffer**.

Table 5.4-37
Localized Significance Thresholds Analysis
Restored Wetland and Upland Buffer

| Pollutant | Averaging Period | Modeling Results | | LST Criteria ¹ | | Exceeds Threshold? |
|---------------------------------------------------|------------------|-------------------|------|---------------------------|------|--------------------|
| | | µg/m ³ | ppm | µg/m ³ | ppm | |
| Respirable Particulate Matter (PM ₁₀) | 24 hours | 7.7 | NA | 10.4 | NA | NO |
| Fine Particulate Matter (PM _{2.5}) | 24 hours | 7.1 | NA | 10.4 | NA | NO |
| Nitrogen Dioxide (NO ₂) | 1 hour | 50.5 | 0.03 | 188 | 0.10 | NO |
| Carbon Monoxide (CO) | 1 hour | 458 | 0.40 | 19,454 | 17 | NO |
| Carbon Monoxide (CO) | 8 hours | 164 | 0.14 | 7,896 | 6.9 | NO |

Source: Impact Sciences, Inc.

¹ South Coast Air Quality Management District, Final Localized Significance Threshold Methodology, June 2008.

As shown in **Table 5.4-37**, construction of the restored wetland and upland buffer would not generate pollutant concentrations that exceed any of the LST criteria for the proposed project.

Operational Impacts; Daily Emissions: Operational emissions would be generated by area and mobile sources as a result of normal day-to-day activities on the project site following full buildout. The emissions from such sources are primarily associated with fuel combustion, which is addressed in the mobile source emission calculations by URBEMIS2007 discussed below. Area source emissions are typically generated by the consumption of natural gas for space and water heating devices and food preparation, the operation of gasoline-powered landscape maintenance equipment, and consumer products (e.g., hair spray, deodorants, lighter fluid, air fresheners, automotive products, and household cleaners). However, the proposed park would not include residential or commercial uses; therefore, the only area source emissions associated with its day-to-day activities would be the use of landscape maintenance equipment. Mobile source emissions would be generated by the motor vehicles traveling to and from the restored wetland and upland buffer. The restored wetland and upland buffer area and mobile source emissions as estimated using URBEMIS2007 are shown in **Table 5.4-38, Estimated Operational Emissions without Mitigation – Restored Wetland and Upland Buffer.**

Table 5.4-38
Estimated Operational Emissions without Mitigation
Restored Wetland and Upland Buffer

| Emissions Source | Emissions in Pounds per Day | | | | | |
|-----------------------------------------|-----------------------------|------|-----------------|-----------------|------------------|-------------------|
| | CO | VOC | NO _x | SO _x | PM ₁₀ | PM _{2.5} |
| Summertime Emissions¹ | | | | | | |
| Operational (Mobile) Sources | 3.63 | 0.27 | 0.41 | 0.00 | 0.78 | 0.15 |
| Area Sources | 1.55 | 0.12 | 0.02 | 0.00 | 0.01 | 0.01 |
| Summertime Emission Totals: | 5.18 | 0.39 | 0.43 | 0.00 | 0.79 | 0.16 |
| Recommended Threshold: | 550 | 55 | 55 | 150 | 150 | 55 |
| Exceeds Threshold? | NO | NO | NO | NO | NO | NO |
| Wintertime Emissions² | | | | | | |
| Operational (Mobile) Sources | 3.46 | 0.31 | 0.49 | 0.00 | 0.78 | 0.15 |
| Area Sources | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Wintertime Emission Totals: | 3.46 | 0.31 | 0.49 | 0.00 | 0.78 | 0.15 |
| Recommended Threshold: | 550 | 55 | 55 | 150 | 150 | 55 |
| Exceeds Threshold? | NO | NO | NO | NO | NO | NO |

Source: Impact Sciences, Inc. Emissions calculations are provided in **Appendix 5.4.**

Totals in table may not appear to add exactly due to rounding in the computer model calculations.

¹ "Summertime Emissions" are representative of worst-case conditions that may occur during the O₃ season (May 1 to October 31).

² "Wintertime Emissions" are representative of worst-case conditions that may occur during the balance of the year (November 1 to April 30).

As shown, the restored wetland and upland buffer at buildout and in full operation would not generate emissions that would exceed SCAQMD's recommended thresholds of significance. Therefore, the operation of the proposed restored wetland and upland buffer would not result in a significant air quality impact.

Operational Impacts; Wind: RWDI prepared a wind study for the proposed project to assess the project's development and/or building placement on wind patterns within the marina, loss of surface winds used by birds and sailboats and general air circulation (this report is included in **Appendix 5.4** in its entirety).

The study concluded:

From the results of this wind study, it has been concluded that the proposed Neptune Marina will produce similar wind conditions over a majority of the areas of Marina del Rey. There will be localized areas of altered wind directions and speeds at the west end of Basins B and C. The change in wind conditions noted at the west end of Basins B and C is assumed not to be significant as boats would be under power at this location in the marina. The overall wind conditions predicted with the proposed and expected future developments are similar to those presently experienced in and around the marina and, therefore, the general air circulation patterns and the use of surface winds by birds will not be affected.

Operational Impacts; Additional Indicators: As previously discussed, the SCAQMD lists criteria indicating when a project may create potential air quality impacts. These criteria are listed below along with an analysis of whether or not the project meets any of them. If a project meets any one of the criteria, project air quality impacts would be significant relative to that criterion.

5.4.3.4.5.2 Threshold: The project could interfere with the attainment of the federal or state ambient air quality standards by either violating or contributing to an existing or projected air quality violation.

Analysis: SCAQMD's *CEQA Air Quality Handbook* indicates that an air quality modeling analysis would need to be performed to identify the project's impact on ambient air quality.¹⁰⁰ In order for a project to be found consistent with the applicable AQMP, the analysis would have to demonstrate that the project's emissions would not increase the frequency or the severity of existing air quality violations, or contribute to a new violation.¹⁰¹ The CO analysis for traffic emissions described below assesses the potential ambient air quality impacts with respect to this pollutant. URBEMIS2007 was used to calculate project emissions for comparison with thresholds addressing regional significance. The estimated operational emissions due to proposed project were found to be less than significant. Hence, the project is not expected to violate ambient air quality standards or contribute to an existing or projected air quality violation.

¹⁰⁰ South Coast Air Quality Management District, *CEQA Air Quality Handbook* (Diamond Bar, California: South Coast Air Quality Management District, April 1993), p. 12-3.

¹⁰¹ South Coast Air Quality Management District, *CEQA Air Quality Handbook*, p. 12-3.

5.4.3.4.5.3 Threshold: The project could result in population increases within an area, which would be in excess of that projected by SCAG in the AQMP, or increase the population in an area where SCAG has not projected that growth for the project's buildout year.

Analysis: The restored wetland and upland buffer would involve passive recreation and would not result in an on-site population. Therefore, the project would not result in a population increase in excess of SCAG projections contained in the 2007 AQMP and impacts would be less than significant.

5.4.3.4.5.4 Threshold: The project could generate vehicle trips that cause a CO hotspot or project could be occupied by sensitive receptors that are exposed to a CO hotspot.

Analysis: The vehicle trips associated with this project component have been included in the CO hotspots analysis for the Woodfin Suite Hotel and Timeshare Resort, which is located on the same parcel. As shown in **Table 5.4-33**, CO concentrations generated from ambient growth in the area and the proposed project's traffic would not violate any state or federal CO standards. Furthermore, the vehicle trips associated with the restored wetland and upland buffer are also included in the cumulative CO hotspots analysis for the complete project. As shown in **Table 5.4-15**, the CO concentrations generated by cumulative related projects and the complete proposed project, including the restored wetland and upland buffer would not violate any state or federal CO standards. Therefore, this component of the project would not expose sensitive receptors to CO hotspots and the impact with respect to this criterion is considered less than significant.

5.4.3.4.5.5 Threshold: The project will have the potential to create, or be subjected to, an objectionable odor that could impact sensitive receptors.

Analysis: The passive recreational uses associated with the restored wetland and upland buffer are not expected to be a source of odors. The adjacent land uses are such that project visitors would not be subjected to objectionable odors from any surrounding land use. Consequently, no significant impacts from such odors are anticipated.

5.4.3.4.5.6 Threshold: The project will have hazardous materials on site and could result in an accidental release of toxic air emissions or acutely hazardous materials posing a threat to public health and safety;

Threshold: The project could emit a toxic air contaminant regulated by SCAQMD rules or that is on a federal or state air toxic list;

Threshold: The project could be occupied by sensitive receptors within 0.25 mile of an existing facility that emits air toxics identified in SCAQMD Rule 1401; or

Threshold: The project could emit carcinogenic or toxic air contaminants that individually or cumulatively exceed the maximum individual cancer risk of ten in one million.

Analysis: The proposed land use of the restored wetland and upland buffer project will not use hazardous materials or emit toxic air contaminants in appreciable quantities. Adjacent land uses would not subject project visitors to toxic air emissions. Accordingly, no significant impacts with respect to the criteria listed above are expected to occur.

5.4.3.4.5.7 Threshold: The project would generate emissions of greenhouse gases that could contribute to changes in global climate.

Analysis: As previously discussed, the primary source of GHGs in California is fossil fuel combustion. The primary GHG associated with fuel combustion is carbon dioxide, with lesser amounts of methane and nitrous oxide. Accordingly, the restored wetland and upland buffer would result in direct emissions of these GHGs due to fuel combustion in motor vehicles and construction equipment associated with the project. Unlike the other project components, no indirect GHG emissions would result because the restored wetland and upland buffer would not be served by water or sewer service and solid waste would be minimal.

Using the methods described in **Section 5.4.3.4.1.7**, the construction and operational GHG emissions associated with the project were estimated and are shown in **Table 5.4-39, Estimated Construction Greenhouse Gas Emissions – Restored Wetland and Upland Buffer** and **Table 5.4-40, Estimated Operational Greenhouse Gas Emissions – Restored Wetland and Upland Buffer**, respectively.

**Table 5.4-39
Estimated Construction Greenhouse Gas Emissions
Restored Wetland and Upland Buffer**

| Construction Year | Emissions in Metric Tons CO₂E Per Year |
|--------------------------|----------------------------------------------------------|
| 2010 | 192 |

Source: Impact Sciences, Inc. Emissions calculations are provided in Appendix 5.4.

**Table 5.4-40
Estimated Operational Greenhouse Gas Emissions
Restored Wetland and Upland Buffer**

| Emissions Source | Emissions in Metric Tons CO₂E Per Year |
|------------------------------|----------------------------------------------------------|
| Direct GHG Emissions | |
| Operational (Mobile) Sources | 79 |
| Area Sources | 1 |
| Total Direct GHG Emissions | 80 |
| Project GHG Emissions: | 80 |

Source: Impact Sciences, Inc. Emissions calculations are provided in Appendix 5.4.

While the restored wetland and upland buffer would result in emissions of GHGs, no guidance exists to indicate what level of GHG emissions would be considered substantial enough to result in a significant adverse impact on global climate. However, it is generally the case that an individual project of this size is of insufficient magnitude by itself to influence climate change or result in a substantial contribution to the global GHG inventory. Thus, GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective.¹⁰² Accordingly, further discussion of the restored wetland and upland buffer project's greenhouse gas emissions and their impact on global climate are addressed in **Section 5.4.4.2, Cumulative Impacts, Global Climate Change.**

5.4.3.4.5.8 Summary of Project Impacts Without Mitigation – Wetland Park Project

Demolition, Excavation/Grading and Construction Impacts: Less than significant;

¹⁰² California Air Pollution Control Officers Association, *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act*, (2008) 35.

Demolition, Excavation/Grading and Construction Impacts; Localized Significance Thresholds: Less than significant;

Operational Impacts; Daily Emissions: Less than significant;

Operational Impacts; Wind: Less than significant;

Operational Impacts; Additional SCAQMD Indicators: Less than significant.

Air Quality Impacts and Mitigation Measures: Woodfin Suite Hotel and Timeshare Resort Project

5.4.3.4.6 Public/Transient Boat Space Project

5.4.3.4.6.1 **Threshold: The project will generate air pollutant quantities in excess of established SCAQMD emissions thresholds.**

5.4.3.4.6.2 **Threshold: The project could interfere with the attainment of the federal or state ambient air quality standards by either violating or contributing to an existing or projected air quality violation.**

5.4.3.4.6.3 **Threshold: The project could generate vehicle trips that cause a CO hotspot or project could be occupied by sensitive receptors that are exposed to a CO hotspot.**

Analysis: The public boat spaces project would require construction of approximately 542 linear feet of dock space and between 7 and 11 transient boat spaces and dinghy boat moorage space. The use of heavy construction equipment would be required. However, the use of such equipment would be minimal and any associated emissions would be negligible. The operation of this project component would involve limited recreation uses (boating), would only generate minimal trips, and would not result in appreciable air pollutant emissions. Therefore, the proposed public boat spaces would not generate air pollutant quantities in excess of established SCAQMD emissions thresholds, interfere with the attainment of federal or state ambient air quality standards and/or generate a CO hotspot. Impacts would be less than significant.

5.4.3.4.6.4 **Threshold: The project could result in population increases within an area, which would be in excess of that projected by SCAG in the AQMP, or increase the population in an area where SCAG has not projected that growth for the project's buildout year.**

Analysis: The public boat spaces project would involve limited recreational uses and would not result in an on-site population. Therefore, the project would not result in a population increase in excess of SCAG projections contained in the 2007 AQMP and impacts would be less than significant.

5.4.3.4.6.5 **Threshold: The project will have the potential to create, or be subjected to, an objectionable odor that could impact sensitive receptors.**

Analysis: The limited recreational uses associated with the public boat spaces project are not expected to be a source of odors. The adjacent land uses are such that project visitors would not be subjected to objectionable odors from any surrounding land use. The adjacent water uses are similar to the proposed Public/Transient Boat Space project such that project visitors would not be subjected to objectionable

odors from these surrounding uses. Consequently, no significant impacts from such odors are anticipated.

5.4.3.4.6.6 Threshold: The project will have hazardous materials on site and could result in an accidental release of toxic air emissions or acutely hazardous materials posing a threat to public health and safety;

Threshold: The project could emit a toxic air contaminant regulated by SCAQMD rules or that is on a federal or state air toxic list;

Threshold: The project could be occupied by sensitive receptors within 0.25 mile of an existing facility that emits air toxics identified in SCAQMD Rule 1401; or

Threshold: The project could emit carcinogenic or toxic air contaminants that individually or cumulatively exceed the maximum individual cancer risk of ten in one million.

Analysis: The proposed land use of the public boat spaces will not use hazardous materials or emit toxic air contaminants. Adjacent land uses would not subject project visitors to toxic air emissions. Accordingly, no significant impacts with respect to the criteria listed above are expected to occur.

5.4.3.4.6.7 Threshold: The project would generate emissions of greenhouse gases that could contribute to changes in global climate.

Analysis: As previously discussed, the primary source of GHGs in California is fossil fuel combustion. The primary GHG associated with fuel combustion is carbon dioxide, with lesser amounts of methane and nitrous oxide. As noted above, the public boat spaces would not result in appreciable emissions.

While the public boat spaces would result in emissions of GHGs, albeit in negligible amounts, no guidance exists to indicate what level of GHG emissions would be considered substantial enough to result in a significant adverse impact on global climate. However, it is generally the case that an individual project of this size is of insufficient magnitude by itself to influence climate change or result in a substantial contribution to the global GHG inventory. Thus, GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective.¹⁰³ Accordingly, further discussion of the public boat spaces' greenhouse gas emissions and

¹⁰³ California Air Pollution Control Officers Association, *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act*, (2008) 35.

their impact on global climate are addressed in **Section 5.4.4.2, Cumulative Impacts, Global Climate Change.**

5.4.3.4.6.8 Summary of Project Impacts Without Mitigation – Public Boat Spaces

Demolition, Excavation/Grading and Construction Impacts: Less than significant;

Demolition, Excavation/Grading and Construction Impacts; Localized Significance Thresholds: Less than significant;

Operational Impacts; Daily Emissions: Less than significant;

Operational Impacts; Wind: Less than significant;

Operational Impacts; Additional SCAQMD Indicators: Less than significant.

5.4.4 CUMULATIVE IMPACTS

5.4.4.1 Regional Analysis

The *CEQA Air Quality Handbook* identifies possible methods to determine the cumulative significance of land use projects.¹⁰⁴ All of the SCAQMD's methods are based on performance standards and emission reduction targets necessary to attain the federal and state air quality standards identified in the 2007 AQMP. The *CEQA Air Quality Handbook* identifies possible methods to determine the cumulative significance of land use projects.¹⁰⁵ However, one method is no longer recommended and supported by the SCAQMD, and another method is not applicable as the SCAQMD repealed the underlying regulation after the *CEQA Air Quality Handbook* was published. This EIR evaluates the following methods: (1) the SCAQMD method of whether the rate of growth in average daily trips exceeds the rate of growth in population and (2) whether or not the project is consistent with 2007 AQMP and, thus, would not jeopardize attainment of state and federal ambient air quality standards in the basin.

One SCAQMD approach is to assess whether the rate of growth in VMT and trips is held to the rate of population growth. As specified in the *CEQA Air Quality Handbook*, the ratio of project VMT or average daily trips (AMT) to anticipated VMT or ADT in the city or county is compared to the ratio of the project population to the anticipated population in the city or county.¹⁰⁶ If the growth of VMT or ADT is less than the population growth, then the project is not considered to have a significant cumulative air quality impact. The relevant values are shown in **Table 5.4-41, Comparison of Growth of ADT to Population Growth**. Because this approach compares a project's population to VMT, only the population and VMT associated with permanent residents of the Neptune Marina Apartments and Anchorage in Parcels 10R and FF are used in this comparison. As shown in **Table 5.4-41**, this criterion has been met, and the project would not be considered to have significant cumulative impacts.

¹⁰⁴ South Coast Air Quality Management District, *CEQA Air Quality Handbook* (Diamond Bar, California: South Coast Air Quality Management District, April 1993), p. 9-12; Written communication with Steve Smith, South Coast Air Quality Management District, 20 November 2003.

¹⁰⁵ South Coast Air Quality Management District, *CEQA Air Quality Handbook*, pp. 9–12; Written communication with Steve Smith, Program Supervisor, South Coast Air Quality Management District, November 20, 2003.

¹⁰⁶ South Coast Air Quality Management District, *CEQA Air Quality Handbook* (Diamond Bar, California: South Coast Air Quality Management District, April 1993), p. A9-126.

Table 5.4-41
Comparison of Growth of ADT to Population Growth

| | Average Daily Trips | Population |
|-----------------------------------------|-------------------------|-------------------------|
| Neptune Marina Apartments and Anchorage | 2,083 ¹ | 789 ² |
| Los Angeles County | 44,342,400 ³ | 10,955,466 ⁴ |
| Ratio of Project to Los Angeles County | 0.000047 | 0.000072 |

Source: Impact Sciences, Inc.

¹ Average daily trips at a rate of 3.96 trips per apartment unit.

² Number of residents associated with 526-unit apartment complex at Neptune Marina Parcel 10R and Neptune Marina Parcel FF.

³ Estimated ADT in Los Angeles County in 2013 (project buildout year) as determined by EMFAC2007.

⁴ Aggregated population in Los Angeles County in 2013. Source: Southern California Association of Governments. "City Projections." <http://www.scag.ca.gov/forecast/downloads/2004GF.xls>.

Although the following method is not included in the *CEQA Air Quality Handbook* as a way to assess cumulative air quality impacts, it is determined the project is within growth forecasts contained in the Growth Management Chapter of SCAG's RCPG, which forms the basis for the land use and transportation control portions of the 2007 AQMP. Therefore, it would be consistent with the 2007 AQMP, indicating that it would not jeopardize attainment of state and federal ambient air quality standards in the basin.

Based on the results of the latter two approaches discussed above, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would not cause significant cumulative impacts on air quality during operation.

In addition to the cumulative significance methodologies contained in *CEQA Air Quality Handbook*, the SCAQMD staff has suggested that the emissions-based thresholds be used to determine if a project's contribution to regional cumulative emissions is cumulatively considerable.¹⁰⁷ Individual projects that exceed the SCAQMD-recommended daily thresholds for project-specific impacts would be considered to cause a cumulatively considerable increase in emissions for those pollutants for which the basin is in nonattainment. As presented previously (see **Tables 5.4-11, 18, and 30**), construction of the project would result in daily construction emissions of NO_x that exceed the thresholds of significance recommended by the SCAQMD during peak construction activities. Because the basin is in nonattainment for ozone (NO_x is a precursor to ozone), construction of the project would generate a cumulatively considerable contribution. This is considered a significant and unavoidable impact.

¹⁰⁷ Personal communication with Steve Smith, Program Supervisor, South Coast Air Quality Management District, Diamond Bar, California, with David Deckman, Impact Sciences, April 19, 2006.

Mitigation Measures: Cumulative impacts during construction are considered significant.

5.4.4.2 Global Climate Change

In addition to the project-level impact on global climate, a project's contribution to state, national, and global GHG emission inventories and the resultant effect on global climate must also be evaluated on a cumulative basis. The project would generate GHG emissions, as discussed and reported previously, which would contribute to potential cumulative impacts of GHG emissions on global climate.

Under Section 15130 of the *State CEQA Guidelines*, an EIR must discuss cumulative impacts if a project would have a cumulatively considerable effect on a resource, where "cumulatively considerable" is defined as "...the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."¹⁰⁸ However, as Section 15064(h)(4) states, "The mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable."¹⁰⁹ Therefore, the fact that the proposed project would result in emissions of GHGs, and that global GHGs emissions contribute to the greenhouse effect and the resultant impacts on global climate, does not mean that the proposed project would have a cumulatively considerable impact on global climate. Accordingly, the potential contribution of the project to this cumulative impact is evaluated under other criteria.

To date, no quantitative emission thresholds or similar criteria have been established to evaluate the cumulative impact of a single project on global climate. In the absence of quantitative emissions thresholds, consistency with adopted programs and policies is used by many jurisdictions to evaluate the significance of cumulative impacts. A project's consistency with the implementing programs and regulations to achieve the statewide GHG emission reduction goals established under Executive Order S-3-05 and AB 32 cannot yet be evaluated because they are still under development. Nonetheless, the Climate Action Team, established by Executive Order S-3-05, has recommended strategies for implementation at the statewide level to meet the goals of the Executive Order. In the absence of an adopted plan or program, the Climate Action Team's strategies serve as current statewide approaches to reducing the state's GHG emissions. As no other plan or program for GHG emissions that would apply to the projects has been adopted, consistency with these strategies is assessed to determine if the projects' contribution to cumulative GHG emissions is considerable.

¹⁰⁸ *California Environmental Quality Act Guidelines*, California Code of Regulations (CCR), Title 14, Division 6, Chapter 3, Section 15065(a)(3).

¹⁰⁹ *California Environmental Quality Act Guidelines*, California Code of Regulations (CCR), Title 14, Division 6, Chapter 3, Section 15064(h)(4).

In its report to the Governor and the Legislature, the Climate Action Team recommended strategies that could be implemented by various state boards, departments, commissions, and other agencies to reduce GHG emissions.¹¹⁰ In addition, CARB has approved a list of early action measures that can be implemented by January 1, 2010. This EIR contains several project design features that would result in lower fuel combustion emissions, reduced energy usage, water conservation, and other collateral benefits with respect to GHG emissions.¹¹¹ The Climate Action Team strategies and early action measures that are relevant to the proposed project, the implementing agencies, and the project's design features or mitigation measures that would be consistent with these strategies are listed in **Table 5.4-42, Project Features and Mitigation Measures to Achieve Climate Action Team Strategies** and **Table 5.4-43, Project Features and Mitigation Measures Consistent with Early Action Measures**, respectively. Based on the analysis in **Table 5.4-42** and **Table 5.4-43**, the proposed project would reduce their contribution to GHG emissions and global climate through consistency with these strategies and measures, as well as many of the future strategies to meet the goals of AB 32. In addition, the development of Parcel 10R would replace old apartments that were constructed well before the implementation of California's stringent energy standards under Title 24 with new buildings that would be constructed in accordance with Title 24. Accordingly, this component of the proposed projects would likely result in a reduction in energy use and the associated generation of GHG emissions.

¹¹⁰ California Environmental Protection Agency, Climate Action Team, Climate Action Team Report to Governor Schwarzenegger and the Legislature. March 2006.

¹¹¹ Project design features that are intended to reduce criteria pollutant emissions associated with fuel combustion (e.g., motor vehicle emissions) or energy conservation would also serve to reduce GHG emissions.

**Table 5.4-42
Project Features and Mitigation Measures to Achieve Climate Action Team Strategies**

| CAT Strategy | Implementing Agency | Project Feature/Mitigation |
|------------------------------------------------|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Vehicle Climate Change Standards | Air Resources Board | The project would be consistent with this strategy to the extent that new passenger vehicle and light trucks are purchased by the project's users starting in the 2009 model year. ¹ |
| HFC Reduction Strategies | Air Resources Board | Project air conditioning systems would comply with the latest standards for new systems. Use of consumer products using HFCs would comply with CARB regulations, when adopted. |
| Building Energy Efficiency Standards in Place | Energy Commission | The project will meet or exceed California energy standards or energy efficient lighting requirements. |
| Appliance Energy Efficiency Standards in Place | Energy Commission | |
| Water Use Efficiency | Department of Water Resources | The project will meet or exceed California water use and conservation standards. |

¹ The U.S. EPA has denied the waiver that would allow these standards to be implemented; however, the state has filed a lawsuit to overturn this decision. The implementation of these standards and the time schedule for the introduction of compliance passenger vehicles and light trucks are in question at this time.

Table 5.4-43
Project Features and Mitigation Measures Consistent with Early Action Measures

| Early Action Measure | Project Feature/[Mitigation Measure] |
|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Low-Carbon Fuel Standard | The project would be consistent with this measure because motor vehicles driven by project residents and hotel users would use compliant fuels in the future. |
| “Do-it-yourself” Automotive Refrigerants | The project would be consistent with this measure because the project’s vehicles would be serviced by repair shops that capture and recycle automotive refrigerants. |
| Consumer Product Propellants | The project would be consistent with this measure because the project residents would use compliant consumer products. |
| Proper Tire Inflation | The project would be consistent with this measure because motor vehicles driven by project residents and hotel users would maintain proper tire pressure to improve fuel economy and reduce GHG emissions. |

It should also be noted that the total *net* GHG emissions from the proposed projects are estimated to be approximately 8,673 metric tons per year (0.009 million metric tons). Compared to the estimated GHG for all sources in California (423 million metric tons, excluding out-of-state electrical generation), the project’s contribution to the effects on global climate would be imperceptible. Based on these findings, the contribution of the projects to cumulative GHG emissions is not considered cumulatively considerable.

5.4.5 UNAVOIDABLE SIGNIFICANT IMPACTS

The recommended mitigation measures would reduce the magnitude of construction-related emissions to some extent; however, no feasible mitigation exists which would reduce these emissions or the associated impacts on ambient air quality (i.e., localized significance thresholds) to below the SCAQMD’s recommended thresholds of significance. The construction-related emissions for the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project, the Neptune Marina Parcel 10R, the Neptune Marina Parcel FF, and the Woodfin Suite Hotel and Timeshare Resort (Parcel 9U) would be considered significant and unavoidable.

SUMMARY

Portions of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site are completely developed (Parcels 10R and FF) while portions of the project site are a vacant undeveloped lot (Parcel 9U). On-site surveys indicate that special-status plant or animal species are not present. However, portions of the project site are considered a special-status biological resource (a small man-made wetland is present in the south-central portion of Parcel 9U). No portion of the project site has been defined as a regional or local wildlife movement corridor. The small-craft harbor supports an aquatic infauna common to shallow-water embayments and portions of the marina can be or have been considered a fish nursery. Open water channels in the marina are used by the special-status California least tern and California brown pelican as a foraging area despite pollution problems attributable to storm drain outfalls and boat maintenance.

Landside project construction would not directly impact special-status species. However, the man-made wetland present on Parcel 9U would be re-located approximately 25 meters south to a location north of Tahiti Way. In-water construction (Parcel 10R and adjacent to the 9U bulkhead only) would potentially impact water quality in the vicinity of the construction zone due to the suspension of sediments associated with removal and replacement of piles. However, construction of the anchorage component of the Neptune Marina Parcel 10R and the public anchorage adjacent to the Parcel 9U bulkhead and re-location of the wetland would be subject to a number of permits from the Army Corps of Engineers (ACOE), the California Department of Fish and Game (CDFG), the Regional Water Quality Control Board (RWQCB), California Coastal Commission (CCC), and the County of Los Angeles, whose permits will contain conditions designed to minimize water quality impacts as they affect the marine and terrestrial environments. Compliance with conditions placed on the project by these permits in conjunction with mitigation measures identified in this environmental impact report (EIR) would reduce biological impacts to a level that is not considered significant.

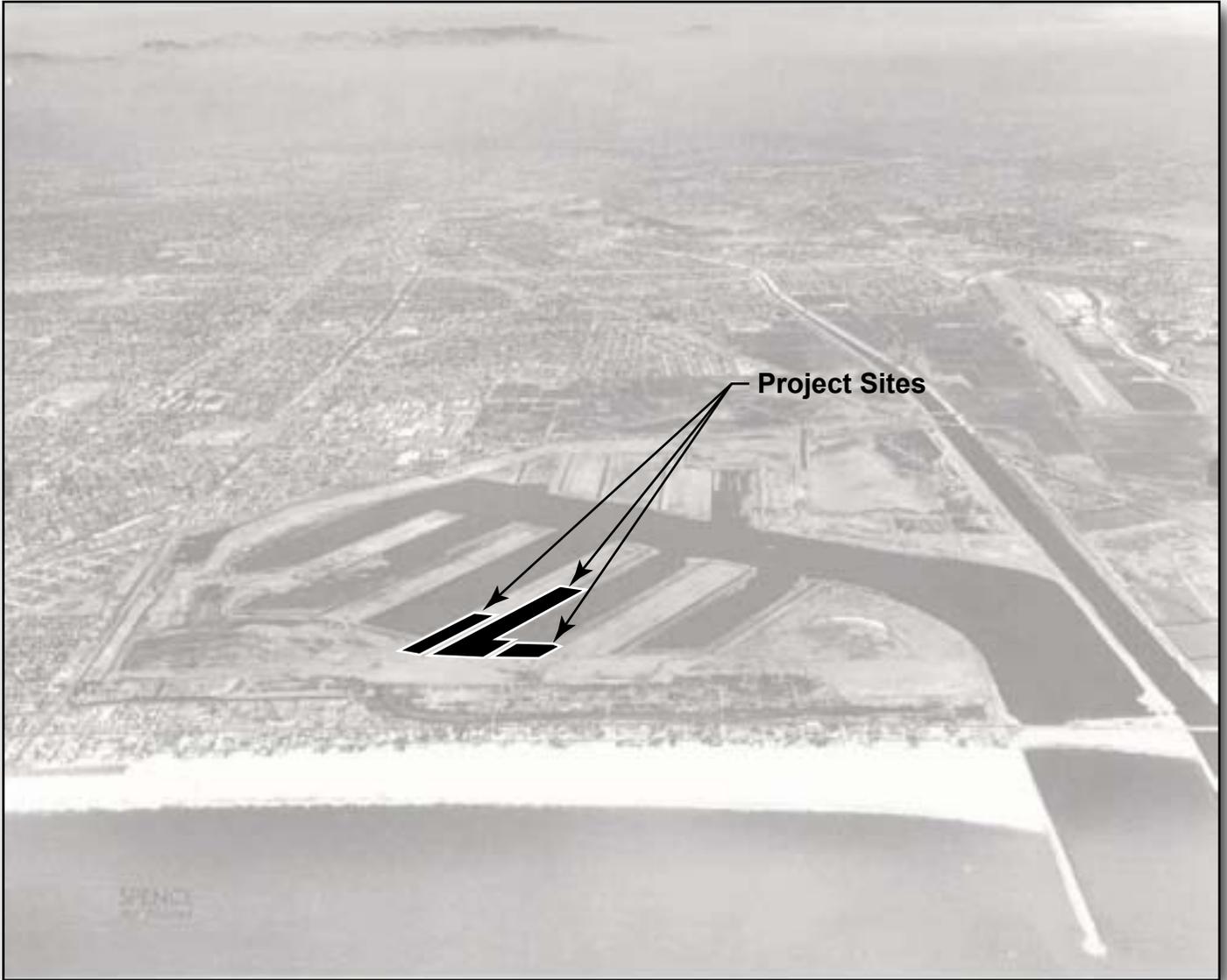
5.5.1 HISTORIC PERSPECTIVE

Records indicate the first mapping of the Ballona Wetland occurred in 1861. However, this map was difficult to read, was not scaled, and lacked any regional context. Mapping of the wetland area, however, was similar to two other scaled maps prepared in 1903. One 1903 map was compiled by the United States Department of Agriculture, Bureau of Soils, while a second map was prepared by the United States Geologic Survey (USGS) at a like scale (1 inch = 5,280 feet) and defined an identical wetland boundary. The soil survey emphasized the delineation of soil types, while the USGS map provided topographic relief.

The Ballona Wetland historically occupied approximately 1,500 acres. This area was generally bound by the Ballona Escarpment and Del Rey Hills to the south, a largely irregular boundary to the east and north that probably occurred at an elevation of approximately 6 to 7 feet above mean sea level (msl) and the coastal strand to the west.

Typical of other Southern California coastal fringe wetlands, Ballona had a single channel entrance that was located in the southwestern corner of the wetland. This opening provided tidal water to a main channel that extended parallel to the coast behind a low barrier dune complex (the barrier dune complex being approximately 100 to 110 feet in width). This channel (now known as the Venice canal) extended approximately 2,400 feet north, where it branched to the east at two locations. Each of the two easterly branches provided water to two large, connected, open-water basins known at the time as Ballona Lagoon. A substantial wetland area with an interconnected array of tidal channels and several smaller open-water basins occurred north, east and south of the Ballona Lagoon. However, the central and eastern portions of the wetland were dominated by large open salt pans. East of those areas designated as wetlands, soil survey maps delineate an area with the same soil type as that which occurred in the wetlands (classified in 1903 as Santiago silt loam). However, no symbols indicating open water or wetland vegetation were mapped even though Ballona Creek bisected this area in a generally east to west direction.

The project site is located in the north-central portion of the historic extent of the Ballona Wetlands. The first significant alteration to the wetlands was the construction of the Ballona Channel in 1934, while the second significant alteration to the Ballona Wetlands occurred in 1960 with construction of the Marina del Rey small-craft harbor by the ACOE. Construction of the small-craft harbor occurred over an approximately three-year period (1960 through 1962) and took place entirely north of the Ballona Channel. The effect of marina construction on the wetland was significant. It eliminated all wetlands north of the Ballona Channel (over 60 percent of the remaining wetland area at that time). Subsequent to construction of the small-craft harbor (with the exception of some small isolated wetland features totaling less than 10 acres that are located on the dredge spoils), the only naturally occurring wetlands are south of the Ballona Channel. Photographs of the small-craft harbor during construction (1960 through 1963) are illustrated in **Figure 5.5-1** through **Figure 5.5-3**.



Project Sites



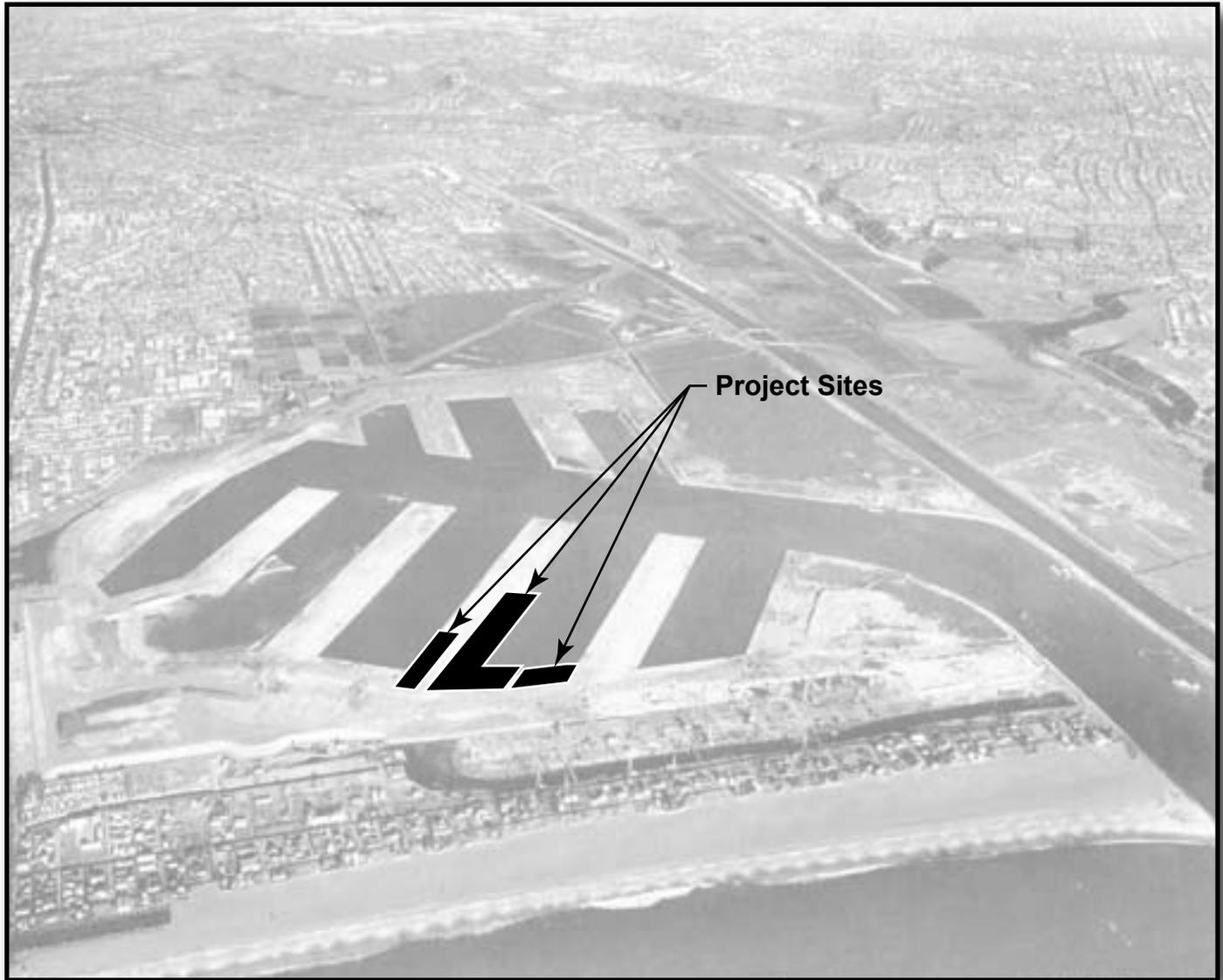
NOT TO SCALE

SOURCE: Spence Air Photos, Impact Sciences, Inc. – May 2005

FIGURE 5.5-1



Photo of Small-Craft Harbor During Construction from 1960 – 1963



Project Sites



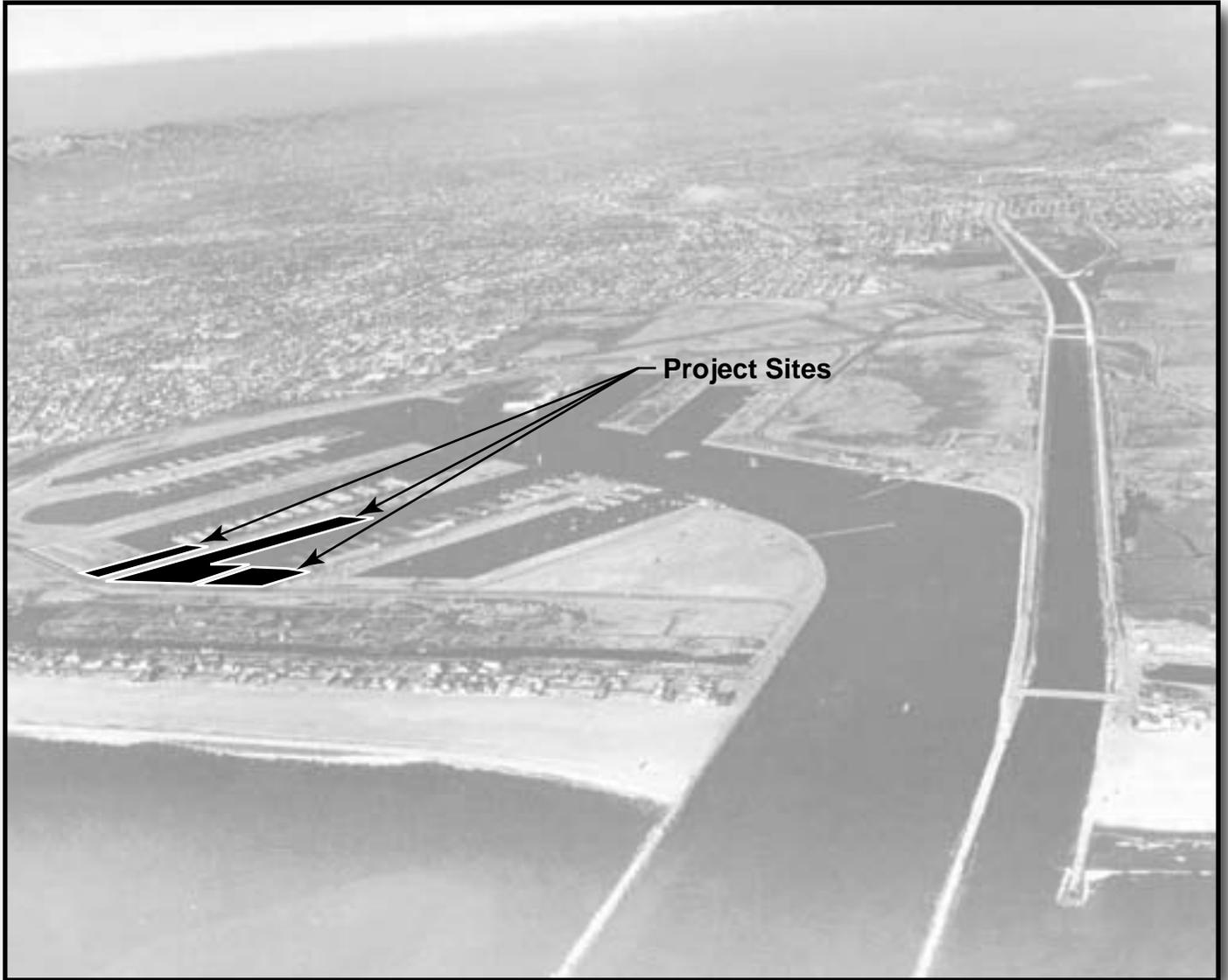
NOT TO SCALE

SOURCE: Spence Air Photos, Impact Sciences, Inc. – May 2005

FIGURE 5.5-2



Photo of Small-Craft Harbor During Construction from 1960 – 1963



Project Sites



NOT TO SCALE

SOURCE: Spence Air Photos, Impact Sciences, Inc. – May 2005

FIGURE 5.5-3

Photo of Small-Craft Harbor During Construction from 1960 – 1963

5.5.2 METHODS

Prior to commencement of general and focused biological surveys, relevant data were reviewed and additional information needs were identified. Computer printout reports from the California Natural Diversity Data Base (CNDDB) (published semi-annually since January 1995) for 10 USGS 7.5-minute topographic quadrangle maps that include and surround the project site were reviewed. In addition, individuals from various resource agencies, conservation organizations, academic institutions, and biological museums that have specific expertise on the biological resources of the project site and surrounding area or specific survey protocols were contacted. Wetlands determination is based on reports produced by Glenn Lukos Associates (2008) and further refined with respect to seaside heliotrope by Glenn Lukos Associates (2006c).

To characterize marine biological resources in the project area, studies including but not limited to ABC Laboratories, 1997–2004, Coastal Resources Management, Inc., 2007, Soule, et al., 1997, and California State Water Resources Control Board (SWRCB), 1998 were analyzed. **Figure 5.5-4, Location of Sampling Stations**, shows the location of the sampling stations associated with each of these studies. It should be noted that the ABC Laboratories and investigations conducted by Soule used the same stations and station numbering.

5.5.3 EXISTING CONDITIONS

5.5.3.1 Terrestrial Flora

Portions of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site have been previously developed (Parcels 10R and FF), while other portions of the site (Parcel 9U) remain undeveloped. Within the developed areas, no natural vegetation occurs and only ornamental landscaping and ruderal vegetation is present in small areas that surround the existing buildings and an existing surface parking lot. No habitat present on-site or in the immediate area can support special-status plant species known to occur in the region and none were observed during on-site investigations.

Vegetation types within the project area were mapped, incorporating habitat descriptions provided by Holland (1986). Project-specific vegetation types were modified or created as necessary to reflect on-site associations, as discussed in detail below.

Ruderal. The majority of Parcel 9U (3.23 acres), including some portions of the excavated depression and all of the areas outside the depression (except the berm on the southern edge of the property), is dominated by upland non-native herbaceous species including ripgut brome (*Bromus diandrus*), soft chess

(*Bromus hordeaceus*), foxtail barley (*Hordeum murinum* ssp. *Leporinum*), bur clover (*Medicago polymorpha*), yellow sweet-clover (*Melilotus indica*), white sweet-clover (*Melilotus alba*), cheeseweed (*Malva parviflora*), white-stemmed filaree (*Erodium moschatum*), smallflowered iceplant (*Mesembryanthemum nodiflorum*), seaside heliotrope (*Heliotropium curassivicum*), and garland chrysanthemum (*Chrysanthemum coronarium*). Also common is the native telegraph weed (*Heterotheca grandiflora*).

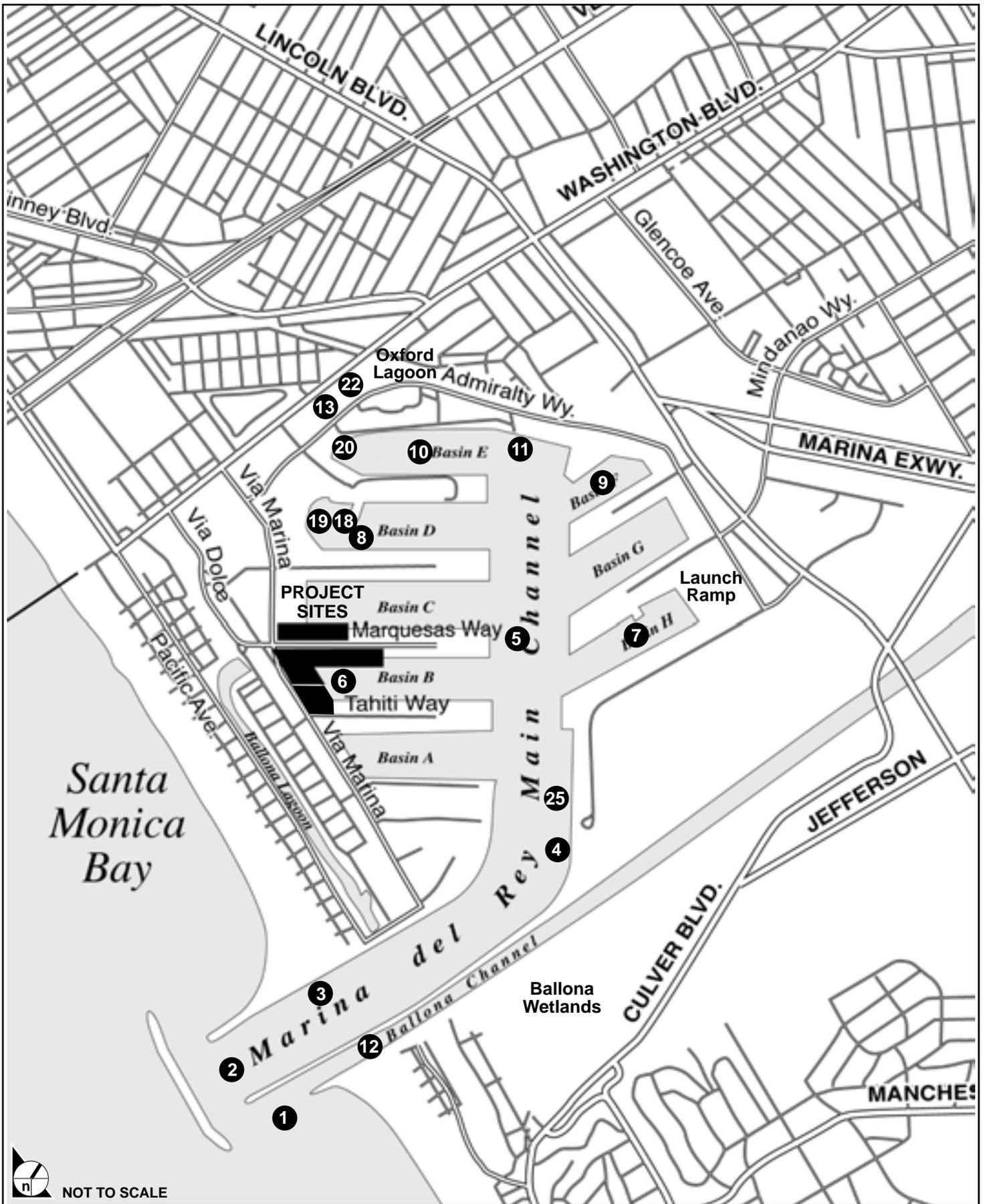
Ruderal Wetland. A portion of the excavated basin (0.31 acre) which occurs on Parcel 9U is vegetated with hydrophytic herbaceous species including small locally dominant areas of native species including alkali weed (*Cressa truxillensis*), saltgrass (*Distichlis spicata*), and pickleweed (*Salicornia virginica*). Locally dominant non-native species include five-hook bassia (*Bassia hyssopifolia*), sickle grass (*Parapholis incurva*), and rabbitfoot grass (*Polypogon monspeliensis*).

Narrow-leaved willow scrub. The southern edge of Parcel 9U (0.22 acre) consists of a berm dominated by narrow-leaved willow (*Salix exigua*) with an understory of yellow sweet clover (*Melilotus indica*) and non-native annual grasses.

Emergent Marsh. A portion of the excavated basin (0.04 acre) occurring on Parcel 9U is dominated by hydrophytic herbaceous species including the native alkali bulrush (*Scirpus maritimus*) and toad rush (*Juncus bufonius*).

Within Parcel 9U, the majority of the site supports a mixture of native and non-native plant species. A total of 33 species were recorded for Parcel 9U, with only 9 of these being native species (Glenn Lukos Associates, 2006a). A listing of plants present within Parcel 9U is provided on **Table 5.5-1, Site Flora**. Within the 3.66-acre Parcel 9U, 3.19 acres is typified by a flora consistent with a ruderal field. Approximately 0.43 acre occurs in an excavated depression or basin that exhibits characteristics consistent with the presence of a wetland defined by the Coastal Commission, of which 0.23 acre meets the three criteria definition by the ACOE (Glenn Lukos Associates, 2008).

The excavated depression supports a mixture of native and non-native plant species that exhibit a range relative to their wetland indicator status from upland (UPL) to obligate (OBL), based at least in part on their location in the basin. The southern margin of the basin consists of a berm made up of spoil materials, which is presumed to have been created using material from the excavated basin. The berm supports narrow-leaf willow (*Salix exigua*, OBL) and upland grasses with ripgut brome (*Bromus diandrus*, UPL) as the most prevalent. The wettest (lowest) area in the basin supports limited areas of alkali bulrush (*Scirpus maritimus*, OBL), alkali weed (*Cressa truxillensis*, facultative wetland [FACW]) and small patches of pickleweed (*Salicornia virginica*, OBL). Large portions of the basin exhibit little vegetation or support non-native five-hook bassia (*Bassia hyssopifolia*, facultative [FAC]) (Glenn Lukos Associates, 2008).




 NOT TO SCALE

SOURCE: Impact Sciences, Inc. – May 2005 (updated April 2007)

FIGURE 5.5-4

Location of Sampling Stations

5.5.3.2 Terrestrial Fauna

As stated above, portions of the landside components of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project, inclusive of the Neptune Marina Parcel 10R and Neptune Marina Parcel FF sites, have been previously developed as a high-density residential development and a surface parking lot, respectively. Within these developed areas, no natural vegetation occurs and only ornamental landscape and ruderal vegetation is present in small areas that surround the existing buildings and parking lots. Animals present on site are generally those species that are typical or have adapted to a highly urban setting. Of the special-status animals that are known to occur in the region, only the black-crowned night-heron (*Nycticorax nycticorax*) is known to utilize or breed on terrestrial habitats that occur on the project site (reference heading 5.5.3.4, **Special-Status Species**).

Despite the small size of the Parcel 9U site (3.66 acres) and the urbanized character of the site and surrounding area, vegetation present within that site provides habitat for a number of common vertebrate species as does the open water in the adjacent Marina (**Table 5.5-2, Site Fauna**). Most of these species have adapted to a continuing human presence and are typical of urban areas.

**Table 5.5-1
Site Flora**

| SCIENTIFIC NAME | COMMON NAME |
|-------------------------------------|-----------------------------|
| ANGIOSPERMS-DICOTS | |
| AIZOACEAE | FIG-MARIGOLD FAMILY |
| <i>Carpobrotus edulis</i> * | Hottentot fig |
| <i>Msembryanthemum nodiflorum</i> * | Small-flowered iceplant |
| ASTERACEAE | SUNFLOWER FAMILY |
| <i>Chrysanthemum coronarium</i> * | Garland daisy |
| <i>Conyza canadensis</i> | Horseweed |
| <i>Heterotheca grandiflora</i> | Telegraph weed |
| <i>Jaumea carnosa</i> | Fleshy jaumea |
| <i>Sonchus oleraceus</i> * | Common sow-thistle |
| BORAGINACEAE | BORAGE FAMILY |
| <i>Heliotropium curassivicum</i> | Seaside heliotrope |
| BRASSICACEAE | MUSTARD FAMILY |
| <i>Brassica nigra</i> * | Black mustard |
| <i>Raphanus sativus</i> * | Wild radish |
| CHENOPODIACEAE | GOOSEFOOT FAMILY |
| <i>Atriplex semibaccata</i> * | Australian saltbush |
| <i>Bassia hyssopifolia</i> * | Five-hook bassia |
| <i>Salicornia virginica</i> * | Pickleweed |
| <i>Salsola tragus</i> * | Russian thistle |
| CONVOLVULACEAE | MORNING GLORY FAMILY |
| <i>Cressa truxillensis</i> | Alkali weed |

| SCIENTIFIC NAME | COMMON NAME |
|------------------------------------------------|------------------------|
| FABACEAE | PEA FAMILY |
| <i>Medicago polymorpha</i> * | Bur clover |
| <i>Melilotus alba</i> * | White sweet-clover |
| <i>Melilotus indica</i> * | Yellow sweet-clover |
| GERANIACEAE | GERANIUM FAMILY |
| <i>Erodium moschatum</i> * | White-stemmed filaree |
| MALVACEAE | MALLOW FAMILY |
| <i>Malva parviflora</i> * | Cheeseweed |
| <i>Malvella leprosa</i> | Alkali mallow |
| SALICACEAE | WILLOW FAMILY |
| <i>Salix exigua</i> | Narrow-leaved willow |
| ANGIOSPERMS-MONOCOTS | |
| CYPERACEAE | SEDGE FAMILY |
| <i>Scirpus maritimus</i> | Alkali bulrush |
| POACEAE | GRASS FAMILY |
| <i>Avena barbata</i> * | Slender wild oat |
| <i>Bromus diandrus</i> * | Ripgut |
| <i>Bromus hordeaceus</i> * | Soft chess |
| <i>Bromus madritensis</i> ssp. <i>rubens</i> * | Red brome |
| <i>Cynodon dactylon</i> * | Bermuda grass |
| <i>Distichlis spicata</i> | Salt grass |
| <i>Hordeum murinum</i> ssp. <i>leporinum</i> * | Foxtail barley |
| <i>Parapholis incurva</i> * | Sickle grass |
| <i>Polypogon monospermiensis</i> * | Rabbitfoot grass |
| <i>Vulpia myuros</i> * | Rattail fescue |

An asterisk (*) denotes a non-native species.

Common reptiles expected to occur on the project site include western fence lizard (*Sceloporus occidentalis*), gopher snake (*Pituophis melanoleucus*) and southern alligator lizard (*Gerrhonotus multicarinatus*). Common granivorous bird species include house finch (*Carpodacus mexicanus*) and California towhee (*Pipilo fuscus*), while insectivorous species include northern mockingbird (*Mimus polyglottos*) and black phoebe (*Sayornis nigricans*). The nectar-feeding Anna's hummingbird (*Calypte anna*) is also common. Other bird species expected to occur on the site include American robin (*Turdus migratorius*) and the introduced house sparrow (*Passer domesticus*), European starling (*Sturnis vulgaris*) and rock dove (*Columba livia*). The presence of larger mammals is not common in highly urbanized areas such as the project site, and none were observed during the site survey; however, the potential for such presence still exists, though is further limited by the 6-foot-tall chain-link fence that surrounds the site.

**Table 5.5-2
Site Fauna**

| SCIENTIFIC NAME | COMMON NAME |
|------------------------------|----------------------------|
| BIRDS | |
| ARDEIDAE | HERONS |
| <i>Ardea alba</i> | Great egret |
| <i>Ardea herodias</i> | Great blue heron |
| <i>Egretta thula</i> | Snowy egret |
| <i>Nycticorax nycticorax</i> | Black-crowned night-heron |
| ANATIDAE | DUCKS, GEESE, SWANS |
| <i>Anas platyrhynchos</i> | Mallard |
| LARIDAE | GULLS AND TERNS |
| <i>Sterna antillarum</i> | Least tern |
| CORVIDAE | JAYS AND CROWS |
| <i>Corvus brachyrhynchos</i> | American crow |
| TYRANNIDAE | TYRANT FLYCATCHERS |
| <i>Sayornis nigricans</i> | Black phoebe |
| <i>Sayornis saya</i> | Say's phoebe |
| TROCHILIDAE | HUMMINGBIRDS |
| <i>Calypte anna</i> | Anna's hummingbird |
| ALCEDINIDAE | KINGFISHERS |
| <i>Ceryle alcyon</i> | Belted kingfisher |
| AEGITHALIDAE | BUSHTITS |
| <i>Psaltriparus minimus</i> | Bushtit |
| REGULIDAE | KINGLETS |
| <i>Regulus calendula</i> | Ruby-crowned kinglet |
| MIMIDAE | THRASHERS |
| <i>Mimus polyglottos</i> | Northern mockingbird |
| STURNIDAE | STARLINGS |
| <i>Sturnus vulgaris*</i> | European starling |
| PARULIDAE | WOOD WARBLERS |
| <i>Dendroica coronata</i> | Yellow-rumped warbler |
| FRINGILLIDAE | FINCHES |
| <i>Carpodacus mexicanus</i> | House finch |

*= non-native species

Overall, the biological value of the site is limited, due to the extensive disturbance history; the small size of the parcel; the largely developed surrounding environment; a lack of special-status species; and no recognized sensitivity status with local, state, and/or federal agencies (aside from the man-made excavated depression).

5.5.3.3 Marine Resources

The waterside component of the Neptune Marina Parcel 10R is situated near the western terminus of Basin B of the Marina del Rey small-craft harbor (a back basin area). Marine habitat present in this area

can be characterized as an open water channel. However, a large part of this open water channel is currently developed with small-craft anchorages that include floating walkways, boat spaces and gangways to the adjacent land area. The following discussion focuses on the various components of the marine environment that occur adjacent to the Neptune Marina Parcel 10R site and is summarized from ABC Laboratories (2001 and 2004) and Coastal Resources Management, Inc. (2007).

5.5.3.3.1 Marine Water Quality

Several storm drains lead into the marina back basins, the largest of which are the Oxford Drain and the Washington Street Drain, and are a source of water quality degradation. Other sources of contaminants include the scraping of fouling organisms and anti-fouling paint from the hulls of pleasure craft, and the illegal flushing of bilges.

As part of water quality surveys conducted by Los Angeles County Department of Health Services (ABC Laboratories, 2001), monthly surveys include data regarding temperature, salinity, dissolved oxygen, pH, and light transmittance profiles, Secchi disc readings and depth-stratified water samples taken at 18 stations. Recently, coliform and enterococcus analyses have been performed at several locations in the marina. Prior to 1997, discrete water samples were collected and returned to the laboratory for biological oxygen demand (BOD), ammonia, dissolved oxygen, and pH analyses. Since 1997, water quality measurements have been collected using an electronic water quality-profiling package capable of collecting eight measurements per second as the device is lowered through the water column. Analysis of these measurements indicates that water within the small-craft harbor is typical of semi-enclosed embayments, with temperature, dissolved oxygen and transmissivity varying seasonally. The small-craft harbor is poorly flushed and circulation is generally low. Water quality within the small-craft harbor is influenced by both ocean waters and storm water runoff, the latter originating not only from nearby Ballona Creek, but also from the previously mentioned storm drains that empty into the northwestern portion of the small-craft harbor.

Additionally, water quality is influenced by both dry and wet season runoff from the watershed and in general, exhibits high seasonal variations in temperature, salinity, dissolved oxygen, and turbidity (Soule and Oguri, 1993, ABC Laboratories 1997, 2001). This is partially a result of poor flushing and mixing with offshore waters (ACOE 1999). Water quality tends to be better in the main channels near the ocean entrance, and declines with distance into the back basins. In general, Basin B can be grouped together with Basin H and the lower main channel areas. Water tends to be more saline, clear, and high in pH and dissolved oxygen. Organics are low and other measurements are moderate. Basin B and other sites within this grouping are within some of the healthiest areas of the marina.

From 1976 through 2003, surface water temperature in the marina ranged from 11 degrees to over 29 degrees centigrade, while dissolved oxygen ranged from 0 to over 16 parts per million (ppm) during the same period. The 2003–2004 Los Angeles County sampling indicates a temperature range of 9 to 26.6 degrees centigrade. Average water temperature at the three site stations sampled by the County for that same period was 18.7 (Station 5), 20.24 (Station 6) and 19.59 (Station 8) (Aquatic Bioassay and Consulting [ABC] Laboratories, 2004). Salinity values for all small-craft harbor stations have ranged from 3.6 to 35.5 parts per thousand (ppt). A range of 22.3 to 33.6 ppt was recorded for the 2003–2004 sampling period. Mean salinity values for Stations 5, 6 and 8 was 32.81 ppt, near the average salinity of ocean water.

Similar to water temperature, dissolved oxygen concentrations within the small-craft harbor had a wide range (1.0 to 13.8 ppm) from a continuous sampling period between 1988 through 2004. Average dissolved oxygen values for ABC Laboratories Stations 5, 6 and 8 during the 2003–2004 samplings are 6.71, 6.30 and 6.31, respectively. Generally, dissolved oxygen levels below 5 ppm are not considered acceptable for marine life, although some benthic invertebrates can tolerate levels around 2 ppm.

5.5.3.3.2 Sediment Characteristics

Grain size analyses from samples at the 18 monitoring stations indicate a relatively consistent pattern of fine sands, silts and clays comprising the majority of bottom material in the marina. Soule, et al., 1997 found that fines, defined herein as material passing through a 200-mesh screen (0.06 mm opening), generally comprise from between 10 to over 90 percent of the material present. Sediment samples taken in October 2003 show the percentage of fine sediments was greatest in the mid-channel and back basin stations. Stations 5, 6, and 8 were comprised of 70 to 81 percent fines (ABC Laboratories, 2004). Areas with a high percentage of fines generally indicate a low current velocity that allows fine particles to settle out of the water column (ABC Laboratories, 2004).

Sediment contamination within the small-craft harbor is suspected from several sources, including storm water runoff from surrounding parking lots, input from the Ballona Channel which drains much of the surrounding urbanized area, and the Oxford Basin and Washington Street drains which empty into the inner portions of the small-craft harbor. Local sources of sediment contamination also include discharges and scrapings from the boats berthed in the small-craft harbor, from historical industrial developments near Venice (Soule, et al., 1997), and from contaminated sediments in the adjacent Ballona Channel that migrate into the marina (California Coastal Water Research Project, 2004). **Table 5.5-3, Historical Sediment Contamination at Three Site Stations in Marina del Rey, California**, lists the sampling periods when specific contaminants within sediment samples from the three site stations were the highest of all monitoring stations.

Table 5.5-3
Historical Sediment Contamination at Three Site Stations¹ in Marina del Rey, California
(from Soule, et al., 1997)

| Station | 10/85 | 2/87 | 10/87 | 10/88 | 10/89 | 10/90 | 5/91 | 10/91 | 10/92 | 4/94 | 9/94 | 10/95 |
|---------|-------|-----------|--------------------------------|-----------------------------------------------|-----------------|-------|------|--------------------------|-------|------|------------------|-------|
| 5 | S, Mn | | PO ₄ , Cr | Mn, Hg, Ni | PO ₄ | | | S, Mn | Mn | TBT | Fe, Mn, Ni | |
| 6 | | | PO ₄ , Cu, Hg | | | | | PO ₄ , S | | | TBT | TBT |
| 8 | | As, Fe | | O&G, Org. N ₃ , Cu, Zn | Hg | | Cu | O&G, Cu, Hg, Zn | Cu | Cu | | |

¹ See Figure 5.5-4 for station locations.

Key
As = Arsenic, Cr = Chromium, Fe = Iron, Hg = Mercury, Mn = Manganese, Ni = Nickel, Org.N = Organic Nitrogen, O&G = Oil and Grease, PO₄ = Phosphate, S = Sulfide, TBT = Tributyltin, Zn = Zinc, Cu = Copper.
Element/compound symbols shown for the sample periods when the site station(s) had the highest concentration of all stations (total number of stations ranged from 11 [1985–1988] to 15 [1989–1995]).

From 1987 through 1995, high concentrations of chlorinated hydrocarbons at the three sample stations were detected only four times (p,p' [DDT] at Station 8 in 1988, p,p' DDD [a by-product of DDT] at Station 5 in 1992, at Station 8 in 1995, and p,p' DDE [also a DDT by-product] at Station 6 in 1995). Soule, et al., 1997 indicated that their Station 25, along the east side of the main channel, and Stations 9, 10 and 11, located in the inner-most areas of the small-craft harbor, have consistently ranked among the most contaminated throughout the sampling period.

Apparent Effects Threshold (AET) concentrations for mercury were exceeded at Stations 6 and 8 in 1997 and 2002, Stations 5, 6, and 8 in 1992 and at Station 8 in 1991. AETs for copper were exceeded at Station 8 in 2003, 1997 and 1991. Zinc concentrations exceed AETs at Stations 5, 6 and 8 in 2003, Station 5 and 8 in 1995 and Station 5 in 1994. Soule, et al., 1997 states that 1995 samplings resulted in Station 6 sediments being classified as medium low toxicity while Stations 5 and 8 were classified as medium high (the classification system was based on the sum of all contaminant concentrations and then grouping of station values). Sediment results from samples collected in the fall of 2003 showed copper, lead, mercury and zinc exceeded effects range-low (ER-L) at all three stations, and hydrocarbons exceeded ER-Ls at Stations 5 and 8 (ABC Laboratories, 2004). Effects range-medium (ER-M) and AET levels were also

exceeded for copper at Stations 6 and 8; zinc at Stations 5, 6, and 8 and p,p DDE at Station 5 during that sampling period.

All heavy metals, except cadmium and silver, followed a similar spatial trend in the marina: Highest concentrations are in the back basins and mid-channel. Pesticides and polychlorinated biphenyls (PCBs) have been persistently high in the marina over time. PCB concentrations were not detected in the marina during recent surveys. (Aquatic Bioassay, 2004).

Soule, et al., 1997 characterizes Station 6 in Basin B as "...the cleanest of the basins, due to several factors...it is closer to the entrance and little street and parking lot drainage is directed into it." ABC Laboratories 1997 reports that sediments at Stations 6 and 8 in Basin D are "...relatively uncontaminated except for two metals (copper and mercury)."

Table 5.5-4, below, lists some of the sediment characteristics from samples taken at six Marina del Rey stations sampled by the SWRCB. Data show a similar pattern to that described by ABC Laboratories, 1997, with increasing contamination in the inner portions of the small-craft harbor and pesticides, particularly chlordane, present at levels exceeding the effects range-medium (ER-M) throughout the sample area.

Table 5.5-4
Characteristics of Sediments from Six Marina del Rey Stations (1992–1996)
(from State Water Resources Control Board)

| Parameter | 48005 | 48004 | 48003 | 48002 | 48001 | 44014 |
|-----------------------------|--------------------------|----------------|------------------------------------------|-----------------------------|-------------------------------------|----------------------------------------------------------------------------------------|
| ERMQ | 1.14 | 0.53 | 0.81 | 0.52 | 0.65 | 0.88 |
| PELQ | 1.64 | 0.078 | 1.26 | 0.82 | 0.95 | 1.31 |
| ER-Ms Exceeded | 3 | 1 | 6 | 3 | 6 | 6.2 |
| PELs Exceeded | 6 | 3 | 7 | 3 | 6 | 6.6 |
| Amphipod-toxicity | Yes | Yes | Yes | Yes | Yes | No |
| Contaminants exceeding ER-M | DDE, PCB, Chlordane (1x) | Chlordane (3x) | Cu, Ni, Zn, PCB (1x), Hg, Chlordane (2x) | Cu, Zn,(1x), Chlordane (2x) | Cu, Hg, Ni, Zn, DDE, Chlordane (1x) | Zn, Hg, Pb (1x), PCB, DDE, Cu (2x), Chlordane (4x), TBT (.90 th percentile) |

Key:

Cu = Copper; Ni = Nickel; Zn = Zinc; Hg = Mercury; Pb = Lead; TBT = Tributyltin; PCB= Polychlorinated Biphenyls; DDE = Dichlorodiphenyldichloroethylene.

5.5.3.3.3 Marine Biological Resources

5.5.3.3.3.1 Infauna and Epibiota

Benthic infauna are marine organisms that reside in or on the surface of the seafloor sediments. The most common types of benthic invertebrates include polychaete worms, clams, snails, and various crustacean arthropods (isopods, amphipods, cumaceans, shrimps and crabs). The abundance, diversity, and distribution of benthic invertebrates is influenced by the physical environment (grain size, texture, compactness), the environmental quality of the sediments, and physical/chemical properties of the water above the sediments. The benthic community is used as a monitoring tool to measure potential environmental effects because they live in the sediments and do not migrate. Additionally, certain species are used as "indicator species" because they are either opportunistic and can survive under harsh man-made or natural environmental conditions, or are extremely sensitive to environmental changes and are only found in areas which are indicative of low-stressed conditions.

Due to the relatively homogeneous sedimentary nature of the small-craft harbor, it would be expected that the infauna would be comprised of predominately polychaete worms, with fewer mollusks (snails and clams), amphipods and nematodes. Data collected during the two most recent L.A. County surveys indicate such a pattern. Three species of polychaete worms and gammarid amphipod dominated the samples from Stations 5, 6, and 8 (Soule, et al. 1997, and ABC Laboratories, 1997). The latter report indicates that the number of infaunal individuals at those three stations was generally lower than the average for all stations, but both infauna diversity and number of species values were about average. ABC Laboratories, 1997 further indicates that Stations 5, 8, 11, and 25 cluster together for infauna characteristics. Those four stations are characterized as having "normal diversity and dominated by polychaete worms." In 1996–1997, Station 6 infauna was similar to that found at two other marine locations (Stations 7 and 9), all three having a low diversity and samples that were dominated by different polychaete worms. Recent Station 8 infauna samples have shown the community to be depressed in the number of taxa when compared with earlier samples.

The SWRCB developed a Relative Benthic Index (RBI) listing for the infauna collected during their five-year study. The RBIs are standardized to the total range for all stations sampled, and therefore, range from 0.0 (most impacted) to 1.0 (least impacted). The RBIs for the six Marina del Rey monitoring stations ranged from 0.34 to 0.66. Infauna within the main or entrance channel was characterized as undisturbed, while the four other monitoring stations' biological communities were considered transitional.

5.5.3.3.2 Ichthyofauna

Numerous surveys have been conducted in the small-craft harbor to document the fish species present. Allen (1991) provides a list of fish collected during an otter trawl survey of Ballona Creek and Marina del Rey in 1990 and 1991. Those data indicate that the pelagic (near surface) taxa, queenfish (*Seriphus politus*) and northern anchovy (*Engraulis mordax*) were most abundant within the samples. Gill net and trawl catches at Station 5 in 1995 through 1997 by Soule, et al., 1997 and ABC Laboratories, 1997 were dominated by topsmelt (*Atherinops affinis*). Deep body anchovy (*Anchoa compressa*), topsmelt and California halibut (*Paralichthys californicus*) were the most abundant fish taxa at Station 8 during the same sampling period.

Fishes were collected at Stations 2, 5 and 8 in the fall of 2003 and spring of 2004 using otter trawl (bottom fish) and gill net (mid-water fish). Larval fish and eggs were collected using a 333 µm mesh plankton net. The numbers of bottom fish collected did not vary due to season or station. The most common bottom fish collected in the fall was the California halibut (*Paralichthys californicus*) and in the spring, shiner surfperch (*Cymatogaster aggregate*). Total species counts in the fall (15 species) were lower than counts in the spring (20 species), **Table 5.5-5, Fish Collected by Otter Trawl and Gill Net at Three Stations**. The numbers and species of mid-water fishes collected at the three gill net sampling stations are listed in **Table 5.5-5**. The greatest numbers of fishes collected were top smelt (*Atherinops affinis*) in the fall at Stations 5 (n=113) and in the spring at Station 8 (n=71). White sea bass were also collected at Stations 5 and 8 in the fall and all three stations in the spring. Larval fishes collected were dominated by larval blennies (*Hypsoblennius* sp.) and gobies (*Gobiedae* sp.) in both the spring and fall (**Table 5.5-6**). The majority of eggs collected were unidentified. The most abundant identified egg was a species of sanddab (*Citharichthys* sp.) in the fall (507 individuals) and slough anchovy (*Anchoa delicatissima*) in the spring (688 individuals, **Table 5.5-6**, ABC Laboratories, 2004).

**Table 5.5-5
Fish Collected by Otter Trawl and Gill Net at Three Stations**

| SCIENTIFIC NAME | COMMON NAME | September 2003 SAMPLING STATIONS | | | May 2004 SAMPLING STATIONS | | |
|------------------------------------|-----------------------|-------------------------------------|-------------|-------------|-------------------------------|-------------|-------------|
| | | #2 | #5 | #8 | #2 | #5 | #8 |
| Bottom Fish | | | | | | | |
| <i>Anchoa delicatissima</i> | slough anchovy | | | | | | 4 |
| <i>Citharichthys stigmatæus</i> | speckled sanddab | 4 | | | 1 | | |
| <i>Cymatogaster aggregata</i> | shiner perch | | | | 7 | 11 | 1 |
| <i>Genyonemus lineatus</i> | white croaker | | 2 | | | 3 | |
| Gobiesocidae | clingfish | | | | 1 | | |
| <i>Heterostichus rostratus</i> | giant kelpfish | | | | 1 | | |
| <i>Hypsoblennius gentilis</i> | bay blenny | | | | 2 | | |
| <i>Hypsopsetta guttulata</i> | diamond turbot | 2 | 6 | 5 | 3 | | |
| <i>Myliobatis californica</i> | bat ray | | 1 | | | 4 | 11 |
| <i>Paralabrax clathratus</i> | kelp bass | 1 | | | | | |
| <i>Paralichthys californicus</i> | California halibut | 17 | 12 | 7 | | 3 | 1 |
| <i>Phanerodon furcatus</i> | white seaperch | | | | 1 | | |
| <i>Pleuronichthys ritteri</i> | spotted turbot | | | | 4 | | |
| <i>Seriphus politus</i> | queenfish | | 1 | | | | |
| <i>Squatina californica</i> | Pacific angel shark | | | 1 | | | |
| <i>Synodus lucioceps</i> | California lizardfish | 2 | | | | | |
| <i>Umbrina roncadore</i> | yellowfin croaker | | | 2 | | 1 | 1 |
| <i>Urolophus halleri</i> | round stingray | | 1 | | | | 3 |
| <i>Xystreureys liolepis</i> | fantail sole | | | | 1 | | |
| | Individuals | 26 | 23 | 15 | 21 | 22 | 21 |
| | Species | 5 | 6 | 4 | 9 | 5 | 6 |
| | Diversity | 1.09 | 1.31 | 1.17 | 1.91 | 1.34 | 1.37 |
| Midwater Fish | | | | | | | |
| <i>Anchoa delicatissima</i> | slough anchovy | | | 2 | | | |
| <i>Atherinops affinis</i> | topsmelt | | 113 | 4 | | 10 | 71 |
| <i>Atherinopsis californiensis</i> | jacksmelt | | | | | | 1 |
| <i>Atractoscion nobilis</i> | white seabass | | 1 | 3 | 19 | 2 | 4 |
| <i>Cheilotrema saturnum</i> | black croaker | | | | 1 | | |
| <i>Cymatogaster aggregata</i> | shiner perch | | | 1 | | | |
| <i>Embiotoca jacksoni</i> | black perch | 2 | | | | | |
| <i>Girella nigricans</i> | opaleye | | | | 1 | | |
| <i>Phanerodon furcatus</i> | white seaperch | 2 | | | 2 | | |
| <i>Rhacochilus vacca</i> | pile perch | | | | 1 | | |
| <i>Sardinops sagax</i> | Pacific sardine | | | 4 | | | 1 |
| <i>Seriphus politus</i> | queenfish | | | | | 1 | |
| <i>Sphyraena argentea</i> | Pacific barracuda | 1 | | | | | |
| <i>Umbrina roncadore</i> | yellowfin croaker | | | | | 1 | |
| | Individuals | 5 | 114 | 14 | 24 | 14 | 77 |
| | Species | 3 | 2 | 5 | 5 | 4 | 4 |
| | Diversity | 1.06 | 0.05 | 1.51 | 0.79 | 0.90 | 0.34 |

Table 5.5-6
Larval Fish and Eggs Collected by Plankton Tow at Three Surface and Bottom Stations (Indiv/1000M3)

| SCIENTIFIC NAME | COMMON NAME | September 2003 SAMPLING STATIONS | | | | | | June 2004 SAMPLING STATIONS | | | | | | |
|------------------------------------|----------------------|-------------------------------------|-------------|-------------|-------------|-------------|-------------|--------------------------------|-------------|-------------|-------------|-------------|-------------|---|
| | | #2 | | #5 | | #8 | | #2 | | #5 | | #8 | | |
| | | Surface | Bottom | Surface | Bottom | Surface | Bottom | Surface | Bottom | Surface | Bottom | Surface | Bottom | |
| Larval Fish | | | | | | | | | | | | | | |
| <i>Anchoa sp</i> | anchovy | | | | | | | | | | 14 | 213 | | |
| <i>Cheilotrema saturnum</i> | black croaker | | | | | | | 6 | | | | 8 | | |
| <i>Citharichthys sp</i> | left eyed flounder | | | | 6 | 11 | | | | | | | | |
| <i>Citharichthys stigmæus</i> | speckled sanddab | | | | | | | | | | | | | 8 |
| <i>Cosmocampus arctus</i> | snubnose pipefish | | 9 | | 6 | | | | | | | | | |
| <i>Engraulis mordax</i> | northern anchovy | | | | | | | | | 6 | | | | |
| <i>Gobiesox rhesodon</i> | California clingfish | | | | 119 | 17 | | | | | | | | |
| <i>Gobiidae type A/C</i> | goby | 88 | 227 | 305 | 6764 | 227 | 444 | 48 | 390 | 13 | 41 | 95 | 671 | |
| <i>Hypsoblennius sp</i> | blenny | 187 | 168 | 1047 | 1524 | 125 | 129 | 27 | 197 | 1340 | 275 | 246 | 524 | |
| <i>Hypsopsetta guttulata</i> | diamond turbot | | | | | | | | | 13 | | | 8 | |
| <i>Hypsypops rubicundus</i> | garibaldi | | | | | | | 9 | 19 | 6 | 5 | | | |
| <i>Lythrypnus zebra</i> | zebra goby | | | | | 5 | | | | | | | | |
| <i>Paraclinus integripinnis</i> | reef finspot | | 9 | | | | | | 6 | | | | | |
| <i>Paralichthys californicus</i> | California halibut | | 5 | | | | | | | | | | | |
| <i>Pleuronichthys verticalis</i> | hornyhead turbot | | 5 | | 6 | 11 | | | | | | | | |
| <i>Quietula y-cauda</i> | shadow goby | 7 | 14 | 7 | 1349 | 68 | 96 | 31 | 6 | 12 | | | 164 | |
| <i>Typhlogobius californiensis</i> | blind goby | | | | | | | | | | | | | 8 |
| Unidentified | | 7 | | 11 | 12 | | | | | | | | | |
| | Individuals | 289 | 435 | 1370 | 9788 | 443 | 691 | 75 | 628 | 1403 | 340 | 361 | 1605 | |
| | Species | 4 | 7 | 4 | 8 | 5 | 5 | 2 | 4 | 7 | 5 | 4 | 8 | |
| | Diversity | 0.82 | 1.07 | 0.61 | 0.89 | 1.18 | 1.00 | 0.66 | 0.87 | 0.26 | 0.68 | 0.67 | 1.07 | |
| Fish Eggs | | | | | | | | | | | | | | |
| <i>Anchoa compressa</i> | deepbody anchovy | | | | | | | | | | | 118 | 72 | |
| <i>Anchoa delicatissima</i> | slough anchovy | | | | | 79 | 45 | | | | | 464 | 224 | |
| <i>Citharichthys sp</i> | left eyed flounder | 187 | 313 | 7 | | | | 82 | 81 | | 6 | | | |
| <i>Engraulis mordax</i> | northern anchovy | | | | | | | 22 | 31 | 13 | 18 | 5 | | |
| <i>Pleuronichthys ritteri</i> | spotted turbot | 13 | 27 | | | | | 22 | 4 | | | | | |
| <i>Pleuronichthys verticalis</i> | hornyhead turbot | | 63 | | | | | | | | | | | |
| Unidentified | | 1144 | 3491 | 1541 | 225 | 193 | 73 | 2265 | 1785 | 1642 | 1991 | 521 | 131 | |
| | Individuals | 1345 | 3894 | 1548 | 225 | 272 | 118 | 2390 | 1902 | 1655 | 2014 | 1108 | 427 | |
| | Species | 3 | 4 | 2 | 1 | 2 | 2 | 4 | 4 | 2 | 3 | 4 | 3 | |
| | Diversity | 0.46 | 0.40 | 0.03 | 0.00 | 0.60 | 0.66 | 0.25 | 0.28 | 0.04 | 0.07 | 0.98 | 1.00 | |

Marina del Rey Harbor continues to serve as a viable habitat and nursery for many species of marine fish. To date, 121 different species of fish have been collected for the Department of Beaches and Harbors survey program. These species represent most feeding and habitat niches found in the eastern Pacific Ocean. Bottom fish collected in the spring of 2003 and fall of 2004 were representative of past years in terms of abundance, numbers of species and diversity.

The abundance of mid-water fish collected in the fall was the greatest in the past 10 years. This was mostly due to the large number of top smelt that were collected at Station 5. During the spring, 25 white sea bass were collected at the three gill net stations. The white sea bass population in Santa Monica Bay has mounted a comeback, after the stock was decimated in the early to mid 1980s due to heavy gill netting activity in the bay. After the use of offshore gill nets became illegal, the stock has slowly

recovered. Fish caught during the 2003–2004 sampling season were approximately 25 inches in length, which are large enough to be reproductive adults.

Larval fish were far more abundant during the fall survey than for any fall survey in the past 10 years. The majority of these larval fish were collected in the mid-channel. Fish egg counts during both seasons were typical of past surveys.

Methods used to sample and assess fish populations are inherently variable. This is because most fish are highly mobile and their distributions are patchy. Regardless of this variability, an increase in total abundance of fish indicates that the fish populations in the marina were elevated during the 2003–2004 sampling year. Whether this is an anomaly or indicates an increase in fish abundance during the future years remains to be seen. It is obvious that the entire marina continues to support a very abundant and diverse assemblage of fish fauna and serves as a nursery for many species important to local sport and commercial fisheries, as well as to the whole coastal environment (ABC Laboratories, 2004).

5.5.3.3.3 Other Marine Resources

Benthic macrofauna hardscape, including jetties, breakwalls, rock rip-rap, pilings, and piers support a range of benthic algae and benthic invertebrates. The highest richness of plants and invertebrates occurs on the jetties and breakwall near the harbor entrances. Richness is substantially less on rip-rap and seawalls located farther back in the Marina del Rey Harbor basins.

Eelgrass (*Ruppia maritima*) was initially found and mapped within Basin D near Station 19 in 1979; however, by 1991, none was recorded. In 1996, eelgrass was again found within the Mother's Beach area of Basin D comprising two beds, measuring approximately 1 meter and 7 meters in diameter, in the same general area as those in 1979. No other eelgrass has been reported within the small-craft harbor, although sediment, light, and water conditions appear to be conducive to development of such a community. No eelgrass was found in focused survey in Basin B (Coastal Resources Management, 2007).

5.5.3.4 Special-Status Species

Based on a review of the literature, and the results of field investigations conducted on the project site, no special-status benthic invertebrate, fish, insects, reptiles or mammals are known to breed on or significantly utilize the terrestrial or marine portions of the project site. However, special-status birds were observed or are expected to significantly utilize open water habitat present in the small-craft harbor and on the project site. Special-status birds observed and those that are expected to significantly utilize habitat present on the project site are discussed below.

California brown pelican (*Pelecanus occidentalis californicus*); **Federally listed Endangered Species, State listed Endangered Species.** California brown pelicans are often observed foraging for small fish in the Ballona Channel and in the small-craft harbor of Marina del Rey. However, the project site does not provide any suitable breeding habitat for this species. The US Fish and Wildlife Service is currently studying a proposal to remove of West Coast brown pelicans from the Federal Endangered Species list.

Peregrine falcon (*Falco peregrinus*); **State listed Endangered Species.** Peregrine falcon was once a fairly common permanent resident along the coast of California, taking various species of birds as prey (Grinnell and Miller, 1944). No historic records specifically note its occurrence on or near the project site, but it was likely a regularly occurring but rare migrant during winter migration periods. None was observed during the 1995 bird surveys conducted for Playa Vista, but one individual was observed actively hunting over the Playa Vista property during biological surveys conducted on that site in October 1995. In addition, peregrine falcons are occasionally recorded throughout the whole of Marina del Rey by National Audubon Society observers (Pickus, 1996). The species was removed from the federal Endangered Species list in 1999. Currently, the California Fish and Game Commission is seeking public comments for its proposal to remove peregrine falcons from the California Endangered and Threatened Species List.

California least tern (*Sterna antillarum browni*); **Federally listed Endangered Species, State listed Endangered Species.** No suitable nesting habitat is currently available on the project site. However, California least terns nest at Venice Beach (approximately 1 mile to the south) and are known to infrequently use all portions of the Marina del Rey small-craft harbor for foraging.

Recent surveys conducted for Playa Vista recorded California least tern foraging activity in the small-craft harbor. Foraging flights were observed over both the Ballona Lagoon and just inside the Marina and foraging dives were observed. It is expected that California least terns will continue to forage in this area as long as the small-craft harbor supports small fish.

Great blue heron (*Ardea herodias*) in the State of California is listed as a “Special Animal” specifically in reference to their rookery sites. This species does not currently nest or forage regularly on the project site. However, this bird is known to nest at various locations in and near Marina del Rey (Froke, 2005). These locations occur north of, and adjacent to, the Ballona Channel west of the “Area A” portion of the Playa Vista project site as well as south of the Ballona Channel in the “Area B” portion of the Playa Vista site. These nest sites occur greater than 0.5 mile from the project site. Given the distance of the project from the nest sites, and the fact that no breeding or regular foraging activity occurs on or near the project site, construction and/or operation of the project is not expected to adversely impact this bird. No further discussion regarding great blue heron is incorporated in this EIR.

Black-crowned night-heron (*Nycticorax nycticorax*), and **snowy egret** (*Egretta thula*) in the State of California are listed as a “Special Animals” specifically in reference to their rookery sites (State of California, 2008). Biologist Dr. Jeffrey Froke conducted surveys of Marina del Rey herons in 2005-2008. The 2005 surveys disclosed 270 heron or egret nests that were active or had been active during previous years. These nest sites included 214 black-crowned night-heron and 50 snowy egret nests, in addition to six great blue heron nests. These species are expanding their nesting and roosting areas within the Marina del Rey area. A field survey of the project site in August, 2008 disclosed the presence of 14 black-crowned night heron (all solo) and inactive nests, none of which appear to have been active in 2008, in trees on or adjacent to Parcel 10R. Therefore, prior to initiation of construction, the black-crowned night heron and/or snowy egret could potentially establish a nest in one or more of the ornamental median trees on Marquesas Way or Via Marina or in a landscape tree within Parcels 10R or FF.

5.5.3.5 Special-Status Resources (Wetlands)

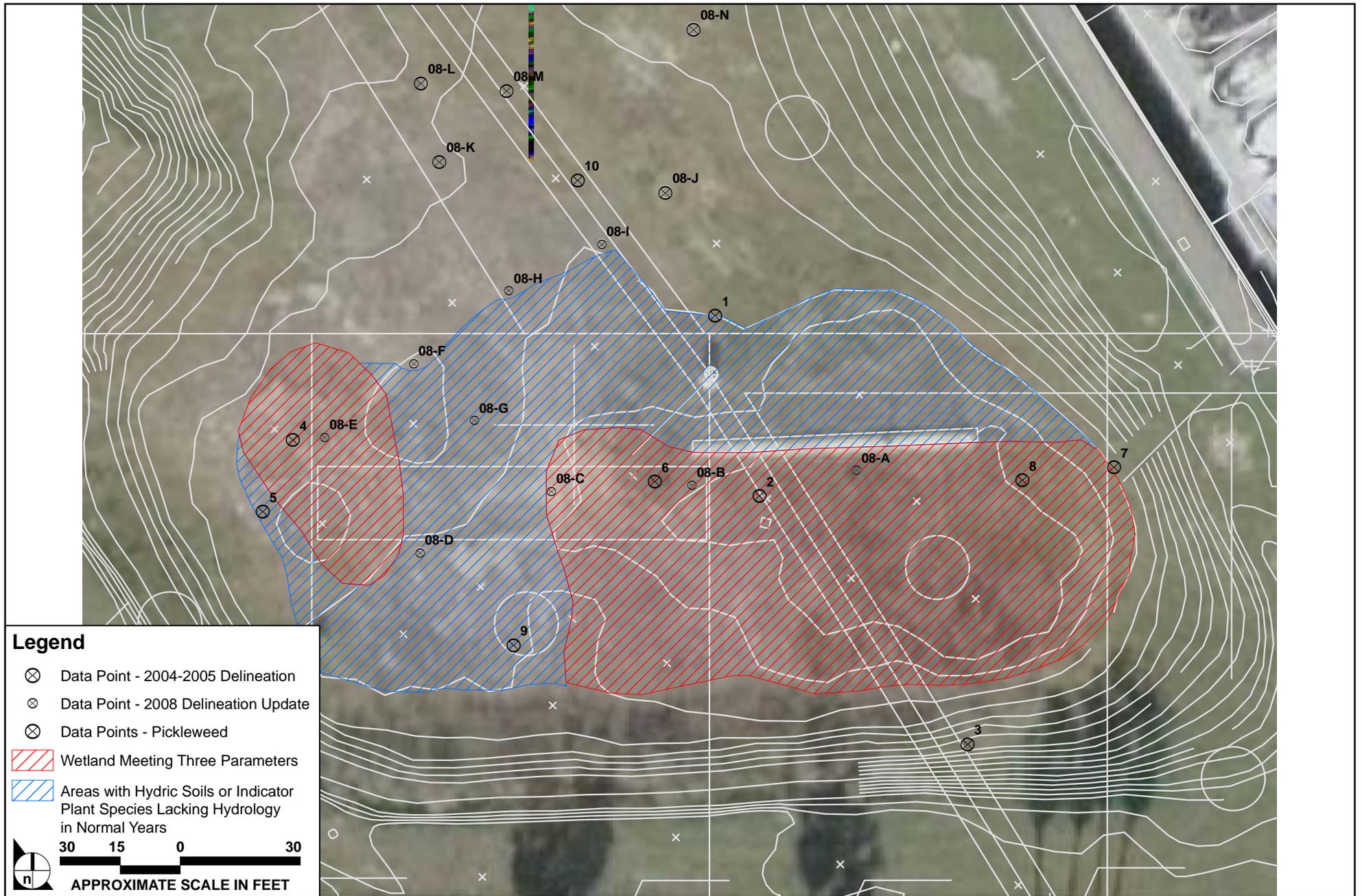
Within Parcel 9U, a small area located in the south-central portion of the site exhibits vegetation, soils and hydrology that are consistent with the presence of wetlands. The wettest area supports alkali bulrush (*Scirpus maritimus*, OBL) and alkali weed (*Cressa truxillensis*, FACW) with the presence of the alkali bulrush as the strongest indicator for wetland conditions. In limited areas, hydric soil indicators appear to have formed in response to current site hydrological conditions including sulfidic odor and low chroma matrix. The areas that exhibit wetland vegetation, soils and hydrology cover approximately 0.23 acre.

Additional areas exhibiting positive indicators for hydric soils or hydrophytic vegetation cover approximately 0.20 acre. Combined, the 0.23-acre area that exhibits characteristics consistent with the presence of a three-parameter wetland and 0.20-acre area total of 0.43 acre (Glenn Lukos Associates, 2008). This wetland area is illustrated on **Figure 5.5-5, Wetland Parcel 9U**.

5.5.4 ENVIRONMENTAL IMPACTS

5.5.4.1 Project Improvements

Implementation of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in the development of 526 residential dwelling units, a nineteen-story building with 288 hotel and timeshare suites and an assortment of accessory patron- and visitor-serving uses, 174 private and up to 11 public-serving boat spaces and an enhanced public wetland and upland park area. There are 136 existing apartments and 198 boat spaces presently on site. Therefore, completion of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in a net increase of 390 apartment units, 288 hotel and timeshare suites, a net decrease of up to 17 boat spaces, and a 1.46-acre public park consisting of a 0.47-acre wetland, surrounded by a 0.99-acre upland area.



SOURCE: Glenn Lukos Associates - 2008

FIGURE 5.5-5

Wetland Parcel 9U

5.5.4.2 Thresholds of Significance

The County of Los Angeles has not established specific thresholds that can be used to evaluate if a project related impact is considered significant. The County of Los Angeles generally relies on significance thresholds as defined by the California Environmental Quality Act.

The definition of significant impact as defined by the California Environmental Quality Act was derived from several sources. Significance criteria are defined in the California Environmental Quality Act (CEQA) Statutes and Guidelines. According to (former) Appendix G (Environmental Checklist) of the *State CEQA Guidelines* (as revised October 26, 1998), a project may be deemed to have a significant impact on the environment if it would do any of the following:

- 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 CDFG or USFWS;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFG or USFWS;
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.

5.5.4.3 Impact Analysis

5.5.4.3.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

Applicable thresholds of significance are listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified that would reduce or avoid potentially significant adverse impacts.

5.5.4.3.1.1 Threshold: 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 Game or U.S. Fish and Wildlife Service.

Analysis: For the purposes of this impact analysis, "Endangered, Rare or Threatened species" refers to the following: any plant or animal species listed by the CDFG or United States Fish and Wildlife Service (USFWS) as a Threatened or Endangered species, proposed for listing as Threatened or Endangered, or considered as a candidate for listing as Threatened or Endangered; to those species listed by the USFWS as a Federal Species of Concern; to those species considered by CDFG as a State Species of Special Concern or as a Fully Protected species; to any plants listed by the California Native Plant Society (CNPS) as a List 1 or List 2 species; or to any species otherwise considered Rare, Threatened, or Endangered as defined by Section 15380 of the *State CEQA Guidelines*. CNPS List 1 and List 2 species are included in this impact analysis because the CNPS, as previously stated, is a recognized authority by CDFG on the status of rare plant populations in California and because the criteria for plant species to be placed on List 1 or List 2 are similar to criteria CDFG and USFWS use for species considered as candidates for listing or that are already listed as Threatened or Endangered.

Direct Impacts: As stated above, landside portions of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site on Parcels 10R and FF are presently developed as an apartment complex and surface parking lot, and no natural biotic communities are present. Plant and animal habitat is limited to ornamental and ruderal vegetation that occurs in small areas that surround the existing apartment buildings and parking lots. Parcel 9U remains as an undeveloped vacant lot. In these undeveloped areas, ruderal and a man-made wetland vegetation/habitat is present. The fauna of this area is generally typified by an assemblage of species that have adapted to an intensive and continuous human presence. Based on direct observations (Glenn Lukos Associates, 2006a) and review of CNDDDB records, no special-status plant or animal species were observed or are known to occur on or significantly utilize habitat present on the landside portion of the Neptune Marina

Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site (Parcels 10R, FF and 9U). As part of the proposed development on Parcels 10R and FF, existing uses would be removed and replaced with similar land uses but at a greater density. Development associated with Neptune Marina Parcels 10R and FF, and infrastructure improvements within Via Marina and Marquesas Way, would not directly impact terrestrial special-status plant or animal species, with the exception of the black-crowned night-heron and snowy egret, known to utilize or breed on terrestrial habitats that occur on or adjacent to the project site. As such, direct impacts on terrestrial special status species associated with construction and operation on Neptune Marina Parcels 10R and FF are considered potentially significant only to black-crowned night-heron and snowy egret when found nesting in project area landscape trees.

Development associated with Woodfin Suite Hotel/Timeshare Resort (Parcel 9U) would occur on a vacant lot now typified by ruderal vegetation. Similar to development associated with Neptune Marina Parcels 10R and FF, removal of the 2.66 acres of ruderal vegetation (including upland habitat with the presence of seaside heliotrope, Glenn Lukos Associates 2006c) associated with Woodfin Suite Hotel/Timeshare Resort on Parcel 9U would not directly impact terrestrial special-status plant or animal species. As such, direct impacts on terrestrial special status species associated with construction and operation on Woodfin Suite Hotel/Timeshare Resort Parcel 9U are not considered significant with the exception of black-crowned night-heron and snowy egret when found nesting in project area landscape trees (see Glenn Lukos Associates 2006c in **Appendix 5.5** for discussion of why the presence of seaside heliotrope is not an indicator of wetland habitat). Construction and operation of the wetland park would occur on a vacant lot now typified by ruderal and willow riparian vegetation on an existing man-made berm. Similar to development associated with Neptune Marina Parcels 10R and FF and the northern portion of Parcel 9U, development would not directly impact terrestrial special-status plant or animal species. As such, direct impacts on terrestrial special status species associated with construction and operation of the wetland park is not considered significant, with the exception of black-crowned night-heron and snowy egret when found nesting in project area landscape trees.

Direct impacts to the existing marine resources could result from construction, including removal of the existing boat spaces and pilings, and project operation. Significant impacts with respect to these threshold criteria are those that would negatively affect Rare, Threatened, or Endangered species associated with the marine environment.

Construction Impacts: In-water construction will include the removal and replacement of existing dock facilities, including support pilings, adjacent to Parcel 10R, and the construction of a public-serving boat anchorage adjacent to Parcel 9U. Prior to commencing that construction, permits may be required from ACOE (Section 404/10), RWQCB (Waste Discharge Requirements and 401 Certification), and a Coastal

Development Permit from the responsible agency for assurance that the Coastal Zone Management Act has been satisfied. Those permits will be conditioned with mitigation measures based on the anticipated impacts.

Potentially significant impacts to the existing water quality and the associated marine infauna could result from the re-suspension of sediments associated with the removal of the existing pilings and placement of the new pilings for up to 185 new boat spaces (174 boat spaces adjacent to Parcel 10R and between 7 and 11 public-serving spaces adjacent to Parcel 9U). This impact is considered potentially significant due to (1) the reported use of the water area by the Endangered brown pelican and California least tern, and (2) the re-suspension of contaminants within the sediments at the site. Anchoring of work vessels would be expected to further the aforementioned re-suspension and increase the area potentially affected by the sediment. If placed in such a manner (i.e., from the water surface to the sea-floor and enclosing as small an area as possible), the proposed use of siltation collars (see **Section 3.0, Project Description**) would reduce the potential impacts to a less than significant level and limit the extent of the turbidity. The use of a debris boom during removal and replacement of the new dock facilities would effectively reduce or eliminate altogether the amount of floating debris entering the main channel of the small-craft harbor. The proposed utilization of a vessel to recover floating material will further reduce this potential impact.

Other potential construction-related impacts may include the disturbance of the existing marine biological community via the removal of solid, high-relief substrate (pilings) and the epibiota attached to them. Pile-associated and demersal (bottom-oriented) fish would be expected to leave the area during construction and move to other portions of the small-craft harbor. These impacts are not considered significant since the pilings will be replaced, and there are no known Sensitive, Rare, Threatened, or Endangered plant, invertebrate or fish taxa in the project area. Re-colonization of the sea floor and new concrete pilings would be expected and the biological community associated with those habitats is expected to be similar to that which currently exists within one to three years of completion of in-water construction.

In addition to marine sediment resuspension, onshore sediments could be transported to small-craft harbor waters by storm water, thus increasing turbidity within the construction area. During storms, the small-craft harbor receives runoff from the site through two existing storm drains. The potential addition of construction-related sediments to on-site runoff is not considered significant, but could occur over a period of one year or more.

Operation Impacts: Marina del Rey is already developed and, as such, receives runoff waters from surrounding development. The quantity of runoff from the proposed development on Parcels 10R and FF

is expected to be the same as that generated by the existing apartment buildings and surface parking lot, respectively. Runoff from the development on Parcel 9U is likely to increase as this parcel is currently vacant. However, the quality of storm water runoff versus the existing conditions for the overall project would be improved. The proposed project utilizes subterranean and above-ground parking structures, versus the existing surface parking. Runoff quality for the entire project will be improved; that for Parcel 9U would be slightly improved because current runoff flows to the depression. The placement of most parking in structures would reduce the potential for pollutants to be directly transported by rainfall into the storm drain system (parking spaces would be covered). Based on the above, and project compliance with storm water permit conditions issued by the RWQCB, no significant direct or indirect impacts are expected from operation of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project on special-status marine resources (see below). Long-term degradation of water quality within Basin B from boat discharges is not expected due to the vessel operators' adherence to US Coast Guard regulations and utilization of the sanitary pump-out stations that are proposed as part of new marina construction.

Specific Impacts to Special-Status Species:

California Brown Pelican (*Pelecanus occidentalis californicus*); **Federally listed Endangered Species (proposed for delisting), State listed Endangered Species.** During construction of the new boat spaces and docks, construction related noise and turbidity would occur in the vicinity of the construction zone. It is expected that the California brown pelican would avoid the construction zone due to a substantial human presence and noise associated with the construction activity. The impact of construction would be to incrementally reduce foraging space during the construction period. However, foraging space is available throughout the small-craft harbor and open ocean in the project area. Once the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project are complete, the operational characteristics of the small-craft harbor are expected to be similar to the existing condition, and no significant impacts are expected to this species.

California Least Tern (*Sterna antillarum browni*); **Federally listed Endangered Species, State listed Endangered Species.** No suitable nesting habitat is currently available on the project site. However, California least terns nest at Venice Beach and are known to infrequently use all portions of the small-craft harbor for foraging.

Recent surveys conducted for Playa Vista recorded California least tern foraging activity in the small-craft harbor. Foraging flights were observed over both of these areas, and foraging dives were observed. It is expected that California least terns will continue to forage in the small-craft harbor as long as the marina supports small fish.

Similar to impacts to the brown pelican, during construction of the new boat spaces and docks, construction related noise and turbidity would occur in the vicinity of the construction zone. It is expected that California least tern would also avoid the construction zone due to a substantial human presence and noise associated with the construction activity. The impact of waterside construction would be to incrementally reduce foraging space during the construction period associated with development of the private and public anchorages at the terminus of Basin B. Foraging space is a necessary component for courtship and feeding young of the species, consistent with the 1985 revised recovery plan for the species. Once construction of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project is complete, the operational characteristics of the small-craft harbor are expected to be similar to the existing conditions, and no significant impacts are expected to this species. Waterside construction activities will need to be suspended during the March to September breeding season for the California least tern, as long as it is known that the species is still nesting in the Venice Beach habitat.

Black-crowned night-heron (*Nycticorax nycticorax*), and **snowy egret** (*Egretta thula*) in the State of California are listed as a “Special Animals,” with specific reference to breeding birds and their rookeries. Black-crowned night-heron and snowy egret nest in several locations within Marina del Rey and primarily on the east side of Marina. However, these species are known to nest in trees on the west side of the Marina and have expanded their nesting locations. The ornamental trees located on and near the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project sites have the potential to host nesting sites for these birds. These birds are known to use different nest sites from year to year, do not seem to be overtly affected by noisy conditions during breeding or roosting periods, and have become habituated to the urbanized environment.

The project may require the removal of up to eight street trees from within the median of Via Marina and Marquesas Way as well as the ornamental landscape trees on Parcels 10R and FF. Therefore, construction activities could affect any black-crowned night-herons or snowy egrets that are nesting in trees on or adjacent to the project site prior to the initiation of or during construction. If these birds are nesting on or adjacent to the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort project sites during construction activities, potential impacts could occur; however, with the implementation of **Mitigation Measures 5.5-4** and **5.5-5**, impacts to black-crowned night-herons and snowy egrets and their nests would be considered less than significant.

Peregrine falcon (*Falco peregrinus*); **State listed Endangered Species**. Peregrine falcons forage over a large area inclusive of the project site. Construction and operational impacts are not expected to impact this species as these activities occur regularly in the region and large areas of available habitat are present

proximal to the site. Therefore, construction and operational impacts to this species are not considered significant.

Mitigation Measures Already Incorporated into the Project: As proposed, the project will be responsive to water quality mitigation measures required by state and local agencies (reference EIR **Section 5.3**). Construction techniques defined in **Section 3.0, Project Description**, (i.e., siltation collars and debris booms) would serve to mitigate project related sedimentation and surface debris impacts to the marine environment. No other project specific mitigation measures have been defined at this time. Also waterside development activities will be suspended during the March to September breeding season of the California least tern, as long as it is known that the species is still nesting in the Venice Beach habitat.

Mitigation Measures Recommended by the EIR:

- 5.5-1. Secure siltation collar around each pile prior to removal and replacement (water surface to seafloor) and assure that the ends seal the area to preclude re-suspended sediments from entering other areas of the small-craft harbor.

Sedimentation collars are used similar to silt screens as a means of controlling or reducing turbidity in the vicinity of the construction zone. The collars are placed around piles to be removed and extend from the bottom of the marina to above the water line. Once the collars are in place, the piles are extracted. During this process, turbidity is increased. Sediment collars would be left in place until the clarity of water inside the sediment collar approaches normal conditions in the marina (measured via the use of a seiche disk) at which time the sediment collar is removed.

Details shall be provided to and approved by RWQCB Los Angeles Region staff prior to construction.

- 5.5-2. In the event a pile should break during removal, use divers to cut the broken pile at the mudline to reduce the resuspension of deeper sediments that are possibly more contaminated than the surficial material. While diver-generated turbidity would be expected during cutting operations, the reduction of sediment resuspension from this removal method would be expected to reduce degradation of water quality and seafloor impacts.

Place impervious barriers (i.e., hay bales) around the perimeter of all onshore areas of exposed dirt. Grade the dirt to provide for drainage away from the small-craft harbor.

5.5-3. Waterside development and construction activities will be curtailed during the March to September California least tern breeding season, as long as it is known that the species is still nesting in the Venice Beach habitat.

5.5-4. To avoid impacts to native nesting birds (California Fish and Game Code (Section 3503, 3503.5, and 3513), the applicant and/or its contractors shall retain a qualified biologist to conduct nest surveys in potential nesting trees within the project site and the median of Via Marina and Marquesas Way prior to construction or site preparation activities. Specifically, within 30 days of ground disturbance activities associated with construction or grading, a qualified biologist shall conduct weekly surveys to determine if active nests of bird species protected by the Migratory Bird Treaty Act and the California Fish and Game Code are present in the construction zone. If no breeding bird behavior or nesting activity is observed, the surveying biologist may instruct the contractor to remove potential nesting habitat, so long as the removal occurs within three days of the survey. If the removal of potential nesting habitat does not occur within three days, an additional pre-construction survey will be conducted such that no more than three days will have elapsed between the last survey and the commencement of ground disturbance activities.

If active nests are found, clearing and construction activities within a buffer distance determined by the surveying biologist, shall be postponed or halted until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting. The urbanized and disturbed condition of the existing environment shall be considered when determining buffer distances, since birds that typically nest in the area are already accustomed to noisy conditions. Buffer may be less than 50 feet for human-habituated birds.

Limits of construction to avoid an active nest shall be established in the field with flagging, fencing, or other appropriate barriers and construction personnel shall be instructed on the sensitivity of nest areas. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts to these nests will occur. The results of the survey, and any avoidance measures taken, shall be submitted to the County of Los Angeles within 30 days of completion of the pre-construction surveys and construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.

5.5-5. During all construction activities if active heron or egret nests are discovered on or adjacent to the project and these nests are being used for breeding or rearing offspring, a qualified biologist shall monitor bird behavior at the nest for any signs of distress or annoyance from the construction noise. In the event the consulting biologist determines that noise from the project construction activities are causing distress or annoyance to herons or egrets that may be utilizing nests on these parcels, then construction activities shall be postponed or halted until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting during that year. The urbanized and disturbed condition of the existing environment shall be considered when determining buffer distances, since birds that typically nest in the area are already accustomed to noisy conditions.

Implementation of these measures would reduce biological impacts to levels that are not considered significant.

5.5.4.3.1.2 Threshold: Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.

Threshold: Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

Analysis: A jurisdictional wetland delineation conducted by Glenn Lukos Associates in 2008 identified approximately 0.43 acre of wetlands within the excavated basin on the southerly portion of Parcel 9U, of which 0.23 acre consists of wetlands that exhibit positive indicators for wetland hydrology, hydrophytic vegetation and hydric soils, and an additional 0.20 acre that lacked positive indicators for at least one of the three criteria but would still be considered wetland pursuant to California Coastal Act policies; see **Appendix 5.5** to this draft EIR. Therefore, as proposed, construction and operation of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project (the wetland park component only) would result in the reconfiguration and enhancement of approximately 0.43 acre of low value wetland habitat, through the provision of tidal connection for the restored wetland with surrounding upland buffer. No other defined special-status habitat(s) would be impacted by project construction or operation as no other special-status habitats occur on the project site.

As defined above, within Parcels 10R, FF, the northern portion of Parcel 9U and public boat anchorage proposed in Marina del Rey Basin B, two terrestrial vegetation/habitat types occur on the project site (i.e., ornamental and ruderal/disturbed) that surrounds the existing apartment buildings, the existing surface parking lot and vegetation present in the northern approximately 2.2 acres of Parcel 9U. Neither of these habitat types is defined by the CDFG or other resource agencies as being special status. Further, the CDFG has not defined any marine habitat in Marina del Rey as being of special status. As proposed, impacts associated with implementation of the Neptune Marina Parcel 10R, Neptune Marina Parcel FF, the Woodfin Suite Hotel/Timeshare Resort (the northern portion of Parcel 9U) and the public boat anchorage proposed in Marina del Rey Basin B would not directly or indirectly impact any known special-status habitat. Within Parcels 10R, FF, the northern portion of Parcel 9U and marine habitat occurring in Basin B, direct and indirect impacts associated with project construction and operation are limited to areas of low terrestrial and marine biological functions and values where human disturbances have and will continue to occur.

However, as noted, within the south-central portion of Parcel 9U, an excavated depression supports a mixture of native and non-native plant species that exhibit a range relative to their wetland indicator status from upland (UPL) to obligate (OBL), based at least in part on their location in the basin. This assemblage of vegetation is considered to be of special status as defined by the CDFG. The southern margin of the basin consists of a berm made up of spoil materials, which is presumed to have been created using material from the excavated basin. The berm supports narrow-leaf willow (*Salix exigua*, OBL) and upland grasses with ripgut brome (*Bromus diandrus*, UPL) as the most prevalent. The wettest (lowest) area in the basin supports limited areas of alkali bulrush (*Scirpus maritimus*, OBL), alkali weed (*Cressa truxillensis*, FACW) and small patches of pickleweed (*Salicornia virginica*). Large portions of the basin exhibit little vegetation or support non-native five-hook bassia (*Bassia hyssopifolia*, FAC) (Glenn Lukos Associates, 2008). To offset the loss of open-space designated land and possible future park on Parcel FF, the existing wetland resource on Parcel 9U will be reconfigured and enhanced through the provision of tidal connection for the restored wetland with surrounding upland buffer.

The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort project incorporates a restoration plan that is illustrated on **Figure 5.5-6, Restoration Plan Schematic**, and is summarized below (i.e., the wetland park). The entire restoration plan as prepared by Glenn Lukos Associates, Inc is incorporated as **Appendix 5.5**.

Goal of Restoration: The wetland basin to be enhanced was created during previous construction on the site, which left an 8-foot-deep depression. The depression exhibits only limited wetland function and other than approximately 150 to 200 square feet that is occupied by native alkali bulrush and alkali weed,

the site is best characterized as “ruderal.” The goal of the restoration/enhancement program is to create seasonal salt marsh wetland habitat that supports a suite of native plants and also continues to exhibit limited function for wildlife. Enhancement of the excavated depression would include re-contouring of the depression to provide enhanced hydrologic and habitat functions that are defined below.

Hydrologic Functions: The artificial basin is very deep, well below the surface of the adjacent upland areas. Furthermore, because much of the site was subject to deposition of dredge material during construction of the marina, the substrate in much of the basin is sand that allows rapid percolation of rain water such in most years rainfall and local runoff from limited portions of the site do not result in ponded conditions. As such, the depression exhibits ponding only during above-average rainfall years and supports wetland plant during these years. During other years, the basin supports a predominance of upland species.

Biogeochemical Functions: The vegetation located along the upper margins of the pool provides limited filtering of sediments and pollutants prior to entering the pool; however, as the ponded area is mostly unvegetated, the pool provides very limited water quality benefits. Furthermore, because the basin is a closed depression, there is no hydrologic connection with any areas off-site, limiting the effects of any biogeochemical functions to the site.

Functions Related to Habitat: The basin supports very limited habitat value for both native plants and animals. A small area of native alkali bulrush occurs within the deepest portion of the basin. Narrow-leaf willow occurs on the upland berm adjacent to the southern margin of the basin that lacks wetland hydrology and hydric soils. The limited area of willow habitat supports species common within the urban setting such as black phoebe, common mallard, and mourning dove.

Implementation Plan: Re-contouring of the wetland area, along with establishment of a muted tidal connection, will include final elevations that include areas of low-, mid- and high-marsh elevations (ranging from between 0.0 and 1.0 feet msl up to approximately 5.0 feet msl). Upland areas surrounding the basin will be planted with species common to coastal upland habitats such as coastal prairie, coastal sage scrub, coastal bluff scrub and maritime chaparral.

Responsible Parties: The applicants or the applicants' successors of development on Parcels FF and 9U will be the responsible party.

Site Preparation and Invasive Plant Removal: Site preparation will be supervised by a qualified habitat restoration specialist knowledgeable in coastal salt marsh restoration. Site preparation is to consist of grading necessary to re-contour the wetland area and establishment of elevations that include areas of low-, mid- and high-marsh (0.0 feet msl up to 5.0+ feet msl). During grading, the seed bank consisting of non-native species will be removed. Grading will be conducted to create the microtopography typically found in seasonal wetlands at the direction of the habitat restoration specialist.

Planting Design: Expanded and enhanced coastal salt marsh habitat would be planted within the enhanced wetland area as set forth in **Table 5.5-7**. These species would replace the non-native species removed during site preparation. The proposed low and mid-marsh species would be planted in zones of appropriate wetness. Variations in microtopography within the basin will allow for establishment of a mosaic of seasonal pond habitat with associated fringing riparian scrub. Upland areas surrounding the enhanced wetland will be planted with species native to coastal prairie, coastal sage scrub, coastal bluff scrub and maritime chaparral habitats (**Tables 5.5-8 through 5.5-10**).

Plant Palette: All of the coastal salt marsh habitat included in the planting palette (**Table 5.5-7**) are able to tolerate periods of tidal inundation alternating with brief periods of drying. The coastal prairie, coastal sage scrub, coastal bluff scrub and maritime chaparral plantings located in the areas surrounding the wetland area are adapted to seasonally dry conditions of coastal southern California. Initial planting will be accomplished during the fall.

**Table 5.5-7
Plant Palette for Restored Coastal Salt Marsh**

| Plant Species | Container Size | Spacing |
|-----------------------------------------------------------|----------------|-------------------------|
| Low-Marsh | | |
| <i>California Cord Grass (Spartina foliosa)</i> | 1 gal | 3 foot o.c. (clumped) |
| Saltwort (<i>Batis maritima</i>) | 1 gal | 6 foot o.c. (scattered) |
| Mid-Marsh | | |
| Common Pickleweed (<i>Salicornia virginica</i>) | 1 gal | 3 foot o.c. (scattered) |
| Alkali Heath (<i>Frankenia salina</i>) | 1 gal | 3 foot o.c. (scattered) |
| Fleshy Jaumea (<i>Jaumea carnosa</i>) | 1 gal | 3 foot o.c. (scattered) |
| Saltgrass (<i>Distichlis spicata</i>) | 1 gal | 3 foot o.c. (clumped) |
| Upper-Marsh | | |
| Parish's Saltwort (<i>Arthrocnemum subterminale</i>) | 1 gal | 3 foot o.c. (perimeter) |
| Southwestern Spiny Rush (<i>Juncus acutus leopoldi</i>) | 1 gal | 3 foot o.c. (perimeter) |

**Table 5.5-8
Plant Palette for Coastal Prairie**

| Plant Species | Container Size | Spacing |
|--------------------------------------------------------|----------------|--------------------------|
| Container Plants | | |
| <i>Wild hyacinth (Dichelostema capitatum)</i> | Rosepots | 3 foot o.c. (scattered) |
| Coastal goldenbush (<i>Isocoma menziesii</i>) | 1 gal | 8 foot o.c. (scattered) |
| Mesa horkelia (<i>Horkelia cuneata</i>) | 1 gal | 3 foot o.c. (scattered) |
| Wishbone bush (<i>Mirabilis californica</i>) | 1 gal | 10 foot o.c. (scattered) |
| Coast range melic (<i>Melica californica</i>) | Liners | 2 foot o.c. (clumped) |
| Purple needlegrass (<i>Nassella pulchra</i>) | Liners | 2 foot o.c. (clumped) |
| Blue eyed grass (<i>Sisyrinchium bellum</i>) | Rosepots | 2 foot o.c. (clumped) |
| Seed Mix | | |
| Bentgrass (<i>Agrostis pallens</i>) | seed | |
| Common goldenstar (<i>Bloomeria crocea</i>) | seed | |
| California goldfields (<i>Lasthenia californica</i>) | seed | |
| Foothill needlegrass (<i>Nassella lepida</i>) | seed | |
| Dot seed plantain (<i>Plantago erecta</i>) | seed | |
| Blue eyed grass (<i>Sisyrinchium bellum</i>) | seed | |

Source of Plant Material: Plant materials will be obtained from a local nursery or seed source specializing in the cultivation of native coastal salt marsh plants.

Plant Installation: Container stock will be installed by a contractor specializing in the restoration of habitats native to Southern California. Planting will be accomplished by digging a hole approximately twice the depth and width of the plant container. The planting hole will be filled with water and allowed to drain prior to planting. A small amount of backfill will be placed in the hole and lightly tamped down prior to placing the container stock. The plant root ball will be placed on the backfill and the area will be backfilled entirely while applying water to the backfill soil.

**Table 5.5-9
Plant Palette for Coastal Sage Scrub and Coastal Bluff Scrub**

| Plant Species | Container Size | Spacing |
|---------------------------------------------------------|----------------|-------------------------|
| Container Plants | | |
| <i>California sagebrush (Artemisia californica)</i> | 1 gal | 5 foot o.c. (scattered) |
| <i>Brewer's saltbush (Atriplex lentiformis breweri)</i> | 1 gal | 8 foot o.c. (scattered) |
| <i>Encelia californica (Encelia californica)</i> | 1 gal | 5 foot o.c. (scattered) |
| <i>Buckwheat (Eriogonum fasciculatum)</i> | 1 gal | 5 foot o.c. (scattered) |
| <i>Sea cliff buckwheat (Eriogonum parvifolium)</i> | 1 gal | 6 foot o.c. (scattered) |
| <i>California Boxthorn (Lycium californica)</i> | 1 gal | 6 foot o.c. (clumped) |
| <i>Purple needlegrass (Nassella pulchra)</i> | Liners | 2 foot o.c. (clumped) |
| <i>Coast prickly pear (Opuntia prolifera)</i> | 1 gal | 8 foot o.c. (clumped) |
| <i>Lemonade berry (Rhus integrifolia)</i> | 1 gal | 20 foot o.c. (clumped) |
| Seed Mix | | |
| <i>Wild hyacinth (Dichelostema capitatum)</i> | seed | |
| <i>Buckwheat (Eriogonum fasciculatum)</i> | seed | |
| <i>Foothill needlegrass (Nassella lepida)</i> | seed | |
| <i>Purple needlegrass (Nassella pulchra)</i> | seed | |
| <i>Blue eyed grass (Sisyrinchium bellum)</i> | seed | |

Erosion Control: Appropriate erosion control measures will be used during plant establishment. This will include use of best management practices (BMPs) such as jute netting on slopes to hold soil in place during the establishment period. Erosion control measures will be focused on the basin slope, as significant erosion is not expected to occur within the low-gradient basin floor. Should erosion be observed during site monitoring efforts, corrective measures will be applied.

**Table 5.5-10
Plant Palette for Maritime Chaparral**

| Plant Species | Container Size | Spacing |
|-----------------------------------------------------------|----------------|--------------------------|
| Container Plants | | |
| Big-pod ceanothus (<i>Ceanothus megacarpus</i>) | 1 gal | 8 foot o.c. (scattered) |
| Little-leaved Redberry (<i>Rhamnus crocea</i>) | 1 gal | 5 foot o.c. (scattered) |
| Toyon (<i>Heteromeles arbutifolia</i>) | 1 gal | 8 foot o.c. (scattered) |
| Lemonadeberry (<i>Rhus integrifolia</i>) | 1 gal | 8 foot o.c. (scattered) |
| Southern California dudleya (<i>Dudleya lanceolata</i>) | 1 gal | 4 foot o.c. (clumped) |
| California fuschia (<i>Epilobium canum</i>) | 1 gal | 5 foot o.c. (clumped) |
| Coast Buckwheat (<i>Eriogonum parviflorum</i>) | 1 gal | 5 foot o.c. (clumped) |
| Fuschia flowering gooseberry (<i>Ribes speciosum</i>) | 1 gal | 10 foot o.c. (scattered) |
| Seed Mix | | |
| Bentgrass (<i>Agrostis pallens</i>) | seed | |
| Common goldenstar (<i>Bloomeria crocea</i>) | seed | |
| Splendid mariposa lily (<i>Calochortus splendens</i>) | seed | |
| Pink gnaphalium (<i>Gnaphalium ramosissimum</i>) | seed | |
| Collard annual lupine (<i>Lupinus truncatus</i>) | seed | |

As-Built Conditions: The applicant will submit a report (including site photographs and a narrative that addresses the enhancement/creation activities) to the County Biologist and Coastal Commission Executive Director within 30 days of completion of site preparation and planting, describing as-built status of the Enhancement project.

Maintenance: The purpose of this maintenance program is to ensure the success of the enhancement/creation program. Maintenance will occur for five years. As the weed eradication and plant installation is completed, the habitat restoration specialist will schedule a meeting with key members of the landscape maintenance crew in order to identify proper maintenance procedures. The following tasks will be performed as general maintenance duties.

Weeding: Weeding will be conducted monthly during the first six months of the project and quarterly during years two through five, or as necessary and as directed by the Project Restoration Specialist. Because the seasonal pond area will support a predominance of annual species that are not commonly recognized by landscape contractors, training will be necessary to ensure that target species are not inadvertently removed during weeding. Furthermore, because the non-native seed bank will be removed

during re-contouring, the amount of weeding may be very limited and as such will be coordinated by the project biologist.

Plant Replacement: Dead or damaged container stock will be replaced during the first year as necessary to ensure compliance with the performance standards.

Pruning and Staking: None of the target salt marsh/wetland species will require pruning or staking.

Trash Removal: Trash removal will be conducted during weeding and other maintenance visits.

Tree Protection: None of the salt marsh/wetland species selected is expected to require special protection.

Responsible Parties: The applicant or their successors of development on Parcels FF and 9U will be responsible for financing and carrying out maintenance activities. The applicant may assign the maintenance responsibilities to an appropriate contractor, but will retain ultimate responsibility for maintenance of the Enhancement site.

Schedule: As noted, weed control may be limited; however, as determined necessary by the project biologist, weeding will be conducted on an as-needed basis during the dry-phase of the basin during the first season of the project and each following year as needed. As the first season passes into the summer and fall, the weed problem is expected to decrease and, depending on the health and spread of the desired plants, the weed maintenance schedule will likely lighten into the second year of the project with a continued decrease through the life of the monitoring program.

Monitoring: Monitoring will focus on characteristics and functions (as described in the restoration plan, Glenn Lukos 2006b) of the coastal salt marsh, coastal prairie, coastal sage scrub, coastal bluff scrub, and maritime chaparral.

Initial Monitoring Effort: Vegetation will be monitored following installation of the container stock. The initial biological and ecological status of the site will be established and the as-built condition of the site will be documented. Long-term monitoring of the site will begin following this initial assessment.

During the last four years of monitoring, monitoring will be performed during at least two of the years that exhibit average or above-average rainfall for the rainfall year.

Vegetation will be monitored following broadcasting of the seed and installation of the container stock. The seasonal pond vegetation will remain dormant until sufficient precipitation provides conditions sufficient for germination. The initial biological and ecological status of the site will be established and

the as-built condition of the site will be documented. Long-term monitoring of the site will begin following this initial assessment.

Performance Criteria: The success of a restoration site is defined as the restoration of a functional ecosystem. Success is usually measured by percent coverage by target species. While a fully successful restoration and enhancement plan might be viewed as one that results in 100 percent coverage, such coverage is unlikely. Natural habitats rarely exhibit 100 percent coverage, but rather include a considerable proportion of open spaces.

The means of determining successful enhancement for this site will be through a series of measurements for native cover and diversity, exotic species cover, and use by resident and non-resident nekton. All of these, except non-native species cover, should increase over time. Cover by non-native species should be the opposite; it should decrease with time, particularly because one of the primary goals of the project is to substantially reduce or eliminate non-native species from the site.

After the initial grading and associated planting effort has been completed, the restoration area will be monitored by the project monitor on a monthly basis for the first 12 months and quarterly for the remainder of the monitoring period. Qualitative surveys, consisting of a general site walkover and habitat characterization, will be completed during each monitoring visit. General observations, such as fitness and health of the planted species, pest problems, weed persistence/establishment, mortality and drought stress, will be noted in each site walkover. The project monitor will determine remedial measures necessary to facilitate compliance with performance standards.

As habitat for wildlife is a stated Final Success Criteria of this plan, notes regarding wildlife usage will be collected during each visit. Based on current wildlife use of the site as well as the location of the site, it is expected that wildlife use will primarily consist of foraging by shorebirds, herons, egrets and waterfowl.

Quantitative data will be collected annually using accepted vegetative sampling methods in order to evaluate survivorship, species coverage and species composition.

In the event that plantings should fail to meet the specified requirements, compliance will be ensured by the performance of either or both of the following remedial procedures by the contractor on an as-needed basis as directed by the project monitor: (1) replacing unsuccessful plantings with appropriate-sized stock or seed mixes to meet stated cover or survival requirements, and/or (2) performing maintenance procedures to ensure the site conditions are appropriate (e.g., non-native species removal). Remedial actions in planting areas shall be based on detailed investigations (such as soil tests and excavations of failed plantings to examine root development) to determine causes of failure. The applicant will consult

the California Coastal Commission to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

Hydrology Performance Standards: Hydrology performance standards will be achieved if at any time during the five-year monitoring program the following conditions are achieved during a rainfall year that does not exceed more than 25 percent of the median annual average rainfall: the entire 0.47-acre basin exhibits inundation for seven consecutive days and at least 50 percent of the basin (0.24 acre) exhibits 14 consecutive days of ponding.

Vegetation Performance Standards: Vegetation performance standards are defined in **Appendix 5.5**. Monitoring shall assess the attainment of annual and final success criteria and identify the need to implement contingency measures in the event of failure. Vegetation monitoring methods include field-sampling techniques that are based upon the California Native Plant Society field sampling protocol.¹ Please refer to *A Manual of California Vegetation* for further details on this sampling method. Hydrological monitoring includes weekly monitoring visits during the rainy season following all storm events of 1 inch or more to document the depth, extent and duration of ponding within the seasonal pond habitat.

Mitigation Measures: Development of the Parcel 9U project would not result in significant direct or indirect impacts to biological resources. Therefore, no mitigation is proposed, as none is necessary to reduce impacts to a less than a significant level as this project component is sufficient to mitigate for the loss of the man-made wetland habitat. The features of the restored wetland and upland park will become requirements under the coastal development permit.

Nevertheless, as addressed above, the applicant has proposed to restore the degraded wetland, which will include establishment of a muted tidal regime that will substantially enhance the hydrologic, biogeochemical, and habitat functions of the degraded wetland, and will include the establishment of coastal salt marsh vegetation with a variable buffer that will be planted with native vegetation. The minimum buffer, as measured from the edge of the salt marsh, will be 25 feet; however, the buffer between the salt marsh and hotel landscaping will be effectively larger due to the installation of turfblock vegetated with native grasses between the native buffer plantings and the hotel. Including the turfblock area, the setback buffer ranges from approximately 53 to 82 feet, with an average of about 66 feet between the wetland and hotel.

Because the salt marsh habitat will exhibit a tidal connection, it is expected that the salt marsh will be colonized by variety of benthic invertebrates and will also support a population of fish when water is

¹ Sawyer, John O. and Todd Keeler-Wolf. 1995. *A Manual of California Vegetation*. California Native Plant Society.

present due to inflow of tidal water. The combination of benthic invertebrates and fish will in turn attract a variety of shorebirds, waterfowl, egrets and herons for foraging with different species using the marsh at different tidal regimes.

Because of the proximity of existing development, including roads, and the addition of the hotel, it is expected that most avian visits will be associated with species that are more highly adapted to the urban setting, which includes a fairly high variety of species. The variable effective 66-foot average buffer between the hotel and wetland will increase the potential for a diversity of species to visit the site as will the difference in elevation between the wetland and adjacent buffer areas. Avifauna expected to use the site include killdeer, western and least sandpipers, mallards, ruddy duck, blue-winged teal, American wigeon, ring-billed gull, western gull, California gull, great egret, snowy egret, great blue heron, black-crowned night-heron, eared grebe, pied-bill grebe, and belted kingfisher. As noted, all of these species exhibit varying degrees of tolerance to human habitation, and many are common in park settings with high levels of human activity. As such, the proposed setbacks would provide more than sufficient buffer functions for such species.

5.5.4.3.1.3 Threshold: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Analysis: Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project construction and operation would impact less than 2 acres of ornamental and disturbed/ruderal habitat situated within a highly urbanized area. Loss of this habitat would incrementally reduce habitat available to small mammals currently present. However, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site is not adjacent to any natural terrestrial habitat and the marine environment that is present is a constructed open water basin (Marina del Rey). Neither the County of Los Angeles nor any other resource agency has defined wildlife movement corridors on, adjacent to, or near the project site. Therefore, implementation of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project is not expected to substantially interfere with movement patterns associated with the existing ground-dwelling fauna presently occurring on the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site. Therefore, project implementation is not expected to alter other wildlife movement patterns, and no impact would occur.

Mitigation Measures: No mitigation measures are proposed or are required.

5.5.4.3.1.4 Threshold: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or

Threshold: Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Analysis: As defined in **Section 5.17, Land Use and Planning**, the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project is consistent with applicable policies as defined in the Marina del Rey Local Coastal Plan and the RWQCB Water Quality Control Plan (Basin Plan). The Marina del Rey Local Coastal Plan does not designate any environmentally sensitive habitat areas (ESHA), and none is recognized within the project site. Accordingly, no significant, adverse impacts will result from the project.

Mitigation Measures: No mitigation measures are proposed or are required.

5.5.4.3.2 Neptune Marina Parcel 10R Project

Applicable thresholds of significance are listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.5.4.3.2.1 Threshold: 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 Game or US Fish and Wildlife Service.

Analysis: For the purposes of this impact analysis, "Endangered, Rare, or Threatened species" refers to the following: any plant or animal species listed by the CDFG or USFWS as a Threatened or Endangered species, proposed for listing as Threatened or Endangered, or considered as a candidate for listing as Threatened or Endangered; to those species listed by the USFWS as a Federal Species of Concern; to those species considered by CDFG as a State Species of Special Concern or as a Fully Protected species; to any plants listed by the CNPS as a List 1 or List 2 species; or to any species otherwise considered Rare, Threatened, or Endangered as defined by Section 15380 of the *State CEQA Guidelines*. CNPS List 1 and List 2 species are included in this impact analysis because the CNPS, as previously stated, is a recognized authority by CDFG on the status of rare plant populations in California and because the criteria for plant species to be placed on List 1 or List 2 are similar to criteria CDFG and USFWS use for species considered as candidates for listing or that are already listed as Threatened or Endangered.

Direct Impacts: As stated above, landside portions of the Neptune Marina Parcel 10R Project are presently developed as an apartment complex and no natural biotic communities are present. Plant and animal habitat is limited to ornamental and ruderal vegetation that occurs in small areas that surround the existing apartment buildings. The fauna of this area is generally typified by an assemblage of species that have adapted to an intensive and continuous human presence. Based on review of CNDDDB records, no special-status plant or animal species were observed or are known to occur on or significantly utilize habitat present on landside portions of the Neptune Marina Parcel 10R project site. As part of the proposed development, existing uses would be removed and replaced with similar land uses but at a greater density. Development associated with Neptune Marina Parcel 10R, and infrastructure improvements within Via Marina and Marquesas Way, would not directly impact terrestrial special-status plant or animal species, with the exception of the black-crowned night-heron and snowy egret, known to utilize or breed on terrestrial habitats that occur on or adjacent to the project site. As such, direct impacts on terrestrial special status species associated with construction and operation on

Neptune Marina Parcels 10R Project is considered potentially significant only to black-crowned night-heron and snowy egret when found nesting in project area landscape trees.

Direct impacts to the existing marine resources could result from construction, including removal of the existing boat spaces and pilings, and project operation. Significant impacts with respect to these threshold criteria are those that would negatively affect Rare, Threatened, or Endangered species associated with the marine environment.

Construction Impacts: In-water construction will include the removal and replacement of existing dock facilities, including support pilings. Prior to commencing that construction, permits may be required from ACOE (Section 404/10), RWQCB (Waste Discharge Requirements and 401 Certification), and a Coastal Development Permit from the responsible agency for assurance that the Coastal Zone Management Act has been satisfied. Those permits will be conditioned with mitigation measures based on the anticipated impacts.

Potentially significant impacts to the existing water quality and the associated marine infauna could result from the re-suspension of sediments associated with the removal of the existing pilings and placement of the new pilings for the 174 new boat spaces. This impact is considered potentially significant due to (1) the reported use of the water area by the Endangered brown pelican and California least tern, and (2) the re-suspension of contaminants within the sediments at the site. Anchoring of work vessels would be expected to further the aforementioned re-suspension and increase the area potentially affected by the sediment. If placed in such a manner (i.e., from the water surface to the sea-floor and enclosing as small an area as possible) the proposed use of siltation collars (see **Section 3.0, Project Description**) should reduce the potential impacts and limit the extent of the turbidity. The use of a debris boom during removal and replacement of the new dock facilities should effectively reduce to a level of less than significant or eliminate altogether the amount of floating debris entering the main channel of the small-craft harbor. The proposed utilization of a vessel to recover floating material will further reduce this impact.

Other potential construction-related impacts may include the disturbance of the existing marine biological community via the removal of solid, high-relief substrate (pilings) and the epibiota attached to them. Pile-associated and demersal (bottom-oriented) fish would be expected to leave the area during construction and move to other portions of the small-craft harbor. These impacts are not considered significant since the pilings will be replaced, and there are no known Sensitive, Rare, Threatened, or Endangered plant, invertebrate or fish taxa in the project area. Re-colonization of the sea floor and new concrete pilings would be expected and the biological community associated with those habitats is

expected to be similar to that which currently exists within one to three years of completion of in-water construction.

In addition to marine sediment resuspension, onshore sediments could be transported to small-craft harbor waters by storm water, thus increasing turbidity within the construction area. During storms, the small-craft harbor receives runoff from the site through two existing storm drains. The potential addition of construction-related sediments to on-site runoff is not considered significant, but could occur over a period of one year or more.

Operation Impacts: Marina del Rey is already developed and, as such, receives runoff waters from surrounding development. The quantity of runoff from the proposed development on Parcel 10R is expected to be the same as that generated by the existing apartment buildings. However, the quality of storm water runoff versus the existing condition would be improved. The proposed project utilizes subterranean and above-ground parking structures, versus the existing surface parking, and more effective filtering devices. The placement of most parking in structures would reduce the potential for pollutants to be directly transported by rainfall into the storm drain system (parking spaces would be covered). Based on the above, and assuming project compliance with storm water permit conditions issued by the RWQCB, no significant direct or indirect impacts are expected from operation of the proposed Neptune Marina Parcel 10R Project on special-status marine resources (see below). Long-term degradation of water quality within Basin B from boat discharges is not expected if the vessel operators adhere to US Coast Guard regulations and utilize the sanitary pump-out stations that are proposed as part of new marina construction.

Specific Impacts to Special-Status Species: Potential impacts to the least tern would occur only for the waterside components of the project components on Parcels 10R and 9U.

California Brown Pelican (*Pelecanus occidentalis californicus*); **Federally listed Endangered Species (proposed for delisting), State listed Endangered Species.** During construction of the new boat spaces and docks, construction related noise and turbidity would occur in the vicinity of the construction zone. It is expected that the California brown pelican would avoid the construction zone due to a substantial human presence and noise associated with the construction activity. The impact of construction would be to incrementally reduce foraging space during the construction period. However, foraging space is available throughout the small-craft harbor and open ocean in the project area. Once the Neptune Marina Parcel 10R project is complete, the operational characteristics of the small-craft harbor are expected to be similar to the existing condition, and no significant impacts are expected to this species.

California Least Tern (*Sterna antillarum browni*); **Federally listed Endangered Species, State listed Endangered Species.** No suitable nesting habitat is currently available on the project site. However, California least terns nest at Venice Beach and are known to infrequently use all portions of the small-craft harbor for foraging.

Recent surveys conducted for Playa Vista recorded California least tern foraging activity in the small-craft harbor. Foraging flights were observed over both of these areas, and foraging dives were observed. It is expected that California least terns will continue to forage in the small-craft harbor as long as the marina supports small fish.

Similar to impacts to the brown pelican, during construction of the new boat spaces and docks, construction related noise and turbidity would occur in the vicinity of the construction zone. It is expected that California least tern would also avoid the construction zone due to a substantial human presence and noise associated with the construction activity. The impact of construction would be to incrementally reduce foraging space during the construction period. However, foraging space is available throughout the small-craft harbor and open ocean in the project area. Once construction of the Neptune Marina Parcel 10R project is complete, the operational characteristics of the small-craft harbor are expected to be similar to the existing condition, and no significant impacts are expected to this species.

Black-crowned night-heron (*Nycticorax nycticorax*), and **snowy egret** (*Egretta thula*) in the State of California are listed as a “Special Animals,” with specific reference to breeding birds and their rookeries. Black-crowned night-heron and snowy egret nest in several locations within Marina del Rey and primarily on the east side of Marina. However, these species are known to nest in trees on the west side of the Marina and have expanded their nesting locations. The ornamental trees located on and near the Neptune Marina Parcel 10R project site has the potential to host nesting sites for these birds. These birds are known to use different nest sites from year to year, do not seem to be overtly affected by noisy conditions during breeding or roosting periods, and have become habituated to the urbanized environment.

The project may require the removal of up to eight street trees from within the median of Via Marina and Marquesas Way as well as the ornamental landscape trees on Neptune Marina Parcel 10R. Therefore, construction activities could affect any black-crowned night-herons or snowy egrets that are nesting in trees on or adjacent to the project site prior to the initiation of or during construction. If these birds are nesting on or adjacent to the Neptune Marina Parcel 10R project site during construction activities, potential impacts could occur; however, with the implementation of **Mitigation Measures 5.5-4 and 5.5-5**, impacts to black-crowned night-herons and snowy egrets and their nests would be considered less than significant.

Peregrine falcon (*Falco peregrinus*); **State listed Endangered Species.** Peregrine falcon forages over a large area inclusive of the project site. Construction and operational impacts are not expected to impact this species as these activities occur regularly in the region and large areas of available habitat are present proximal to the site. Therefore, construction and operational impacts to this species are not considered significant.

Mitigation Measures Already Incorporated into the Project: As proposed, the project will be responsive to water quality mitigation measures required by state and local agencies (reference EIR **Section 5.3**). Construction techniques defined in **Section 3.0, Project Description**, (i.e., siltation collars and debris booms) would serve to mitigate project related sedimentation and surface debris impacts to the marine environment. No other project specific mitigation measures have been defined at this time.

Mitigation Measures Recommended by the EIR:

- 5.5-1.** Secure siltation collar around each pile prior to removal and replacement (water surface to seafloor) and assure that the ends seal the area to preclude re-suspended sediments from entering other areas of the small-craft harbor.

Sedimentation collars are used similar to silt screens as a means of controlling or reducing turbidity in the vicinity of the construction zone. The collars are placed around piles to be removed and extend from the bottom of the marina to above the water line. Once the collars are in place, the piles are extracted. During this process, turbidity is increased. Sediment collars would be left in place until the clarity of water inside the sediment collar approaches normal conditions in the marina (measured via the use of a seiche disk) at which time the sediment collar is removed.

Details shall be provided to and approved by RWQCB Los Angeles Region staff prior to construction.

- 5.5-2.** In the event a pile should break during removal, use divers to cut the broken pile at the mudline to reduce the resuspension of deeper sediments that are possibly more contaminated than the surficial material. While diver-generated turbidity would be expected during cutting operations, the reduction of sediment resuspension from this removal method would be expected to reduce degradation of water quality and seafloor impacts.

Place impervious barriers (i.e., hay bales) around the perimeter of all onshore areas of exposed dirt. Grade the dirt to provide for drainage away from the small-craft harbor.

5.5-3. Waterside development and construction activities will be curtailed during the March to September California least tern breeding season, as long as it is known that the species is still nesting in the Venice Beach habitat

5.5-4. To avoid impacts to native nesting birds (California Fish and Game Code (Section 3503, 3503.5 and 3513), the applicant and/or its contractors shall retain a qualified biologist to conduct nest surveys in potential nesting trees within the project site and the median of Via Marina and Marquesas Way prior to construction or site preparation activities. Specifically, within 30 days of ground-disturbance activities associated with construction or grading, a qualified biologist shall conduct weekly surveys to determine if active nests of bird species protected by the Migratory Bird Treaty Act and the California Fish and Game Code are present in the construction zone. If no breeding bird behavior or nesting activity is observed, the surveying biologist may instruct the contractor to remove potential nesting habitat, so long as the removal occurs within three days of the survey. If the removal of potential nesting habitat does not occur within three days, an additional pre-construction survey will be conducted such that no more than three days will have elapsed between the last survey and the commencement of ground disturbance activities.

If active nests are found, clearing and construction activities within a buffer distance determined by the surveying biologist, shall be postponed or halted until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting. The urbanized and disturbed condition of the existing environment shall be considered when determining buffer distances, since birds that typically nest in the area are already accustomed to noisy conditions. Buffer may be less than 50 feet for human habituated birds.

Limits of construction to avoid an active nest shall be established in the field with flagging, fencing, or other appropriate barriers and construction personnel shall be instructed on the sensitivity of nest areas. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts to these nests will occur. The results of the survey, and any avoidance measures taken, shall be submitted to the County of Los Angeles within 30 days of completion of the pre-construction surveys and construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.

5.5-5. During all construction activities if active heron or egret nests are discovered on or adjacent to the project and these nests are being used for breeding or rearing offspring, a qualified biologist shall monitor bird behavior at the nest for any signs of distress or annoyance from the construction noise. In the event the consulting biologist determines that noise from the project construction activities are causing distress or annoyance to herons or egrets that may be utilizing nests on these parcels, then construction activities shall be postponed or halted until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting during that year. The urbanized and disturbed condition of the existing environment shall be considered when determining buffer distances, since birds that typically nest in the area are already accustomed to noisy conditions.

Implementation of these measures would reduce biological impacts to levels that are not considered significant.

5.5.4.3.2.2 **Threshold: Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.**

Threshold: Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

Analysis: As proposed, construction and operation of the Neptune Marina Parcel 10R Project would not result in the removal of any habitat defined by state or federal agencies as being of special status or habitat that has been defined as jurisdictional. No other defined special-status habitat(s) would be impacted by project construction or operation. As defined above, two terrestrial vegetation/habitat types occur on the Parcel 10R project site (i.e., ornamental and ruderal/disturbed) that surrounds the existing apartment buildings. Neither of these habitat types is defined by the CDFG or other resource agencies as being special status. Further, the CDFG has not defined any marine habitat in Marina del Rey as being of special status. As proposed, impacts associated with implementation of the Neptune Marina Parcel 10R Project would not directly or indirectly impact any known special-status habitat. Within Parcel 10R and marine habitat occurring in Basin B, direct and indirect impacts associated with project construction and operation are limited to areas of low terrestrial and marine biological functions and values where human disturbances have and will continue to occur.

Mitigation Measures: No mitigation measures are proposed or are required.

5.5.4.3.2.3 Threshold: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Analysis: Neptune Marina Parcel 10R project construction and operation would impact less than 2 acres of ornamental and disturbed/ruderal habitat situated within a highly urbanized area. Loss of this habitat would incrementally reduce habitat available to small mammals currently present. The Neptune Marina Parcel 10R project site is not adjacent to any natural terrestrial habitat and the marine environment that is present is a constructed open water basin (Marina del Rey). Neither the County of Los Angeles nor any other resource agency has defined wildlife movement corridors on, adjacent to, or near the project site. Therefore, implementation of the Neptune Marina Parcel 10R project is not expected to substantially interfere with movement patterns associated with the existing ground-dwelling fauna presently occurring on the Neptune Marina Parcel 10R project site. Therefore, project implementation is not expected to alter other wildlife movement patterns, and no impact would occur.

Mitigation Measures: No mitigation measures are proposed or are required.

5.5.4.3.2.4 Threshold: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or

Threshold: Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Analysis: As defined in **Section 5.17, Land Use and Planning**, with the CCC's certification of the proposed LCP amendments relating to this project component, the proposed Neptune Marina Parcel 10R Project will be consistent with applicable policies as defined in the Marina del Rey Local Coastal Program and the Basin Plan. Accordingly, no significant, adverse impacts will result from the project.

Mitigation Measures: No mitigation measures are proposed or are required.

5.5.4.3.3 Neptune Marina Parcel FF Project

Implementation of the proposed Neptune Marina Parcel FF component would result in the development of a total of 126 dwelling units and required parking and a 200-foot Waterfront Stroll Promenade. The Neptune Marina Parcel FF would replace an existing surface parking lot. No waterside (i.e., marine) component is proposed. The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. No mitigation measures are identified that would need to reduce or avoid potentially significant adverse impacts, as discussed below.

5.5.4.3.3.1 Threshold: 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 Game or US Fish and Wildlife Service.

Analysis: For the purposes of this impact analysis, "Endangered, Rare, or Threatened species" refers to the following: any plant or animal species listed by CDFG or USFWS as a Threatened or Endangered species, proposed for listing as Threatened or Endangered, or considered as a candidate for listing as Threatened or Endangered; to those species listed by the USFWS as a Federal Species of Concern; to those species considered by CDFG as a State Species of Special Concern or as a Fully Protected species; to any plants listed by the CNPS as a List 1 or List 2 species; or to any species otherwise considered Rare, Threatened, or Endangered as defined by Section 15380 of the *State CEQA Guidelines*. CNPS List 1 and List 2 species are included in this impact analysis because the CNPS, as previously stated, is a recognized authority by CDFG on the status of rare plant populations in California and because the criteria for plant species to be placed on List 1 or List 2 are similar to criteria CDFG and USFWS use for species considered as candidates for listing or that are already listed as Threatened or Endangered.

Direct Impacts: As stated above, the Neptune Marina Parcel FF site is presently developed as a surface parking lot, and no natural biotic communities are present. Plant and animal habitat is limited to ornamental and ruderal vegetation that occurs along the site perimeter and in the median islands. No terrestrial special-status plant or animal species are known to occur or significantly utilize this habitat type, with the exception of the black-crowned night-heron and snowy egret, known to utilize or breed on terrestrial habitats that occur on or adjacent to the project site. As part of the Neptune Marina Parcel FF, existing uses (i.e., the parking lot, landscape trees) would be removed and replaced with 126 apartment units. As such, direct impacts on terrestrial special status species associated with construction on Neptune Marina Parcel FF are considered potentially significant only to black-crowned night-heron and snowy egret when found nesting in project area landscape trees.

Mitigation Measures: If black-crowned night-heron or snowy egret are nesting on or adjacent to the Neptune Marina Parcel FF during construction activities, potential impacts could occur; however, with the implementation of **Mitigation Measures 5.5-4 and 5.5-5**, impacts to these species and their nests would be considered less than significant.

5.5.4.3.3.2 Threshold: Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

Analysis: As proposed, construction and operation of the Neptune Marina Parcel FF would not result in the removal of any defined special-status habitat. As defined above, two terrestrial vegetation/habitat types occur on the project site (i.e., ornamental and ruderal/disturbed) that surround the perimeter of the existing parking lot and the median islands. Neither of these habitat types is defined by the CDFG or other resource agencies as being special status. Further, the CDFG has not defined marine habitat in Marina del Rey as being of special status. As proposed, impacts associated with implementation of the Neptune Marina Parcel FF are limited to areas of low terrestrial biological functions and values where human disturbances have and will continue to occur.

Mitigation Measures: No mitigation measures are proposed or are required.

5.5.4.3.3.3 Threshold: Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

Analysis: No wetlands occur on the Neptune Marina Parcel FF site. Project construction or operation would not result in any direct, indirect, or cumulative effect on wetlands. Therefore, no impacts would occur when measured against this significance threshold.

Mitigation Measures: No mitigation measures are proposed or are required.

5.5.4.3.3.4 Threshold: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Analysis: Construction and operation of the Neptune Marina Parcel FF would impact less than 1 acre of ornamental and disturbed/ruderal habitat situated within a highly urbanized area. Loss of this habitat would incrementally reduce habitat available to small mammals currently present. The project site is not

adjacent to any natural terrestrial habitat and the marine environment that is present is a constructed open water basin (Marina del Rey). Neither the County of Los Angeles nor any other resource agency has defined wildlife movement corridors on or adjacent to the project site. Therefore, implementation of the Neptune Marina Parcel FF is not expected to substantially interfere with movement patterns associated with the existing ground-dwelling fauna presently occurring on the project site. Therefore, implementation of the Neptune Marina Parcel FF is not expected to alter other wildlife movement patterns, and no impact would occur.

Mitigation Measures: No mitigation measures are proposed or are required.

5.5.4.3.3.5 Threshold: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or

Threshold: Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Analysis: As defined in Section 5.17, **Land Use and Planning**, with the CCC's certification of the proposed LCP amendments relating to this project component, the proposed Neptune Marina Parcel FF will be consistent with applicable policies as defined in the Marina del Rey Local Coastal Plan and the Basin Plan. Accordingly, no significant, adverse impacts will result from the project.

Mitigation Measures: No mitigation measures are proposed or are required.

5.5.4.3.4 Woodfin Suite Hotel and Timeshare Resort Project

This project element is situated on the northern portion of Parcel 9U and consists of a nineteen-story building with 288 hotel and timeshare suites (with an assortment of accessory patron- and visitor-serving uses affiliated with the hotel/timeshare resort) and construction of a waterfront pedestrian promenade along the Parcel 9U waterfront. In total, 360 parking spaces would be provided in a six-level parking garage, with one level below grade. Total square footage of the structure, inclusive of all floors and parking areas, is 608,550 square feet. This project component includes no waterside component. Applicable thresholds of significance are listed below followed by analysis of the significance of any potential impacts. No mitigation measures are identified that would need to reduce or avoid potentially significant adverse impacts, as discussed below.

5.5.4.3.4.1 Threshold: 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 Game or US Fish and Wildlife Service.

Analysis: For the purposes of this impact analysis, "Endangered, Rare or Threatened species" refers to the following: any plant or animal species listed by the CDFG or USFWS as a Threatened or Endangered species, proposed for listing as Threatened or Endangered, or considered as a candidate for listing as Threatened or Endangered; to those species listed by the USFWS as a Federal Species of Concern; to those species considered by CDFG as a State Species of Special Concern or as a Fully Protected species; to any plants listed by the CNPS as a List 1 or List 2 species; or to any species otherwise considered Rare, Threatened, or Endangered as defined by Section 15380 of the *State CEQA Guidelines*. CNPS List 1 and List 2 species are included in this impact analysis because the CNPS, as previously stated, is a recognized authority by CDFG on the status of rare plant populations in California and because the criteria for plant species to be placed on List 1 or List 2 are similar to criteria CDFG and USFWS use for species considered as candidates for listing or that are already listed as Threatened or Endangered.

Direct Impacts: As stated above, Parcel 9U remains as an undeveloped vacant lot. In these undeveloped areas, ruderal and wetland vegetation/habitat is present. The fauna of this area is generally typified by an assemblage of species that have adapted to an intensive and continuous human presence. Based on direct observations (Glenn Lukos Associates, 2006a) and review of CNDDDB records, no special-status plant or animal species were observed or are known to occur on or significantly utilize habitat present on the Woodfin Suite Hotel/Timeshare Resort Project site. Additionally, the wetlands area will require a Section 404 permit from the Army Corps of Engineers as based on the jurisdictional delineation (Glenn Lukos Associates,). Development associated with Woodfin Suite Hotel/Timeshare Resort (Parcel 9U) would

occur on a vacant lot now typified by ruderal vegetation. Similar to development associated with Neptune Marina Parcels 10R and FF, removal of the approximately 2.2 acres of ruderal vegetation associated with Woodfin Suite Hotel/Timeshare Resort Parcel 9U would not directly impact terrestrial special-status plant or animal species, with the exception of the black-crowned night-heron and snowy egret, known to utilize or breed on terrestrial habitats that occur adjacent to the project site. As such, direct impacts on terrestrial special status species associated with construction on Woodfin Suite Hotel/Timeshare Resort Parcel 9U are considered potentially significant only to black-crowned night-heron and snowy egret when found nesting in project area landscape trees.

Mitigation Measures: If black-crowned night-heron or snowy egret are nesting adjacent to the Woodfin Suite Hotel/Timeshare Resort Parcel 9U during construction activities, potential impacts could occur; however, with the implementation of **Mitigation Measures 5.5-4 and 5.5-5**, impacts to these species and their nests would be considered less than significant.

5.5.4.3.4.2 Threshold: Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.

Threshold: Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

Analysis: As proposed, construction and operation of the Woodfin Suite Hotel/Timeshare Resort Project would not result in the removal of any defined special-status habitat. As defined above, two terrestrial vegetation/habitat types occur on the project site (i.e., ruderal/disturbed and ruderal wetland) that typifies the now vacant lot. This habitat type is not defined by the CDFG or other resource agencies as being special status. Therefore, impacts associated with implementation of the Woodfin Suite Hotel/Timeshare Resort Project are limited to areas of low terrestrial biological functions and values where human disturbances have and will continue to occur, and potential impacts are not considered significant.

Mitigation Measures: No additional mitigation measures are proposed or are required.

5.5.4.3.4.3 Threshold: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Analysis: The Woodfin Suite Hotel/Timeshare Resort Project construction and operation would impact less than 2.2 acres of ruderal habitat situated within a highly urbanized area. Loss of this habitat would incrementally reduce habitat available to small mammals currently present. However, the Woodfin Suite Hotel and Timeshare Resort Project site is not adjacent to any natural terrestrial habitat and the marine environment that is present is a constructed open water basin (Marina del Rey). Neither the County of Los Angeles nor any other resource agency has defined wildlife movement corridors on adjacent to or near the project site. Therefore, implementation of the Woodfin Suite Hotel/Timeshare Resort Project is not expected to substantially interfere with movement patterns associated with the existing ground-dwelling fauna presently occurring on the Woodfin Suite Hotel/Timeshare Resort Project site. Therefore, project implementation is not expected to alter other wildlife movement patterns, and no impact would occur.

Mitigation Measures: No mitigation measures are proposed or are required.

5.5.4.3.4.4 Threshold: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or

Threshold: Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.

Analysis: As defined in **Section 5.17, Land Use and Planning**, the proposed Woodfin Suites Hotel/Timeshare Resort Project is consistent with applicable policies as defined in the Marina del Rey Local Coastal Plan and the Basin Plan. Accordingly, no significant, adverse impacts will result from the project.

Mitigation Measures: No mitigation measures are proposed or are required.

5.5.4.3.5 Wetland Park Project

Applicable thresholds of significance are listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.5.4.3.5.1 Threshold: 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 Game or US Fish and Wildlife Service.

Analysis: For the purposes of this impact analysis, "Endangered, Rare or Threatened species" refers to the following: any plant or animal species listed by the CDFG or USFWS as a Threatened or Endangered species, proposed for listing as Threatened or Endangered, or considered as a candidate for listing as Threatened or Endangered; to those species listed by the USFWS as a Federal Species of Concern; to those species considered by CDFG as a State Species of Special Concern or as a Fully Protected species; to any plants listed by the CNPS as a List 1 or List 2 species; or to any species otherwise considered Rare, Threatened, or Endangered as defined by Section 15380 of the *State CEQA Guidelines*. CNPS List 1 and List 2 species are included in this impact analysis because the CNPS, as previously stated, is a recognized authority by CDFG on the status of rare plant populations in California and because the criteria for plant species to be placed on List 1 or List 2 are similar to criteria CDFG and USFWS use for species considered as candidates for listing or that are already listed as Threatened or Endangered.

Direct Impacts: Plant and animal habitat in the southern portion of Parcel 9U is limited to ruderal and wetland vegetation/habitat. The fauna of this area is generally typified by an assemblage of species that have adapted to an intensive and continuous human presence. Based on direct observations (Glenn Lukos Associates, 2006a) and review of CNDDDB records, no special-status plant or animal species were observed or are known to occur on or significantly utilize habitat present on the landside portion of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site (Parcels 10R, FF, and 9U).

Construction and operation of the wetland park would occur on a vacant lot now typified by ruderal and willow riparian vegetation. Similar to development associated with Neptune Marina Parcels 10R and FF and the northern portion of Parcel 9U, development would not directly impact terrestrial special-status plant or animal species. As such, direct impacts on terrestrial special status species associated with construction and operation of the wetland park are not considered significant, and are not discussed further in this impact analysis.

Mitigation Measures Recommended by the EIR: No mitigation measures are proposed or are required.

5.5.4.3.5.2 Threshold: Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.

Threshold: Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

Analysis: As proposed, construction and operation of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project (the wetland park component only) would result in the reconfiguration and enhancement of approximately 0.47 acre of wetland habitat that has been defined as jurisdictional. Within the south-central portion of Parcel 9U, an excavated depression supports a mixture of native and non-native plant species that exhibit a range relative to their wetland indicator status from upland (UPL) to obligate (OBL), based at least in part on their location in the basin. This assemblage of vegetation is considered to be of special status as defined by the CDFG. The southern margin of the basin consists of a berm made up of spoil materials, which is presumed to have been created using material from the excavated basin. The berm supports narrow-leaf willow (*Salix exigua*, OBL) and upland grasses with ripgut brome (*Bromus diandrus*, UPL) as the most prevalent. The wettest (lowest) area in the basin supports limited areas of alkali bulrush (*Scirpus maritimus*, OBL), alkali weed (*Cressa truxillensis*, FACW) and small patches of pickleweed (*Salicornia virginica*, OBL). Large portions of the basin exhibit little vegetation or support non-native five-hook bassia (*Bassia hyssopifolia*, FAC) (Glenn Lukos Associates, 2008). To compensate for the foregone opportunity of developing parkland on Parcel FF, this wetland resource would be moved approximately 25 meters to the south, north of Tahiti Way and enhanced through creation of coastal salt marsh with a tidal connection. The wetland would be a component of the wetland park and surrounded by upland buffer (Glen Lukos Associates 2006b).

The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort incorporate a restoration plan that is illustrated on **Figure 5.5-6, Restoration Plan Schematic**, and is summarized below (i.e., the wetland park). The entire restoration plan as prepared by Glenn Lukos Associates, Inc., is incorporated as **Appendix 5.5**.

Goal of Restoration: The wetland basin to be enhanced was created during previous construction on the site, which left an 8-foot-deep depression. The depression exhibits only limited wetland function and other than approximately 150 to 200 square feet that is occupied by native alkali bulrush and alkali weed,

the site is best characterized as ruderal. The goal of the restoration/enhancement program is to create seasonal wetland habitat that supports a suite of native plants and also continues to exhibit limited function for wildlife. Enhancement of the excavated depression would include re-contouring of the depression to provide enhanced hydrologic and habitat functions that are defined below.

Hydrologic Functions: The artificial basin is very deep, well below the surface of the adjacent upland areas. Furthermore, because much of the site was subject to deposition of dredge material during construction of the marina, the substrate in much of the basin is sand that allows rapid percolation of rain water such in most years rainfall and local runoff from limited portions of the site do not result in ponded conditions. As such, the depression exhibits ponding only during above-average rainfall years and supports wetland plant during these years. During other years, the basin supports a predominance of upland species.

Biogeochemical Functions: The vegetation located along the upper margins of the pool provides limited filtering of sediments and pollutants prior to entering the pool; however, as the ponded area is mostly unvegetated, the pool provides very limited water quality benefits. Furthermore, because the basin is a closed depression, there is no hydrologic connection with any areas off site, limiting the effects of any biogeochemical functions to the site.

Functions Related to Habitat: The basin supports very limited habitat value for both native plants and animals. A small area of native alkali bulrush occurs within the deepest portion of the basin. Narrow-leaf willow occurs on the upland berm adjacent to the southern margin of the basin that lacks wetland hydrology and hydric soils. The limited area of willow habitat supports species common within the urban setting such as black phoebe, common mallard, and mourning dove

Implementation Plan: Re-contouring of the wetland area, along with establishment of a muted tidal connection, will include final elevations that include areas of low-, mid- and high-marsh elevations (ranging from between 0.0 and 1.0 feet msl up to approximately 5.0 feet msl). Upland areas surrounding the basin will be planted with species common to coastal upland habitats such as coastal prairie, coastal sage scrub, coastal bluff scrub and maritime chaparral.

Responsible Parties: The applicant or the applicant's successors of development on Parcel FF and Parcel 9U will be the responsible party.

Site Preparation and Invasive Plant Removal: Site preparation will be supervised by a qualified habitat restoration specialist knowledgeable in coastal salt marsh restoration. Site preparation is to consist of grading necessary to re-contour the wetland area and establishment of elevations that include areas of

low-, mid- and high-marsh (0.0 feet msl up to 5.0+ feet msl). During grading, the seed bank consisting of non-native species will be removed. Grading will be conducted to create the microtopography typically found in seasonal wetlands at the direction of the habitat restoration specialist.

Planting Design: Expanded and enhanced coastal salt marsh habitat would be planted within the enhanced wetland area as set forth in **Table 5.5-7**. These species would replace the non-native species removed during site preparation. The proposed low and mid-marsh species would be planted in zones of appropriate wetness. Variations in microtopography within the basin will allow for establishment of a mosaic of seasonal pond habitat with associated fringing riparian scrub. Upland areas surrounding the enhanced wetland will be planted with species native to coastal prairie, coastal sage scrub, coastal bluff scrub and maritime chaparral habitats (**Tables 5.5-8 through 5.5-10**).

Plant Palette: All of the coastal salt marsh habitat included in the planting palette (**Table 5.5-7**) are able to tolerate periods of tidal inundation alternating with brief periods of drying. The coastal prairie, coastal sage scrub, coastal bluff scrub and maritime chaparral plantings located in the areas surrounding the wetland area are adapted to seasonally dry conditions of coastal southern California. Initial planting will be accomplished during the fall.

Source of Plant Material: Plant materials will be obtained from a local nursery or seed source specializing in the cultivation of native coastal salt marsh plants.

Plant Installation: Container stock will be installed by a contractor specializing in the restoration of habitats native to Southern California. Planting will be accomplished by digging a hole approximately twice the depth and width of the plant container. The planting hole will be filled with water and allowed to drain prior to planting. A small amount of backfill will be placed in the hole and lightly tamped down prior to placing the container stock. The plant root ball will be placed on the backfill and the area will be backfilled entirely while applying water to the backfill soil.

Erosion Control: Appropriate erosion control measures will be used during plant establishment. This will include use of BMPs such as jute netting on slopes to hold soil in place during the establishment period. Erosion control measures will be focused on the basin slope, as significant erosion is not expected to occur within the low-gradient basin floor. Should erosion be observed during site monitoring efforts, corrective measures will be applied.

As-Built Conditions: The applicant will submit a report (including site photographs and a narrative that addresses the enhancement/creation activities) to the Coastal Commission Executive Director within

30 days of completion of site preparation and planting, describing as-built status of the enhancement project.

Maintenance: The purpose of this maintenance program is to ensure the success of the enhancement/creation program. Maintenance will occur for five years. As the weed eradication and plant installation is completed, the habitat restoration specialist will schedule a meeting with key members of the landscape maintenance crew in order to identify proper maintenance procedures. The following tasks will be performed as general maintenance duties.

Weeding: Weeding will be conducted monthly during the first six months of the project and quarterly during years two through five, or as necessary and as directed by the project restoration specialist. Because the seasonal pond area will support a predominance of annual species that are not commonly recognized by landscape contractors, training will be necessary to ensure that target species are not inadvertently removed during weeding. Furthermore, because the non-native seed bank will be removed during re-contouring, the amount of weeding may be very limited and as such will be coordinated by the project biologist.

Plant Replacement: Dead or damaged container stock will be replaced during the first year as necessary to ensure compliance with the performance standards.

Pruning and Staking: None of the target salt marsh/wetland species will require pruning or staking.

Trash Removal: Trash removal will be conducted during weeding and other maintenance visits.

Tree Protection: None of the salt marsh/wetland species selected is expected to require special protection.

Responsible Parties: The applicant or its successors of development on Parcels FF and 9U will be responsible for financing and carrying out maintenance activities. The applicant may assign the maintenance responsibilities to an appropriate contractor, but will retain ultimate responsibility for maintenance of the Enhancement site.

Schedule: As noted, weed control may be limited; however, as determined necessary by the project biologist, weeding will be conducted on an as-needed basis during the dry-phase of the basin during the first season of the project and each following year as needed. As the first season passes into the summer and fall, the weed problem is expected to decrease and, depending on the health and spread of the desired plants, the weed maintenance schedule will likely lighten into the second year of the project with a continued decrease through the life of the monitoring program.

Monitoring: Monitoring will focus on characteristics and functions (as described in the restoration plan, Glenn Lukos 2006b) of the coastal salt marsh, coastal prairie, coastal sage scrub, coastal bluff scrub, and maritime chaparral.

Initial Monitoring Effort: Vegetation will be monitored following installation of the container stock. The initial biological and ecological status of the site will be established and the as-built condition of the site will be documented. Long-term monitoring of the site will begin following this initial assessment.

During the last four years of monitoring, monitoring will be performed during at least two of the years that exhibit average or above-average rainfall for the rainfall year.

Vegetation will be monitored following broadcasting of the seed and installation of the container stock. The seasonal pond vegetation will remain dormant until sufficient precipitation provides conditions sufficient for germination. The initial biological and ecological status of the site will be established and the as-built condition of the site will be documented. Long-term monitoring of the site will begin following this initial assessment.

Performance Criteria: The success of a restoration site is defined as the restoration of a functional ecosystem. Success is usually measured by percent coverage by target species. While a fully successful restoration and enhancement plan might be viewed as one that results in 100-percent coverage, such coverage is unlikely. Natural habitats rarely exhibit 100-percent coverage, but rather include a considerable proportion of open spaces.

The means of determining successful enhancement for this site will be through a series of measurements for native cover and diversity, exotic species cover, and use by resident and non-resident nekton. All of these, except non-native species cover, should increase over time. Cover by non-native species should be the opposite; it should decrease with time, particularly because one of the primary goals of the project is to substantially reduce or eliminate non-native species from the site.

After the initial grading and associated planting effort has been completed, the restoration area will be monitored by the project monitor on a monthly basis for the first 12 months and quarterly for the remainder of the monitoring period. Qualitative surveys, consisting of a general site walkover and habitat characterization, will be completed during each monitoring visit. General observations, such as fitness and health of the planted species, pest problems, weed persistence/establishment, mortality and drought stress, will be noted in each site walkover. The project monitor will determine remedial measures necessary to facilitate compliance with performance standards.

As habitat for wildlife is a stated Final Success Criteria of this plan, notes regarding wildlife usage will be collected during each visit. Based on current wildlife use of the site as well as the location of the site, it is expected that wildlife use will primarily consist of foraging by shorebirds, herons, egrets and waterfowl.

Quantitative data will be collected annually using accepted vegetative sampling methods in order to evaluate survivorship, species coverage and species composition.

In the event that plantings should fail to meet the specified requirements, compliance will be ensured by the performance of either or both of the following remedial procedures by the contractor on an as-needed basis as directed by the project monitor: (1) replacing unsuccessful plantings with appropriate-sized stock or seed mixes to meet stated cover or survival requirements, and/or (2) performing maintenance procedures to ensure the site conditions are appropriate (e.g., non-native species removal). Remedial actions in planting areas shall be based on detailed investigations (such as soil tests and excavations of failed plantings to examine root development) to determine causes of failure. The applicant will consult the California Coastal Commission to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

Hydrology Performance Standards: Hydrology performance standards will be achieved if at any time during the five-year monitoring program the following conditions are achieved during a rainfall year that does not exceed more than 25 percent of the median annual average rainfall: the entire 0.47-acre basin exhibits inundation for seven consecutive days and at least 50 percent of the basin (0.24 acre) exhibits 14 consecutive days of ponding.

Vegetation Performance Standards: Vegetation performance standards are defined in **Appendix 5.5**. Monitoring shall assess the attainment of annual and final success criteria and identify the need to implement contingency measures in the event of failure. Vegetation monitoring methods include field-sampling techniques that are based upon the California Native Plant Society field sampling protocol.² Please refer to *A Manual of California Vegetation* for further details on this sampling method. Hydrological monitoring includes weekly monitoring visits during the rainy season following all storm events of 1 inch or more to document the depth, extent and duration of ponding within the seasonal pond habitat.

Mitigation Measures Development of the Parcel 9U project would not result in significant direct or indirect impacts to biological resources. Therefore, no mitigation is proposed, as none is necessary to reduce impacts to a less than a significant level as this project component is sufficient to mitigate for the

² Sawyer, John O. and Todd Keeler-Wolf. 1995. *A Manual of California Vegetation*. California Native Plant Society.

loss of the man-made wetland habitat. The features of the restored wetland and upland park will become requirements under the coastal development permit.

Nevertheless, as addressed above, the applicant has proposed to restore the degraded wetland, which will include establishment of a muted tidal regime that will substantially enhance the hydrologic, biogeochemical and habitat functions of the degraded wetland, and will include the establishment of coastal salt marsh vegetation with a variable buffer that will be planted with native vegetation. The minimum buffer, as measured from the edge of the salt marsh will be 25 feet; however, the buffer between the salt marsh and hotel landscaping will be effectively larger due to the installation of turfblock vegetated with native grasses between the native buffer plantings and the hotel. Including the turfblock area, the setback buffer ranges from approximately 53 to 82 feet with an average of about 66 feet between the wetland and hotel.

Because the salt marsh habitat will exhibit a tidal connection, it is expected that the salt marsh will be colonized by variety of benthic invertebrates and will also support a population of fish when water is present due to inflow of tidal water. The combination of benthic invertebrates and fish will in turn attract a variety of shorebirds, waterfowl, egrets, and herons for foraging with different species using the marsh at different tidal regimes.

Because of the proximity of existing development, including roads, and the addition of the hotel, it is expected that most avian visits will be associated with species that are more highly adapted to the urban setting, which includes a fairly high variety of species. The variable effective 66-foot average buffer between the hotel and wetland will increase the potential for a diversity of species to visit the site as will the difference in elevation between the wetland and adjacent buffer areas. Avifauna expected to use the site include killdeer, western and least sandpipers, mallards, ruddy duck, blue-winged teal, American wigeon, ring-billed gull, western gull, California gull, great egret, snowy egret, great blue heron, black-crowned night-heron, eared grebe, pied-bill grebe, and belted kingfisher. As noted, all of these species exhibit varying degrees of tolerance to human habitation, and many are common in park settings with high levels of human activity. As such, the proposed setbacks would provide more than sufficient buffer functions for such species.

5.5.4.3.5.3 Threshold: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Analysis: Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project construction and operation would impact less than 2 acres of ornamental and disturbed/ruderal

habitat situated within a highly urbanized area. Loss of this habitat would incrementally reduce habitat available to small mammals currently present. However, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site is not adjacent to any natural terrestrial habitat and the marine environment that is present is a constructed open water basin (Marina del Rey). Neither the County of Los Angeles nor any other resource agency has defined wildlife movement corridors on, adjacent to, or near the project site. Therefore, implementation of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project is not expected to substantially interfere with movement patterns associated with the existing ground-dwelling fauna presently occurring on the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site. Therefore, project implementation is not expected to alter other wildlife movement patterns, and no impact would occur.

Mitigation Measures: No mitigation measures are proposed or are required.

5.5.4.3.5.4 Threshold: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or

Threshold: Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Analysis: As defined in **Section 5.17, Land Use and Planning**, with the CCC's certification of the requested LCP amendments related to the Parcel 10R and Parcel FF project components, the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project will be consistent with applicable policies as defined in the Marina del Rey Local Coastal Plan and the Basin Plan. Accordingly, no significant, adverse impacts will result from the project.

Mitigation Measures: No mitigation measures are proposed or are required.

5.5.4.3.6 Public-Serving Boat Space Project

Applicable thresholds of significance are listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.5.4.3.6.1 Threshold: 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 Game or US Fish and Wildlife Service.

Analysis: For the purposes of this impact analysis, "Endangered, Rare or Threatened species" refers to the following: any plant or animal species listed by the CDFG or USFWS as a Threatened or Endangered species, proposed for listing as Threatened or Endangered, or considered as a candidate for listing as Threatened or Endangered; to those species listed by the USFWS as a Federal Species of Concern; to those species considered by CDFG as a State Species of Special Concern or as a Fully Protected species; to any plants listed by the CNPS as a List 1 or List 2 species; or to any species otherwise considered Rare, Threatened, or Endangered as defined by Section 15380 of the *State CEQA Guidelines*. CNPS List 1 and List 2 species are included in this impact analysis because the CNPS, as previously stated, is a recognized authority by CDFG on the status of rare plant populations in California and because the criteria for plant species to be placed on List 1 or List 2 are similar to criteria CDFG and USFWS use for species considered as candidates for listing or that are already listed as Threatened or Endangered.

Direct Impacts: As stated above, development of the public anchorage would be situated in the western portion of Marina del Rey Basin B. No landside area would be directly affected by construction or operation of between 7 and 11 public-serving boat spaces. As such, operational impacts are limited to impacts on the marine environment. However, direct impacts to black-crowned night-heron or snowy egret when found nesting in project area landscape trees on terrestrial special status species associated with construction noise of the Public-Serving Boat Space Project are considered potentially significant to these species only when found nesting in project area landscape trees.

Direct impacts to the existing marine resources could result from construction and project operation. Significant impacts with respect to these threshold criteria are those that would negatively affect Rare, Threatened, or Endangered species associated with the marine environment.

Construction Impacts: In-water construction will include the removal and replacement of existing dock facilities, including support pilings. There are currently no existing docks or piles in the area proposed for

the boat spaces adjacent to Parcel 9U. Prior to commencing that construction, permits may be required from ACOE (Section 404/10), RWQCB (Waste Discharge Requirements and 401 Certification), and a Coastal Development Permit from the responsible agency for assurance that the Coastal Zone Management Act has been satisfied. Those permits will be conditioned with mitigation measures based on the anticipated impacts.

Potentially significant impacts to the existing water quality and the associated marine infauna could result from the re-suspension of sediments associated with the removal of the existing pilings and placement of the new pilings for up to 185 new boat spaces (174 boat spaces adjacent to Parcel 10R and between 7 and 11 public-serving spaces adjacent to Parcel 9U). This impact is considered potentially significant due to: (1) the reported use of the water area by the Endangered brown pelican and California least tern, and (2) the re-suspension of contaminants within the sediments at the site. Anchoring of work vessels would be expected to further the aforementioned re-suspension and increase the area potentially affected by the sediment. If placed in such a manner (i.e., from the water surface to the sea-floor and enclosing as small an area as possible) the proposed use of siltation collars (see **Section 3.0, Project Description**) should reduce the potential impacts and limit the extent of the turbidity. The use of a debris boom during removal and replacement of the new dock facilities should effectively reduce impacts to a level of less than significant or eliminate altogether the amount of floating debris entering the main channel of the small-craft harbor. The proposed utilization of a vessel to recover floating material will further reduce this impact.

Other potential construction-related impacts may include the disturbance of the existing marine biological community via the removal of solid, high-relief substrate (pilings) and the epibiota attached to them. Pile-associated and demersal (bottom-oriented) fish would be expected to leave the area during construction and move to other portions of the small-craft harbor. These impacts are not considered significant since the pilings will be replaced, and there are no known Sensitive, Rare, Threatened, or Endangered plant, invertebrate or fish taxa in the project area. Re-colonization of the sea floor and new concrete pilings would be expected and the biological community associated with those habitats is expected to be similar to that which currently exists within one to three years of completion of in-water construction.

In addition to marine sediment resuspension, onshore sediments could be transported to small-craft harbor waters by storm water, thus increasing turbidity within the construction area. During storms, the small-craft harbor receives runoff from the site through two existing storm drains. The potential addition of construction-related sediments to on-site runoff is not considered significant, but could occur over a period of one year or more.

Operation Impacts: The Public-Serving Boat Slips will incrementally increase the number of slips within the Marina. Long-term degradation of water quality within Basin B from boat discharges is not expected if the vessel operators adhere to US Coast Guard regulations and utilize the sanitary pump-out stations that are proposed as part of new marina construction.

Specific Impacts to Special-Status Species:

California Brown Pelican (*Pelecanus occidentalis californicus*); **Federally listed Endangered Species (proposed for delisting), State listed Endangered Species.** During construction of the new boat spaces and docks, construction related noise and turbidity would occur in the vicinity of the construction zone. It is expected that the California brown pelican would avoid the construction zone due to a substantial human presence and noise associated with the construction activity. The impact of construction would be to incrementally reduce foraging space during the construction period. However, foraging space is available throughout the small-craft harbor and open ocean in the project area. Once the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project are complete, the operational characteristics of the small-craft harbor are expected to be similar to the existing condition, and no significant impacts are expected to this species.

California Least Tern (*Sterna antillarum browni*); **Federally listed Endangered Species, State listed Endangered Species.** No suitable nesting habitat is currently available on the project site. However, California least terns nest at Venice Beach and are known to infrequently use all portions of the small-craft harbor for foraging.

Recent surveys conducted for Playa Vista recorded California least tern foraging activity in the small-craft harbor. Foraging flights were observed over both of these areas, and foraging dives were observed. It is expected that California least terns will continue to forage in the small-craft harbor as long as the marina supports small fish.

Similar to impacts to the brown pelican, during construction of the new boat spaces and docks, construction related noise and turbidity would occur in the vicinity of the construction zone. It is expected that California least tern would also avoid the construction zone due to a substantial human presence and noise associated with the construction activity. The impact of construction would be to incrementally reduce foraging space during the construction period. However, foraging space is available throughout the small-craft harbor and open ocean in the project area. Once construction of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project is complete, the operational characteristics of the small-craft harbor are expected to be similar to the existing condition, and no significant impacts are expected to this species.

Black-crowned night-heron (*Nycticorax nycticorax*), and **snowy egret** (*Egretta thula*) in the State of California are listed as a “Special Animals,” with specific reference to breeding birds and their rookeries. Black-crowned night-heron and snowy egret nest in several locations within Marina del Rey and primarily on the east side of Marina. However, these species are known to nest in trees on the west side of the Marina and have expanded their nesting locations. The ornamental trees located near the Public-Serving Boat Space Project sites have the potential to host nesting sites for these birds. These birds are known to use different nest sites from year to year, do not seem to be overtly affected by noisy conditions during breeding or roosting periods, and have become habituated to the urbanized environment.

The project will require the removal of the ornamental landscape trees on Parcel 10R. Therefore, construction activities could affect any black-crowned night-herons or snowy egrets that are nesting in trees adjacent to the project site prior to the initiation of or during construction. If these birds are nesting adjacent to the Public-Serving Boat Space project site during construction activities, potential impacts could occur; however, with the implementation of **Mitigation Measures 5.5-4 and 5.5-5**, impacts to black-crowned night-herons and snowy egrets and their nests would be considered less than significant.

Peregrine falcon (*Falco peregrinus*); **State listed Endangered Species**. Peregrine falcons forage over a large area inclusive of the project site. Construction and operational impacts are not expected to impact this species as these activities occur regularly in the region and large areas of available habitat are present proximal to the site. Therefore, construction and operational impacts to this species are not considered significant.

Mitigation Measures Already Incorporated into the Project: As proposed, the project will be responsive to water quality mitigation measures required by state and local agencies (reference EIR **Section 5.3**). Construction techniques defined in **Section 3.0, Project Description**, (i.e., siltation collars and debris booms) would serve to mitigate project related sedimentation and surface debris impacts to the marine environment. No other project specific mitigation measures have been defined at this time.

Mitigation Measures Recommended by the EIR:

- 5.5-1.** Secure siltation collar around each pile prior to removal and replacement (water surface to seafloor) and assure that the ends seal the area to preclude re-suspended sediments from entering other areas of the small-craft harbor.

Sedimentation collars are used similar to silt screens as a means of controlling or reducing turbidity in the vicinity of the construction zone. The collars are placed around

piles to be removed and extend from the bottom of the marina to above the water line. Once the collars are in place, the piles are extracted. During this process, turbidity is increased. Sediment collars would be left in place until the clarity of water inside the sediment collar approaches normal conditions in the marina (measured via the use of a seiche disk) at which time the sediment collar is removed.

Details shall be provided to and approved by RWQCB Los Angeles Region staff prior to construction.

- 5.5-2. In the event a pile should break during removal, use divers to cut the broken pile at the mudline to reduce the resuspension of deeper sediments that are possibly more contaminated than the surficial material. While diver-generated turbidity would be expected during cutting operations, the reduction of sediment resuspension from this removal method would be expected to reduce degradation of water quality and seafloor impacts.

Place impervious barriers (i.e., hay bales) around the perimeter of all onshore areas of exposed dirt. Grade the dirt to provide for drainage away from the small-craft harbor.

- 5.5-3. Waterside development and construction activities will be curtailed during the March to September California least tern breeding season, as long as it is known that the species is still nesting in the Venice Beach habitat.

- 5.5-4. To avoid impacts to native nesting birds (California Fish and Game Code (Section 3503, 3503.5 and 3513), the applicant and/or its contractors shall retain a qualified biologist to conduct nest surveys in potential nesting trees adjacent to the project site prior to construction or site preparation activities. Specifically, within 30 days of ground disturbance activities associated with construction or grading, a qualified biologist shall conduct weekly surveys to determine if active nests of bird species protected by the Migratory Bird Treaty Act and the California Fish and Game Code are present in the construction zone. If no breeding bird behavior or nesting activity is observed, the surveying biologist may instruct the contractor to remove potential nesting habitat, so long as the removal occurs within three days of the survey. If the removal of potential nesting habitat does not occur within three days, an additional pre-construction survey will be conducted such that no more than three days will have elapsed between the last survey and the commencement of ground disturbance activities.

If active nests are found, clearing and construction activities within a buffer distance determined by the surveying biologist, shall be postponed or halted until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting. The urbanized and disturbed condition of the existing environment shall be considered when determining buffer distances, since birds that typically nest in the area are already accustomed to noisy conditions. Buffer may be less than 50 feet for human habituated birds.

Limits of construction to avoid an active nest shall be established in the field with flagging, fencing, or other appropriate barriers and construction personnel shall be instructed on the sensitivity of nest areas. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts to these nests will occur. The results of the survey, and any avoidance measures taken, shall be submitted to the County of Los Angeles within 30 days of completion of the pre-construction surveys and construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.

- 5.5-5. During all construction activities if active heron or egret nests are discovered adjacent to the project and these nests are being used for breeding or rearing offspring, a qualified biologist shall monitor bird behavior at the nest for any signs of distress or annoyance from the construction noise. In the event the consulting biologist determines that noise from the project construction activities are causing distress or annoyance to herons or egrets that may be utilizing nests on these parcels, then construction activities shall be postponed or halted until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting during that year. The urbanized and disturbed condition of the existing environment shall be considered when determining buffer distances, since birds that typically nest in the area are already accustomed to noisy conditions.

Implementation of these measures would reduce biological impacts to levels that are not considered significant.

5.5.4.3.6.2 Threshold: Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

Threshold: Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

Analysis: As proposed, construction and operation of the public anchorage would be limited to the marine environment. No portion of the marine environment situated in Marina del Rey has been defined as a federally protected wetland. Marine habitat occurring in Basin B is limited to areas of low marine biological functions and values where human disturbances have and will continue to occur. Thus, no significant, adverse impacts will occur.

Mitigation Measures: No additional mitigation measures are proposed or are required.

5.5.4.3.6.3 Threshold: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Analysis: Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project construction and operation would impact less than 2 acres of ornamental and disturbed/ruderal habitat situated within a highly urbanized area. Loss of this habitat would incrementally reduce habitat available to small mammals currently present. However, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site is not adjacent to any natural terrestrial habitat and the marine environment that is present is a constructed open water basin (Marina del Rey). Neither the County of Los Angeles nor any other resource agency has defined wildlife movement corridors on, adjacent to, or near the project site. Therefore, implementation of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project is not expected to substantially interfere with movement patterns associated with the existing ground-dwelling fauna presently occurring on the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site. Therefore, project implementation is not expected to alter other wildlife movement patterns, and no impact would occur.

Mitigation Measures: No mitigation measures are proposed or are required.

5.5.4.3.6.4 Threshold: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or

Threshold: Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Analysis: As defined in **Section 5.17, Land Use and Planning**, development of the proposed public anchorage will be consistent with applicable policies as defined in the Marina del Rey Local Coastal Program and the Basin Plan. Accordingly, no significant, adverse impacts will result from the project.

Mitigation Measures: No mitigation measures are proposed or are required.

Biota Impacts and Mitigation Measures: Public Transient Boat Space Project

5.5.5 CUMULATIVE IMPACTS

5.5.5.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and Other Related Projects

The Neptune Marina Apartments and Anchorage/Woodfin Suites Hotel and Timeshare Resort Project site and surrounding area is largely developed with urban uses and little in the way of native wildlife exists in the area. No special-status species associated with terrestrial environments are known to occur on or near the project site north of the Ballona Channel.

Cumulative or other related projects (**Section 4.0, Environmental Setting**) currently proposed in the Marina del Rey area that would affect the terrestrial or marine environments are proposed in (1) a highly urbanized environment and (2) or involve the re-use of existing land uses and/or the replacements of boat spaces. Due to the urban character of the area in which cumulative projects occur, no special-status species, naturally occurring special-status habitat or wetlands are known to occur. Therefore, cumulative impacts on the terrestrial environment are not considered significant.

Potential cumulative impacts could potentially affect marine resources and those terrestrial species that use marine environments such as the Endangered California brown pelican and California least tern that forage in various portions of Marina del Rey. Project related impacts on these species are described above. Because these species forage over a large area, and available forage areas occur near the site and in the region, cumulative impacts are not considered significant, and the project's contribution are not cumulatively considerable, as only one of the related projects proposes development within the marine environment. None of the related projects are expected to temporarily reduce the foraging area of the California least tern or the California brown pelican.

Each individual project is subject to its own environmental review and would be conditioned to mitigate impacts. In this manner, cumulative impacts are reduced to less than significant levels.

5.5.6 UNAVOIDABLE SIGNIFICANT IMPACTS

With mitigation, site development would not significantly impact the biotic environment either during site construction or operation. Impacts would occur in the form of increased turbidity and human presence in the marine environment. However, mitigation measures are incorporated that would reduce these impacts to levels that are not considered significant.

5.6 VISUAL QUALITY

SUMMARY

Fourteen viewing locations, or vantage points, of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site were identified based on the presence of a large permanent or mobile viewing audience. Views of existing conditions from each viewing location are defined. Computer simulations were prepared from each representative viewing location to illustrate future conditions and define potential impact significance.

This analysis determined that the Neptune Marina project (Parcels 10R and FF) proposes development of apartment structures that would be fully compatible, in terms of height, scale, and visual qualities, with apartment structures either under construction (on Parcel 12) or soon to be constructed (on Parcel 15, 100, and 101) on adjacent parcels. The visual character of the proposed Neptune Marina project is expected to be representative of other future new development in the marina as future (Phase II) projects recycle and redevelop existing land uses. The ongoing and proposed replacement of Phase I marina development, consistent with the Marina's "Phase II" development pursuant to the provisions of the certified Local Coastal Program (LCP), is intentionally designed to result in a marked intensification of existing land uses, with denser, larger and taller residential, hotel and visitor-serving commercial developments.

Although consistent with height standards defined for Parcel 9U in the certified LCP, the 225-foot Woodfin Suite Hotel/Timeshare Resort buildings would be taller than existing buildings in the project vicinity and could be considered out of character in comparison to adjacent uses because of its height and mass when viewed from two publicly accessible viewing locations in close proximity to the project site (Via Marina adjacent to the resort project site and Via Marina south of Tahiti Way). This is a potentially significant impact.

5.6.1 METHODOLOGY

5.6.1.1 Background

The County of Los Angeles and the California Coastal Commission (CCC) both held public hearings on the 1996 updated LCP, which included discussion of the environmental effects that the amended land use changes contained within the updated LCP would cause. The CCC considered the changes that would result from development standards that would allow building heights up to 225 feet. The maximum building height is only permitted along the periphery of the Marina and provision must be made for a view corridor with guaranteed views to the harbor. Specifically, all development on waterfront parcels is required to incorporate an unobstructed marina view corridor that is, at a minimum, equal in width to 20 percent of the parcel's lineal water frontage. A larger view corridor up to 40 percent is required for

buildings taller than 45 feet. This requirement is consistent with Coastal Act Policy 30251 that requires that coastal development must be sited to protect views of the coastal waters.

The Marina LCP provided for the urban design concept for the Marina del Rey Specific Plan by incorporating a modified “bowl concept” (the bowl concept being the design feature of the originally certified Marina LCP) that locates the tallest buildings on the outer and northern boundary of the Marina and the shortest buildings on the moles. This design was selected to enhance the Marina’s image and to guarantee that adequate sunlight and wind circulation continues over the Marina water basin. In addition to the modified bowl concept, the urban design concept mandates that view corridors of the Marina water be maintained for public views of the harbor.

Specifically, hotels within the amended Marina LCP are by definition permitted with a height limit of 225 feet (Marina del Rey Land Use Plan, page 8-11). Additionally, height design flexibility is provided for seaward parcels along Via Marina, such as Parcel 9U, for a maximum height of 225 feet when a 40 percent view corridor is provided (Policy 8b of the Marina del Rey LUP, page 9-6). Parcel 9U is included in the Tahiti Development Zone and has been designated as “Hotel” in the Marina land use plan (Marina del Rey LUP, Map 10 and page 8-15). Specified development potential in this development zone is 288 hotel rooms within the permitted hotel use on Parcel 9U.

5.6.1.2 Analysis Methods

This section of the EIR evaluates potential project-related changes in the visual character of the project site and surrounding environment. Methods of analysis include the following: (1) identify the location of corridors in which the project can be observed, (2) identify the location of “viewsheds” within these corridors, (3) identify “prominent visual features” within those viewsheds, and (4) simulate post-development changes in the viewsheds through preparation of renderings of post-development conditions.

Viewsheds selected for this analysis are those that are visible to

- a relatively large mobile viewing audience (either automobiles or boat traffic),
- a permanent-resident population (i.e., from existing residential uses), and/or
- a location designated as scenic by either the Los Angeles General Plan or LUP.

“Prominent visual features” are defined as visual elements that are unusual or that stand out in relation to their surroundings.

If portions of the proposed development area cannot be observed from specific vantage points, or if views of the development area are so far away as to make them visually obscure, those views are not considered visually prominent and are not emphasized as part of this analysis. It is not the intent of this analysis to suggest that the project site is visible from only the viewing locations discussed in this section. Rather, an attempt was made to identify viewsheds that are representative of the most prominent views available in the project area.

For each of the viewsheds used in this analysis, view orientations were selected which would display the maximum amount of the proposed development area possible within that range of view. Using project information, the size and mass of post-project elements visible within each viewshed were then rendered to scale. The project architect was consulted during the preparation of these renderings to ensure their accuracy.

To provide a standard frame of reference for the reader, the visual character of each viewing location is described in terms of foreground, middle ground, and background views. Each view represents a portion of the total viewshed based on distance from the viewer. Foreground views represent the closest views available, middle ground views represent the next distinguishable range of view, while background views represent distant landscape elements and typically form backdrops for the mid and foreground scenes. Delineation of the viewing ranges is largely subjective and is based on landscape transitions.

Upon completion of the simulations, developed post-project conditions for each viewshed were evaluated using adopted Los Angeles County threshold criteria for significant visual impacts. Exceedance of these criteria would result in a significant visual impact.

5.6.2 EXISTING CONDITIONS

5.6.2.1 Visual Character

Marina del Rey is part of the Los Angeles coastal plain and is generally characterized by relatively flat and low-lying topographic features. Elevations on the site and surrounding area range from 10 to 15 feet above mean sea level.

The visual character of the project site and region is dominated by urban development within Marina del Rey, County of Los Angeles, and the Cities of Los Angeles, Santa Monica and Culver City. Views of open space, although uncommon, include the distant Santa Monica Mountains and the more proximal Westchester Bluffs. Views of the Pacific Ocean and marine uses within the small-craft harbor from surrounding roadways are largely obscured by intervening structures and landscape vegetation. The LUP

indicates that marine related elements (boat masts, sails, spaces, water) of the harbor represent the primary visual resource of Marina del Rey.¹

5.6.2.2 Scenic Resources

In the vicinity of the project site, Via Marina is defined as a "scenic highway meriting first priority status for further study" in the Marina del Rey LUP. However, the Marina del Rey LUP does not identify resources considered scenic. Areas considered scenic are present along segments of Via Marina where views of the marina can be had. On and in the vicinity of the project site, this condition is present only where Via Marina passes adjacent to Parcel 9U. Therefore, for the purposes of this EIR, the portion of Via Marina adjacent to Parcel 9U is considered a Scenic Highway.

The County of Los Angeles Marina del Rey LUP defines Burton Chace Park and the ends of each mole road as "Significant Vantage Points." These areas are not involved in any of the project sites. Therefore, other than the marina, which has not been formally defined as a scenic feature in the LUP, no other scenic resources are present on the project site or in the vicinity.

It should be acknowledged that, although not visible from Via Marina, oblique glimpses of the marina are visible from Marquesas Way looking north across Parcel FF. The use of a portion of Parcel FF as a construction site presently obscures the view from Via Marina, but views would be restored when construction is complete.

5.6.2.3 Project Site

Neptune Marina Parcel 10R is presently developed with two-story wood and stucco structures with areas of surface parking and mature landscaping. These structures were constructed in the early 1960s as part of Phase I Marina del Rey development. The apartment buildings are low-lying and rectangular in nature and are typical of other existing development on the west side of the small-craft harbor. Generally, the buildings extend in a linear fashion along the frontage of the waterfront, and in most cases completely obscure water views for viewers on peripheral roadways. Along the waterfront between the existing structures and the marina is a narrow concrete sidewalk. This existing sidewalk is accessible to the public and provides extensive views of the marina.

Neptune Marina Parcel FF site is presently developed as an approximately 2.05-acre surface parking lot. Surrounding the western and northern portion of the parking lot (west of the existing driveway) is a

¹ County of Los Angeles Department of Regional Planning, LUP, 1996, 9-1.

screened chain-link fence (the intention of the fence is to obscure views of the parking lot from adjacent roadways). A fence that permits filtered views is present east of the parking lot, and glimpses of the parking lot and marina are available from Marquesas Way. Panoramic views of the marina are available from a publicly accessible sidewalk adjacent to the parking lot.

Parcel 9U is presently an undeveloped lot. Vegetation on Parcel 9U consists generally of low annual grasses and summer flowering forbs. However, in the south-central portion of the site a small man-made depression, the remnant of an abandoned construction project, is present where water ponds seasonally. In this location, the vegetation now consists of a taller willow thicket of approximately 0.5 acre. This area is described in greater detail in the Biota section (**Section 5.5**). Parcel 9U is surrounded by an open chain-link fence. Due to the lack of development at this location, boat masts in the western portion of Marina del Rey Basin B are visible from Via Marina; and in the distance, small vistas of water within the marina are also visible from Via Marina. Existing residential uses are present to the north, south, and west. Panoramic views of the marina are available from a publicly accessible sidewalk adjacent to the parking lot.

5.6.2.4 Viewshed Descriptions

Six viewing locations, or vantage points, in close proximity to the project site plus eight vantage points that are more distant were selected to evaluate potential project impacts on views. The selected vantage points represent publicly accessible locations, including beaches, parks, trails, and roadways, from which the project site is visible or which are identified as “significant vantage points” in the Marina del Rey LUP. Views from each viewing location are described below, beginning with the six locations in close proximity to the project site. **Figure 5.6-1, Viewing Locations**, provides an index map depicting those six viewing locations.

5.6.2.4.1 Viewing Location One, Northerly View of Parcel 10R and 9U as Observed from Via Marina South of Tahiti Way

As illustrated on **Figure 5.6-2, Pre- and Post-Development View of Site (Parcel 10R and 9U) from Via Marina South of Tahiti Way**, substantial views of the site and surrounding area are available from this location. Foreground views are dominated by the vacant Parcel 9U, the chain-link fence that surrounds Parcel 9U, and the rear facades of the existing parking structures and buildings associated with Parcel 10R. Middle ground views include primarily the boat masts and features within Marina del Rey Basin B. The visibility of the boats most proximal to Parcel 9U is limited due to the height of the bulkhead in relation to the water and distance of the boats to the viewing location. As such, only the upper portions of the masts are visible and vistas of water within Basin B are largely obstructed from this viewing

location. More distant in the middle ground, mature landscaping and structures recently completed or under construction on Parcel 15 can be seen to the northeast. Background views are primarily of the taller palm trees, other mature landscaping and structures further north and east in the southern and southeastern portions of Marina del Rey.

Prominent Visual Features: Boat masts visible in Basin B; rear facades of the parking structures and buildings associated with Parcel 10R; mature landscaping on the project site; and more distant views of the southern and southeastern portions of Marina del Rey.

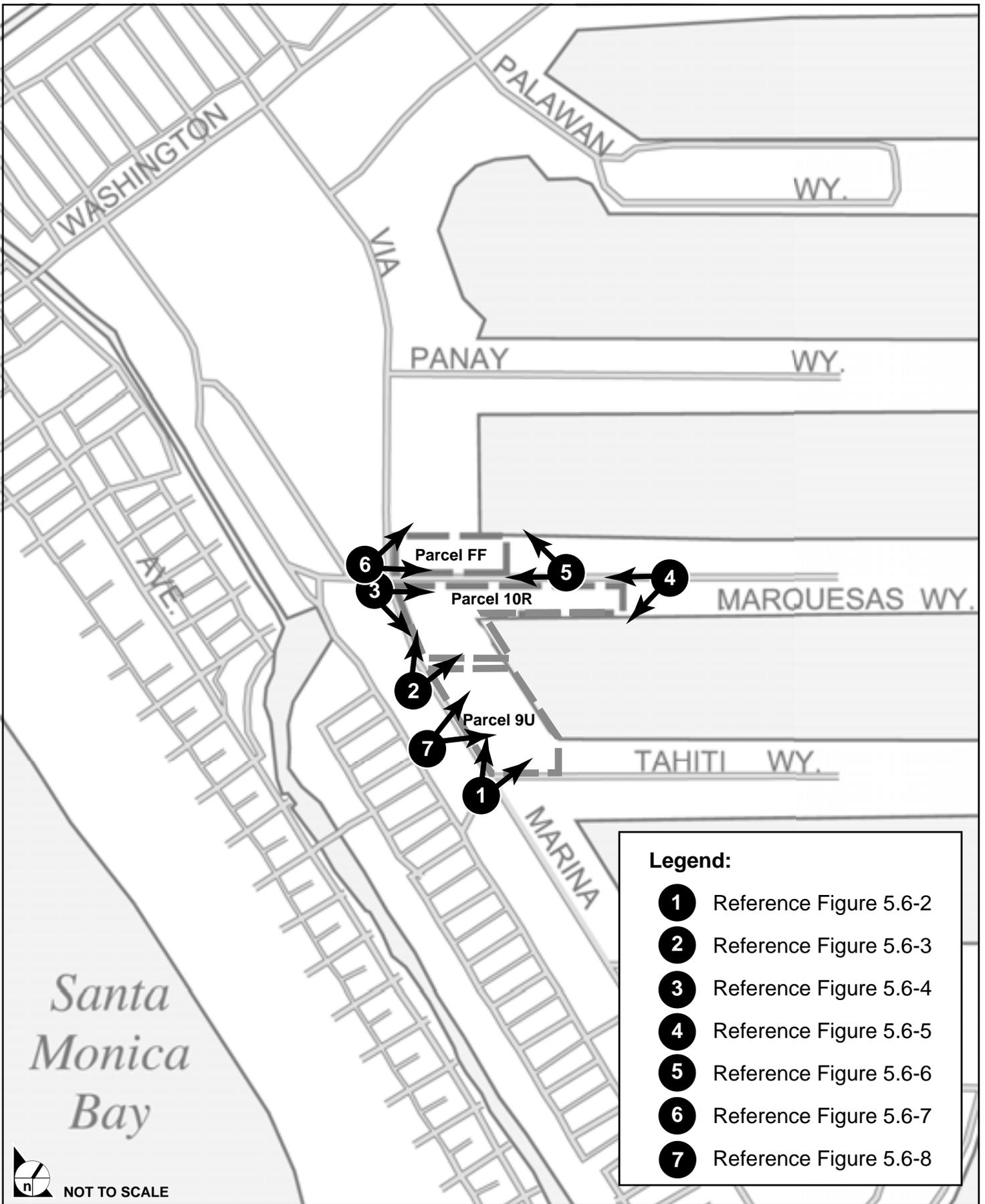
5.6.2.4.2 Viewing Location Two, Northerly View of Parcel 10R and 9U as Observed from Via Marina

As illustrated on **Figure 5.6-3, Pre- and Post-Development View of Site (Parcel 10R and 9U) from Via Marina**, substantial views of the site and surrounding area are available from this location. Foreground views are of the northern half of the vacant Parcel 9U, the chain-link fence that surrounds Parcel 9U and the rear facades of the existing parking structures and buildings associated with Parcel 10R. Middle ground views include primarily the mature landscaping on Parcel 10R and small portions of the existing two-story structure are visible. Also visible in the middle ground, adjacent to Parcels 10R and 9U, are masts associated with the boats berthed in Marina del Rey Basin B. Visibility of the boats is limited due to the height of the bulkhead and distance from the boats to the viewing location. Background views are primarily of the taller palm trees off-site to the north.

Prominent Visual Features: Rear facades of the parking structures and buildings associated with Parcel 10R; mature landscaping on the project site; boat masts visible in Marina del Rey Basin B; and the more distant palm trees.

5.6.2.4.3 Viewing Location Three, Easterly View of the Site (Parcel 10R) as Observed from the Intersection of Marquesas Way and Via Marina

As illustrated on **Figure 5.6-4, Pre- and Post-Development View of the Site (Parcel 10R) as Observed from the Intersection of Marquesas Way and Via Marina**, substantial views of the northwestern portion of Parcel 10R and surrounding area are available. Foreground views of the project site are dominated by the mature trees and perimeter landscaping associated with the existing Neptune Marina Apartment project. Also visible in the foreground are cars that use an existing surface parking lot in this portion of the site. From this viewing location, visibility of the existing apartment structure is very limited due to the view blocking effects of the mature vegetation. Also visible in the foreground are light poles and traffic signals associated with the Via Marina/Marquesas Way intersection and mature trees in the center



SOURCE: Impact Sciences, Inc. – February 2008

FIGURE 5.6-1

Viewing Locations



Pre-Development



Post-Development

SOURCE: Impact Sciences, Inc. – March 2007

FIGURE 5.6-2

Pre- and Post-Development View of Site (Parcel 10R and 9U) – from Via Marina South of Tahiti Way



Pre-Development



Post-Development

SOURCE: Thomas P. Cox: Architects, Inc. – October 2005, Impact Sciences, Inc. – March 2007

FIGURE **5.6-3**

Pre- and Post-Development View of the Site (Parcel 10R and 9U) – from Via Marina



Pre-Development



Post-Development

SOURCE: Thomas P. Cox: Architects, Inc. – October 2005, Impact Sciences, Inc. – June 2005

FIGURE **5.6-4**

Pre- and Post-Development View of the Site (Parcel 10R) – as Observed from the Intersection of Marquesas Way and Via Marina

median of Marquesas Way. Middle ground and distant vistas are largely obscured by foreground vegetation. However, taller palm trees off-site to the east are visible.

Prominent Visual Features: Mature landscaping on the project site, an existing surface parking lot, and signal lights.

5.6.2.4.4 Viewing Location Four, Westerly View of the Site (Parcel 10R) as Observed Westerly from Marquesas Way

As illustrated on **Figure 5.6-5, Pre- and Post-Development View of the Site (Parcel 10R) as Observed Westerly from Marquesas Way**, limited views of the northwestern portion of Parcel 10R and surrounding area are available from this viewing location. Foreground views of the project site are dominated by new construction adjacent to and east of the project site on Parcel 12, mature trees and perimeter landscaping associated with the northern margin of the Parcel 10R. Also visible in the foreground are the mature trees in the median in Marquesas Way. From this viewing location, visibility of existing structures on Parcel 10R is generally precluded due to the view blocking effects of new structures under construction and the mature vegetation that is present along the northern perimeter of the project site. Midrange vistas are largely obscured by the foreground vegetation. Background views are also limited due to the presence of the foreground vegetation. However, taller eucalyptus and palm trees off site to the west are visible.

Prominent Visual Features: New building construction under way on Parcel 12 adjacent to and east of Parcel 10R and mature landscaping along the northern perimeter of the project site.

5.6.2.4.5 Viewing Location Five, Westerly View of the Site (Parcel FF) as Observed Westerly from Marquesas Way

As illustrated on **Figure 5.6-6, Pre- and Post-Development View of the Site (Parcel FF) as Observed Westerly from Marquesas Way**, limited views of the existing surface parking lot and surrounding area are available from this viewing location. Foreground views of the project site (Parcel FF) are dominated by mature trees and perimeter landscaping associated with the southern margin of the parking lot as well as the perimeter fencing. Also visible in the foreground are the mature trees and median island that Marquesas Way and signage associated with the parking lot entrance. Midrange vistas are largely obscured by the foreground vegetation and fencing; however, vistas of existing structures to the northwest are present as well as taller palm trees on the project site. Background views are limited due to the presence of the foreground vegetation. However, taller palm trees off-site to the west can be observed as well as the 15-story Archstone apartment building off-site to the northwest.

Prominent Visual Features: Mature landscaping along the perimeter of the project site, the existing surface parking, and the 15-story Archstone apartment building.

5.6.2.4.6 Viewing Location Six, Easterly View of the Site (Parcel FF) as Observed from the Intersection of Marquesas Way and Via Marina

As illustrated on **Figure 5.6-7, Pre- and Post-Development View of the Site (Parcel FF) as Observed from the Intersection of Marquesas Way and Via Marina**, substantial views of the northwestern portion site and surrounding area are available. Foreground views of the project site (Parcel FF) are dominated by the mature trees and perimeter landscaping along the northern and western margin of the existing surface parking lot. Also visible in the foreground is the heavily screened chain-link perimeter fencing along the northern and western margins of the project site.

Light poles, traffic signals and signage associated with the Via Marina/Marquesas Way intersection are also visible as well as the median island and mature trees along the centerline of Marquesas Way. Midrange vistas are largely obscured by dense perimeter fencing along the northwestern margin of the project site and the foreground vegetation. However, north of Parcel FF, existing two-story apartment structures are visible. Background views are limited due to the presence of the foreground vegetation. However, taller eucalyptus and palm trees off-site to the east can be observed.

Prominent Visual Features: Mature landscaping on the project site and screened chain-link perimeter fencing.

5.6.2.4.7 Viewing Location Seven, Easterly View of Parcel 9U as Observed from Via Marina

As illustrated on **Figure 5.6-8, Pre- and Post-Development View of Site (Parcel 9U) as Observed from Mid-Block on Via Marina**, open views of Parcel 9U and surrounding area are available from this location. Foreground views are of the vacant Parcel 9U, the chain-link fence that surrounds Parcel 9U with distant view of the structures on Parcel 12R. Visible in the middle ground, adjacent to Parcels 10R and 9U, are masts associated with the boats berthed in Marina del Rey Basin B. Visibility of the boats is limited due to the height of the bulkhead and distance from the boats to the viewing location. Background views are primarily of the taller palm trees off-site to the north and the Parcel 12R buildings.

Prominent Visual Features: Open views to the Marina; non-native vegetation on the project site; boat masts visible in Marina del Rey Basin B; and the more distant palm trees.

As previously stated, views of the project site, particularly the site of the proposed hotel and timeshare resort, were also evaluated from eight off-site public viewing locations that are considered visually important in the Marina del Rey LUP. Those viewing locations are mapped in **Figure 5.6-9, Woodfin Suite Hotel and Timeshare Resort (Parcel 9U) – Viewing Locations**, and the pre- and post-project views are discussed below.



Pre-Development



Post-Development

SOURCE: Thomas P. Cox: Architects, Inc. – October 2005, Impact Sciences, Inc. – June 2005

FIGURE **5.6-5**

Pre- and Post-Development View of the Site (Parcel 10R) – as Observed Westerly from Marquesas Way



Pre-Development



Post-Development

SOURCE: Thomas P. Cox: Architects, Inc. – October 2005, Impact Sciences, Inc. – June 2005

FIGURE **5.6-6**

Pre- and Post-Development View of the Site (Parcel FF) – as Observed Westerly from Marquesas Way



Pre-Development



Post-Development

SOURCE: Thomas P. Cox: Architects, Inc. – October 2005, Impact Sciences, Inc. – June 2005

FIGURE **5.6-7**

Pre- and Post-Development View of the Site (Parcel FF) – as Observed from the Intersection of Marquesas Way and Via Marina



Pre-Development

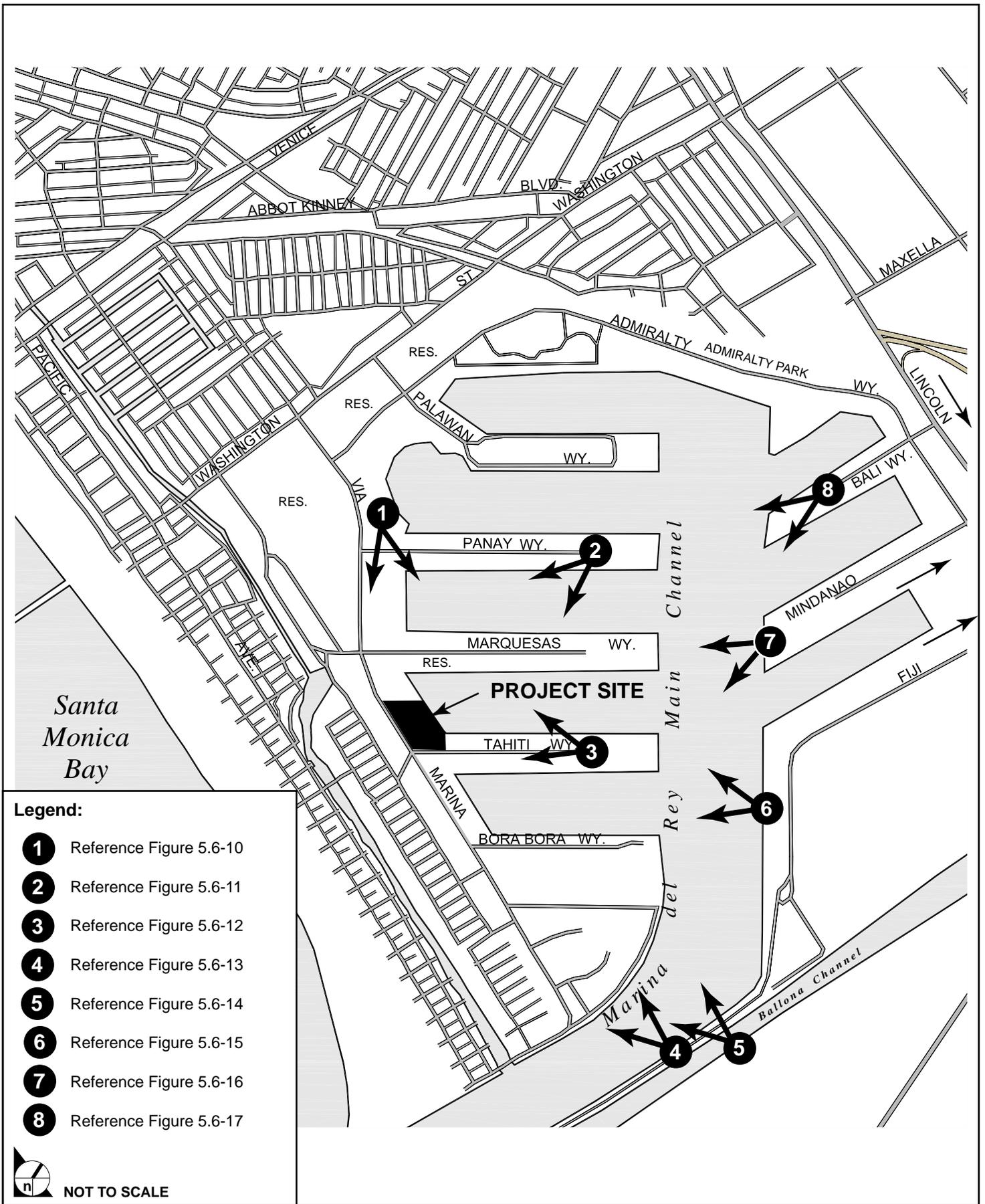


Post-Development

SOURCE: Thomas P. Cox: Architects, Inc. – October 2005, Impact Sciences, Inc. – March 2008

FIGURE **5.6-8**

Pre- and Post-Development View of the Site (Parcel 9U) – as Observed from Mid-Block on Via Marina



SOURCE: Impact Sciences, Inc. – May 2007

FIGURE 5.6-9

Woodfin Suite Hotel and Timeshare Resort (Parcel 9U) – Viewing Locations

5.6.2.4.8 Viewing Location One, Southerly View of the Site as Observed from Mother's Beach

As illustrated on **Figure 5.6-10, Pre- and Post-Development View of the Site as Observed from Mother's Beach**, views south from this viewpoint are partially screened by the mature trees (eucalyptus, palms) and landscaping south of Mother's Beach along Panay Way and at the head of Basin C. Several one-story buildings along Panay Way are partially visible beyond the trees.

Prominent Visual Features: Mature trees and landscaping, one-story buildings along Panay Way south of Mother's Beach.

5.6.2.4.9 Viewing Location Two, Southeasterly View of the Site as Observed from Panay Way

As illustrated on **Figure 5.6-11, Pre- and Post-Development View of the Site as Observed from Panay Way**, there are no available views of the project site from this viewpoint. Views south and southeast are blocked by nearly contiguous apartment buildings on the southern side of Panay Way.

Prominent Visual Features: Existing apartment buildings along Panay Way.

5.6.2.4.10 Viewing Location Three, Westerly View of the Site as Observed from Tahiti Way

As illustrated on **Figure 5.6-12, Pre- and Post-Development View of the Site as Observed from Tahiti Way**, the project site is just visible at the eastern terminus of Tahiti Way at Via Marina. Apartment buildings lining the north side of Tahiti Way dominate the field of view and limit distant views from this viewpoint. Palms and other street trees lining the roadway also serve to screen views.

Prominent Visual Features: Existing apartment buildings, street trees along Tahiti Way.

5.6.2.4.11 Viewing Location Four, Northwesterly View of the Site as Observed from North Jetty Trail

As illustrated on **Figure 5.6-13, Pre- and Post-Development View of the Site as Observed from North Jetty Trail**, views of the project site, across the open water of the channel, are almost entirely obscured by two-story waterfront buildings near the terminus of Northwest Passage and five-story buildings just to the north on Old Harbor Lane. Mature trees also characterize this view.

Prominent Visual Features: Open water in channel, existing two-story apartment buildings on Northwest Passage, five-story apartment buildings on Old Harbor Lane, and mature trees.

5.6.2.4.12 Viewing Location Five, Northwesterly View of the Site as Observed from South Jetty Trail

As illustrated on **Figure 5.6-14, Pre- and Post-Development View of the Site as Observed from South Jetty Trail**, views from this trail are more panoramic in nature than those from the North Trail, with the project site more visible but occupying a smaller portion of the available field of view. Ballona Creek Channel and the North Jetty Trail are the most prominent visual features from this vantage, followed by the waterfront across the ship channel. As with views from North Jetty Trail, views toward the project site encompass two-story buildings near the terminus of Northwest Passage and five-story buildings just to the north on Old Harbor Lane, as well as taller apartment buildings to the west. Mature trees and other ornamental landscaping are visible along the waterfront. The 15-story Archstone apartment building apartment tower on Via Dolce, northwest of the project site, is visible in the distance.

Prominent Visual Features: Ballona Creek Channel, existing two-story apartment buildings on Northwest Passage, five-story apartment buildings on Old Harbor Lane, and mature trees.

5.6.2.4.13 Viewing Location Six, Northwesterly View of the Site as Observed from Fisherman's Village

As illustrated on **Figure 5.6-15, Pre- and Post-Development View of the Site as Observed from Fisherman's Village**, panoramic views of the marina's inner harbor and Basins A and B, as well as more distant apartment buildings lining Via Marina to the west, are available from this viewpoint. The project site is partially blocked from this viewpoint by the intervening four-story apartment building at the eastern terminus of Tahiti Way. A few mature eucalyptus trees are present along Tahiti Way, but little other vegetation is visible.

Prominent Visual Features: Inner harbor, Basins A and B, existing four-story apartment building on Tahiti Way.

5.6.2.4.14 Viewing Location Seven, Westerly View of the Site as Observed from Burton Chace Park

As illustrated on **Figure 5.6-16, Pre- and Post-Development View of the Site as Observed from Burton Chace Park**, panoramic views of the marina's inner harbor and Basins B and C, The park is almost due east of Parcels 10R and FF and the mole occupied by Parcel 10R, with Basins B and C to the south and north, respectively. Accordingly, there is a clear line of sight from Burton Chace Park west toward the project site, but views of the site are almost entirely obscured by the existing five-story apartment building at the end of Marquesas Way, near the tip of the mole. Palms and other trees lining Tahiti Way to the south and Via Marina to the west, and boats at anchor in the two basins, are the other prominent visual elements of views from this vantage.



Pre-Development



Post-Development

SOURCE: Impact Sciences, Inc. – May 2007

FIGURE **5.6-10**

Pre- and Post-Development View of the Site (Parcel 9U) – as Observed from Mother's Beach



Pre-Development



Post-Development

SOURCE: Impact Sciences, Inc. – May 2007

FIGURE **5.6-11**

Pre- and Post-Development View of the Site (Parcel 9U) – as Observed from Panay Way



Pre-Development

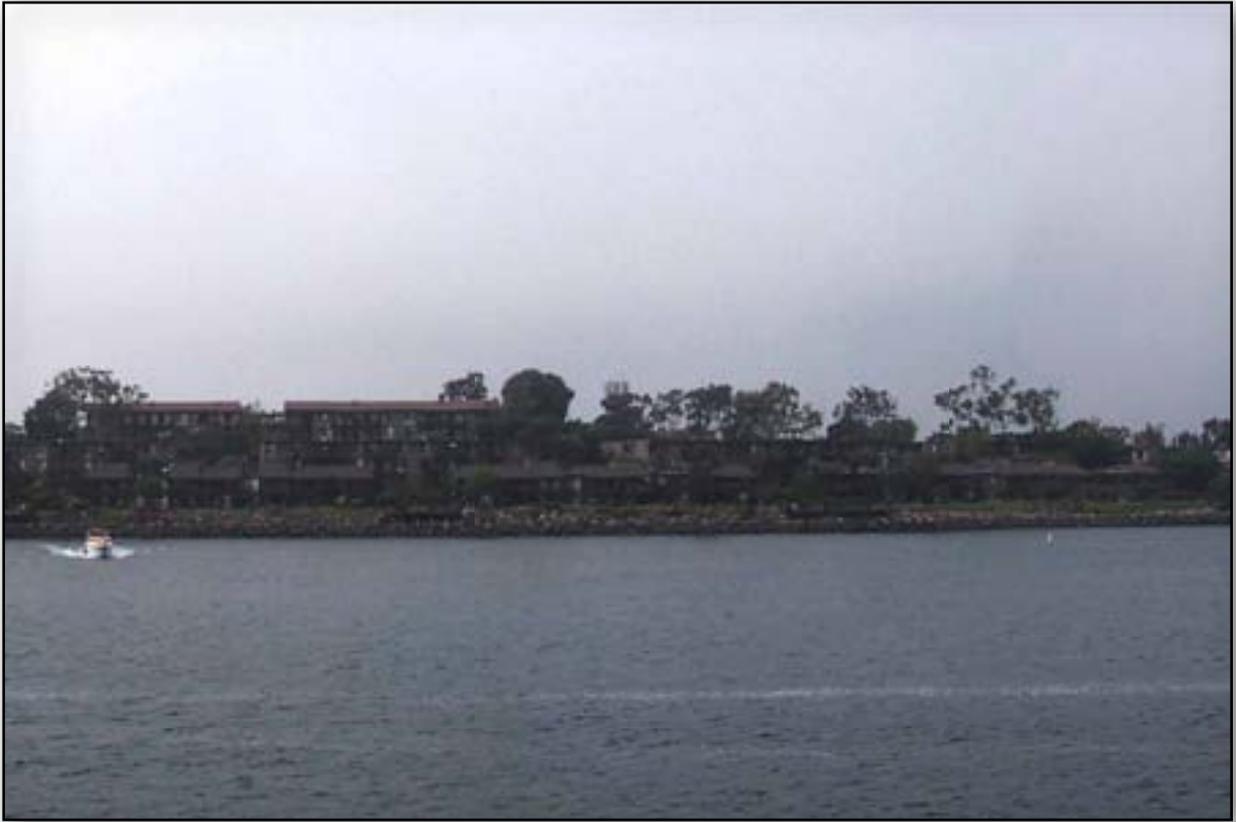


Post-Development

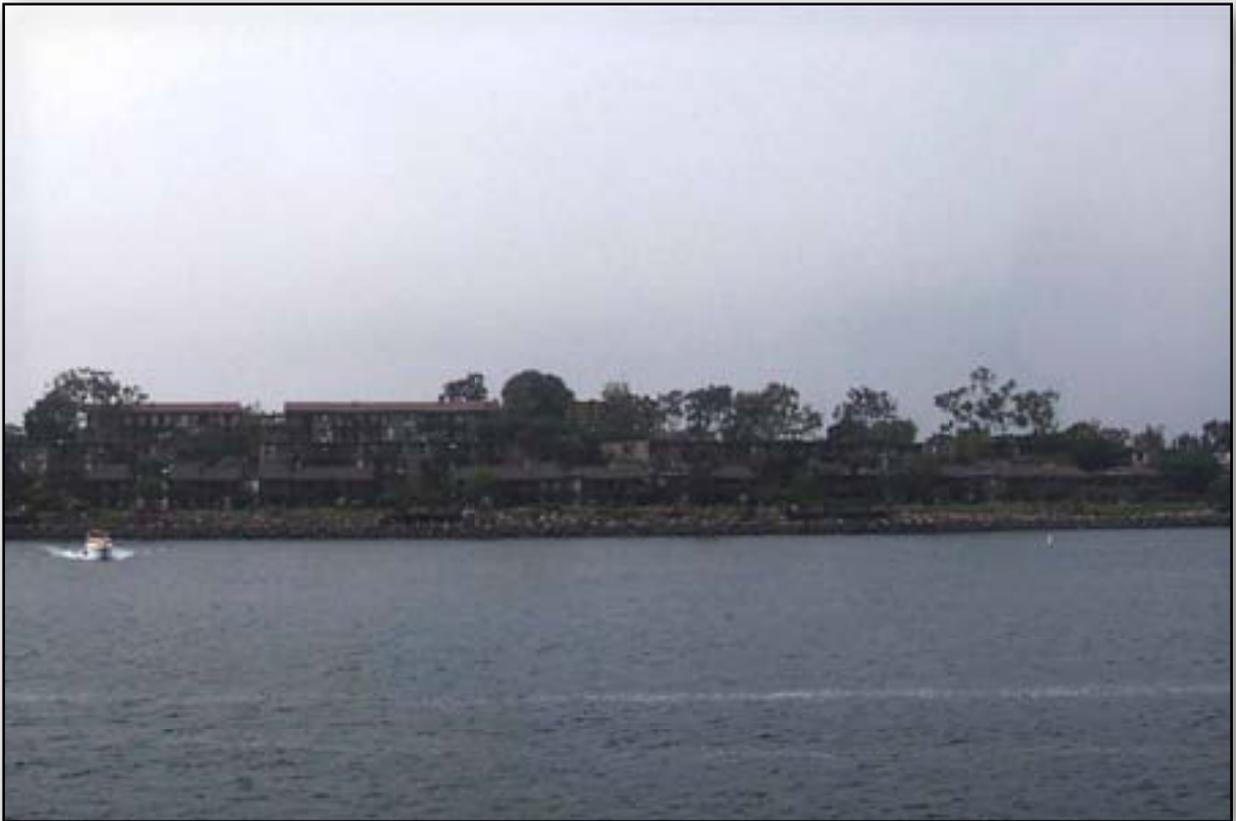
SOURCE: Impact Sciences, Inc. – May 2007

FIGURE **5.6-12**

Pre- and Post-Development View of the Site (Parcel 9U) – as Observed from Tahiti Way



Pre-Development



Post-Development

SOURCE: Impact Sciences, Inc. – May 2007

FIGURE **5.6-13**

Pre- and Post-Development View of the Site (Parcel 9U) – as Observed from North Jetty Trail



Pre-Development



Post-Development

SOURCE: Impact Sciences, Inc. – May 2007

FIGURE **5.6-14**

Pre- and Post-Development View of the Site (Parcel 9U) – as Observed from South Jetty Trail



Pre-Development



Post-Development

SOURCE: Impact Sciences, Inc. – May 2007

FIGURE **5.6-15**

Pre- and Post-Development View of the Site (Parcel 9U) – as Observed from Fisherman's Village



Pre-Development



Post-Development

SOURCE: Impact Sciences, Inc. – May 2007

FIGURE **5.6-16**

Pre- and Post-Development View of the Site (Parcel 9U) – as Observed from Burton Chace Park

Prominent Visual Features: Inner harbor, Basins B and C, five-story apartment building at the end of Marquesas Way on the mole between Basins B and C.

5.6.2.4.15 Viewing Location Eight, Southwesterly View of the Site as Observed from Bali Way

As illustrated on **Figure 5.6-17, Pre- and Post-Development View of the Site as Observed from Bali Way**, views toward the project site from Bali Way are largely blocked by the presence of the three-story Marina del Rey Hotel buildings and dense ornamental plantings lining Bali Way. Hotel rooms have panoramic views that include the project site to the south.

Prominent Visual Features: Marina del Rey Hotel (from Bali Way); Inner harbor, Basin D (from hotel).

5.6.2.5 Shadows, Light and Glare

The project site is presently developed as an existing apartment community (Parcel 10R), and an existing surface parking lot (Parcel FF). Parcel 9U is a vacant lot. Each of these existing developed land uses contains a variety of surface night lighting. Principal light sources include street lighting, lighting associated with the nearby residential and commercial uses, parking lot lighting, and vehicle headlights. None of these light sources is considered exceptionally bright or unique. All are considered typical in most urban settings.

The analysis of project-related shadow effects evaluates the potential for project development to cast shadows on adjacent land uses. Consequences of shadows on land uses may be positive, including cooling effects during warm weather, or negative, such as the loss of natural light necessary for solar energy purposes. Shading effects are dependent upon several factors, including the local topography, the height, and bulk of a project's structural elements, the shade-sensitivity of adjacent land uses, the season and consequent length of shadows, and the duration of shadows at a given location. Land uses considered sensitive to the effects of shadows include residential recreational, and institutional (e.g., schools, nursing homes); commercial, pedestrian-oriented outdoor spaces or restaurants with outdoor eating areas; plant nurseries; and existing solar collectors, or other land uses for which sunlight is important to function, physical comfort, or commerce.

A project's potential for shading adjacent land uses is determined by identifying the height and bulk of proposed project components, such as buildings and trees, and calculating the shadows that would be cast by those components during the most extreme conditions: Winter Solstice (December 21) when the sun is at its lowest point in the sky and shadows are the longest, and Summer Solstice (June 21) when the sun is at its highest point and shadows are the shortest. Shadow length and bearing (the direction in which they are cast) are dependent on the location (latitude and longitude) of the project site, which dictates the angle of the sun relative to the project site. In Los Angeles, the maximum shadow a building can cast is equivalent to three times its height, during the Winter Solstice.

5.6.3 ENVIRONMENTAL IMPACTS

5.6.3.1 Project Improvements

Implementation of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort project would result in the development of 526 residential dwelling units; a 19-story, 225-foot structure with 288 hotel/timeshare suites with an assortment of patron- and visitor-serving accessory uses, 174 private and between 7 and 11 public-serving boat spaces, and dinghy moorage area; a waterfront public pedestrian promenade; and a 1.46-acre public park inclusive of a 0.47-acre restored wetland and 0.99-acre upland buffer. A total of 1,511 parking spaces would be provided throughout the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort project in structured parking either below the apartment buildings or in a six-level parking garage situated adjacent to the hotel.

There are 136 existing apartments and 198 boat spaces presently on site. Therefore, completion of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in a net increase of 390 apartment units, 288 hotel and timeshare suites (with patron- and visitor-serving uses appurtenant thereto), a net decrease of up to 17 boat spaces, a 1.46-acre public park inclusive of a 0.47-acre restored wetland and 0.99-acre upland buffer.

5.6.3.2 Thresholds of Significance

The County of Los Angeles Department of Regional Planning has not adopted County specific significance thresholds. Thresholds used by the County are defined in their Initial Study Checklist. For the topic visual resources applicable significance thresholds are defined below.

- (1) Is the project substantially visible from a scenic highway or will it obstruct views along a scenic highway (as shown of the Scenic Highway Element), or is it located within a scenic corridor or will it otherwise impact the viewshed?
- (2) Is the project substantially visible from or will it obstruct views from a regional riding or hiking trail?
- (3) Is the project located in an undeveloped or undisturbed area, which contains unique aesthetic features?
- (4) Is the proposed use out-of-character in comparison to adjacent uses because of height, bulk, or other features?
- (5) Is the project likely to create substantial sun shadow, light or glare problems?

Significance thresholds 2 and 3 address projects in rural undeveloped areas. The proposed project is situated in a high-density urban area. As such, significance thresholds 2 and 3 are not applicable to the proposed project and are not considered further in this impact analysis.



Pre-Development



Post-Development

SOURCE: Impact Sciences, Inc. – May 2007

FIGURE 5.6-17

Pre- and Post-Development View of the Site (Parcel 9U) – as Observed from Bali Way

5.6.3.3 Impact Analysis

5.6.3.3.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

5.6.3.3.1.1 Overview of Project Impacts

Development of the Neptune Marina Apartments and Anchorage project would require the removal of all existing structures, the existing surface parking lot and earth movement to allow construction of the partially subterranean parking lots, landscaped areas, develop drainage patterns and provide for necessary infrastructure. During this time, construction workers and equipment will be visible throughout the project site. Screened chain-link fencing would likely be installed that would surround the perimeter of the project site and would obscure direct vistas of the initial phases of construction and on-site staging areas. During construction, frames of the structures would be raised and finished, and hardscape and landscaping would be completed. As the structures are constructed and finished, the scale of the project and changes in the visual character of the project site would become evident.

Construction for the Neptune Marina Parcel 10R project component is anticipated to initiate in December 2009, and would require a total of approximately 33 months to complete, in September 2012. Construction of the Neptune Marina Parcel FF project component is anticipated to initiate in April 2011, and would require approximately 21 months to complete, in September 2012.

Project improvements would contribute to the changing character of Marina del Rey. New (Phase II) development in the marina is intentionally more intensive than the existing Phase I marina development. As defined by the County, Phase II marina development allows for a greater development intensity that is generally achieved through an increase in available building height limits. The Marina del Rey LUP defines the maximum building height limit on Parcel 9U to be 225 feet, while the maximum building heights on Parcel 10R are 140 feet (applicable to non-mole portion of parcel) and 75 feet (applicable to the mole road portion of the parcel). Parcel FF has a current building height limit of 25 feet, per the parcel's Height Category 1 classification; however, the County is proposing an amendment to the certified LCP to change the Parcel FF Height Category from 1 to 3 (i.e., maximum of 75 feet with an expanded view corridor, to accommodate the proposed 55-foot-tall apartment building planned for the site.

As proposed, the four apartment structures proposed for Parcels 10R and FF as part of Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would not exceed 60 feet (exclusive of appurtenant, screened roof-top equipment, parapets and architectural features). Therefore, proposed building heights on Parcel 10R would be compliant with the 140-foot and 75-foot maximum building height standards specified for the parcel in the certified LCP. The 55-foot-tall apartment building

proposed for development on Parcel FF would be consistent with the Height Category 3 classification being proposed by the County and Legacy Partners for Parcel FF.

Development proposed on Parcel 9U (the Woodfin Suite Hotel and Timeshare Resort) would introduce a 19-story, 225-foot building. The hotel tower portion of the proposed project would be taller than other buildings on neighboring parcels, but the design is consistent with the flexible height standard character of Phase II development concepts embraced by the certified LCP provisions. The replacement of Phase I Marina development with taller Phase II development is intentionally designed to provide open view corridors to the harbor but resulting in intensifying land uses in narrower and taller residential, hotel and visitor-serving commercial developments, a decision reflected in the Coastal Commission's 1996 findings approving the LCP. The hotel and timeshare resort building height would be consistent with the 225-foot height standard defined in the certified LCP for Parcel 9U (see discussion in **Section 5.17, Land Use and Planning**).

5.6.3.3.1.2 Threshold: Is the project substantially visible from a scenic highway or will it obstruct views along a scenic highway (as shown of the Scenic Highway Element), or is it located within a scenic corridor or will it otherwise impact the viewshed?

Analysis: As defined above, Via Marina adjacent to Parcel 9U is defined in this EIR as a Scenic Highway. Via Marina adjacent to Parcels 10R or FF does not have vistas of the marina and as such cannot be defined as a Scenic Highway. Construction and operation of the proposed Woodfin Suite Hotel and Timeshare Resort project on the northern portion of Parcel 9U, depending on the location of the viewer, would eliminate available views of the marina when observed from Via Marina and would impact a defined Scenic Highway. However, as discussed below, this impact would be mitigated by the inclusion of LCP-compliant view corridors into the project.

The Marina del Rey LUP considers Via Marina, Burton Chace Park, and the ends of each mole "significant vantage points" in Marina del Rey. None of these "significant vantage points" is present on or near the project site. The proposed project site is not located within or near a defined scenic corridor.

To protect and enhance visibility of the marina and consistent with provisions of the LUP, the Neptune Marina Parcels 10R, FF, and 9U incorporate six view corridors. Of the six view corridors, three corridors permit vistas of Marina del Rey Basin B from Marquesas Way (southerly), one corridor allows filtered vistas of Marina del Rey Basin C from Marquesas Way (northerly). The fifth and sixth view corridors allow vistas of Marina del Rey Basin B from Via Marina (easterly).

With respect to the Neptune Marina Project component (Parcel 10R and FF), provisions of the LUP tabulate the area of required view corridor based on the length of the parcel's water frontage and the proposed building height. Based on the length of the parcel's water frontage and a proposed building height of 55 feet for Buildings 1, 2 (Parcel 10R), and 4 (Parcel FF) and 60 feet for Building 3 (Parcel 10R), the LUP requires 420 linear feet of view corridor. As proposed, Neptune Marina Parcels 10R and FF would provide 443 linear feet. As such, the project, as planned, is consistent with view corridor provisions of the LUP that call for public and private views of the marina from perimeter roadways.

With respect to the Woodfin Suite Hotel and Timeshare Resort Project (Parcel 9U), the project incorporates one view corridor on Parcel 9U, south of the hotel. The primary view corridor allows vistas of Marina del Rey Basin B from Via Marina through the Parcel 9U public park/wetland. Per the LCP, based on the proposed 225-foot height of the hotel and timeshare resort structure (excluding appurtenant rooftop structures), a view corridor totaling 40 percent of the length of the site is required. For the 386-foot-long site, a minimum 154-foot-wide view corridor is required. The project plans for 154 linear feet of view corridor through the Parcel 9U public park/wetland situated south of the hotel and timeshare resort structure. Because the project provides the required 154 feet of public view corridor, the hotel and timeshare resort is consistent with provisions of the LCP that call for public and private views of the Marina from perimeter roadways.

A summary of the lineal footage of each project component and the required width of the view corridor on each parcel is summarized in **Table 5.6-1**, below.

Table 5.6-1
Summary of Project Components and LCP View Corridor Requirements

| Project Component | Waterfront Lineal Footage | LCP Required View Corridor | Proposed View Corridor |
|-------------------------------------------------------------------|--------------------------------------|---------------------------------------|---------------------------------------|
| 1 – Neptune Marina Parcel 10R | 10R = 1,455 feet | 420 feet | 443 feet |
| 2 – Neptune Marina Parcel FF | FF = 200 feet | | |
| 3 – Woodfin Suite Hotel/Timeshare Resort (Parcel 9U) | 386 feet | 154 feet | 154 feet |
| 4 – Restored Wetland/Upland Park Project (Parcel 9U) ^a | NA | NA | NA |
| 5 – Public-Serving Anchorage | NA | NA | NA |

^a Project Component 4, Restored Public Wetland and Upland Park Project, occupies the southern portion of Parcel 9U and is proposed to fulfill the LCP view corridor requirement for development of the northern portion of Parcel 9U with the Woodfin Suite Hotel/Timeshare Resort.

To further ensure visual resource protection, the Marina del Rey LUP requires that the project site plan and architectural design be reviewed and approved by the Design Control Board (DCB) and to incorporate view corridors that do not presently exist on the project site. The DCB also has the authority to regulate signage, building architectural design, site planning, and facade design for all new development proposals. The DCB reviewed and approved Neptune Marina/Woodfin Suite Hotel and Vacation Suite Project on June 29, 2006, and as part of that action, ensured compliance with the development standards and policies (inclusive of view corridors) outlined in the Land Use Plan with the development standards under its purview. Therefore, project impacts to visual corridors as defined in the Marina del Rey LUP are not considered significant.

Conclusion: Development on Parcel 10R replaces existing structures where no visibility of the marina is currently available. No views of the marina are available from Via Marina in the vicinity of Parcel FF. Construction and operation of the Woodfin Suite Hotel and Timeshare Resort on Parcel 9U would result in an incremental loss of visibility of Marina del Rey Basin B when viewed from Via Marina that is defined as a Scenic Highway. Consistent with requirements of the Marina del Rey LUP, and in conformance with the DCB, the project incorporates six view corridors that would mitigate the loss of available view (for Parcel 9U) or enhance visibility of the marina (for Parcel 10R and FF). Because this project is consistent with all development requirements defined in the Marina del Rey LUP, impacts associated with this visual resource criterion are not considered significant.

Mitigation: No mitigation measures are proposed or are required.

Conclusion: Not significant.

5.6.3.3.1.3 Threshold: Is the proposed use out-of-character in comparison to adjacent uses because of height, bulk, or other features?

Analysis: Viewing Location One, Northerly View of Parcel 10R and 9U as Observed from Via Marina South of Tahiti Way – As illustrated on Figure 5.6-2, **Pre- and Post-Development View of Site (Parcels 10R and 9U) from Via Marina South of Tahiti Way**, foreground views would be dominated by the Woodfin Suite Hotel and Timeshare Resort structure on the northern portion of Parcel 9U. The size and mass of this building would eliminate vistas of the northwestern portions of Marina del Rey Basin B and of structures and landscaping situated further to the northeast in the middle ground and far distance. Also, the southwestern corner of the westernmost structure proposed for Parcel 10R would be visible. Because of the proximity of this viewing location to the site, building shape, color, and architectural style would be readily distinguishable. When viewed from this location, it is expected that the Woodfin Suite Hotel and Timeshare Resort, due to its height and mass, would stand out in contrast to existing or

proposed structures in the marina. In the project vicinity, only the 15-story Archstone apartment building on Via Dolce to the northwest is of similar scale. The view corridor south of this structure would provide direct vistas of boat masts that are present in Marina del Rey Basin B and the more distant residential development. Although consistent with height provisions that were approved by the California Coastal Commission (CCC) and the County of Los Angeles as defined in the Marina del Rey LUP, the height and mass of the proposed hotel structure would be a dominant visual element that would define this portion of the marina.

Prominent Visual Features: Currently, the most noticeable features visible from this viewpoint include the rear facades of the parking structures and buildings associated with Parcel 10R. As part of site construction, existing structures and the existing landscape vegetation would be removed and replaced. As defined above, the height of the proposed structures would obscure distant vistas of trees and structures in the background. Once complete, the most dominant visual feature would be the new Woodfin Suite Hotel and Timeshare Resort and apartment structure in the northern portion of Parcel 9U. Over time, proposed perimeter landscaping would partially improve the visual impact of new development.

Character of Impacts: The proposed Woodfin Suite Hotel and Timeshare Resort structure would appear greater in mass and building intensity than other existing or proposed structures located to the west, north, and south. As noted, the Woodfin Suite Hotel and Timeshare Resort project would be consistent with the stated height guidelines as approved by the CCC and as defined in the LUP. However, the 225-foot hotel structure would be substantially taller than the height and of greater mass than other new (Phase II) construction east of the project site on Marina del Rey Parcel 12 as well as other projects approved for development to the north on nearby Marina del Rey Parcels 15, 100, and 101. The tallest structure approved would be the 75- to 100-foot structures recently approved on Parcel 100 and 101 to the northwest. The hotel and timeshare resort structure would also be substantially taller than the older, lower-height residential structures located in the local vicinity of the project site that do not exceed three stories. Therefore, the Woodfin Suite Hotel and Timeshare Resort structure could be considered out of character with the established and forthcoming (via Phase II construction) development pattern on the western side of Marina del Rey.

Level of Impact: Site development would not alter any defined significant visual feature. However, the proposed project would eliminate vistas of the marina (Parcel 9U only) and would change the visual character of the property to a more intensive developed use. The Neptune Marina and Woodfin Suite Hotel and Timeshare Resort structures would result in a significant intensification of development on the project site. All elements of the project are compliant with past CCC approvals, the LCP-prescribed building height standards and are consistent with the County's desire to recycle Phase I marina

development and intensify land uses within the marina.² As defined above, the height of the Woodfin Suite Hotel and Timeshare Resort structure, although consistent with the provisions of the LCP in regard to building height (see discussion in **Section 5.17, Land Use and Planning**), could be considered out of character with structures that are existing or under construction within the marina, as well as with existing older low-rise residential structures in the local vicinity of the project site. Therefore, aesthetic/visual impacts with respect to the Woodfin Suite Hotel and Timeshare Resort structure from this viewing location are considered significant.

Analysis: Viewing Location Two, Northerly View of Parcel 10R and 9U as Observed from Via Marina – As illustrated on **Figure 5.6-3, Pre- and Post-Development View of Site (Parcels 10R and 9U) from Via Marina**, similar to Viewing Location One, foreground views would be dominated by structures proposed on Parcel 10R and portions of the Woodfin Suite Hotel and Timeshare Resort structure in the northern portion of Parcel 9U. The Woodfin Suite Hotel and Timeshare Resort building would eliminate vistas of the northwestern portions of Marina del Rey Basin B. Due to the proximity of this viewing location to the site, building shape, color, and architectural style would be readily distinguishable. When viewed from this location, it is expected that the height of the Woodfin Suite Hotel and Timeshare Resort structure would cause the structure to stand out in contrast to existing and proposed structures on the westerly side of the marina. As stated above, the only other structure of similar size is the 15-story Archstone apartment building on Via Dolce to the northwest. The view corridor south of the Woodfin Suite Hotel and Timeshare Resort would provide direct vistas of boat masts that are present in Marina del Rey Basin B and the more distant residential development. Although consistent with height provisions that were approved by the CCC and the County of Los Angeles as defined in the Marina del Rey LUP, the height of the building would be a dominant visual element that would define this portion of the marina.

Prominent Visual Features: Currently, the most noticeable features visible from this viewpoint include the portions of the rear facades of the parking structures and buildings associated with Parcel 10R. As part of site construction, these existing structures and existing landscape vegetation would be removed and replaced. As defined above, the height of the proposed structures would obscure vistas of trees and structures in the background. Once complete, the most dominant visual feature would be the new Woodfin Suite Hotel and Timeshare Resort structure in the northern portion of Parcel 9U and portions of the Neptune Marina project situated in the western portion of Parcel 10R, fronting on Via Marina. Over time, perimeter landscaping proposed as part of each project would partially improve the visual impact of new development in this area.

² See pp. 8-3 and 8-4 of the LUP.

Character of Impacts: The proposed Woodfin Suite Hotel and Timeshare Resort structure would appear taller than other existing or proposed structures located to the west and north. As noted, the Woodfin Suite Hotel and Timeshare Resort structure is consistent with the stated height guidelines as approved by the CCC and as defined in the LUP. However, the 225-foot hotel structure would be substantially taller than other new (Phase II) construction that is present east of the project site on Marina del Rey Parcel 12 as well as other projects approved for development to the north on nearby Marina del Rey Parcels 15, 100, and 101. The tallest structures approved would be the 75- to 100-foot structures recently approved on Parcels 100 and 101. The hotel and timeshare resort structure would also be substantially taller than the older, lower-height residential structures in the local vicinity of the project site that do not exceed three stories. Therefore, due to the height disparity between the proposed hotel and timeshare structure and other planned and existing development in the vicinity of the project site, the Woodfin Suite Hotel and Timeshare Resort structure could be considered out of character with its surroundings.

Level of Impact: Site development would not alter any defined significant visual feature. However, the proposed project would eliminate vistas of the marina (Parcel 9U only) when viewed from Via Marina and would alter the visual character of the property to a more intensive developed use. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort structures would result in a significant intensification of development on the project site. Although the proposed apartment buildings and hotel and timeshare resort are compliant with past CCC approvals, the LCP-prescribed building height standards and are consistent with the County's desire to recycle Phase I marina development and intensify land uses within the marina,³ the Woodfin Suite Hotel and Timeshare Resort structure could be considered out of character with the contemporary structures present or under construction within the marina as well as out of character with the older, lower-height residential structures in the local vicinity of the project site. Therefore, the Woodfin Suite Hotel and Timeshare Resort building, although consistent with the provisions of the LCP in regard to building height (see discussion in **Section 5.17, Land Use and Planning**), could appear out of character in comparison to adjacent uses in terms of height and mass when viewed from this viewing location. This is considered a potentially significant impact.

Analysis: Viewing Location Three, Easterly View of the Site (Parcel 10R) as Observed from the Intersection of Marquesas Way and Via Marina – As illustrated on Figure 5.6-4, Pre- and Post-Development View of Site (Parcel 10R) as Observed from the Intersection of Marquesas Way and Via Marina, from the intersection of Marquesas Way and Via Marina, two 55-foot-tall apartment buildings and one 60-foot-tall apartment building on Parcel 10R would be clearly visible in the foreground and

³ See pp. 8-3 and 8-4 of the LUP.

middle ground of the field of view, as well as portions of the parking structure and the upper portions of the Woodfin Suite Hotel and Timeshare Resort project proposed on the northern portion of Parcel 9U. The new apartment structures would replace the existing two-story structures that are currently present on Parcel 10R but are not visually prominent. With removal of the existing perimeter landscaping as well as the proximity of this viewing location to the site, building shape, color, and architectural style would be readily distinguishable. The increased height and mass of the apartment structures would make on-site uses more visible and visually prominent than the existing structures and the height of the proposed structures would obscure vistas of trees in the background. The proposed project would increase on-site building intensity (particularly the Woodfin Suite Hotel and Timeshare Resort Project, which would be visible in the background at this viewing location) than existing apartment structures, or existing apartment structures located to the west and north. The Neptune Marina project would be consistent with the height and mass of new Phase II construction east of the project site on Marina del Rey Parcel 12, approved structures to be constructed to the north on Parcel 15, and recently approved structures on Marina del Rey Parcels 100 and 101. However, although consistent with past approvals of the CCC and height provisions defined in the Marina del Rey LUP, the 19-story, 225-foot Woodfin Suite Hotel and Timeshare Resort would be visually prominent in this part of the marina.

Prominent Visual Features: No significant visual resources as defined in the Marina del Rey LUP are visible from this viewing location. Currently, the most visible features from this viewpoint include mature landscaping on the project site and an existing surface parking lot on Parcel 10R. No prominent visual features are present in this portion of the project site, no portion of the marina is visible, and background vistas are minimal. As part of project construction, existing structures and vegetation would be removed and replaced. As defined above, the height of the proposed structures would obscure vistas of palm trees in the background. Once complete, the most dominant visual feature would be the new apartment structures on Parcel 10R and the Woodfin Suite Hotel and Timeshare Resort structure situated adjacent and to the south. Over time, perimeter landscaping proposed as part of this project would partially improve the visual impact of new development.

Character of Impacts: Site development on Parcel 10R would alter the visual character of the property to a more intensive developed use. While the Neptune Marina Parcel 10R project would result in an intensification of development on the project site, this new development is consistent with the County's desire to recycle Phase I marina development and intensify land uses within the marina.⁴ Moreover, the height and mass of the most prominent Parcel 10R apartment buildings would be considered consistent with new apartments being constructed to the east on adjoining Parcel 12 as well as apartment buildings

⁴ Ibid.

planned to the north on Marina Parcels 15, 100, and 101. Project architecture has been approved by the DCB and is considered to be in character with the contemporary structures present or under construction within the marina.

The proposed Woodfin Suite Hotel and Timeshare Resort structure (proposed on the northern portion of Parcel 9U) would be visible and would be taller than other existing or proposed structures located to the west and north. The Woodfin Suite Hotel and Timeshare Resort project is consistent with the stated height guidelines defined in the certified LCP. However, the structure would be taller than existing or proposed Phase II structures on Parcels 10R and FF, structures under construction east of the project site on Marina del Rey Parcel 12, and other projects proposed to the north on Marina del Rey Parcels 15, 100, and 101. The hotel and timeshare resort structure would also be significantly taller than the older, lower-height residential structures in the project vicinity. Therefore, the structure could be considered out of character with other Phase II marina development and existing, older development in the vicinity of the project site.

Level of Impact: Site development would alter the visual character of the property to a more intensive developed use and would eliminate distant views (none of which are defined in the Marina del Rey LUP as visually significant). The Woodfin Suite Hotel and Timeshare Resort structure would result in a significant intensification of development on the project site. Although the proposed hotel and timeshare resort is compliant with the LCP-prescribed building height standard for Parcel 9U, is consistent with the County's hotel land use designation and accompanying height provisions, and would intensify land uses within the marina,⁵ the Woodfin Suite Hotel and Timeshare Resort structure can be considered out of character with the contemporary structures present or under construction within the marina as well as existing, older residential structures in the vicinity of the project site. Therefore, aesthetic impacts with respect to the Woodfin Suite Hotel and Timeshare Resort structure from this viewing location are considered significant.

Analysis: Viewing Location Four, Westerly View of the Site (Parcel 10R) as Observed from Marquesas Way – As illustrated on Figure 5.6-5, Pre- and Post-Development View of the Site (Parcel 10R) as Observed Westerly from Marquesas Way, the 55- and 60-foot-tall residential structures proposed on Parcel 10R would be visible in the foreground and middle ground. These new structures would replace existing two-story structures that are currently present on the project site. With removal of the existing perimeter landscaping as well as the proximity of this viewing location to the site, building shape, color, and architectural style would be distinguishable. The increased height and mass of the proposed structures would make on-site uses more visible and visually prominent than the existing structures. The proposed project would appear greater in mass and on-site building intensity than existing apartment

⁵ See pp. 8-3 and 8-4 of the LUP.

structures located to the northeast. However, the project would be consistent with the height and mass of new Phase II construction east of the project site on Marina del Rey Parcel 12, and would also be consistent with the height and mass of apartment buildings approved for development to the north on Via Marina on Marina Parcels 15, 100, and 101.

It is expected that in the future, construction on Marina del Rey Parcel 12 (reference **Figure 5.6-4**) would obscure views of portions of development planned on Parcel 10R when viewed from the east on Marquesas Way. Structure height on Parcel 12 (maximum of 65 feet, exclusive of appurtenant rooftop structures) would be marginally taller than development proposed on Parcel 10R (a maximum of 60 feet, exclusive of appurtenant rooftop structures). In the future from this location, visible portions of development proposed for Parcel 10R would be limited to the northern margin of the site adjacent to Marquesas Way.

Prominent Visual Features: No significant visual resources or defined scenic highways as defined in the Marina del Rey LUP are present near this viewing location. Currently, the most noticeable features visible from this viewpoint include new building construction adjacent to and east of Parcel 10R on Parcel 12 and mature landscaping along the northern perimeter of the project site. No prominent visual features (inclusive of the marina) are present on this portion of the project site and distant vistas are minimal. As part of site construction, existing structures and landscape vegetation would be removed and replaced. As defined above, the height of the proposed structures would obscure vistas of palm trees in the background. Once complete, the most dominant visual feature would be the new apartment structures. Over time, perimeter landscaping proposed as part of this project would partially improve the visual impact of new development.

Character and Surroundings Impacts: From this location, the proposed project would appear similar in mass and building intensity when compared with new development under construction on Parcel 12, adjacent to and east of the project site. The project would be consistent with the height, mass, and visual character of new (Phase II) projects recently constructed, or proposed in the Marina per height and mass standards defined in the LUP. Therefore, the project is not out of character with development surrounding the project site or other Phase II marina development.

Level of Impact: Site development would alter the visual character of the property to a more intensive developed use. While the project would result in an intensification of development on the project site, this new development is consistent with height standards defined in the County of Los Angeles LUP and the County's desire to recycle Phase I marina development and intensify land uses within the marina.⁶ Moreover, project architecture has been approved by the DCB and is considered to be in character with the contemporary structures present, under construction (Parcel 12 to the east) or planned (Parcels 15,

⁶ Ibid.

100, and 101 within the marina). As such, impacts of the project when viewed from this location are not considered significant.

Analysis: Viewing Location Five, Westerly View of the Site (Parcel FF) as Observed from Marquesas Way – As illustrated on Figure 5.6-6, Pre- and Post-Development View of the Site (Parcel FF) as Observed Westerly from Marquesas Way, the 55-foot-tall residential structure proposed on Parcel FF would clearly be visible in the foreground and middle ground. This new structure would replace an existing surface parking lot present on Parcel FF. With removal of the existing perimeter landscaping as well as the proximity of this viewing location to the site, building shape, color, and architectural style would be readily distinguishable. The increased height and mass of the structures would make on-site uses appear more visually prominent than the existing surface lot. The proposed project would be perceived as a new land use of greater mass and on-site building intensity than either the existing surface parking lot or existing residential development that is situated to the west (west of Via Marina) and east. However, the project would be consistent with the height, mass and visual character of new (Phase II) apartments under construction on Marina del Rey Parcel 12 as well as apartments planned on the adjoining Parcel 15 to the north and on nearby Parcels 100 and 101 on Via Marina.

Prominent Visual Features: Currently, the most noticeable features visible from this viewpoint include mature landscaping on the perimeter of the existing parking lot, filtered vistas of the existing surface parking and the 15-story Archstone apartment building on Via Dolce to the northwest. Other than the Archstone building, no prominent visual features (inclusive of the marina) are present on this portion of the project site and distant vistas are minimal. As part of site construction, existing paved surfaces and landscape vegetation would be removed and replaced. As defined above, the height of the proposed structures would obscure vistas of palm trees as well as any vista of the 15-story Archstone building in the background. Once complete, the most dominant visual feature would be the new apartment structure. Over time, perimeter landscaping proposed as part of this project would partially improve the visual impact of new development.

Character of Impacts: From this location, the proposed project would appear similar in mass, intensity and height to apartments under construction on Marina del Rey Parcel 12 as well as apartments approved and planned on the Parcel 15 to the north and on nearby Parcels 100 and 101 to the west on Via Marina. Although inconsistent with the current 25-foot height limitation for Parcel FF, the County and Legacy Partners are proposing to amend the certified LCP to change the Parcel FF classification to Height Category 3, which would accommodate the proposed 55-foot-tall apartment building. The proposed apartment building for Parcel FF would be consistent with the height and mass of new (Phase II) projects recently constructed, approved, or proposed in the Marina per height and mass standards defined in the LUP. Therefore, the height, mass and visual characteristics of the proposed apartment building for Parcel FF are consistent with the height, mass and visual characteristics of other Phase II developments either being constructed or planned in the vicinity of the project site.

Level of Impact: Site development would alter the visual character of the property to a more intensive developed use. While the project would result in an intensification of development on the project site, this new development is consistent with the County's desire to recycle Phase I marina development and intensify land uses within the marina.⁷ Moreover, project architecture has been conceptually approved by the DCB and is considered in character with nearby contemporary structures either under construction (i.e., Parcel 12 to the southeast on Marquesas Way) or planned in the vicinity of the project site (i.e., Parcels 15, 100 and 101 located adjacent to and nearby the project site to the north on Via Marina). As such, impacts are not considered significant with respect to this visual resource assessment criterion.

Mitigation: No mitigation measures are proposed or are required.

Conclusion: Not significant.

Analysis: Viewing Location Six, Easterly View of the Site (Parcel FF) as Observed from the Intersection of Marquesas Way and Via Marina – As illustrated on Figure 5.6-7, Pre- and Post-Development View of the Site (Parcel FF) as Observed from the Intersection of Marquesas Way and Via Marina, the 55-foot-tall residential structure proposed on Parcel FF would clearly be visible in the foreground and middle ground. This new structure would replace the existing surface parking lot present on Parcel FF. With removal of the existing perimeter landscaping as well as the proximity of this viewing location to the site, building shape, color, and architectural style would be readily distinguishable. The increased height and mass of the building would make on-site uses more visually prominent than the existing surface lot. The proposed project would be perceived as a new land use of greater mass and on-site building intensity than existing surface parking lot and existing high density residential development that is situated to the west (west of Via Marina) and east. However, the project would be consistent with the height, mass and visual character of new (Phase II) apartments currently being constructed to the southeast of the project site on Marina del Rey Parcel 12, as well as apartments planned adjacent and nearby by the site to the north on Parcels 15, 100, and 101.

Prominent Visual Features: No significant visual resources or defined scenic highways as defined in the Marina del Rey LUP are visible from this viewing location. Currently, the most noticeable features visible from this viewpoint include mature landscaping on the perimeter of the existing parking lot. Vistas of the existing surface parking and marina are obscured by the solid fencing along the western and northwestern portion of Parcel FF. Other than existing eucalyptus and palm trees, no prominent visual features (inclusive of the marina) are present on this portion of the project site and distant vistas are minimal. As part of site construction, existing paved surface and landscape vegetation would be removed and replaced. As defined above, the height of the proposed structures would obscure vistas of palm trees in the background. Once complete, the most dominant visual feature would be the new apartment

⁷ Ibid.

structure. Over time, perimeter landscaping proposed as part of this project would partially improve the visual impact of new development.

Character of Impacts: From this location, the proposed project would appear similar in mass and development intensity to new development under construction on Parcel 12 and new apartment development planned adjacent to and nearby the site to the north on Marina Parcels 15, 100, and 101. Although inconsistent with the current 25-foot height limitation for Parcel FF, the County and Legacy Partners are proposing to amend the certified LCP to change the Parcel FF classification to Height Category 3, which would accommodate the proposed 55-foot-tall apartment building. The proposed apartment building for Parcel FF would be consistent with the height and mass of new (Phase II) projects recently constructed, approved, or proposed in the Marina per height and mass standards defined in the LUP. Therefore, the height, mass, and visual character of the proposed apartment building for Parcel FF are consistent with the height, mass and visual character of other Phase II developments either being constructed or planned in the vicinity of the project site. As such, the project is considered to be consistent with the visual character of other Phase II marina developments in the vicinity of the project site.

Level of Impact: Site development would alter the visual character of the property to a more intensive developed use. While the project would result in an intensification of development on the project site, this new development is consistent with the County's desire to recycle Phase I marina development and intensify land uses within the marina.⁸ Moreover, project architecture has been approved by the DCB and is considered in character with the contemporary structures, under construction (Parcel 12 to the east and southeast on Marquesas Way) or proposed (Parcels 15, 100 and 101 to the north on Via Marina) within the marina. As such, impacts are not considered significant with respect to this visual resource assessment criterion.

Analysis: Viewing Location Seven, Easterly View of Parcel 9U as Observed from Via Marina – As illustrated on **Figure 5.6-8, Pre- and Post-Development View of Site (Parcels 9U) as Observed from Mid-Block Via Marina**, similar to Viewing Location One, foreground views would be dominated by structures of the Woodfin Suite Hotel and Timeshare Resort structure in the northern portion of Parcel 9U. The Woodfin Suite Hotel and Timeshare Resort building would eliminate vistas of the western portions of Marina del Rey Basin B. Due to the proximity of this viewing location to the site, building shape, color, and architectural style would be readily distinguishable. When viewed from this location, the height of the Woodfin Suite Hotel and Timeshare Resort structure would cause the structure to stand out in contrast to existing and proposed structures on the westerly side of the marina. As stated above, the only other structure of similar size is the 15-story Archstone apartment building on Via Dolce to the northwest. The view corridor south of the Woodfin Suite Hotel and Timeshare Resort would provide

⁸ Ibid

direct vistas of boat masts that are present in Marina del Rey Basin B and the more distant residential development. Although consistent with height provisions that were approved by the CCC and the County of Los Angeles as defined in the Marina del Rey LUP, the height of the building would be a dominant visual element that would define this portion of the marina.

Prominent Visual Features: Currently, the most noticeable features visible from this viewpoint include the portions of the vacant nature of Parcel 9U. As defined above, the height of the proposed structures would obscure vistas of trees and structures in the background. Once complete, the most dominant visual feature would be the new Woodfin Suite Hotel and Timeshare Resort structure in the northern portion of Parcel 9U fronting on Via Marina. Over time, project landscaping proposed as part of each project would partially improve the visual impact of new development in this area.

Character of Impacts: The proposed Woodfin Suite Hotel and Timeshare Resort structure would appear taller than other existing or proposed structures located to the west and north. As noted, the Woodfin Suite Hotel and Timeshare Resort structure is consistent with the stated height guidelines as approved by the CCC and as defined in the LUP. However, the 225-foot hotel structure would be substantially taller than other new (Phase II) construction that is present east of the project site on Marina del Rey Parcel 12R as well as other projects approved for development to the north on nearby Marina del Rey Parcels 15, 100, and 101. The tallest structures approved would be the 75- to 100-foot structures recently approved on Parcels 100 and 101. The hotel and timeshare resort structure would also be substantially taller than the older, lower-height residential structures in the local vicinity of the project site that do not exceed three stories. Therefore, due to the height disparity between the proposed hotel and timeshare structure and other planned and existing development in the vicinity of the project site, the Woodfin Suite Hotel and Timeshare Resort structure could be considered out of character with its surroundings.

Level of Impact: Site development would not alter any defined significant visual feature. However, the proposed project would eliminate vistas of the marina (Parcel 9U only) when viewed from Via Marina and would alter the visual character of the property to a more intensive developed use. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort structures would result in a significant intensification of development on the project site. Although the proposed apartment buildings and hotel and timeshare resort are compliant with past CCC approvals, the LCP-prescribed building height standards and are consistent with the County's desire to recycle Phase I marina development and intensify land uses within the marina,⁹ the Woodfin Suite Hotel and Timeshare Resort structure could be considered out of character with the contemporary structures present or under

⁹ See pp. 8-3 and 8-4 of the LUP.

construction within the marina as well as out of character with the older, lower-height residential structures in the local vicinity of the project site. Therefore, the Woodfin Suite Hotel and Timeshare Resort building, although consistent with the provisions of the LCP in regard to building height (see discussion in **Section 5.17, Land Use and Planning**), could appear out of character in comparison to adjacent uses in terms of height and mass when viewed from this viewing location. This is considered a potentially significant impact.

Mitigation: To mitigate impacts associated with the height and mass of the proposed Woodfin Suite Hotel and Timeshare resort project from Viewing Locations One, Two, Three, and Seven, the following mitigation measures are proposed.

- 5.6-1:** A deed restriction shall be placed on the southern portion of Parcel 9U requiring that the wetland park be retained as natural open space.
- 5.6-2:** On the street level of the project landscaping to the satisfaction of the County of Los Angeles Design Control Board shall be implemented to reduce visual impacts of the project when viewed from this location. Further, if approved by the Design Control Board, areas of landscaping shall be included on terraces and balconies that could be incorporated into the design of the hotel structure and associated parking structure.
- 5.6-3:** Articulation and variations in color or building materials could be incorporated into the lower levels of the hotel and parking structure. These actions would reduce visual resource impacts on Via Marina.

Conclusion: Significant after mitigation.

5.6.3.3.1.4 Threshold: Is the project likely to create substantial sun shadow, light or glare problems?

Analysis: The shade and shadow created by an object blocking sunlight varies dependent upon the time of year and time of day. This variation is a result of the sun's azimuth (the position of the earth in its annual orbit relative to the sun, due to the tilted axis of the earth) and altitude (the position of the earth in its daily rotation relative to the sun). Because the sun is lowest in the southern sky during the winter, project development would cast the longest shadow during this season (the worst-case condition). During the summer months, the sun is directly overhead, and the shadow length is more limited. Thus, the following analysis is directed towards the winter condition, since eight months out of the year the project would only cast minimal shade or shadow onto adjacent land area.

Figure 5.6-18, Shade and Shadow Effects; Neptune Marina Project – Winter Solstice, 9:00 AM and 3:00 PM, depicts post-development site conditions for the Neptune Marina project during 9:00 AM and 3:00 PM in the winter solstice (December 21) when shadow effects would be greatest. As shown, shadows cast from structures proposed on Parcel 10R at 9:00 AM would affect portions of Via Marina, Marquesas Way and proposed residential structures situated on Parcel FF. Existing residential structures situated north, west and east of the project are not affected by shadow effects during the AM period. Shadows cast at 3:00 PM affect portions of Marquesas Way and the western portion of Marina del Rey Basin B.

As shown, shadows cast from structures proposed on Parcel FF at 9:00 AM would affect portions of Via Marina, existing residential structures situated north of Parcel FF and small portions of the western portion of Marina del Rey Basin C. Existing residential structures situated west and east of the project are not affected by shadow effects during the AM period. Shadows cast at 3:00 PM affect portions of the western portion of Marina del Rey Basin C.

Proposed development would cast shadows on adjacent uses only during the winter months and for brief periods of time, as discussed below.

Figure 5.6-19, Shade and Shadow Effects; Woodfin Suite Hotel and Timeshare Resort – Winter Solstice, 9:00 AM and 3:00 PM, depicts post-development site conditions for the Woodfin Suite Hotel and Timeshare Resort project at 9:00 AM and 3:00 PM on the winter solstice (December 21) when shadows are longest. As shown, shadows cast at 9:00 AM affect portions of Via Marina and proposed residential uses to the north on Parcels 10R and FF.

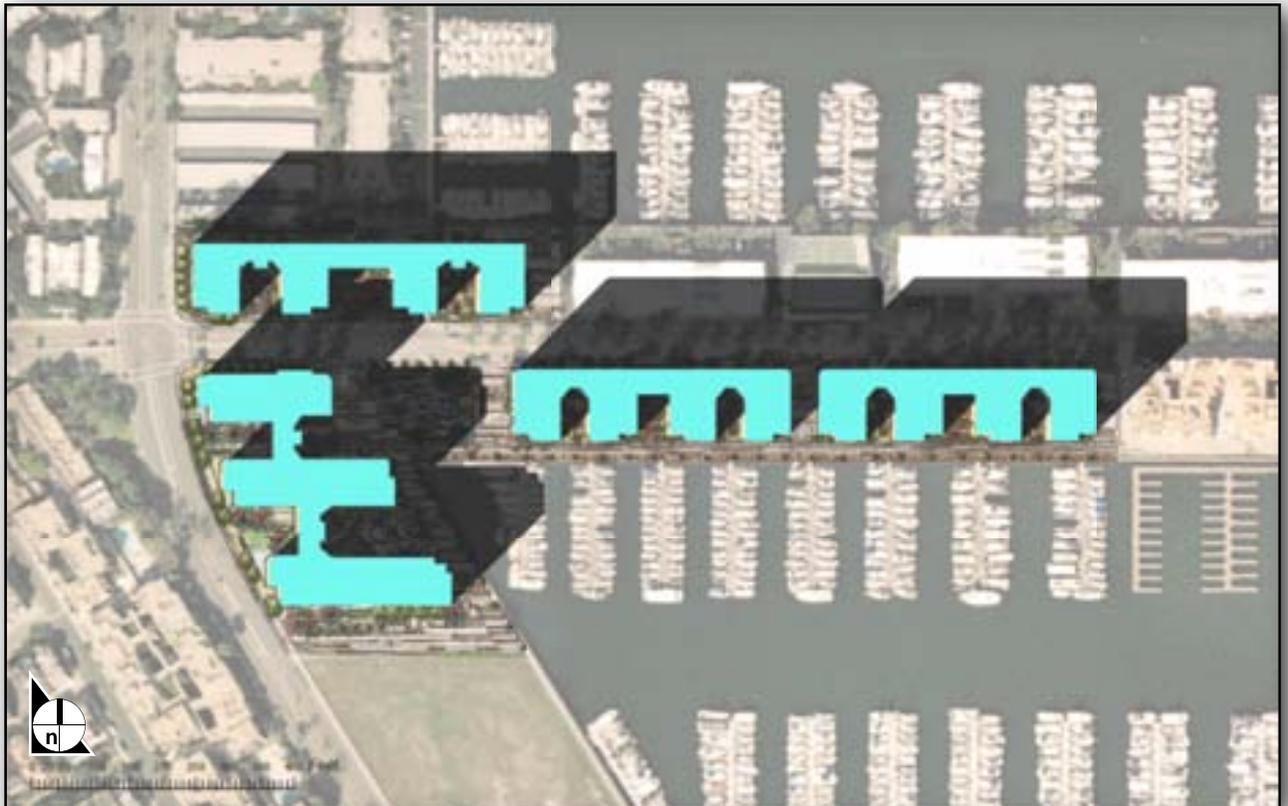
Existing residential uses west and east of the project are not affected by shadow effects during the AM period. Shadows cast at 3:00 PM affect portions of Marina del Rey Basin B and small portions of buildings proposed in the eastern portion of Parcel 10R.

Exposure of adjacent uses to shadows cast by the project would be limited in duration to winter months and would vary dependent upon the time of day. No single use would be exposed to shadows cast by the project for more than 3 hours, and given the small number of uses affected and the nature of those land uses, this is considered a less than significant impact.

Structures proposed on the project site utilize a variety of exterior surface treatments. To reduce potential glare or reflectivity impacts, these surfaces are intended to be non-reflective or oriented in a way that would result in limited off-site glare or reflectivity impacts. To verify limiting glare or reflectivity issues, this project has been reviewed and approved by the County of Los Angeles Design Control Board that is intended to review project design issues.



9:00 AM



3:00 PM

SOURCE: Google Earth – 2006, Impact Sciences, Inc. – January 2007

FIGURE 5.6-18

Shade and Shadow Effects; Neptune Marina Project – Winter Solstice, 9:00 AM and 3:00 PM



9:00 AM



3:00 PM

SOURCE: Google Earth – 2006, Impact Sciences, Inc. – January 2007

FIGURE 5.6-19

Shade and Shadow Effects; Woodfin Suites Hotel/Timeshare Resort – Winter Solstice, 9:00 AM and 3:00 PM

Level of Impact: County of Los Angeles Department of Regional Planning thresholds define a significance threshold that states, "Is the project likely to create substantial sun shadow, light or glare problems?" As defined in **Figures 5.6-18** and **5.6-19**, shadows cast by the project would cast shadows on adjacent land uses for short periods of time and shade and shadow impacts are not considered significant.

Mitigation: As impacts are not considered significant, no mitigation measures are proposed or are required.

Conclusion: Not significant.

5.6.3.3.2 Neptune Marina Parcel 10R Project

5.6.3.3.2.1 Overview of Project Impacts

Development of the Neptune Marina Parcel 10R would require the removal of all existing structures and earth movement to allow construction of the partially subterranean parking lots, landscaped areas, develop drainage patterns, and provide for necessary infrastructure. During this time, construction workers and equipment will be visible throughout the project site. Screened chain-link fencing would likely be installed that would surround the perimeter of the project site and would obscure direct vistas during the initial phases of construction. During construction, frames of the structures would be raised and finished, and hardscape and landscaping would be completed. As the structures are constructed and finished, the scale of the project and changes in the visual character of the project site would become evident. The duration of these construction activities would be approximately 33 months. Although the visual character of the project site will be altered from its current condition, this impact is not considered significant due to its short-term nature and the urbanized visual character of the surroundings.

Project improvements would contribute to the changing character of Marina del Rey. New (Phase II) development in the marina is more intensive than the existing Phase I marina development. As defined by the County, Phase II marina development allows for a greater development intensity that is generally achieved through an increase in available building height limits. The Marina del Rey LUP defines the maximum building height limit on Parcel 10R to be 140 feet (non-mole portion) and 75 feet (mole-road portion). The three structures proposed as part of Neptune Marina Parcel 10R Project would not exceed 60 feet (exclusive of appurtenant, screened rooftop equipment). Proposed building heights on Parcel 10R would be compliant with the height standards as defined in the Marina del Rey LUP.

5.6.3.3.2.2 Threshold: Is the project adjacent to a visual corridor and would the project substantially affect a visual corridor?

Analysis: Via Marina adjacent to Parcel 9U is defined in this EIR as a Scenic Highway. Via Marina adjacent to Parcels 10R does not have vistas of the marina and as such cannot be defined as a Scenic Highway. As such, Parcel 10R is not adjacent to a defined Scenic Highway.

The Marina del Rey LUP considers Via Marina, Burton Chace Park, and ends of each mole to be “significant vantage points” in Marina del Rey. None of these “significant vantage points” is present on or near Parcel 10R.

In the vicinity of the project site, Via Marina is defined as a "scenic highway meriting first priority status for further study" in the County of Los Angeles Marina del Rey LUP. As documented above, no

information is available in the plan or in County records that define scenic resources along this route and no further study has been completed. Therefore, for the purpose of this analysis, the areas most frequented by visitors and those that contain views of the marina are considered view corridors. No vistas of the marina are available from Via Marina adjacent to Parcel 10R, and as such, Via Marina adjacent to Parcel 10R is not considered a Scenic Highway.

To protect and enhance visibility of the marina and consistent with provisions of the LUP, the Neptune Marina Parcel 10R project incorporates four view corridors. Of the four view corridors, three allow vistas of Marina del Rey Basin B from Marquesas Way (southerly) and one corridor allows vistas of Marina del Rey Basin B from Via Marina (easterly).

With respect to the Neptune Marina Parcel 10R, provisions of the LUP tabulate the area of required view corridor based on the length of the parcel's water frontage and the proposed building height. Based on the length of the parcel's water frontage and a proposed building height of 55 feet for Buildings 1 and 2 and 60 feet for Building 3, the LUP requires 360 linear feet of view corridor. As proposed, Neptune Marina Parcel 10R would provide 388.5 linear feet. As such, the project as planned is consistent with view corridor provisions of the LUP that call for public and private views of the marina from perimeter roadways.

To further ensure visual resource protection, the Marina del Rey LUP requires that the project site plan and architectural design be reviewed and approved by the DCB and to incorporate view corridors that do not presently exist on the project site. The DCB also has the authority to regulate signage, building architectural design, site planning, and facade design for all new development proposals. The DCB reviewed and approved Neptune Marina Project on June 29, 2006 and as part of that action, ensured compliance with the development standards and policies (inclusive of view corridors) outlined in the Land Use Plan with the development standards under its purview. Therefore, project impacts to visual corridors as defined in the Marina del Rey LUP are not considered significant.

Conclusion: Development on Parcel 10R would replace existing structures and no visibility of the marina is available from Via Marina adjacent to Parcel 10R. As such, development on Parcel 10R would not affect a defined Scenic Highway. Consistent with requirements of the Marina del Rey LUP, and in conformance with the DCB, the project incorporates four view corridors that would enhance visibility of the marina from Parcel 10R. Because this project is consistent with all development requirements defined in the Marina del Rey LUP, impacts associated with this visual resource criterion are not considered significant.

Mitigation: No mitigation is proposed or is required.

Conclusion: Not significant.

5.6.3.3.2.3 Threshold: Is the proposed use out-of-character in comparison to adjacent uses because of height, bulk, or other features?

Note to reader -- Of the 14 viewpoints evaluated, only Viewing Locations One through Four apply to Parcel 10R.

Analysis: Viewing Location One, Northerly View of Parcel 10R and 9U as Observed from Via Marina South of Tahiti Way – As illustrated on **Figure 5.6-2, Pre- and Post-Development View of Site (Parcels 10R and 9U) from Via Marina South of Tahiti Way**, foreground views would be dominated by the side and rear facades of the apartment structures planned on Parcel 10R. The size and mass of these buildings would be consistent with new structures being constructed on Parcel 12 and approved on Parcels 100 and 101.

Prominent Visual Features: Currently, the most noticeable features visible from this viewpoint include the rear facades of the parking structures and buildings associated with Parcel 10R. As part of site construction, existing structures and the existing landscape vegetation would be removed and replaced. As defined above, the height of the proposed structures would obscure vistas of trees and structures in the background. Once complete, the most dominant visual feature would be the new apartment structures proposed on Parcel 10R. Over time, perimeter landscaping proposed as part of the apartment project would partially improve the visual impact of new development.

Character and Surroundings Impacts: Apartment buildings proposed on Parcel 10R would be consistent with the stated height guidelines defined in the LUP. Further, the structures would be consistent with the height and mass of other new (Phase II) construction east of the project site on Marina del Rey Parcel 12 as well as other projects approved for development to the north on nearby Marina del Rey Parcels 15, 100, and 101. Therefore, development on Parcel 10R would be considered in character with established and forthcoming (via Phase II construction) development pattern on the western side of Marina del Rey.

Level of Impact: Site development would not alter any defined significant visual feature or scenic highway or corridor. Development on Parcel 10R would result in an intensification of development on the project site. All elements of the project are compliant with the LCP-prescribed building height standards and are consistent with the County's desire to recycle Phase I marina development and intensify land uses within the marina.¹⁰ The height of structures planned on Parcel 10R would be considered in character with the contemporary structures present or under construction within the marina as well as existing older lower-height residential structures in the local vicinity of the project site.

¹⁰ See pp. 8-3 and 8-4 of the LUP.

Therefore, aesthetic/visual impacts with respect to development proposed on Parcel 10R are not considered significant.

Analysis: Viewing Location Two, Northerly View of Parcel 10R and 9U as Observed from Via Marina – As illustrated on **Figure 5.6-3, Pre- and Post-Development View of Site (Parcels 10R and 9U) from Via Marina**, similar to Viewing Location One, foreground views would be dominated by the side and rear facades of the apartment structures planned on Parcel 10R. The size and mass of these buildings would be consistent with new structures being constructed on Parcel 12 and approved on Parcels 100 and 101.

Prominent Visual Features: Currently, the most noticeable features visible from this viewpoint include the rear facades of the parking structures and buildings associated with Parcel 10R. As part of site construction, existing structures and the existing landscape vegetation would be removed and replaced. As defined above, the height of the proposed structures would obscure vistas of trees and structures in the background. Once complete, the most dominant visual feature would be the new apartment structures proposed on Parcel 10R. Over time, perimeter landscaping proposed as part of the apartment project would partially improve the visual impact of new development.

Character and Surroundings Impacts: Apartment buildings proposed on Parcel 10R would be consistent with the stated height guidelines defined in the LUP. Further, the structures would be consistent with the height and mass of other new (Phase II) construction east of the project site on Marina del Rey Parcel 12 as well as other projects approved for development to the north on nearby Marina del Rey Parcels 15, 100, and 101. Therefore, development on Parcel 10R would be considered in character with the established and forthcoming (via Phase II construction) development pattern on the western side of Marina del Rey.

Level of Impact: Site development would not alter any defined significant visual feature. Development on Parcel 10R would result in an intensification of development on the project site. All elements of the project are compliant with the LCP-prescribed building height standards and are consistent with the County's desire to recycle Phase I marina development and intensify land uses within the marina.¹¹ The height of structures planned on Parcel 10R would be considered in character with the contemporary structures present or under construction within the marina as well as existing older lower-height residential structures in the local vicinity of the project site. Therefore, aesthetic/visual impacts with respect to development proposed on Parcel 10R are not considered significant.

¹¹ See pp. 8-3 and 8-4 of the LUP.

Analysis: Viewing Location Three, Easterly View of the Site (Parcel 10R) as Observed from the Intersection of Marquesas Way and Via Marina – As illustrated on Figure 5.6-4, Pre- and Post-Development View of Site (Parcel 10R) as Observed from the Intersection of Marquesas Way and Via Marina, two 55-foot-tall apartment buildings and one 60-foot-tall apartment building on Parcel 10R would be clearly visible in the foreground and middle ground. The new apartment structures would replace the existing two-story structures that are currently present on Parcel 10R but are not visually prominent. With removal of the existing perimeter landscaping as well as the proximity of this viewing location to the site, building shape, color, and architectural style would be readily distinguishable. The increased height and mass of the proposed apartment structures would make on-site uses more visually prominent than the existing structures and the height of the proposed structures would obscure vistas of trees in the background. The proposed project would appear greater in mass and development intensity than the existing apartment structures, or existing apartment structures located to the west and north. The Neptune Marina project would be consistent with the height and mass of new Phase II construction east of the project site on Marina del Rey Parcel 12, structures planned to the north on Parcel 15, and recently approved structures on Marina del Rey Parcels 100 and 101.

Prominent Visual Features: No significant visual resources as defined in the Marina del Rey LUP are visible from this viewing location. Currently, the most noticeable features visible from this viewpoint include mature landscaping on the project site and an existing surface parking lot on Parcel 10R. No prominent visual features are present on this portion of the project site (no portion of the marina is visible) and distant vistas are minimal. As part of site construction, existing structures and landscape vegetation would be removed and replaced. As defined above, the height of the proposed structures would obscure views of palm trees in the background. Once complete, the most dominant visual feature would be the new apartment structures on Parcel 10R. Over time, perimeter landscaping proposed as part of this project would partially improve the visual impact of new development.

Character of Impacts: Site development on Parcel 10R would alter the visual character of the property to a more intensive developed use. While the Neptune Marina Parcel 10R project would result in an intensification of development on the project site, this new development is consistent with the County's desire to recycle Phase I marina development and intensify land uses within the marina.¹² Moreover, the height and mass of the most prominent Parcel 10R apartment buildings would be considered consistent with new apartments under construction to the east on adjoining Parcel 12 as well as apartment buildings planned to the north on Marina Parcels 15, 100 and 101. Project architecture has been approved by the

¹² Ibid.

DCB and is considered to be in character with the contemporary structures present or under construction within the marina.

Level of Impact: Site development would not impact any defined significant visual feature or adversely impact any defined scenic highway or scenic corridor. The project would alter the visual character of the property to a more intensive developed use and would eliminate distant views (none of which are defined in the Marina del Rey LUP as visually significant). Apartment structures would be considered in character with the contemporary structures present or under construction within the marina as well as existing, older residential structures in the vicinity of the project site. Therefore, aesthetic impacts with respect to the apartment structures proposed on Parcel 10R are not considered significant.

Analysis: Viewing Location Four, Westerly View of the Site (Parcel 10R) as Observed from Marquesas Way – As illustrated on **Figure 5.6-5, Pre- and Post-Development View of the Site (Parcel 10R) as Observed Westerly from Marquesas Way**, the 55- and 60-foot-tall residential structures would be clearly visible in the foreground and middle ground of the field of view. These new structures would replace the existing two-story structures that are currently present on the project site. With removal of the existing perimeter landscaping as well as the proximity of this viewing location to the site, building shape, color, and architectural style would be distinguishable. The increased height and mass of the structures would make on-site uses appear more visually prominent than the existing structures. The proposed project would appear greater in mass and development intensity than existing apartment structures located to the northeast. However, the project would be consistent with the height and mass of new (Phase II) construction east of the project site on Marina del Rey Parcel 12, and would also be consistent with the height and mass of apartment buildings approved for development nearby to the north on Via Marina on Marina Parcels 15, 100 and 101.

It is expected that in the future, construction on Marina del Rey Parcel 12 (reference **Figure 5.6-4**) would obscure views of portions of development planned on Parcel 10R when viewed from the east on Marquesas Way. Structure height on Parcel 12 (maximum of 65 feet, exclusive of appurtenant rooftop structures) would be marginally taller than development proposed on Parcel 10R (a maximum of 60 feet, exclusive of appurtenant rooftop structures). In the future from this location, visible portions of development proposed for Parcel 10R would be limited to the northern margin of the site adjacent to Marquesas Way.

Prominent Visual Features: No significant visual resources or defined scenic highways as defined in the Marina del Rey LUP are visible from this viewing location. Currently, the most noticeable features visible from this viewpoint include new building construction adjacent to and east of Parcel 10R (on Parcel 12) and mature landscaping along the northern perimeter of the project site. No prominent visual features

(inclusive of the marina) are visible from this portion of the project site and distant vistas are minimal. As part of site construction, existing structures and landscape vegetation would be removed and replaced. As defined above, the height of the proposed structures would obscure views of palm trees in the background. Once complete, the most dominant visual feature would be the new apartment structures. Over time, perimeter landscaping proposed as part of this project would partially improve the visual impact of new construction.

Character and Surroundings Impacts: From this location, the proposed project would appear similar in mass and development intensity to new development under construction on Parcel 12 that is located adjacent to and east of the project site. The project would be consistent with the height and mass of new (Phase II) projects recently constructed, or proposed in the Marina per height and mass standards defined in the LUP. Therefore, the project is not out of character with development surrounding the project site or other Phase II marina development.

Level of Impact: Site development would alter the visual character of the property to a more intensive developed use. While the project would result in an intensification of development on the project site, this new development is consistent with height standards defined in the County of Los Angeles LUP and the County's desire to recycle Phase I marina development and intensify land uses within the marina.¹³ Moreover, project architecture has been approved by the DCB and is considered to be in character with the contemporary structures present, under construction (Parcel 12 to the east) or planned (Parcels 15, 100, and 101) within the marina. As such, impacts of the project when viewed from this location are not considered significant.

Mitigation: As impacts are not considered significant, no mitigation is proposed or is required.

Conclusion: Not significant.

5.6.3.3.2.4 **Threshold: Is the project likely to create substantial sun shadow, light or glare problems?**

Analysis: The shade and shadow created by an object blocking sunlight varies dependent upon the time of year and time of day. This variation is a result of the sun's azimuth (the position of the earth in its annual orbit relative to the sun, due to the tilted axis of the earth) and altitude (the position of the earth in its daily rotation relative to the sun). Because the sun is lowest in the southern sky during the winter, project development would cast the longest shadow during this season (the worst-case condition).

¹³ Ibid.

During the summer months, the sun is directly overhead, and the shadow length is more limited. Thus, the following analysis is directed towards the winter condition, since eight months out of the year the project would only cast minimal shade or shadow onto adjacent land area.

Figure 5.6-18, Shade and Shadow Effects; Neptune Marina Project – Winter Solstice, 9:00 AM and 3:00 PM, depicts post-development site conditions for the Neptune Marina project at 9:00 AM and 3:00 PM in the winter solstice (December 21) when shadow effects would be greatest. As shown, shadows cast from structures proposed on Parcel 10R at 9:00 AM would affect portions of Via Marina, Marquesas Way, and proposed residential uses on Parcel FF. Existing residential structures north, west, and east of the project are not affected by shadows in the morning. Shadows cast at 3:00 PM affect portions of Marquesas Way and the western portion of Marina del Rey Basin B. No single use would be exposed to shadows cast by the project for more than 3 hours, and given the small number of uses affected and the nature of those land uses, this is considered a less than significant impact.

Structures proposed on the project site utilize a variety of exterior surface treatments. To reduce potential glare or reflectivity impacts, these surfaces are intended to be non-reflective or oriented in a way that would result in limited off-site glare or reflectivity impacts. To verify limiting glare or reflectivity issues, this project has been reviewed and approved by the County of Los Angeles Design Control Board that is intended to review project design issues.

Level of Impact: County of Los Angeles Department of Regional Planning thresholds defines a significance threshold that states, "Is the project likely to create substantial sun shadow, light or glare problems?" As defined in **Figures 5.6-18, Shade and Shadow Effects; Neptune Marina Project – Winter Solstice, 9:00 AM and 3:00 PM**, and **5.6-19, Shade and Shadow Effects; Woodfin Suite Hotel and Timeshare Resort – Winter Solstice, 9:00 AM and 3:00 PM**, shadows cast by the project would not substantially shade adjacent existing structures in excess of these defined standards, and shade and shadow impacts are not considered significant.

Mitigation: As impacts are not considered significant, no mitigation measures are proposed or are required.

Conclusion: Not significant.

5.6.3.3 Neptune Marina Parcel FF Project

5.6.3.3.1 Overview of Project Impacts

During this time, construction workers and equipment will be visible throughout the project site. Screened chain-link fencing would likely be installed that would surround the perimeter of the project site and would obscure direct views of the construction area. During construction, the frame of the structure would be raised and finished, and hardscape and landscaping would be completed. The duration of these construction activities would be approximately (24 months). Although the visual character of the project site will be altered from its current condition, this impact is not considered significant due to its short-term nature and the urbanized visual character of the surroundings.

5.6.3.3.2 **Threshold: Is the project substantially visible from a scenic highway or will it obstruct views along a scenic highway (as shown of the Scenic Highway Element), or is it located within a scenic corridor or will it otherwise impact the viewshed?**

Analysis: In the vicinity of the project site, Via Marina is defined as a "scenic highway meriting first priority status for further study" in the County of Los Angeles Marina del Rey LUP, and land uses lining the roadway are considered part of the associated scenic corridor. Neither the LUP nor County records define the scenic resources along this route and no further study has been completed. Therefore, for purposes of this analysis, roadway segments that are heavily traveled and provide views of the marina are considered view corridors. No marina views are available from Via Marina directly adjacent to Parcels FF and 10R because of existing residential development on those parcels; accordingly, the portions of Via Marina adjacent to Parcels 10R and FF are not considered scenic highway.

The Marina del Rey LUP considers Via Marina, Burton Chace Park, and the ends of each mole to be "significant vantage points" in Marina del Rey. None of these significant vantage points are located sufficiently close to Parcel FF for the proposed project to substantially affect associated views.

To protect and enhance visibility of the marina and consistent with provisions of the LUP, the Neptune Marina Parcel FF incorporates one view corridor. This view corridor allows panoramic views of Marina del Rey Basin C from Marquesas Way (northerly).

With respect to the Neptune Marina Parcel FF, provisions of the LUP tabulate the area of required view corridor based on the length of the parcel's water frontage and the proposed building height. Based on the length of the parcel's water frontage and a proposed building height of 55 feet, the LUP requires 53 linear feet of view corridor. As proposed, Neptune Marina Parcel FF would provide 60 linear feet of

view corridor along Marquesas Way. As such, the project as planned is consistent with view corridor provisions of the LUP that call for public and private views of the marina from perimeter roadways.

To further ensure visual resource protection, the Marina del Rey LUP requires that the project site plan and architectural design be reviewed and approved by the DCB and to incorporate view corridors on the project site to the marina. The DCB also has the authority to regulate signage, building architectural design, site planning, and facade design for all new development proposals. The DCB reviewed and approved the Neptune Marina Project design on June 29, 2006 and as part of that action, ensured compliance with the development standards and policies (inclusive of view corridors) outlined in the Land Use Plan with the development standards under its purview. Therefore, project impacts to visual corridors as defined in the Marina del Rey LUP are not considered significant.

Conclusion: Development on Parcel FF would replace an existing surface parking lot and limited visibility of the marina from Via Marina directly adjacent to Parcel FF. Consistent with requirements of the Marina del Rey LUP, and in conformance with the DCB, the project incorporates one view corridor from Marquesas Way that would enhance visibility of the marina from Parcel FF. Because this project is consistent with all development requirements defined in the Marina del Rey LUP, impacts associated with this visual resource criterion are not considered significant.

Mitigation: No mitigation measures are proposed or are required.

Conclusion: Not significant.

5.6.3.3.3 **Threshold: Is the proposed use out-of-character in comparison to adjacent uses because of height, bulk, or other features?**

Note to reader – Of the fourteen view points evaluated, only Viewing Locations Five and Six apply to Parcel FF.

Analysis: Viewing Location Five, Westerly View of the Site (Parcel FF) as Observed from Marquesas Way – As illustrated on Figure 5.6-6, Pre- and Post-Development View of the Site (Parcel FF) as Observed Westerly from Marquesas Way, the 55-foot-tall residential structure proposed on Parcel FF would clearly be visible in the foreground and middle ground. This new structure would replace an existing surface parking lot present on Parcel FF. With removal of the existing perimeter landscaping as well as the proximity of this viewing location to the site, building shape, color, and architectural style would be readily distinguishable. The increased height and mass of the structures would make on-site uses more visually prominent than the existing structures. The proposed project would be perceived as a new land use of greater mass and on-site building intensity than either the existing surface parking lot or existing residential development that is situated to the west (west of Via Marina) and east. However, the

project would be consistent with the height and mass of new Phase II apartments under construction on Marina del Rey Parcel 12 as well as apartments planned on the adjoining Parcel 15 to the north and nearby Parcels 100 and 101 on Via Marina.

Prominent Visual Features: Currently, the most noticeable features visible from this viewpoint include mature landscaping on the perimeter of the existing parking lot, partially screened views of the existing surface parking and the 15-story Archstone apartment building on Via Dolce to the northwest. Other than the Archstone building, no prominent visual features (inclusive of the marina) are visible from this portion of the project site and other distant vistas are minimal. As part of site construction, existing paved surfaces and landscape vegetation would be removed and replaced. As defined above, the height of the proposed structures would obscure views of palm trees as well as any vista of the 15-story Archstone building in the background. Once complete, the most dominant visual feature would be the new apartment structure. Over time, perimeter landscaping proposed as part of this project would partially improve the visual impact of the new development.

Character of Impacts: From this location, the proposed project would appear similar in mass, development intensity and height to apartments under construction on Marina del Rey Parcel 12 as well as apartments approved and planned on the Parcel 15 to the north and on nearby Parcels 100 and 101 to the west on Via Marina. Although inconsistent with the current 25-foot height limitation for Parcel FF, the County and Legacy Partners are proposing to amend the certified LCP to change the Parcel FF classification to Height Category 3, which would accommodate the proposed 55-foot-tall apartment building. The proposed apartment building for Parcel FF would be consistent with the height and mass of new (Phase II) projects recently constructed, approved, or proposed in the Marina per height and mass standards defined in the LUP. Therefore, the height, mass and visual characteristics of the proposed apartment building for Parcel FF are consistent with the height, mass and visual characteristics of other Phase II developments either under construction or planned in the vicinity of the project site.

Level of Impact: Site development would alter the visual character of the property to a more intensive developed use. While the project would result in an intensification of development on the project site, this new development is consistent with the County's desire to recycle Phase I marina development and intensify land uses within the marina.¹⁴ Moreover, project architecture has been conceptually approved by the DCB and is considered in character with nearby contemporary structures either under construction (i.e., Parcel 12 to the southeast on Marquesas Way) or under construction in the vicinity of the project site

¹⁴ Ibid.

(i.e., Parcels 15, 100 and 101 located adjacent to and nearby the project site to the north on Via Marina). As such, impacts are not considered significant with respect to this visual resource assessment criterion.

Analysis: Viewing Location Six, Easterly View of the Site (Parcel FF) as Observed from the Intersection of Marquesas Way and Via Marina – As illustrated on Figure 5.6-7, **Pre- and Post-Development View of the Site (Parcel FF) as Observed from the Intersection of Marquesas Way and Via Marina**, the 55-foot-tall residential structure proposed on Parcel FF would clearly be visible in the foreground and middle ground. This new structure would replace the existing surface parking lot present on Parcel FF. With removal of the existing perimeter landscaping as well as the proximity of this viewing location to the site, building shape, color, and architectural style would be readily distinguishable. The increased height and mass of the building would make on-site uses more visually prominent than the existing structures. The proposed project would be perceived as a new land use of greater mass and on-site building intensity than the existing surface parking lot and existing high density residential development that is situated to the west (west of Via Marina) and east. However, the project would be consistent with both the height and mass of new (Phase II) apartments currently being constructed to the southeast of the project site on Marina del Rey Parcel 12, as well as apartments planned adjacent to and nearby the site to the north on Parcels 15, 100 and 101.

Prominent Visual Features: No significant visual resources or defined scenic highways as defined in the Marina del Rey LUP are visible from this viewing location. Currently, the most noticeable features visible from this viewpoint include mature landscaping on the perimeter of the existing parking lot. Panoramic views encompassing existing surface parking and marina are obscured by the solid fencing along the western and northwestern portion of Parcel FF. Other than existing eucalyptus and palm trees, no prominent visual features (inclusive of the marina) are visible from this portion of the project site and distant vistas are minimal. As part of site construction, existing paved surface and landscape vegetation would be removed and replaced. As defined above, the height of the proposed structures would obscure views of palm trees in the background. Once complete, the most dominant visual feature would be the new apartment structure. Over time, perimeter landscaping proposed as part of this project would partially improve the visual impact of the new development.

Character of Impacts: From this location, the proposed project would appear similar in mass and development intensity to new development under construction on Parcel 12 and new apartment development soon to take place adjacent to and nearby the site to the north on Marina Parcels 15, 100, and 101. Although inconsistent with the current 25-foot height limitation for Parcel FF, the County and Legacy Partners are proposing to amend the certified LCP to change the Parcel FF classification to Height Category 3, which would accommodate the proposed 55-foot-tall apartment building. The proposed apartment building for Parcel FF would be consistent with the height and mass of new (Phase II) projects

recently constructed, approved, or proposed in the Marina per height and mass standards defined in the LUP. Therefore, the height, mass and visual characteristics of the proposed apartment building for Parcel FF are consistent with the height, mass and visual characteristics of other Phase II developments either being constructed or planned in the vicinity of the project site. As such, the project is considered to be consistent with the visual character of other Phase II marina developments in the vicinity of the project site.

Level of Impact: Site development would alter the visual character of the property to a more intensive developed use. While the project would result in an intensification of development on the project site, this new development is consistent with the County's desire to recycle Phase I marina development and intensify land uses within the marina.¹⁵ Moreover, project architecture has been approved by the DCB and is considered in character with the contemporary structures, under construction (Parcel 12 to the east and southeast on Marquesas Way) or proposed (Parcels 15, 100, and 101 to the north on Via Marina) within the marina. As such, impacts are not considered significant with respect to this visual resource assessment criterion.

Mitigation: As impacts are not considered significant, no mitigation measures are proposed or are required.

Conclusion: Not significant.

5.6.3.3.4 **Threshold: Is the project likely to create substantial sun shadow, light or glare problems?**

Analysis: The shade and shadow created by an object blocking sunlight varies dependent upon the time of year and time of day. This variation is a result of the sun's azimuth (the position of the earth in its annual orbit relative to the sun, due to the tilted axis of the earth) and altitude (the position of the earth in its daily rotation relative to the sun). Because the sun is lowest in the southern sky during the winter, project development would cast the longest shadow during this season (the worst-case condition). During the summer months, the sun is directly overhead, and the shadow length is more limited. Thus, the following analysis is directed towards the winter condition, since eight months out of the year shadows cast by the proposed project would be confined to the project site or would cast shadows on small portions of off-site land uses for short durations (i.e., less than 1 hour).

¹⁵ Ibid.

Figure 5.6-18, Shade and Shadow Effects; Neptune Marina Project – Winter Solstice, 9:00 AM and 3:00 PM, depicts post-development site conditions for the Neptune Marina project during 9:00 AM and 3:00 PM in the winter solstice (December 21) when shadow effects would be greatest. As shown, shadows cast by structures proposed on Parcel FF at 9:00 AM would affect portions of Via Marina, existing residential structures north of Parcel FF and small portions of the western portion of Marina del Rey Basin C. Existing residential structures situated west and east of the project are not affected by shadows in the morning. Shadows cast at 3:00 PM affect portions of the western portion of Marina del Rey Basin C.

Exposure of adjacent uses to shadows cast by the project would be limited in duration to winter months and would vary dependent upon the time of day. No single use would be exposed to shadows cast by the project for more than 3 hours, and given the small number of uses affected and the nature of those land uses, this is considered a less than significant impact.

Structures proposed on the project site utilize a variety of exterior surface treatments. To reduce potential glare or reflectivity impacts, these surfaces are intended to be non-reflective or oriented in a way that would result in limited off-site glare or reflectivity impacts. To verify limiting glare or reflectivity issues, this project has been reviewed and approved by the County of Los Angeles Design Control Board that is intended to review project design issues.

Level of Impact: County of Los Angeles Department of Regional Planning thresholds define a significance threshold that states, "Is the project likely to create substantial sun shadow, light or glare problems?" As defined in **Figures 5.6-18**, shadows cast by the project (Neptune Marina Parcel FF) would not substantially shade adjacent existing structures in excess of these defined standards, and shade and shadow impacts are not considered significant.

Mitigation: As impacts are not considered significant, no mitigation measures are proposed or are required.

Conclusion: Not significant.

5.6.3.3.4 Woodfin Suite Hotel and Timeshare Resort Project

5.6.3.3.4.1 Overview of Project Impacts

Development of the Woodfin Suite Hotel and Timeshare Resort on Parcel 9U requires grading to allow construction of the partially subterranean parking lots, landscaped areas, develop drainage patterns and provide for necessary infrastructure. During this time, construction workers and equipment will be visible throughout the project site. Screened chain-link fencing would likely be installed that would surround the perimeter of the project site and would obscure direct views of the construction area. During construction, the frame of the structure would be raised and finished, and hardscape and landscaping would be completed. Construction of the Woodfin Suite Hotel and Timeshare Resort project component is anticipated to initiate as early as January 2009, and would require approximately 24 months to complete, January 2011 at the earliest. Although the visual character of the project site will be altered from its current condition, this impact is not considered significant due to its short-term nature and the urbanized visual character of the surroundings.

5.6.3.3.4.2 **Threshold: Is the project substantially visible from a scenic highway or will it obstruct views along a scenic highway (as shown of the Scenic Highway Element), or is it located within a scenic corridor or will it otherwise impact the viewshed?**

Analysis: As defined below, Via Marina adjacent to Parcel 9U has vistas of the marina and as such is defined in this EIR as a Scenic Highway. The Marina del Rey LUP considers Via Marina, Burton Chace Park, and ends of each mole to be “significant vantage points” in Marina del Rey. Only the “significant vantage point” of Via Marina is visible along Parcel 9U.

In the vicinity of the project site, Via Marina is defined as a "scenic highway meriting first priority status for further study" in the County of Los Angeles Marina del Rey LUP. As documented above, no information is available in the plan or in County records that define scenic resources along this route and no further study has been completed. For the purpose of this analysis, areas most frequented by visitors and those that contain views of the marina can be considered scenic. Given that Parcel 9U is currently vacant, views of the marina are available from Via Marina across Parcel 9U. Therefore, Via Marina adjacent to Parcel 9U is considered a Scenic Highway. *Portions of the available vistas would be eliminated through site development in the northern portion of Parcel 9U.*

To protect visibility of the marina and consistent with provisions of the LUP, the Woodfin Suite Hotel and Timeshare Resort project proposed on Parcel 9U incorporates one view corridor. This view corridor allows vistas of Marina del Rey Basin B from Via Marina (easterly).

With respect to the Woodfin Suite Hotel and Timeshare Resort Project (Parcel 9U), and based on the proposed 225-foot height (as allowed by the CCC and County of Los Angeles in the LUP) of the hotel and timeshare resort structure (excluding appurtenant rooftop structures), a view corridor totaling 40 percent of the length of the site along Via Marina is required. For the 386-foot-long site, a minimum 154-foot-wide view corridor is required. The project plans for 154 linear feet of view corridor through the Parcel 9U public park/wetland situated south of the hotel and timeshare resort structure. Because the project provides the required 154 feet of public view corridor, the hotel and timeshare resort is consistent with provisions of the LCP that call for public and private views of the Marina from perimeter roadways.

To further ensure visual resource protection, the Marina del Rey LUP requires that the project site plan and architectural design be reviewed and approved by the DCB and to incorporate view corridors that do not presently exist on the project site. The DCB also has the authority to regulate signage, building architectural design, site planning, and facade design for all new development proposals. The DCB reviewed and approved Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project on June 29, 2006 and as part of that action, ensured compliance with the development standards and policies (inclusive of view corridors) outlined in the Land Use Plan with the development standards under its purview. Therefore, project impacts to visual corridors as defined in the Marina del Rey LUP are not considered significant.

Conclusion: Construction and operation of a hotel structure on Parcel 9U would result in an incremental loss of visibility of Marina del Rey Basin B when viewed from Via Marina that is considered in this EIR to be a Scenic Highway. Consistent with requirements of the Marina del Rey LUP, and in conformance with the DCB, the project incorporates a view corridor that would mitigate the loss of available view. Because this project is consistent with all development requirements defined in the Marina del Rey LUP, impacts associated with this visual resource criterion are not considered significant.

Mitigation: No mitigation measures are proposed or are required.

Conclusion: Not significant.

5.6.3.3.4.3 Threshold: Is the proposed use out-of-character in comparison to adjacent uses because of height, bulk, or other features?

Note to reader -- Of the 14 viewing locations evaluated, only Viewing Locations One, Two and Seven as mapped in Figure 5.6-1 (i.e., vantages in close proximity to the project site) and Viewing Locations One, Three, Four, Five, Six, and Seven as mapped in Figure 5.6-9 (i.e., "significant vantage points" per the LUP or vantages more distant from the project site) apply to Parcel 9U.

Analysis: Viewing Location One, Northerly View of Parcel 10R and 9U as Observed from Via Marina South of Tahiti Way – As illustrated on **Figure 5.6-2, Pre- and Post-Development View of Site (Parcels 10R and 9U) from Via Marina South of Tahiti Way**, Foreground views would be dominated by the Woodfin Suite Hotel and Timeshare Resort structure on the northern portion of Parcel 9U. The size and mass of this building would eliminate some views of the northwestern portions of Marina del Rey Basin B as well as structures and landscaping situated further to the northeast in the middle ground and background. Due to the proximity of this viewing location to the site, building shape, color, and architectural style would be readily distinguishable. When viewed from this location, it is expected that the Woodfin Suite Hotel and Timeshare Resort, due to its height and mass, would stand out in contrast to existing or proposed structures in the marina. In the project vicinity, only the 15-story Archstone apartment building on Via Dolce to the northwest is of similar scale. The view corridor south of this structure would provide direct vistas of boat masts that are present in Marina del Rey Basin B and the more distant residential development. Although consistent with height provisions that were approved the CCC and the County of Los Angeles as defined in the Marina del Rey LUP, the height and mass of the proposed hotel structure would be a dominant visual element that would define this portion of the marina.

Prominent Visual Features: Currently, the most noticeable features visible from this viewpoint include the rear facades of the parking structures and buildings associated with Parcel 10R. As part of site construction, existing structures and the existing landscape vegetation would be removed and replaced. As defined above, the height of the proposed structures would obscure distant vistas of trees and structures in the background. Once complete, the most dominant visual feature would be the new Woodfin Suite Hotel and Timeshare Resort and apartment structure in the northern portion of Parcel 9U. Over time, proposed perimeter landscaping would partially improve the visual impact of the new development.

Character and Surroundings Impacts: The proposed Woodfin Suite Hotel and Timeshare Resort structure would appear greater in mass and building intensity than other existing or proposed structures located to the west and north. As noted, the Woodfin Suite Hotel and Timeshare Resort project would be consistent with the stated height guidelines as approved by the CCC and as defined in the LUP. However, the 225-foot hotel structure would be substantially taller than the height and of greater mass than other new (Phase II) construction east of the project site on Marina del Rey Parcel 12 as well as other projects planned to the north on nearby Marina del Rey Parcels 15, 100, and 101. The tallest structure approved would be the 75- to 100-foot structures recently approved on Parcel 100 and 101 to the northwest. The hotel and timeshare resort structure would also be substantially taller than the older, lower-height residential structures in the project vicinity that do not exceed three stories. Therefore, the

Woodfin Suite Hotel and Timeshare Resort structure could be considered out of character with the established and forthcoming (via Phase II construction) development pattern on the western side of Marina del Rey.

Level of Impact: Site development would not alter any defined significant visual feature. However, the proposed project would eliminate vistas of the marina and would adversely affect a portion of Via Marina that can be defined as a scenic highway. Further, the Neptune Marina and Woodfin Suite Hotel and Timeshare Resort structures would result in a significant intensification of development on the project site. All elements of the project are compliant with past CCC approvals, the LCP-prescribed building height standards and are consistent with the County's desire to recycle Phase I marina development and intensify land uses within the marina.¹⁶ As defined above, the height and mass of the Woodfin Suite Hotel and Timeshare Resort structure, although consistent with the provisions of the LCP in regard to building height (see discussion in **Section 5.17, Land Use and Planning**), could be considered to be out of character in comparison to the contemporary structures present or under construction within the marina as well as existing older lower-height residential structures in the local vicinity of the project site, when viewed from this viewing location. This is considered a potentially significant impact.

Analysis: Viewing Location Two, Northerly View of Parcel 10R and 9U as Observed from Via Marina – As illustrated on **Figure 5.6-3, Pre- and Post-Development View of Site (Parcels 10R and 9U) from Via Marina**, similar to Viewing Location One, foreground views would be dominated by the Woodfin Suite Hotel and Timeshare Resort structure and associated parking structure on the northern portion of Parcel 9U. The Woodfin Suite Hotel and Timeshare Resort building would eliminate vistas of the northwestern portions of Marina del Rey Basin B. Due to the proximity of this viewing location to the site, building shape, color, and architectural style would be readily distinguishable. When viewed from this location, it is expected that the height of the Woodfin Suite Hotel and Timeshare Resort structure would cause the structure stand out in contrast to existing and proposed structures on the westerly side of the marina. As stated above, the only other structure of similar size is the 15-story Archstone apartment building on Via Dolce to the northwest.

Prominent Visual Features: Currently, the most noticeable features visible from this viewpoint include the portions of the rear facades of the parking structures and buildings associated with Parcel 10R. As part of site construction, these existing structures and existing landscape vegetation would be removed and replaced. As defined above, the height of the proposed structures would obscure vistas of trees and structures in the background. Once complete, the most dominant visual feature would be the new

¹⁶ See pp. 8-3 and 8-4 of the LUP.

Woodfin Suite Hotel and Timeshare Resort structure in the northern portion of Parcel 9U fronting on Via Marina. Over time, perimeter landscaping proposed as part of the project would partially improve the visual impact of the new development.

Character and Surroundings Impacts: The proposed Woodfin Suite Hotel and Timeshare Resort structure would be noticeably taller than other existing or proposed structures located to the west and north. As noted, the Woodfin Suite Hotel and Timeshare Resort structure is consistent with the stated height guidelines as approved by the CCC and as defined in the LUP and has been approved by the DCB. However, the 225-foot hotel structure would be substantially taller than other new (Phase II) construction that is present east of the project site on Marina del Rey Parcel 12 as well as other projects approved for development to the north on nearby Marina del Rey Parcels 15, 100, and 101. The tallest structures approved would be the 75- to 100-foot buildings recently approved on Parcels 100 and 101. The hotel and timeshare resort structure would also be substantially taller than the older, lower-height residential structures in the local vicinity of the project site that do not exceed three stories. Therefore, due to the height disparity between the proposed hotel and timeshare structure and other planned and existing development in the vicinity of the project site, the Woodfin Suite Hotel and Timeshare Resort structure could be considered out of character with its surroundings.

Level of Impact: Site development would not alter any defined significant visual feature. However, the proposed project would eliminate vistas of the marina (Parcel 9U only) when viewed from Via Marina that is considered a Scenic Highway and the project would alter the visual character of the property to a more intensive developed use. The proposed hotel and timeshare resort project is compliant with height standards approved by the CCC, the LCP-prescribed building height standards and is consistent with the County's desire to recycle Phase I marina development and intensify land uses within the marina.¹⁷ However, because the Woodfin Suite Hotel and Timeshare Resort structure, although consistent with the provisions of the LCP in regard to building height (see discussion in **Section 5.17, Land Use and Planning**), could be considered out of character with the contemporary structures recently approved, present or under construction, impacts are considered significant and unavoidable.

Analysis: Viewing Location Seven, Easterly View of Parcel 9U as Observed from Via Marina – As illustrated on **Figure 5.6-7, Pre- and Post-Development View of Site (Parcels 9U) as Observed from Mid-Block Via Marina**, similar to Viewing Location One, foreground views would be dominated by structures of the Woodfin Suite Hotel and Timeshare Resort structure in the northern portion of Parcel 9U. The Woodfin Suite Hotel and Timeshare Resort building would eliminate vistas of the western

¹⁷ See pp. 8-3 and 8-4 of the LUP.

portions of Marina del Rey Basin B. Due to the proximity of this viewing location to the site, building shape, color, and architectural style would be readily distinguishable. When viewed from this location, the height of the Woodfin Suite Hotel and Timeshare Resort structure would cause the structure to stand out in contrast to existing and proposed structures on the westerly side of the marina. As stated above, the only other structure of similar size is the 15-story Archstone apartment building on Via Dolce to the northwest. The view corridor south of the Woodfin Suite Hotel and Timeshare Resort would provide direct vistas of boat masts that are present in Marina del Rey Basin B and the more distant residential development. Although consistent with height provisions that were approved by the CCC and the County of Los Angeles as defined in the Marina del Rey LUP, the height of the building would be a dominant visual element that would define this portion of the marina.

Prominent Visual Features: Currently, the most noticeable features visible from this viewpoint include the portions of the vacant nature of Parcel 9U. As defined above, the height of the proposed structures would obscure vistas of trees and structures in the background. Once complete, the most dominant visual feature would be the new Woodfin Suite Hotel and Timeshare Resort structure in the northern portion of Parcel 9U fronting on Via Marina. Over time, project landscaping proposed as part of each project would partially improve the visual impact of new development in this area.

Character of Impacts: The proposed Woodfin Suite Hotel and Timeshare Resort structure would appear taller than other existing or proposed structures located to the west and north. As noted, the Woodfin Suite Hotel and Timeshare Resort structure is consistent with the stated height guidelines as approved by the CCC and as defined in the LUP. However, the 225-foot hotel structure would be substantially taller than other new (Phase II) construction that is present east of the project site on Marina del Rey Parcel 12R as well as other projects approved for development to the north on nearby Marina del Rey Parcels 15, 100, and 101. The tallest structures approved would be the 75- to 100-foot structures recently approved on Parcels 100 and 101. The hotel and timeshare resort structure would also be substantially taller than the older, lower-height residential structures in the local vicinity of the project site that do not exceed three stories. Therefore, due to the height disparity between the proposed hotel and timeshare structure and other planned and existing development in the vicinity of the project site, the Woodfin Suite Hotel and Timeshare Resort structure could be considered out of character with its surroundings.

Level of Impact: Site development would not alter any defined significant visual feature. However, the proposed project would eliminate vistas of the marina (Parcel 9U only) when viewed from Via Marina and would alter the visual character of the property to a more intensive developed use. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort structures would result in a significant intensification of development on the project site. Although the proposed apartment buildings and hotel and timeshare resort are compliant with past CCC approvals, the LCP-prescribed

building height standards and are consistent with the County's desire to recycle Phase I marina development and intensify land uses within the marina,¹⁸ the Woodfin Suite Hotel and Timeshare Resort structure could be considered out of character with the contemporary structures present or under construction within the marina as well as out of character with the older, lower-height residential structures in the local vicinity of the project site. Therefore, the Woodfin Suite Hotel and Timeshare Resort building, although consistent with the provisions of the LCP in regard to building height (see discussion in **Section 5.17, Land Use and Planning**), could appear out of character in comparison to adjacent uses in terms of height and mass when viewed from this viewing location. This is considered a potentially significant impact.

Analysis: Viewing Location One, Southerly View of the Site as Observed from Mother's Beach – As illustrated in **Figure 5.6-10, Pre- and Post-Development View of the Site as Observed from Mother's Beach**, the Woodfin Suite Hotel and Timeshare Resort structure would be clearly visible above the tops of existing intervening trees and one- and two-story buildings. The structure would be noticeably taller than surrounding buildings and landscape features. However, because of its distance from the Mother's Beach vantage point, it would occupy a small portion of the available field of view and would not block views.

Prominent Visual Features: The Woodfin Suite Hotel and Timeshare Resort structure would become one of the dominant visual features from this viewing location, together with existing mature trees and landscaping. The existing one-story buildings along Panay Way would become secondary in views from this vantage.

Character and Surroundings Impacts: The proposed Woodfin Suite Hotel and Timeshare Resort structure would be noticeably taller than other existing or proposed structures in the immediate area, although other tall buildings are visible in the distance in some views from Mother's Beach (not shown in **Figure 5.6-9**). However, the project site's distance from Mother's Beach reduces (compresses) the apparent height, and thus the visual impact, of the structure.

Level of Impact: Because of the project site's distance from Mother's Beach, impacts would be less than significant.

Analysis: Viewing Location Three, Southeasterly View of the Site (Parcel 9U) as Observed from Tahiti Way – As illustrated on **Figure 5.6-12, Pre- and Post-Development View of the Site (9U) as Observed From Tahiti Way**, the Woodfin Suite Hotel and Timeshare Resort structure would be visible in the distance beyond the apartment buildings and trees lining Tahiti Way. Although the Tahiti Way

¹⁸ See pp. 8-3 and 8-4 of the LUP.

apartment buildings are only four stories tall, their proximity to vantage points along Tahiti Way means they partially obscure views of the more distant resort structure. As a result, the resort does not appear out of character or scale with other development in the area when viewed from this vantage.

Prominent Visual Features: The existing apartment buildings and trees along Tahiti Way would remain the dominant visual features in the viewshed from Tahiti Way vantages, since distance to the project site diminishes the visual impact of the proposed resort building. The resort would be visually subordinate to the intervening apartment buildings and trees when viewed from Tahiti Way.

Character and Surroundings Impacts: The proposed Woodfin Suite Hotel and Timeshare Resort structure is considerably taller than the apartment buildings along Tahiti Way (225 feet versus approximately 35 to 40 feet), but its apparent height is diminished because of distance to the project site. Moreover, the proposed resort would appear shorter than the palms and other trees lining Tahiti Way, again because of distance.

Level of Impact: Because of the presence of four-story apartment buildings and trees along Tahiti Way and the distance to the project site, impacts would be less than significant.

Analysis: Viewing Location Four, Northwesterly View of the Site as Observed from North Jetty Trail – As illustrated on **Figure 5.6-13, Pre- and Post-Development View of the Site (9U) as Observed from North Jetty Trail**, the proposed Woodfin Suite Hotel and Timeshare Resort structure is barely visible above the tops of the two- and five-story apartment buildings and trees lining Northwest Passage. Because of apparent compression of height with distance, the structure appears to be approximately the same height as the five-story apartment buildings and trees, and does not stand out visually.

Prominent Visual Features: The two- and five-story apartment buildings and trees lining Northwest Passage remain the dominant visual features in the viewshed available from North Jetty Trail, and the proposed resort structure would be a minor visual feature in the field of view.

Character and Surroundings Impacts: The proposed Woodfin Suite Hotel and Timeshare Resort structure is considerably taller than the apartment buildings along Northwest Passage (225 feet versus approximately 50 feet), but its apparent height is diminished because of distance. The resort structure would appear shorter than the tallest trees on Northwest Passage.

Level of Impact: Because of the presence of apartment buildings and trees along Northwest Passage and the distance to the project site, impacts would be less than significant.

Analysis: Viewing Location Five, Northwesterly View of the Site as Observed from South Jetty Trail – As illustrated on **Figure 5.6-14, Pre- and Post-Development View of the Site (9U) as Observed from South Jetty Trail**, the proposed Woodfin Suite Hotel and Timeshare Resort structure is only partially visible above the tops of the two- and five-story apartment buildings and trees lining Northwest Passage (similar to views from North Jetty Trail). Because of apparent compression of height with distance, the structure appears to be approximately the same height as the five-story apartment buildings and trees, and does not stand out visually.

Prominent Visual Features: The two- and five-story apartment buildings and trees lining Northwest Passage remain the dominant visual features in the viewshed available from South Jetty Trail, and the proposed resort structure would be a minor visual feature in the field of view.

Character and Surroundings Impacts: The proposed Woodfin Suite Hotel and Timeshare Resort structure is considerably taller than the apartment buildings along Northwest Passage (225 feet versus approximately 50 feet), but its apparent height is diminished because of distance.

Level of Impact: Because of the presence of apartment buildings and trees along Northwest Passage and the distance to the project site, impacts would be less than significant.

Analysis: Viewing Location Six, Northwesterly View of the Site as Observed from Fisherman's Village – As illustrated on **Figure 5.6-15, Pre- and Post-Development View of the Site (Parcel 9U) as Observed from Fisherman's Village**, the proposed Woodfin Suite Hotel and Timeshare Resort structure would be clearly visible above the existing apartment buildings at the end of Tahiti Way on the mole between Basins A and B. No other tall buildings are visible near the project site, but the distance from Fisherman's Village to the project site reduces the apparent height of the resort structure, and thus its visual impact from this viewing location.

Prominent Visual Features: The inner harbor and associated boat activity and Basins A and B remain the dominant visual features in views from this vantage. The proposed resort building is clearly visible, but occupies a relatively small portion of the panoramic field of view.

Character and Surroundings Impacts: The proposed Woodfin Suite Hotel and Timeshare Resort structure is considerably taller than the apartment buildings along Tahiti Way, although its apparent height is diminished because of distance. Moreover, a number of apartment buildings and commercial establishments, including mid-rises, are visible in the field of view from this vantage, and the proposed resort structure is not out of character with surrounding development.

Level of Impact: The intervening presence of the inner harbor, associated boat activity, and Basins A and B, as well as the apartment buildings along Tahiti Way, reduce the visual impact of the building from this viewing location.

Analysis: Viewing Location Seven, Westerly View of the Site as Observed from Burton Chace Park – As illustrated on **Figure 5.6-16, Pre- and Post-Development View of the Site (9U) as Observed from Burton Chace Park**, the proposed Woodfin Suite Hotel and Timeshare Resort structure would be barely visible above the existing five-story apartment building at the end of Marquesas Way on the mole between Basins A and B. No other tall buildings are visible near the project site, but the distance from the park to the project site reduces the apparent height of the resort structure, and thus its visual impact from this viewing location.

Prominent Visual Features: The inner harbor, Basins B and C, and the five-story apartment building at the end of Marquesas Way on the mole between Basins B and C remain the prominent visual features as viewed from this vantage.

Character and Surroundings Impacts: The height of the proposed Woodfin Suite Hotel and Timeshare Resort structure is diminished because of distance from Burton Chace Park. Moreover, because of the intervening five-story apartment building at the end of Marquesas Way, the proposed resort structure is not out of character with surrounding development.

Level of Impact: Because of the presence of the apartment buildings along Marquesas Way and the distance to the project site, impacts would be less than significant.

Mitigation: To mitigate impacts associated with the height and mass of the proposed Woodfin Suite Hotel and Timeshare resort project from Viewing Locations One, Two, and Seven, the following mitigation measures are proposed.

- 5.6-1:** A deed restriction shall be placed on the southern portion of Parcel 9U requiring that the wetland park be retained as natural open space.
- 5.6-2:** On the street level of the project landscaping to the satisfaction of the County of Los Angeles Design Control Board shall be implemented to reduce visual impacts of the project when viewed from this location. Further, if approved by the Design Control Board, areas of landscaping shall be included on terraces and balconies that could be incorporated into the design of the hotel structure and associated parking structure.

5.6-3: Articulation and variations in color or building materials could be incorporated into the lower levels of the hotel and parking structure. These actions would reduce visual resource impacts on Via Marina.

Conclusion: Significant after mitigation.

5.6.3.3.4.4 Threshold: Is the project likely to create substantial sun shadow, light or glare problems?

Analysis: The shade and shadow created by an object blocking sunlight varies dependent upon the time of year and time of day. This variation is a result of the sun's azimuth (the position of the earth in its annual orbit relative to the sun, due to the tilted axis of the earth) and altitude (the position of the earth in its daily rotation relative to the sun). Because the sun is lowest in the southern sky during the winter, project development would cast the longest shadow during this season (the worst-case condition). During the summer months, the sun is directly overhead, and the shadow length is more limited. Thus, the following analysis is directed towards the winter condition, since eight months out of the year the project would only cast minimal shade or shadow onto adjacent land area.

Figure 5.6-19, Shade and Shadow Effects; Woodfin Suite Hotel and Timeshare Resort – Winter Solstice, 9:00 AM and 3:00 PM, depicts post-development site conditions for the Woodfin Suite Hotel and Timeshare Resort project during 9:00 AM and 3:00 PM in the winter solstice (December 21) when shadow effects would be greatest. As shown, shadows cast at 9:00 AM affect portions of Via Marina, and proposed residential structures situated north on Parcels 10R and FF. Existing residential structures situated west and east of the project are not affected by shadow effects during the AM period. Shadows cast at 3:00 PM affect portions of Marina del Rey Basin B and small portions of structures proposed in the eastern portion of Parcel 10R.

Exposure of adjacent uses to shadows cast by the project would be limited in duration to winter months and would vary dependent upon the time of day. No single use would be exposed to shadows cast by the project during the entire day.

Structures proposed on the project site utilize a variety of exterior surface treatments. To reduce potential glare or reflectivity impacts, these surfaces are intended to be non-reflective or oriented in a way that would result in limited off-site glare or reflectivity impacts. To verify limiting glare or reflectivity issues, this project has been reviewed and approved by the County of Los Angeles Design Control Board that is intended to review project design issues.

Level of Impact: County of Los Angeles Department of Regional Planning thresholds defines a significance threshold that states, "Is the project likely to create substantial sun shadow, light or glare problems?" As defined in **Figure 5.6-19**, shadows cast by the project would not shade adjacent existing structures in excess of these defined standards, and shade and shadow impacts are not considered significant.

Mitigation: As impacts are not considered significant, no mitigation measures are proposed or are required.

Conclusion: Not significant.

5.6.3.3.5 1.46-acre Public Park Project

As a component of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project, a public park of approximately 1.46 acres will be developed within the southerly portion of Parcel 9U. The park will consist of a 0.47-acre restored wetland surrounded by a 0.99-acre upland buffer. Given that no structures are proposed, impacts on views from surrounding roadways are limited and view corridors are not appropriately considered for this project component. The impact of development of a wetland park on a portion of Parcel 9U is not considered further in this impact analysis.

5.6.3.3.6 Public-Serving Boat Space Project

Within the westerly portion of Marina del Rey Boat Basin B, a public-serving anchorage will be developed, containing approximately 542 lineal feet of dock space with berthing spaces for between 7 and 11 vessels (depending on the relative sizes of vessels using the public anchorage at any one time). An area for dinghy moorage will be provided at the northerly end of the public anchorage. The anchorage would be situated adjacent to the Parcel 9U bulkhead within Marina del Rey Basin B. Given that no structures are proposed, other than the docks that are largely constructed at water level, impacts on views from surrounding roadways or other public viewing areas are limited and view corridors are not appropriately considered for this project element. Due to the lack of any impact potential from the construction or operation of the public-serving boat spaces, the impact of development of between seven to 11 public-serving boat spaces is not considered further in this impact analysis.

5.6.4 CUMULATIVE IMPACTS

Cumulative projects are listed in **Section 4.0** of this draft EIR. With the exception of development recently approved or in construction on Parcels 100 and 101 that are considered in this analysis, most cumulative projects are outside of the viewshed affected by this project. Development proposed and subsequently approved on Parcels 100 and 101 was consistent with or substantially lower than height standards defined in the Marina del Rey LUP and were generally consistent with existing or approved structures near the project site(s).

The 1996 LCP, as certified, presents a design approach for several relatively tall buildings for the Marina del Rey area which serve to identify and frame the skyline in order to facilitate for more open space and view corridors to the Marina at the street level. Parcels 9U, 100/101, 112/113, and 145 are all entitled to propose projects with heights up to 225 feet. To the extent that any of these other parcels have proposed in the future structures up to 225-feet in height, the urban design aspects of such proposal would have been considered and allowed by the current LCP.

Interfaces between tall buildings and lower two-, three-, and four-story buildings abound in the highly urbanized Los Angeles area as limited land resources are available to satisfy the demand for such uses. The proposed 225 feet height of the Woodfin Suite Hotel and Timeshare Resort has a corresponding *positive* cumulative impact on view corridors and open space by concentrating the development footprint. In doing so, the project represents a more efficient form of development for its intensity. For all of these reasons, cumulative impacts with respect to these projects were not considered significant.

The proposed project was determined to result in less than significant shadow effects on off-land uses as well as less than significant light and glare effects. Moreover, as previously stated, most of the cumulative projects are not in proximity to the project sites. With respect to shadow effects, cumulative project that are in proximity to the project site would not be expected to affect the same land uses affected by the proposed project. For these reasons, shadow, light and glare effects would be less than cumulatively considerable and therefore less than significant.

Cumulative Mitigation Measures: Impacts to visual qualities are largely created on the sites of the individual related projects. As Phase II Marina del Rey development becomes more prominent, the existing visual character of the marina will be altered. In the future, larger structures will become more commonplace within Marina del Rey, which will increase the development intensity. Over time, the project's height and mass will become more consistent with the character of the area as new uses build out. To minimize impacts on the visual resources environment as future projects are proposed, all proposed development within the marina is subject to review and approval by the DCB, which is responsible for the enforcement of development standards within Marina del Rey.

Conclusion: Not significant.

5.6.5 UNAVOIDABLE SIGNIFICANT IMPACTS

5.6.5.1 Neptune Marina Parcel 10R Project

Site development would alter the visual character of the site by incrementally increasing building height and mass. The project would also be visible along Via Marina, a roadway that is designated as first priority for study scenic highway by the Marina del Rey LUP. However, because (1) the project improves views of the marina (as no views to the Marina currently are provided through the existing Neptune Marina Apartments at Parcel 10R, but view corridors to the water will be provided over the site in the proposed project); (2) the proposed project is consistent with the building height classifications for Parcel 10R; (3) the project is consistent with all required view corridors; (4) the project would not directly or indirectly affect water views of the marina or any other natural visual feature; (5) the project has been reviewed and conceptually approved by the Design Control Board; and (6) the project is consistent with

the scale and character of development envisioned as part of Marina del Rey Phase II development proximal to Via Marina. Structures proposed on the project site utilize a variety of exterior surface treatments. To reduce potential glare or reflectivity impacts, these surfaces are intended to be non-reflective or oriented in a way that would result in limited off-site glare or reflectivity impacts. To verify limiting glare or reflectivity issues, this project has been reviewed and approved by the County of Los Angeles Design Control Board that is intended to review project design issues. Given the information provided above, impacts associated with the Neptune Marina Parcel 10R project are not considered significant. Shadow impacts are also considered less than significant.

5.6.5.2 Neptune Marina Parcel FF Project

With respect to Neptune Marina Parcel FF, the project does not affect views of the marina from Via Marina; the project is consistent with all required view corridors; the project would not directly or indirectly affect water views of the marina or any other natural visual feature; the project has been reviewed and conceptually approved by the Design Control Board; and the project is consistent with the scale and character of development envisioned as part of Marina del Rey Phase II development proximal to Via Marina. As noted, the current LCP-prescribed height limitation for Parcel FF is 25 feet. However, as described above, the County and Legacy Partners are requesting a joint LCP amendment to change the Parcel FF height classification from its current Height Category 1 classification to Height Category 3. Upon the California Coastal Commission's certification of this proposed LCP amendment, the proposed 55-foot-tall apartment building will be consistent with the LCP height category for Parcel FF, as amended. Further, structures proposed on the project site utilize a variety of exterior surface treatments. To reduce potential glare or reflectivity impacts, these surfaces are intended to be non-reflective or oriented in a way that would result in limited off-site glare or reflectivity impacts. To verify limiting glare or reflectivity issues, this project has been reviewed and approved by the County of Los Angeles Design Control Board that is intended to review project design issues. Shadow impacts are also considered less than significant.

Given the information provided above, impacts associated with the Neptune Marina Parcel FF project are not considered significant.

5.6.5.3 Woodfin Suite Hotel and Timeshare Resort Parcel 9U Project

With respect to development on Parcel 9U, the project is fully consistent with the 225-foot building height limit approved by the CCC and prescribed for Parcel 9U in the certified LCP (development on Parcel 9U would not exceed 225 feet from the finished pad elevation, exclusive of appurtenant, screened roof-top equipment, parapets and architectural features); see discussion in **Section 5.17, Land Use and Planning**. The project is consistent with all required view corridors; and the project has been reviewed and

conceptually approved by the Design Control Board. Structures proposed on the project site utilize a variety of exterior surface treatments. To reduce potential glare or reflectivity impacts, these surfaces are intended to be non-reflective or oriented in a way that would result in limited off-site glare or reflectivity impacts. To verify limiting glare or reflectivity issues, this project has been reviewed and approved by the County of Los Angeles Design Control Board that is intended to review project design issues. Shadow impacts are also considered less than significant.

However, the project would directly affect vistas of the marina from Via Marina a defined Scenic Highway that is considered visually important. Further, the project's proposed height is considered to be out of character with existing as well as recently approved projects near Parcel 9U. Therefore, visual impacts associated with the Woodfin Suite Hotel and Timeshare Resort project proposed on Parcel 9U are considered significant.

5.7 TRAFFIC/ACCESS

SUMMARY

Following completion and occupancy, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project (project) could generate a total of approximately 3,104 net new daily trips, including 253 net new trips during the AM peak hour and 228 net new trips during the PM peak hour. A total of 1,019 parking spaces will be provided for the 526 residential units (including guest parking), with an additional 131 spaces for boat slip parking. A maximum of approximately 360 parking spaces including 339 valet-only spaces and 21 "self-park" spaces will be provided separately for the proposed hotel.

Prior to mitigation, project traffic could produce significant direct traffic impacts at four nearby intersections: Admiralty Way and Via Marina; Washington Boulevard and Via Marina/Ocean Avenue; Lincoln Boulevard and Mindanao Way, and Admiralty Way and Mindanao Way. Mitigation measures are recommended in this section to reduce this potential impact to a less than significant level.

Prior to mitigation, cumulative traffic would significantly impact twelve intersections: Admiralty Way and Via Marina; Washington Boulevard and Via Marina/Ocean Avenue; Admiralty Way and Palawan Way; Washington Boulevard and Palawan Way; Washington Boulevard and Lincoln Boulevard; Lincoln Boulevard and Marina Expressway; Lincoln Boulevard and Bali Way; Lincoln Boulevard and Mindanao Way; Lincoln Boulevard and Fiji Way; Admiralty Way and Bali Way; Admiralty Way and Mindanao Way; and Marina Expressway EB and Mindanao Way. Mitigation measures are recommended in this section to reduce this potential cumulative impact to a less than significant level. However, if these or other equally effective measures are not installed, significant cumulative traffic impacts would remain.

The project would be required to pay the traffic mitigation fees to the County of Los Angeles pursuant to the Marina del Rey Specific Plan Transportation Improvement Program (TIP). This fee is intended to address regionally significant impacts and/or impacts resulting from cumulative development in and around the Marina, by providing "fair share" contributions to planned roadway improvements identified in the Marina del Rey Land Use Plan (LUP). The fee is based on the amount of project PM peak-hour trips generated in the Marina, as well as the trips that leave the Marina (regional trips).

The County's traffic mitigation fee structure is currently \$5,690 per PM peak-hour trip. Based on the expected project trip generation for the project of 228 net PM peak-hour trips, the proposed project would be required to pay \$1,297,320 in trip mitigation fees (\$716,940 attributable to the planned residential and anchorage developments on Parcels 10R and FF and \$580,380 attributable to the planned hotel/timeshare resort development on Parcel 9U). After payment of mitigation fees, impacts for the project would be less than significant; however, temporary significant if implementation of the mitigation measures are delayed or not implemented.

5.7.1 INTRODUCTION

This section presents an overview of existing traffic and access characteristics in the Marina del Rey area. It also discusses potential impacts associated with development of the Neptune Marina Apartments and Anchorage/Woodfin Suites Hotel and Timeshare Resort Project (project). Existing conditions are described followed by an impact analysis for the project. The impact analysis presents a discussion of the project as a whole, and then analyzes impacts of the individual parcel developments (Parcels 10R, FF, and 9U). This section also includes a discussion of the cumulative impacts of the project in conjunction with other related projects. Where impacts are identified, mitigation measures are recommended to reduce such impacts to acceptable levels.

5.7.2 METHODOLOGY

This section summarizes the findings of a traffic report prepared by Crain & Associates for the Neptune Marina Apartments and Anchorage/Woodfin Suites Hotel and Timeshare Resort Project in December 2007. A complete copy of this traffic report is included in **Appendix 5.7** of this EIR.

Traffic volume data were obtained from recent counts conducted in years 2006 and 2007 by The Traffic Solution (an independent traffic data collection company) and Crain & Associates (the firm that prepared the traffic study), except for the counts at the intersection of Washington Boulevard and Palawan Way that were conducted in October 2005. (Traffic counts were also collected in 2007 at the intersection of Washington Boulevard and Palawan Way; however, the 2007 counts were found to be lower than the 2005 counts. To be conservative, the higher 2005 counts were used for this intersection.) Additionally, San Diego Freeway and Marina Freeway/Expressway count data were obtained from the California Department of Transportation (Caltrans). Where necessary, counts were supplemented by traffic data collected by the Los Angeles County Department of Public Works (LACDPW) or the Los Angeles City Department of Transportation (LADOT). Other data pertaining to intersection geometrics, parking restrictions and signal operations were obtained through recent field surveys in the project study area.

5.7.2.1 Traffic Study Intersections

An analysis of current traffic conditions was conducted on the streets and highways serving the project area. Detailed traffic analyses for the project were performed at the following 17 intersections.

1. Via Marina/Tahiti Way
2. Via Marina/Marquesas Way
3. Via Marina/Panay Way
4. Admiralty Way/Via Marina
5. Washington Boulevard/Ocean Avenue/Via Marina

6. Admiralty Way/Palawan Way
7. Washington Boulevard/Palawan Way
8. Lincoln Boulevard/Washington Boulevard
9. Lincoln Boulevard/Marina Expressway (SR-90)
10. Lincoln Boulevard/Bali Way
11. Lincoln Boulevard/Mindanao Way
12. Lincoln Boulevard/Fiji Way
13. Admiralty Way/Bali Way
14. Admiralty Way/Mindanao Way
15. Admiralty Way/Fiji Way
16. Marina Expressway (SR-90) westbound/Mindanao Way
17. Marina Expressway (SR-90) eastbound/Mindanao Way

These project area intersections (see **Figure 5.7-1, Study Intersection Locations**) are expected to be most directly affected by project traffic generation. Intersections in the project area are within the jurisdiction of both the County and City of Los Angeles. All analyzed intersections are traffic signal controlled and exhibit typical two- or three-signal phases, with the exception of the intersection of Washington Boulevard and Palawan Way, which is a “tee” intersection, and is STOP sign controlled along Palawan Way.

The methodology used to study traffic operations at each project study area intersection was based on procedures outlined in Circular Number 212 of the Transportation Research Board.¹ The traffic analysis shall be reviewed and approved by the Los Angeles County Department of Public Works prior to any formal public hearings on the project.

5.7.2.2 Traffic Generation Methodology

Vehicle trip generation rates for various types of developments within Marina del Rey are specified in Appendix G (TIP) of the Marina del Rey Local Implementation Program (LIP), which is in effect for the project site. This document provides the PM peak-hour trip rates for the proposed project’s residential (apartment) uses. The TIP does not specify daily or AM peak-hour trip generation rates for the proposed uses. However, the traffic study upon which the TIP PM peak-hour rates were derived does identify AM peak-hour rates.² As these rates are consistent with the trip generation methodology utilized for the PM

¹ Transportation Research Board, *Interim Materials on Highway Capacity*, Circular Number 212, Washington, D.C., 1980.

² DKS Associates in Association with Gruen Associates, Table 2-11, *Marina del Rey Traffic Study Final Report*, January 17, 1991.

peak hour, the AM rates from the traffic study were also used. Daily trip rates were calculated based on the 6th Edition of the *Trip Generation Manual*, published by the Institute of Transportation Engineers (ITE),³ which is the current industry standard for trip generation data. Daily trip generation factors for the proposed project uses were calculated based on the ratio of peak-hour-to-daily rates for the ITE data, applied to the peak-hour TIP rates.

Trip rates used in the traffic analysis for the proposed projects are listed in **Table 5.7-1, Project Trip Generation Rates**.

**Table 5.7-1
Project Trip Generation Rates**

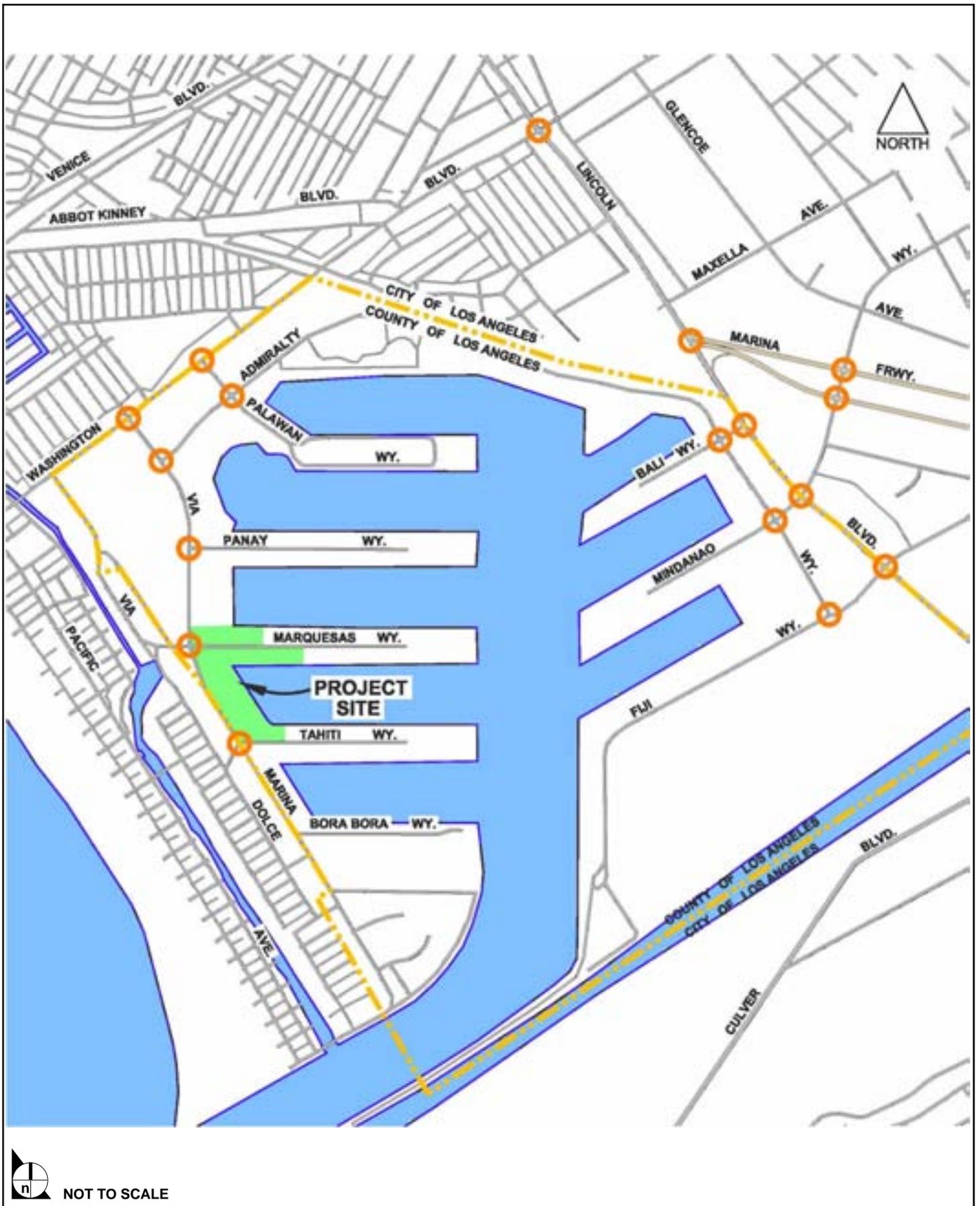
| Apartments (per dwelling unit) | | | |
|---------------------------------------|---------------|-----------|-----------|
| Daily: | T = 3.960(U) | | |
| AM Peak Hour | T = 0.349(U) | I/B = 18% | O/B = 82% |
| PM Peak Hour | T = 0.326(U) | I/B = 68% | O/B = 32% |
| Hotel (per room) | | | |
| Daily: | T = 5.339 (R) | | |
| AM Peak Hour | T = 0.406 (R) | I/B = 54% | O/B = 46% |
| PM Peak Hour | T = 0.353 (R) | I/B = 45% | O/B = 55% |
| Boat Slips (per berth) | | | |
| Daily: | T = 2.883 (S) | | |
| AM Peak Hour | T = 0.126 (S) | I/B = 34% | O/B = 66% |
| PM Peak Hour | T = 0.137 (S) | I/B = 36% | O/B = 64% |

T = Trip Ends; U = Dwelling Unit; R = Hotel Rooms; S = Boat Slips; I/B = Inbound Trip Percent; O/B = Outbound Trip Percent.

5.7.2.3 Critical Movement Analysis Methodology

Impacts for the 17 study intersections were assessed using Critical Movement Analysis (CMA). In the discussion of CMA for signalized intersections, procedures have been developed for determining operating characteristics of an intersection in terms of the Level of Service provided for different levels of traffic volume and other variables, such as the number of signal phases. The term "Level of Service" (LOS) describes the quality of traffic flow. The following is a description of the operating characteristics for each LOS category.

³ Institute of Transportation Engineers, *Trip Generation*, 6th Edition, Washington, D.C., 1997.



NOT TO SCALE

SOURCE: Crain & Associates - May 2007

FIGURE 5.7-1

Study Intersection Locations

As shown in **Table 5.7-2, Level of Service Operating Characteristics**, LOS A to C operate quite well. LOS D typically is the level for which a metropolitan area street system is designed. Level E represents volumes at or near the capacity of the highway, which might result in stoppages of momentary duration and fairly unstable flow. LOS F occurs when an intersection is overloaded and is characterized by stop-and-go traffic with stoppages of long duration.

**Table 5.7-2
Level of Service Operating Characteristics**

| Level of Service | Range of Description of Operating Characteristics |
|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A | Uncongested operations; all vehicles clear in a single cycle. |
| B | Same as above. |
| C | Light congestion; occasional backups on critical approaches. |
| D | Congestion on critical approaches, but intersection functional. Vehicles required to wait through more than one cycle during short peaks. No long-standing lines formed. |
| E | Severe congestion with some long-standing lines on critical approaches. Blockage of intersection may occur if traffic signal does not provide for protected turning movements. |
| F | Forced flow with stoppages of long duration. |

Critical movement volumes determine the LOS of an intersection. The values indicated in **Table 5.7-3, Critical Movement Volume Ranges for Determining Levels of Service**, were used in this impact analysis to determine the applicable LOS.

**Table 5.7-3
Critical Movement Volume Ranges¹ for Determining Levels of Service**

| Level of Service | Two Phase | Three Phase | Four or More Phases |
|-------------------------|----------------------------|--------------------|----------------------------|
| A | 900 | 855 | 825 |
| B | 1,050 | 1,000 | 965 |
| C | 1,200 | 1,140 | 1,100 |
| D | 1,350 | 1,275 | 1,225 |
| E | 1,500 | 1,425 | 1,375 |
| F | ----- Not Applicable ----- | | |

¹ For planning applications only (i.e., not appropriate for operations and design applications).

“Capacity” represents the maximum total hourly vehicle volume movement in the critical lanes, which have a reasonable expectation of passing through an intersection under prevailing roadway and traffic conditions. The CMA indices used in this study were calculated by dividing the sum of critical movement volumes (Table 5.7-3, above) by the appropriate capacity value for the type of signal control present or proposed at the study area intersections. The LOS corresponding to a range of CMA values is shown in Table 5.7-4, Level of Service as a Function of CMA Values.

Table 5.7-4
Level of Service as a Function of CMA Values

| Level of Service | CMA Values |
|------------------|-------------------|
| A | ≤ 0.60 |
| B | $>0.60 \leq 0.70$ |
| C | $>0.70 \leq 0.80$ |
| D | $>0.80 \leq 0.90$ |
| E | $>0.90 \leq 1.00$ |
| F | >1.00 |

5.7.3 PROJECT SETTING

Below is a summary of existing roadways in the vicinity of the proposed project area. For a more detailed description on these roadways, see the traffic report prepared by Crain & Associates and provided in Appendix 5.7.

5.7.3.1 Freeways

The San Diego Freeway (Interstate 405). This freeway traverses north-south through the Greater Los Angeles metropolitan area and currently carries in excess of 298,000 vehicles per day (VPD). This freeway provides convenient project access, via the regional freeway system, to all other areas of the Los Angeles region.

- The Marina Freeway/Expressway (State Route 90). This portion of the Marina Freeway carries more than 75,000 VPD and is a short regional facility serving a roughly east-west alignment between Slauson Avenue (east of Sepulveda Boulevard) and Lincoln Boulevard.

With the exception of High Occupancy Vehicle (HOV) lane additions, no significant highway improvements in the project area were identified by either the County or City of Los Angeles as ongoing or likely to be completed within the year 2013 project development timeline. Therefore, for purposes of

this analysis of future traffic conditions, as discussed in the following section, no improvements to the existing freeway/expressway system in the study area were assumed. This assumption results in a “worst-case” analysis and more readily identifies locations where improvements should be made in order to provide sufficient roadway capacity to accommodate project traffic.

5.7.3.2 Streets and Highways

All of the study intersections are traffic signal controlled, with the exception of Washington Boulevard and Palawan Way, which is a tee intersection, STOP sign controlled along Palawan Way.

- Washington Boulevard. An east-west Major Highway located to the north of the project site.
- Admiralty Way. A four-lane collector facility, serving as a frontage road around the north and east portions of the Marina, between Via Marina on the west and Fiji Way on the southeast.
- Via Marina. A north-south facility that serves the western portion of Marina del Rey. This roadway also forms the western boundary of the project site and serves as the main access roadway for the project.
- Lincoln Boulevard. In the project area, this roadway is striped to provide a six-lane roadway with left-turn channelization (designated or permissive left-turn lanes) at most intersections.
- Tahiti Way. A short two-lane local street that provides access to the Marina del Rey “Basin A” and “Basin B” areas.
- Marquesas Way. This two-lane facility is located opposite Via Dolce at Via Marina and provides access to the “Basin B” and “Basin C” areas.
- Panay Way. Designated a local street, provides one lane in each direction and access to the Marina del Rey “Basin C” and “Basin D” areas.
- Palawan Way. Designated a local street, provides two lanes per direction on the segment between Admiralty Way and Washington Boulevard, separated by a raised median island.
- Bali Way. A short local street providing access from Lincoln Boulevard and Admiralty Way to the Marina del Rey “Basin F” and “Basin G” areas. Bali Way provides a single lane in each direction.
- Mindanao Way. A Secondary Highway providing two lanes in each direction, although some sections are widened to permit additional traffic lanes and/or turn-lane channelization, particularly at the SR-90 and Lincoln Boulevard intersections.
- Fiji Way. Designated a local street, provides one lane per direction plus on-street parking from east of Lincoln Boulevard to the eastern terminus at La Villa Marina.

5.7.3.3 Public Transit

The Los Angeles County Metropolitan Transportation Authority (Metro) has established an extensive grid system of bus routes throughout the Los Angeles region. Marina del Rey and adjacent communities, as well as the cities of Culver City and Santa Monica, are particularly well served by public transit. The most important bus routes serving the project area are described below.

- Metro Line 108. This bus line provides service between Marina del Rey on the west and the Pico Rivera community on the east. In the study area, Line 108 operates on a loop route through the Marina. Between the Marina and Pico Rivera, this line travels primarily along Mindanao Way/Short Avenue, Centinela Avenue, Jefferson Boulevard, and Slauson Avenue. The route travels to Fox Hills Mall and through the office development area between Centinela Avenue and Slauson Avenue, east of Sepulveda Boulevard, providing a link between the proposed project and potential shopping and employment locations. Buses operate on this line on weekdays with headways of approximately 30 to 45 minutes. Weekend and holiday service is also provided on a limited schedule. Headways on the weekend and holidays are approximately 60 minutes throughout the day.
- LADOT Express Line 437. This line, a service of the LADOT, operates between Marina del Rey on the west and Downtown Los Angeles on the east. In the project vicinity, Line 437 has several bus stops along Via Marina including a stop at Marquesas Way. In the vicinity of Marina del Rey, this line travels along Pacific Avenue, Via Marina, and Admiralty Way. Buses on this route continue on Mindanao Way and Alla Road to Culver Boulevard through Culver City. This line operates in the eastbound to Downtown Los Angeles during the morning peak period and in the westbound from Downtown Los Angeles to Culver City, Marina del Rey, and Venice during the afternoon peak periods. Headways for this bus route near the project site are generally about 15 to 30 minutes.
- Culver City Bus Line 1. This bus line runs between the Venice community on the west and the West Los Angeles Transit Center at Fairfax Avenue on the east. Line 1 travels south from Windward Avenue along Pacific Avenue to Washington Boulevard, turning east and continuing along Washington Boulevard through Mar Vista and Culver City to the West Los Angeles Transit Center. In the project vicinity, this line provides a stop along Washington Boulevard at Via Marina. Line 1 buses operate on weekdays, with limited weekend and holiday service. Weekday headways at the Washington Boulevard/Via Marina stop are approximately every 15 to 30 minutes throughout the day.

In addition to these key transit routes that are within walking distance of the project site, other bus routes that also serve the Marina del Rey community (e.g., along or near Lincoln Boulevard) include Culver City Lines 2 and 7, and the Santa Monica Big Blue Bus Line 3 and Rapid 3. Many more bus routes are available via transfers to other routes or transit providers. When these transfer opportunities are considered, all areas within the Los Angeles region are accessible via public transit. Thus, it is possible that some of the trips generated by the proposed project could utilize public transit.

5.7.4 EXISTING CONDITIONS

5.7.4.1 Existing Traffic Volumes

Existing (2007) traffic volumes during the AM and PM peak periods for the study intersections are shown on **Figure 5.7-2, Existing (2007) Traffic Volumes – AM Peak Hour**, and **Figure 5.7-3, Existing (2007) Traffic Volumes – PM Peak Hour**, respectively.

5.7.4.2 Project Trip Distribution and Traffic Assignment

Primary factors affecting trip distribution are the relative distribution of employment, educational and retail centers that would be used by the residents and guests of the project. Another key factor in trip distribution is the availability of roadway access to and from the site. Data from the Los Angeles Regional Transportation Study (LARTS) forecasts, as well as information presented in the current Los Angeles County Congestion Management Plan (CMP), were analyzed in order to estimate regional traffic distribution. Lastly, actual vehicle turning movements in and around the project vicinity were observed and general geographic trip distribution characteristics were developed.

The percentage split of trips which are applicable to the Neptune Marina Apartments and Anchorage/Woodfin Suites Hotel and Timeshare Resort Project, by direction, is shown in **Table 5.7-5**.

**Table 5.7-5
Directional Trip Distribution**

| Direction | Percentage of Trips |
|--------------|---------------------|
| North | 25% |
| East | 35% |
| South | 35% |
| West | 5% |
| Total | 100% |

5.7.4.3 Critical Movement Analysis

CMA values and the corresponding LOS for existing (2005) traffic conditions for AM and PM peak-hour conditions for the 17 study intersections are shown below in **Table 5.7-6, Critical Movement Analysis (2007) Summary**. The values in **Table 5.7-6** show that most intersections in the project study area are operating at acceptable levels of service. However, several key locations, particularly the intersection of Lincoln Boulevard and Washington Boulevard and at the intersection of Lincoln Boulevard and

Mindanao Way, exhibit conditions at or near capacity, creating several “bottlenecks” to smooth traffic flow along this important transportation corridor.

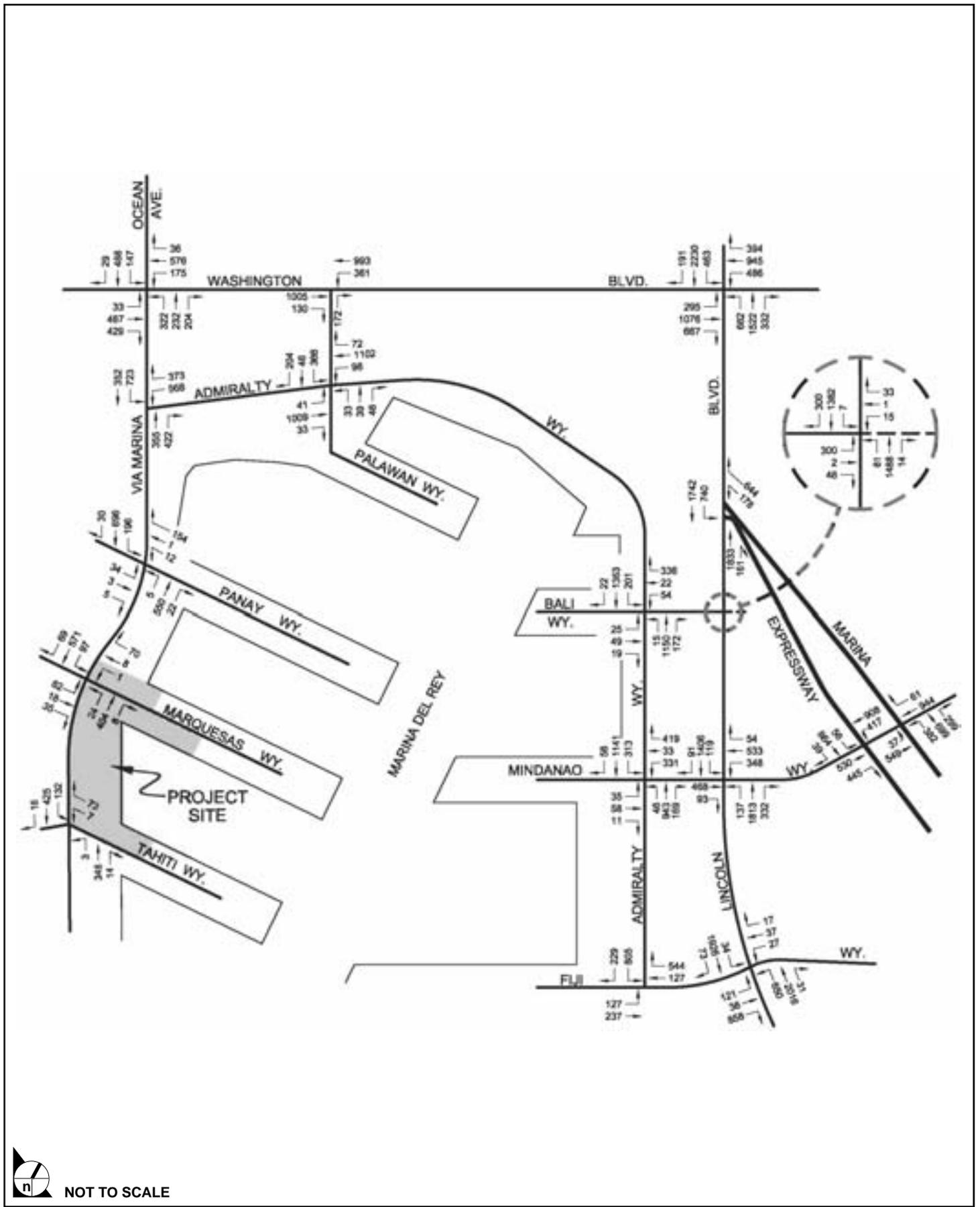
5.7.4.4 Traffic Capacity of Marina del Rey

As described in the Environmental Setting, all new development within Marina del Rey is regulated by the Marina del Rey Land Use Plan (LUP), which is a component of the Los Angeles County Local Coastal Program.⁴ This document specifies the amount of allowable new development within Marina del Rey, based on the amount of additional traffic generated and mitigation measures to be installed incrementally with the new development. Marina del Rey development, as defined by the LUP, is divided into two phases: Phase I and Phase II. Phase I defines the existing condition and is the amount of development considered to be “existing” at the present time. Phase II defines the future conditions and defines development intensities above and beyond the amount of existing Marina del Rey development.

**Table 5.7-6
Critical Movement Analysis (2007) Summary**

| No. | Intersection | AM Peak Hour | | PM Peak Hour | |
|-----|-------------------------------------------|--------------|-----|--------------|-----|
| | | CMA | LOS | CMA | LOS |
| 1. | Via Marina/Tahiti Way | 0.264 | A | 0.171 | A |
| 2. | Via Marina/Marquesas Way | 0.260 | A | 0.180 | A |
| 3. | Via Marina/Panay Way | 0.346 | A | 0.253 | A |
| 4. | Admiralty Way/Via Marina | 0.696 | B | 0.746 | C |
| 5. | Washington Blvd./Ocean Ave./Via Marina | 0.710 | C | 0.762 | C |
| 6. | Admiralty Way/Palawan Way | 0.429 | A | 0.480 | A |
| 7. | Washington Blvd./Palawan Way | 0.640 | B | 0.716 | C |
| 8. | Lincoln Blvd./Washington Blvd. | 0.775 | C | 1.337 | F |
| 9. | Lincoln Blvd./Marina Expressway (SR-90) | 0.679 | B | 0.721 | C |
| 10. | Lincoln Blvd./Bali Way | 0.305 | A | 0.498 | A |
| 11. | Lincoln Blvd./Mindanao Way | 0.635 | B | 0.669 | B |
| 12. | Lincoln Blvd./Fiji Way | 0.554 | A | 0.575 | A |
| 13. | Admiralty Way/Bali Way | 0.365 | A | 0.424 | A |
| 14. | Admiralty Way/Mindanao Way | 0.531 | A | 0.724 | C |
| 15. | Admiralty Way/Fiji Way | 0.245 | A | 0.345 | A |
| 16. | Marina Expressway (SR-90) WB/Mindanao Way | 0.405 | A | 0.531 | A |
| 17. | Marina Expressway (SR-90) EB/Mindanao Way | 0.615 | B | 0.738 | C |

⁴ *Marina del Rey Land Use Plan*, County of Los Angeles Development of Regional Planning, Certified February 8, 1996.



 NOT TO SCALE

SOURCE: Crain & Associates - May 2007

FIGURE 5.7-3

Existing (2007) Traffic Volumes - PM Peak Hour



The Phase II Buildout development is allocated to 14 “development zones” within the Marina, with the development potential within each development zone based upon each zone’s capacity to accommodate traffic. This determination is, in turn, based upon a traffic study conducted to assess development potential within the Marina, and to identify traffic and circulation improvements (mitigation measures) necessary to accommodate the increased traffic levels. As described previously in this report, the proposed development occurs within two of the Marina’s development zones, Zone 2 (Parcel 9U) and Zone 3 (Parcels 10R and FF). The total allowable Phase II (or future) development in the Marina del Rey is summarized in **Table 5.7-7, Total Allowable Phase II Marina del Rey Development**, while the amount of development potential within DZ 2 and DZ 3 is specified in **Table 5.7-8, Phase II Development Potential Allocated to Development Zone 2 and Zone 3**.

The determination of compliance with the LUP’s development levels, and consequently, the Circulation Element of the plan, is based upon a comparison of the number of trips generated by the allowable development for DZ 2 and DZ 3 (shown in **Table 5.7-8**) to the number of trips generated by the proposed project as well as any other development approved or proposed within those zones.

**Table 5.7-7
Total Allowable Phase II Marina del Rey Development**

| Land Use | Units |
|-----------------------------------|-----------------|
| Residential | 2,420 |
| Congregate Care | 75 rooms |
| Hotel | 1,070 rooms |
| Specialty Retail | 208,500 sq. ft. |
| Restaurant | 1,875 seats |
| Boat Slip | 348 slips |
| Office: Regular | 32,000 sq. ft. |
| Department of Beaches and Harbors | 26,000 sq. ft. |
| Conference Room (within Hotel) | 40,000 sq. ft. |
| Marine Science | 3,000 sq. ft. |
| Library | 3,000 sq. ft. |

Table 5.7-8
Phase II Development Potential Allocated to Development Zone 2 and Zone 3

| Tahiti Development Zone 2 |
|-------------------------------------------|
| 275 Dwelling Units |
| 288 Hotel Rooms |
| 76 Boat Slips |
| Marquesas Development Zone 3 |
| 320 Dwelling Units |
| 15,000 sq. ft. Visitor-serving Commercial |
| 76 Boat Slips |

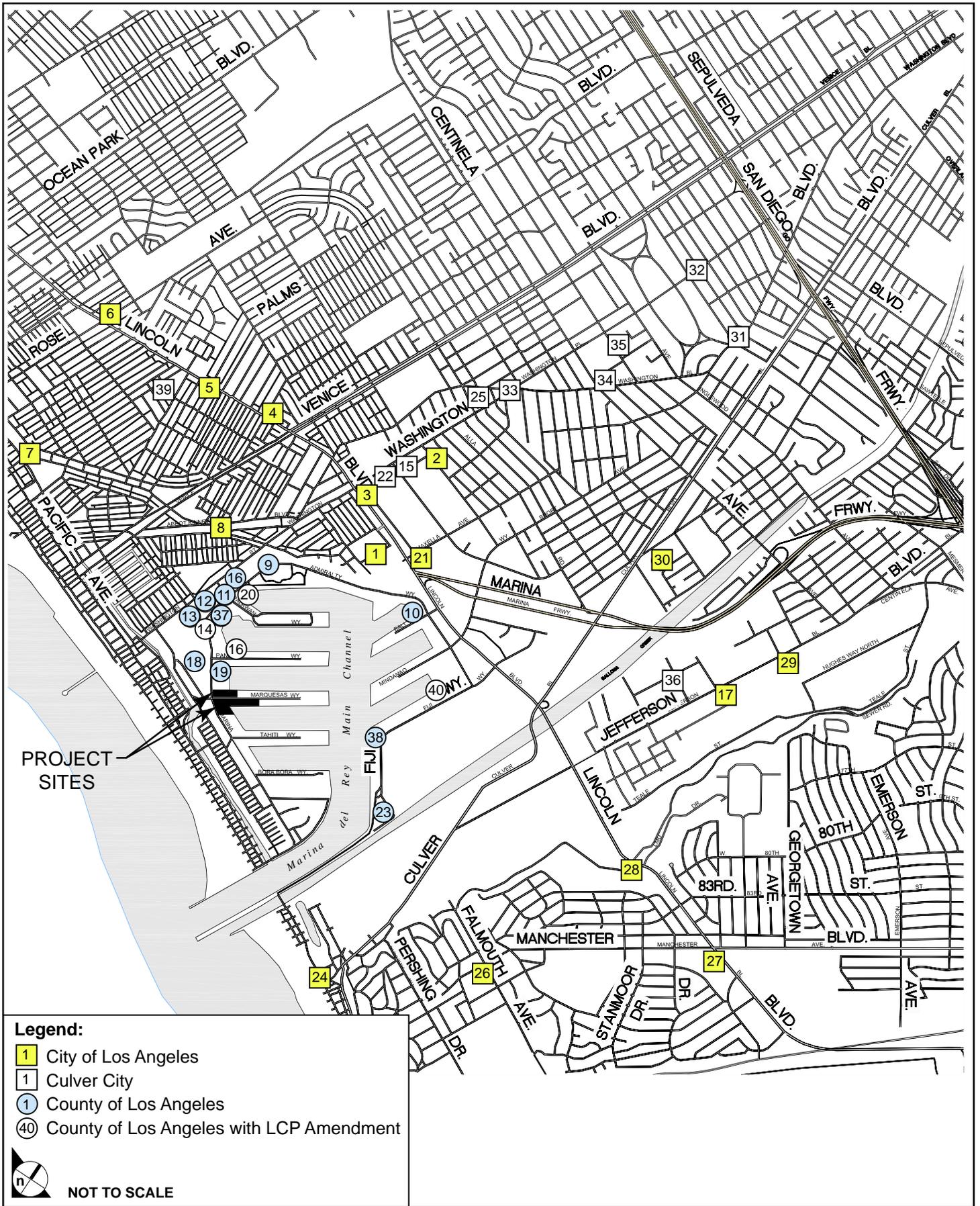
Notes: Non-Priority coastal development may be converted to Hotel, Visitor-Serving Commercial, or Marina Commercial uses consistent with the conversion provisions of subsection C5 of Section 22.46.1090.

Since the adoption of the Marina LUP in 1996, approval for or actual construction of various projects throughout the marina has occurred, using up some of the originally allowable Phase II development potential. No additional development has been approved within DZ 2. However, one development (i.e., Marina Two) has been approved within DZ 3; that residential project, now under construction on the adjoining Parcel 12 on Marquesas Way, utilized all but three (3) of the DZ 3's 320-unit residential allocation.

5.7.4.5 Related Projects in the Marina del Rey Area

Listings of potential related projects located in the study area were obtained from the Los Angeles Regional Planning Department, the LADOT, and from the Cities of Santa Monica and Culver City. From a review of these lists, it was determined that traffic from 41 projects near the study site could produce additional traffic at the study intersections for the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project. These related projects are shown in **Figure 5.7-4, Related Projects Locations**, and are described below in **Table 5.7-9, Related Projects Descriptions and Trip Generation**. Estimates of the daily and peak-hour traffic expected to be generated by these related projects are summarized in the table as well. The trip-making estimates for the related projects are based on Coastal Transportation Corridor Specific Plan (CTCSP) PM trip rates, supplemented by data obtained from the 6th Edition ITE *Trip Generation Manual*⁵ rates and equations, or from previously prepared traffic studies or other environmental documentation. Related project traffic was assigned to the area roadway system using a procedure identical to the methodology described previously for determining the proposed project's traffic assignments.

5 Institute of Transportation Engineers, Trip Generation Manual, 6th Edition, Washington, D.C., 1997.



SOURCE: Crain & Associates – March 2007

FIGURE 5.7-4

Related Projects Location Map

5.7.5 ENVIRONMENTAL IMPACTS

5.7.5.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project Improvements

Implementation of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in the development of 526 residential dwelling units, 174 private and seven to 11 public-serving boat spaces, and a restored public wetland and upland park area. There are 136 existing apartments and 198 boat spaces presently on site. Therefore, completion of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in a net increase of 390 apartment units, a net decrease of up to 17 boat spaces, a 1.46-acre public park that includes a 0.47-acre restored wetland and 0.99-acre upland buffer.

**Table 5.7-9
Related Projects Descriptions and Trip Generation**

| Map No. | Description | Daily | AM Peak Hour | | PM Peak Hour | |
|---------|--------------------------------------------------------------------------------------------------------------|-----------------------------------------|--------------------------------|--------------------------------|---------------------------------|--------------------------------|
| | | | I/B | O/B | I/B | O/B |
| 1. | 298 du Apartment (24,000 sf Light Manufacturing) (21,600 sf Office) (40,000 sf Auto Service/Repair) | 860 | (70) | 103 | 47 | (79) |
| 2. | 140 du Condominium | 820 | 11 | 51 | 66 | 33 |
| 3. | 98 du Condominium 6,020 sf Retail Net Total | 574 <u>267</u> 841 | 7 <u>4</u> 11 | 36 <u>3</u> 39 | 46 <u>13</u> 59 | 23 <u>17</u> 40 |
| 4. | 6 vfp Service Station w/Convenience Store | 977 | 30 | 30 | 11 | 11 |
| 5. | 188,600 sf Retail 280 du Apartment Net Total | 10,257 <u>1,882</u> 12,139 | 140 <u>29</u> 169 | 89 <u>114</u> 203 | 501 <u>127</u> 636 | 543 <u>69</u> 613 |
| 6. | 8,800 sf Shopping Center (addition) | 378 | 5 | 4 | 61 | 67 |
| 7. | 57 rm Hotel 1,200 sf Retail 4,300 sf Restaurant | 757 | 19 | 11 | 33 | 24 |
| 8. | 15,180 sf Office | 167 | 21 | 3 | 7 | 36 |
| 9. | 600 du Condominium | 3,516 | 45 | 219 | 133 | 63 |

| Map No. | Description | Daily | AM Peak Hour | | PM Peak Hour | |
|---------|------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|------------------------------|-------------------------------|--------------------------------|-------------------------------|
| | | | I/B | O/B | I/B | O/B |
| 10. | 158 du Condominium 3,178 sf Specialty Retail (48,000 sf Car Rental Facility) | 386 | 0 | 47 | 53 | 18 |
| 11. | 179 du Apartment (64 du Apartment) | 650 <u>(233)</u> | 11 <u>(4)</u> | 51 <u>(18)</u> | 34 <u>(12)</u> | 24 <u>(9)</u> |
| | Net Total | 417 | 7 | 33 | 22 | 15 |
| 12. | 6,236 sf Retail (5,750 sf Retail) | 18 | 1 | 0 | 1 | 1 |
| 13. | 72 du Apartment 368 st Restaurant 16,352 sf Retail 7,888 sf Office (9,180 sf Office) (165 sf Restaurant) | 1,360 | 23 | 42 | 77 | 58 |
| 14. | 147 rm Hotel | 1,201 | 50 | 32 | 23 | 29 |
| 15. | 41 du Condominium | 240 | 3 | 15 | 14 | 7 |
| 16. | 114 du Congregate Care Retirement Facility 5,000 sf Retail 6,000 sf Marine Commercial Office (6,000 sf Health Club) | 387 <u>(109)</u> 278 | 5 <u>4</u> 9 | 5 <u>(2)</u> 3 | 10 <u>(10)</u> 10 | 21 <u>(1)</u> 20 |
| 17. | 3,206,950 sf Office 3,246 du Condominium 35,000 sf Retail 120,000 sf Community Serving Uses | 38,733 | 2,455 | 1,540 | 1,777 | 3,217 |
| 18. | 544 du Apartment (202 du Apartment) | 2,154 <u>(1,354)</u> | 34 <u>(13)</u> | 156 <u>(57)</u> | 120 <u>(45)</u> | 57 <u>(21)</u> |
| | Net Total | 800 | 21 | 99 | 75 | 36 |
| 19. | 940 du Apartment 82 du Senior Apartment 4,000 sf Retail 6,000 sf Commercial 439 sl Boat | 1,785 | 31 | 140 | 106 | 46 |
| 20. | 351 du Apartment 2 4,300 sf Retail 266 seat Restaurant (10,000 sf) (21,038 sf Restaurant) | 2,359 1,077 761 <u>(3,052)</u> | 36 17 4 <u>(17)</u> | 143 12 4 <u>(15)</u> | 78 46 45 <u>(179)</u> | 36 62 22 <u>(88)</u> |
| | Net Total | 1,145 | 40 | 144 | (10) | 32 |

| Map No. | Description | Daily | AM Peak Hour | | PM Peak Hour | |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|---------------------------|----------------------------|----------------------------|---------------------------|
| | | | I/B | O/B | I/B | O/B |
| 21. | 244 du Condominium 9,000 sf Shopping Center (21,038 sf Shopping Center) | 903 | 11 | 84 | 73 | 10 |
| 22. | 81 du Condominium 37,041 sf Retail 22 rm Motel 7,525 sf Retail 8,500 sf Industrial | 1,401 | 11 | 32 | 83 | 75 |
| 23. | 478 du Apartment 500 sf Retail 34 sl Boat (224 du Apartment) | 1,106 | 17 | 32 | 83 | 75 |
| 24. | 35 du Townhome 2,000 sf Retail 2,000 sf Restaurant | 548 | 16 | 24 | 34 | 22 |
| 25. | 12 du Live/Work 12 du Apartment Net Total | 81 <u>81</u> 162 | 1 <u>1</u> 2 | 5 <u>5</u> 10 | 5 <u>5</u> 10 | 2 <u>2</u> 4 |
| 26. | 204 du Apartment | 1,371 | 21 | 83 | 93 | 50 |
| 27. | 547 du Apartment 17,000 sf Shopping Center 4,000 sf Retail 5,000 sf High-Turnover Restaurant 3,000 sf Quality Restaurant (500 rm Hotel) (10,420 sf Retail) (10,590 sf Office) (4,800 sf High-Turnover Restaurant) | 905 | (128) | 136 | 124 | (10) |
| 28. | 120 du Single-family Residential | 1,220 | 25 | 70 | 82 | 46 |
| 29. | 175,000 sf Office 2,600 du Apartment 150,000 sf Retail 40,000 sf Community Serving Uses | 24,220 | 577 | 1,049 | 1,275 | 1,027 |

| Map No. | Description | Daily | AM Peak Hour | | PM Peak Hour | |
|------------------|-----------------------------------------------|--------------|--------------|-------------|--------------|-------------|
| | | | I/B | O/B | I/B | O/B |
| 30. | 134,557 sf Warehouse | 667 | 50 | 11 | 54 | 161 |
| | 1,357 sf Office | 15 | 2 | 0 | 1 | 3 |
| | (58,323 sf University of CA Laundry Building) | <u>(223)</u> | <u>(33)</u> | <u>(10)</u> | <u>(17)</u> | <u>(30)</u> |
| | Net Total | 459 | 19 | 1 | 38 | 134 |
| 31. | 2 du Apartment | 13 | 0 | 1 | 1 | 0 |
| | 950 sf Office | 37 | 4 | 1 | 14 | 66 |
| | 2,359 sf Retail | <u>105</u> | <u>2</u> | <u>1</u> | <u>3</u> | <u>3</u> |
| | Net Total | 155 | 6 | 3 | 18 | 69 |
| 32. | 20 du Senior Day Care Facility | 43 | 1 | 0 | 2 | 1 |
| | (9,970 sf Furniture manufacturing) | <u>(38)</u> | <u>(5)</u> | <u>(2)</u> | <u>(3)</u> | <u>(4)</u> |
| | Net Total | 5 | (4) | (2) | (1) | (3) |
| 33. | 4 du Condominium | 23 | 0 | 2 | 2 | 1 |
| 34. | Phase A | 535 | 8 | 6 | 15 | 18 |
| | 12,070 sf Commercial | 352 | 4 | 22 | 21 | 10 |
| | 60 du Condominium | | | | | |
| | Phase B | 172 | 3 | 2 | 5 | 6 |
| | 3,890 sf Commercial | <u>105</u> | <u>1</u> | <u>7</u> | <u>6</u> | <u>3</u> |
| | 18 du Condominium | 1,164 | 16 | 37 | 47 | 37 |
| Net Total | | | | | | |
| 35. | 70 du Assisted Living Facility | 151 | 2 | 2 | 7 | 5 |
| 36. | 420 st Private School (K-8) | NA | 208 | 170 | 120 | 136 |
| 37. | 111 rm Hotel | 907 | 38 | 24 | 18 | 21 |
| | (42 rm Hotel) | <u>(343)</u> | <u>(15)</u> | <u>(9)</u> | <u>(7)</u> | <u>(8)</u> |
| | Net Total | 564 | 23 | 15 | 11 | 13 |
| 38. | 132 rm Hotel | 2,375 | 41 | 57 | 114 | 95 |
| | 1,230 sea Restaurant | | | | | |
| | 24,250 sf Retail | | | | | |
| | 5,200 sf Office | | | | | |
| | 26 slip Boat | | | | | |
| | (12,984 sf Retail/Commercial) | | | | | |
| | (16,149 sf Restaurant) | | | | | |
| (17 slip Boat) | | | | | | |
| 39. | 420 st High School | 718 | 119 | 53 | 28 | 31 |
| 40. | 345 Vessel Dry Stack Storage Facility | 995 | 15 | 28 | 17 | 30 |
| | 30 Vessel Mast Up Storage Space | 86 | 1 | 3 | 1 | 3 |
| | 1,500 sf Sheriff Boatwright Facility | - | - | - | - | - |
| | Net Total | 1,081 | 16 | 31 | 18 | 33 |

| Map No. | Description | Daily | AM Peak Hour | | PM Peak Hour | |
|---------|-------------------|------------|--------------|----------|--------------|-----------|
| | | | I/B | O/B | I/B | O/B |
| 41. | 5,000 sf Retail | 222 | 4 | 2 | 6 | 8 |
| | 19 du Condominium | <u>111</u> | <u>1</u> | <u>7</u> | <u>7</u> | <u>3</u> |
| | Net Total | 333 | 5 | 9 | 13 | 11 |

I/B = inbound trips; O/B = outbound trips sf = square foot; du = dwelling unit; rm = room; ac = acre; sl = slips; p = pump.
 Note: Descriptions in parentheses represent land uses to be removed; net losses in trips are shown in parentheses.

5.7.5.2 Thresholds of Significance

State California Environmental Quality Act (CEQA) Guidelines, Appendix G, identifies criteria for determining whether a project's impacts are considered to have a significant effect on the environment. One of these criteria states that a project's traffic and circulation impacts are significant when the project will

- cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system.
- exceed, either individually or cumulatively, an LOS standard established by the county congestion management agency for designated roads and highways.

The LACDPW defines a significant traffic impact based on a "stepped scale" as defined in the Traffic Impact Analysis Report Guidelines. The impact definition recognizes that intersections at high volume-to-capacity ratios are more sensitive to additional traffic than those operating with available surplus capacity. A significant traffic impact is identified as

- an increase in the CMA value of 0.010 or more, when the final "With Project" LOS is E or F (CMA > 0.900);
- a CMA increase of 0.020 or more at LOS D (CMA > 0.800 to 0.900); and
- a CMA increase of 0.040 or more at LOS C (CMA > 0.700 to 0.800).

Additionally, the Los Angeles County EIR Guidelines consider a project to have an adverse impact on traffic when

- traffic generated by a project considered alone or cumulatively with other projects, if added to existing traffic volumes, exceeds the design capacity of an intersection or roadway, contributes to an unacceptable LOS, or exacerbates an existing congested condition; and/or
- project-generated traffic interferes with the existing traffic flow (e.g., due to the location of access roads, driveways, parking facilities); and/or

- proposed access locations do not provide for adequate safety (e.g., due to limited visibility on curving roadways); and/or
- non-residential uses generate commuter or truck traffic through a residential area; and/or
- project-generated traffic significantly increases on a residential street and alters its residential character.

With regard to Criteria Items 4 and 5 under the County EIR Guidelines, these criteria are not applicable to the project because the project does not contain non-residential uses which would generate commuter or significant truck traffic through a residential area, and because project-generated traffic would not significantly increase on residential streets or alter the character of residential streets. Criteria Item 3 of the County EIR guidelines is also not applicable because the project's driveways and access points are designed consistent with the applicable design standards of the County. Therefore, this project is evaluated relative to Criteria Item 1 and 2 using the standard of significance defined in the Traffic Impact Analysis Report Guidelines.

This analysis of the proposed project also looks at the potential impacts on the regional transportation system and uses the guidelines set forth in the CMP. The intent of the CMP is to provide the analytical basis for transportation decisions through the State Transportation Improvement Program (STIP) process. According to the CMP, a traffic analysis is required at all arterial monitoring intersections where the proposed project would add 50 or more trips during either the AM or PM weekday peak hours. In addition, a traffic analysis is also required at all mainline freeway monitoring locations where the project would add 150 or more trips, in either direction, during either the AM or PM weekday peak hours. An analysis of parking demand and proposed supply is also presented.

5.7.5.3 Impact Analysis

5.7.5.3.1 Thresholds of Significance

The applicable thresholds of significance are listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts, if applicable.

5.7.5.3.2 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort

5.7.5.3.2.1 Threshold: Would the project cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system?

Threshold: Would the project exceed an LOS standard established by the county congestion management agency for designated roads and highways?

Threshold: Would the project cause an increase in the CMA value of 0.010 or more, when the final "With Project" LOS is E or F (CMA > 0.900); or cause an increase in the CMA of 0.020 or more at LOS D (CMA > 0.800 to 0.900); or cause an increase in the CMA of 0.040 or more at LOS C (CMA > 0.700 to 0.800)?

Threshold: Would the traffic generated by the project if added to existing traffic volumes, exceed the design capacity of an intersection or roadway, contribute to an unacceptable LOS, or exacerbate an existing congested condition?

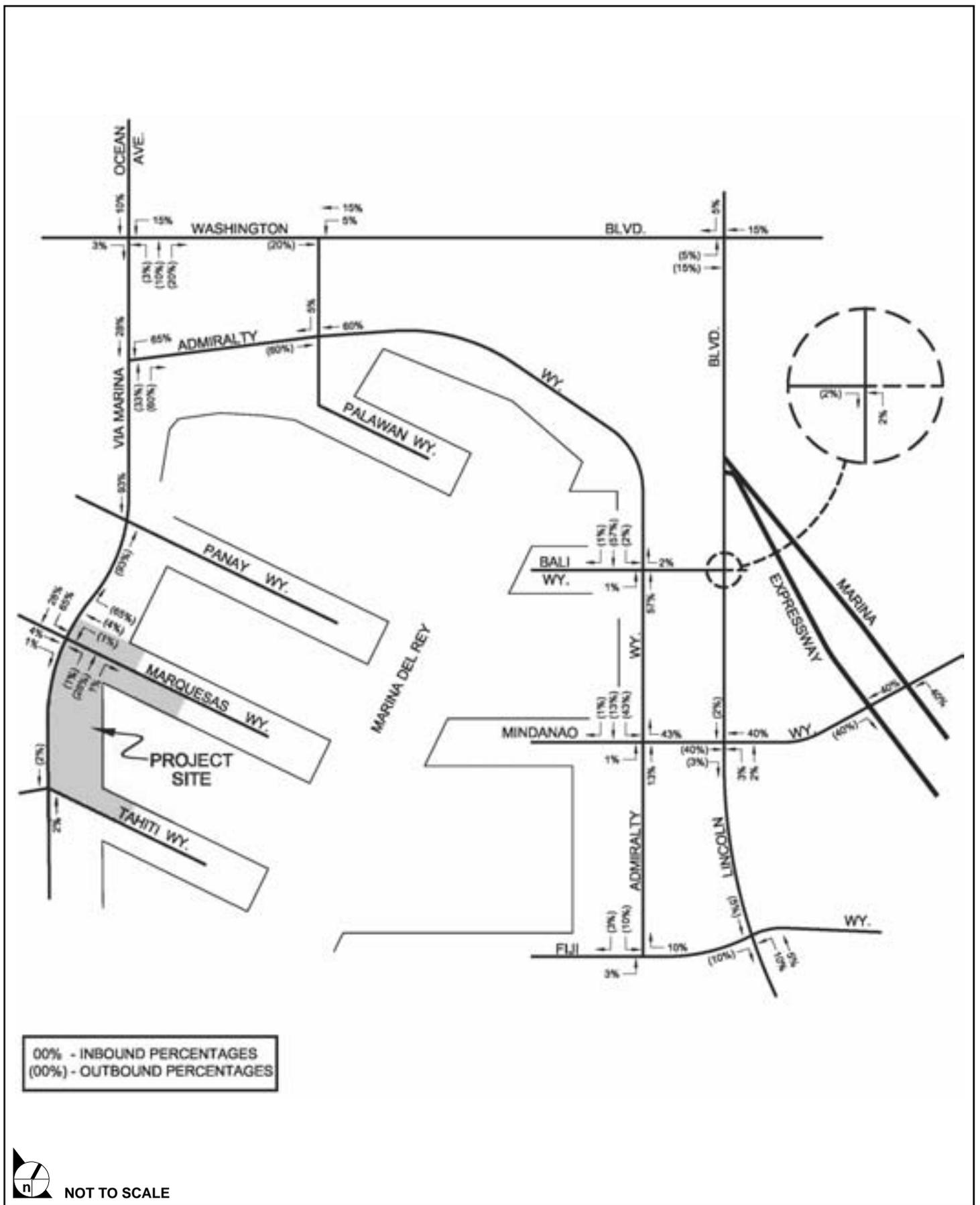
Analysis: The thresholds listed above relate to traffic generated by the project and if that traffic would cause an increase in level of service at surrounding intersections or roadway segments. To establish the LOS for each intersection analyzed, project trip generation was calculated. According to the trip generation rates provided in **Table 5.7-1**, the project is expected to generate approximately 3,104 net new trips per day. Of this total, an estimated 253 trips would occur during the morning peak hour, and 228 new trips would occur during the evening peak hour. These new trips would be added to the project area roadway network once the existing development is removed and the proposed project is completed and fully occupied. Estimated trip generation figures for the project are provided in **Table 5.7-10, Project Trip Generation**.

The general geographic trip distribution percentages from **Table 5.7-5** were then assigned to specific travel routes in the study area and are assumed to be the same during both the AM and PM peak hours. Using the directional distribution percentages shown in **Figures 5.7-5, 5.7-6, and 5.7-7 Trip Distribution**

Percentages (Parcels 10R, FF, and 9U, respectively), the number of trips along each roadway were calculated. These “roadway” trips were then assigned to specific routes serving the project. The results of this traffic assignment provide the necessary level of detail to conduct the future traffic analysis. Traffic assignments for the AM and PM peak-hour project traffic on the nearby street system are shown in Figure 5.7-8, Traffic Volumes – Net Project Traffic – AM Peak Hour, and Figure 5.7-9, Traffic Volumes – Net Project Traffic – PM Peak Hour.

**Table 5.7-10
Project Trip Generation**

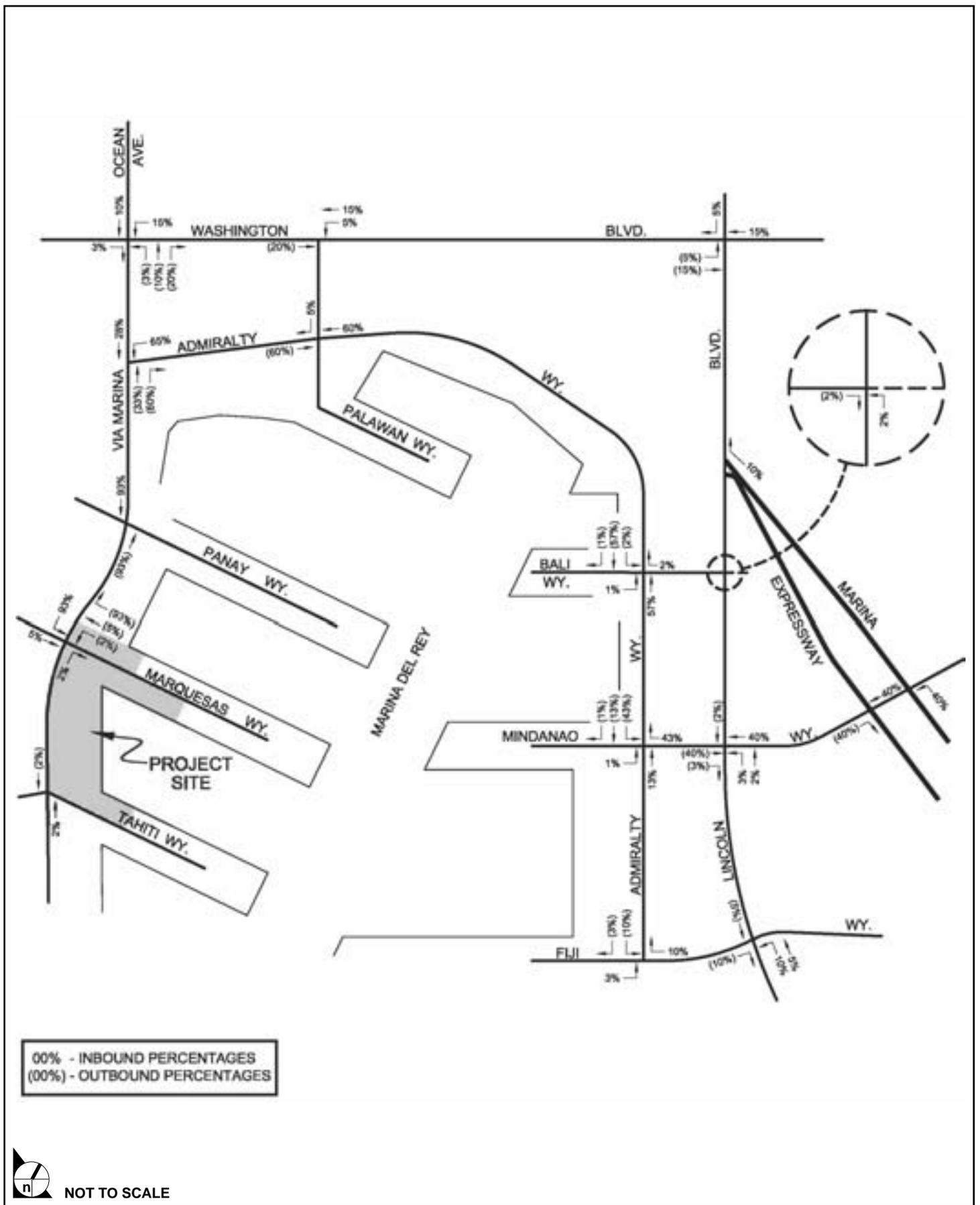
| Land Uses | Daily | AM Peak Hour | | PM Peak Hour | |
|--------------------------------------------------|--------------|--------------|------------|--------------|-----------|
| | | In | Out | In | Out |
| PARCEL 10R | | | | | |
| Proposed Land Uses | | | | | |
| 400 Apartments Units | 1,584 | 25 | 115 | 88 | 42 |
| 174 Boat Slips | 502 | 7 | 15 | 9 | 15 |
| Subtotal New Trips | 2,086 | 32 | 130 | 97 | 57 |
| Existing Land Uses (Removed) | | | | | |
| 136 Apartments Units | 539 | 8 | 39 | 30 | 14 |
| 184 Boat Slips | 530 | 8 | 15 | 9 | 16 |
| Subtotal Existing Trips | 1,069 | 16 | 54 | 39 | 30 |
| Net New Trips (Parcel 10R) | 1,017 | 16 | 76 | 58 | 27 |
| PARCEL FF | | | | | |
| Proposed Land Uses | | | | | |
| 126 Apartments Units | 499 | 8 | 36 | 28 | 13 |
| Existing Land Uses (Removed) | | | | | |
| None | 0 | 0 | 0 | 0 | 0 |
| Net New Trips (Parcel FF) | 499 | 8 | 36 | 28 | 13 |
| PARCEL 9U | | | | | |
| Proposed Land Uses | | | | | |
| 288 Room Hotel | 1,538 | 63 | 54 | 46 | 56 |
| 1.1 Acre Public Park | 50 | 0 | 0 | 0 | 0 |
| Subtotal New Trips | 1,588 | 63 | 54 | 46 | 56 |
| Existing Land Uses (Removed) | | | | | |
| None | 0 | 0 | 0 | 0 | 0 |
| Net New Trips (Parcel 9U) | 1,588 | 63 | 54 | 46 | 56 |
| Total Net Trips (Parcels 10R, FF, and 9U) | 3,104 | 87 | 166 | 132 | 96 |



SOURCE: Crain & Associates - May 2007

FIGURE 5.7-5

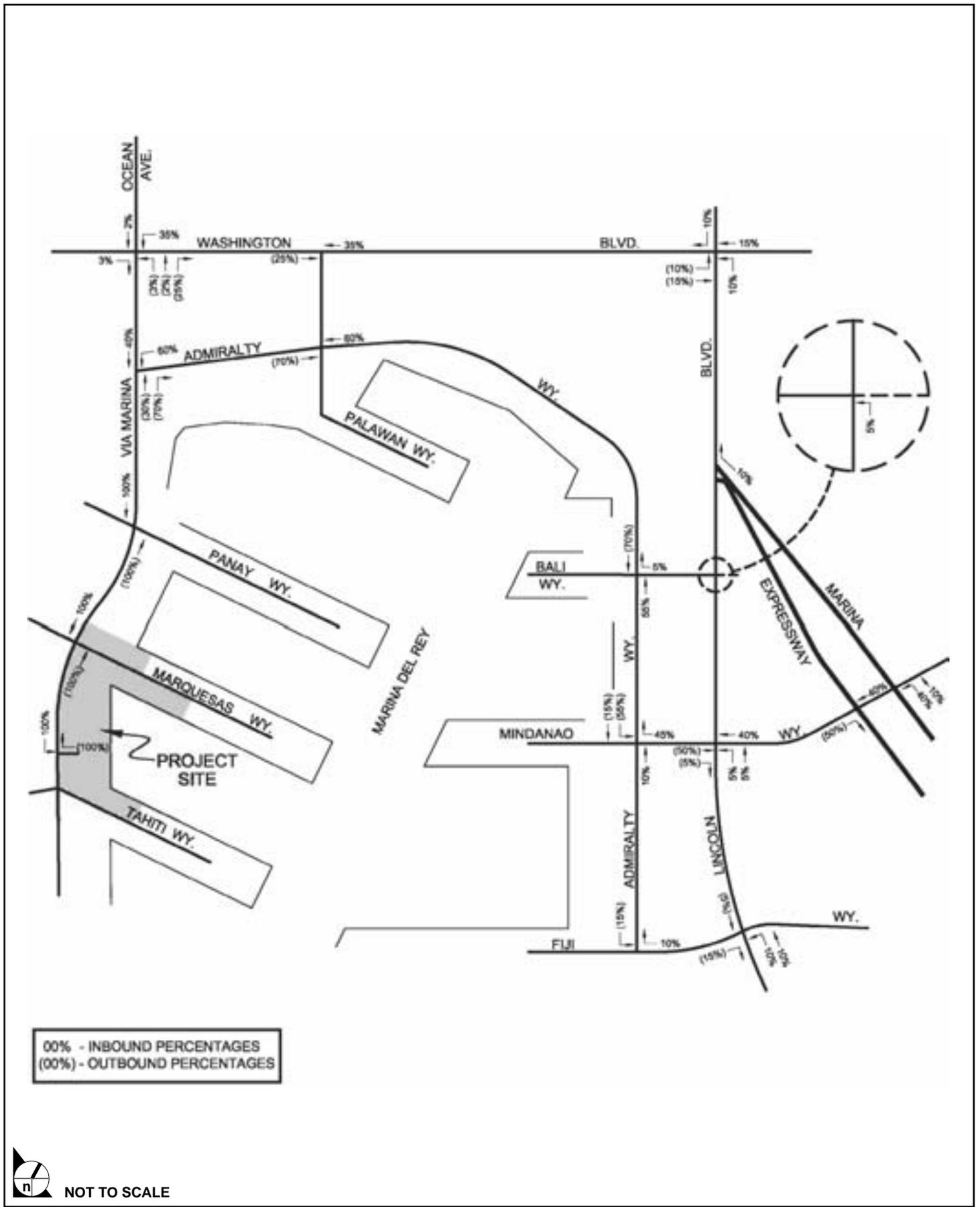
Trip Distribution Percentages (Parcel 10R)



SOURCE: Crain & Associates - May 2007

FIGURE 5.7-6

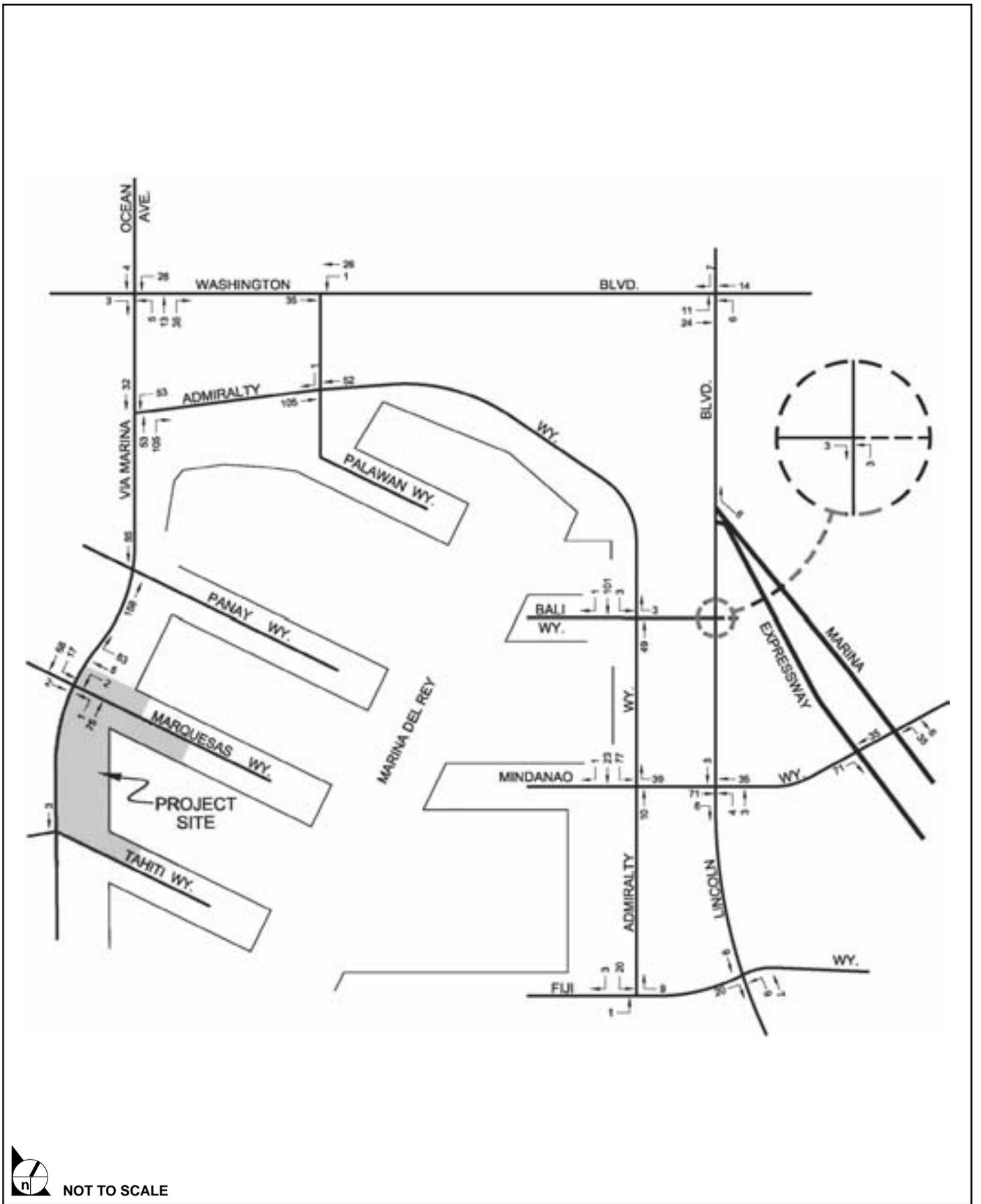
Trip Distribution Percentages (Parcel FF)



SOURCE: Crain & Associates - May 2007

FIGURE 5.7-7

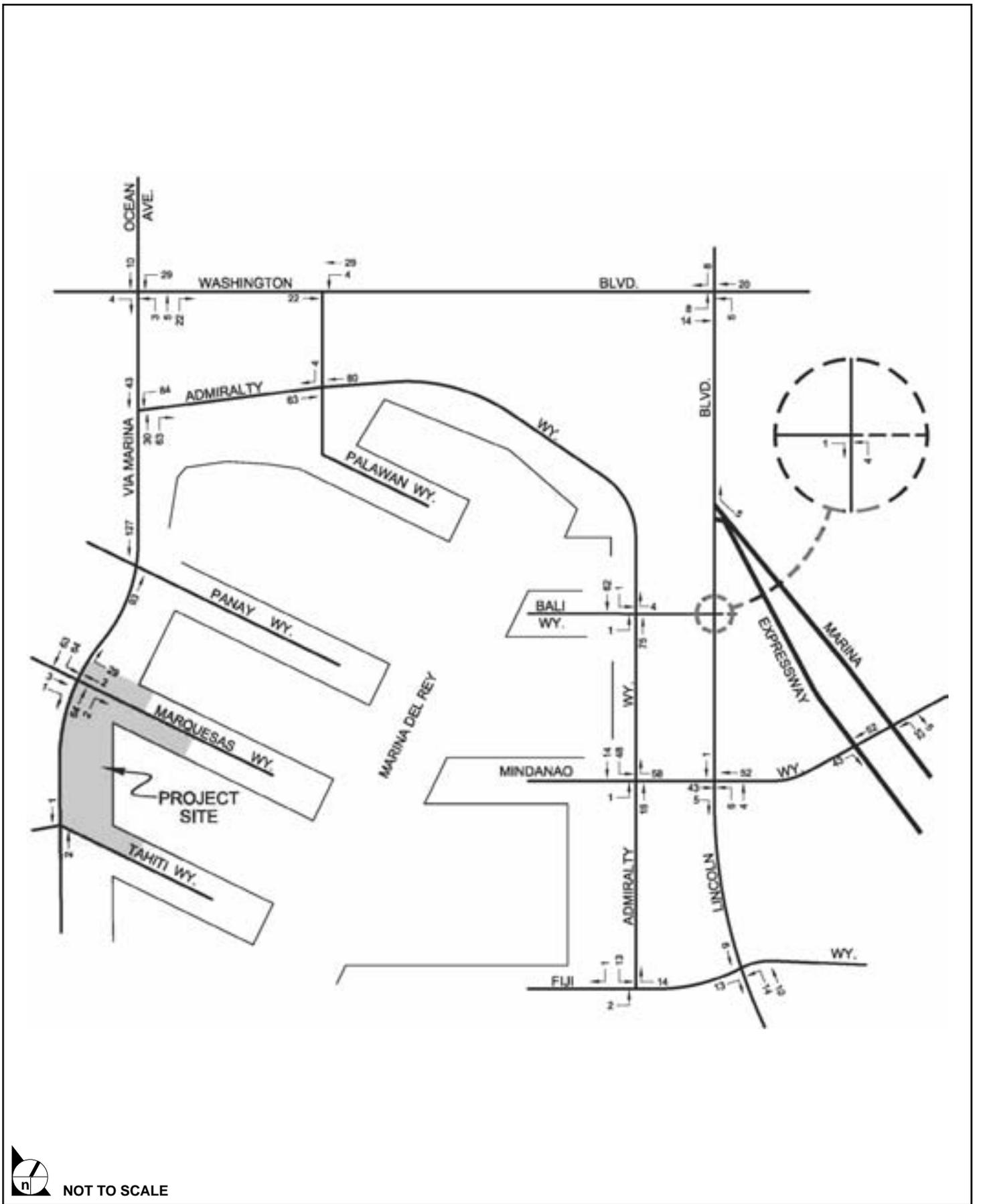
Trip Distribution Percentages (Parcel 9U)



SOURCE: Crain & Associates - May 2007

FIGURE 5.7-8

Traffic Volumes - Net Project Traffic - AM Peak Hour



 NOT TO SCALE

SOURCE: Crain & Associates - May 2007

FIGURE 5.7-9

Traffic Volumes - Net Project Traffic - PM Peak Hour



Future “With Project” Traffic Conditions

The analysis of future (i.e., existing + ambient growth + project) traffic conditions in the project area was performed using the same CMA procedures described previously in this report. For future project conditions, the roadway system was considered to have no improvements beyond existing conditions. Traffic volumes for the analysis were developed as follows:

- Future-year traffic volumes for the project vicinity were determined by applying a 0.6 percent per year ambient growth factor to the 2007 traffic counts, to estimate area traffic growth.

Traffic volumes generated by the project were combined with these benchmark “Without Project” volumes to form the “With Project” traffic conditions and to determine traffic impacts directly attributable to the proposed development. The 2013 baseline Without Project AM and PM peak-hour traffic volumes for the project are shown in **Figure 5.7-10, Future (2013) Traffic Volumes without Project (Ambient Growth) – AM Peak Hour**, and **Figure 5.7-11, Future (2013) Traffic Volumes without Project (Ambient Growth) – PM Peak Hour**, respectively. Future year 2013 With Project traffic volumes are shown in **Figure 5.7-12, Future (2013) Traffic Volumes with Project – AM Peak Hour**, and **Figure 5.7-13, Future (2013) Traffic Volumes with Project – PM Peak Hour**, for the AM and PM peak hours, respectively.

Study Area Intersection Impacts

The results of the CMA for future traffic conditions at the 17 study area intersections are summarized in **Table 5.7-11, Summary of Critical Movement Analysis Future (2013) Traffic Conditions – Without and With Project – AM Peak Hour**, and **Table 5.7-12, Summary of Critical Movement Analysis Future (2013) Traffic Conditions – Without and With Project – PM Peak Hour**. The table shows that both the Without Project and With Project intersection traffic conditions would range between LOS A and LOS F at the most congested study intersections during both the AM and PM peak hours. The incremental project traffic would significantly impact the LOS forecasts during the PM peak hours at three of the study intersections, Admiralty Way and Via Marina, Washington Boulevard at Ocean Avenue and Via Marina, and Admiralty Way and Mindanao Way. During the AM peak hour, only the Admiralty Way/Mindanao intersection would be significantly affected.

Table 5.7-11
Summary of Critical Movement Analysis Future (2013) Traffic Conditions
Without and With Project – AM Peak Hour

| No. | Intersection | Without Project | | With Project | | Impact |
|-----|-------------------------------------------|-----------------|-----|--------------|-----|---------|
| | | CMA | LOS | CMA | LOS | |
| 1. | Via Marina/Tahiti Way | 0.276 | A | 0.276 | A | +0.000 |
| 2. | Via Marina/Marquesas Way | 0.271 | A | 0.333 | A | +0.062 |
| 3. | Via Marina/Panay Way | 0.360 | A | 0.388 | A | +0.028 |
| 4. | Admiralty Way/Via Marina | 0.730 | C | 0.749 | C | +0.019 |
| 5. | Washington Blvd./Ocean Ave./Via Marina | 0.744 | C | 0.774 | C | +0.030 |
| 6. | Admiralty Way/Palawan Way | 0.444 | A | 0.461 | A | +0.017 |
| 7. | Washington Blvd./Palawan Way | 0.668 | B | 0.682 | B | +0.014 |
| 8. | Lincoln Blvd./Washington Blvd. | 0.807 | D | 0.820 | D | +0.013 |
| 9. | Lincoln Blvd./Marina Expressway (SR-90) | 0.707 | C | 0.707 | C | +0.000 |
| 10. | Lincoln Blvd./Bali Way | 0.677 | B | 0.677 | B | +0.000 |
| 11. | Lincoln Blvd./Mindanao Way | 0.754 | C | 0.782 | C | +0.028 |
| 12. | Lincoln Blvd./Fiji Way | 0.613 | B | 0.619 | B | +0.006 |
| 13. | Admiralty Way/Bali Way | 0.480 | A | 0.510 | A | +0.030 |
| 14. | Admiralty Way/Mindanao Way | 0.654 | B | 0.712 | C | +0.058* |
| 15. | Admiralty Way/Fiji Way | 0.266 | A | 0.272 | A | +0.006 |
| 16. | Marina Expressway (SR-90) WB/Mindanao Way | 0.423 | A | 0.428 | A | +0.005 |
| 17. | Marina Expressway (SR-90) EB/Mindanao Way | 0.641 | B | 0.657 | B | +0.016 |

* Denotes significant impact, prior to mitigation.

Table 5.7-12
Summary of Critical Movement Analysis Future (2013) Traffic Conditions
Without and With Project – PM Peak Hour

| No. | Intersection | Without Project | | With Project | | Impact |
|-----|-----------------------------------------|-----------------|-----|--------------|-----|---------|
| | | CMA | LOS | CMA | LOS | |
| 1. | Via Marina/Tahiti Way | 0.179 | A | 0.180 | A | +0.001 |
| 2. | Via Marina/Marquesas Way | 0.188 | A | 0.231 | A | +0.043 |
| 3. | Via Marina/Panay Way | 0.263 | A | 0.280 | A | +0.017 |
| 4. | Admiralty Way/Via Marina | 0.783 | C | 0.826 | D | +0.043* |
| 5. | Washington Blvd./Ocean Ave./Via Marina | 0.799 | C | 0.831 | D | +0.032* |
| 6. | Admiralty Way/Palawan Way | 0.629 | B | 0.655 | B | +0.026 |
| 7. | Washington Blvd./Palawan Way | 0.747 | C | 0.759 | C | +0.012 |
| 8. | Lincoln Blvd./Washington Blvd. | 1.390 | F | 1.399 | F | +0.009 |
| 9. | Lincoln Blvd./Marina Expressway (SR-90) | 0.751 | C | 0.751 | C | +0.000 |
| 10. | Lincoln Blvd./Bali Way | 0.534 | A | 0.537 | A | +0.003 |

| No. | Intersection | Without Project | | With Project | | |
|-----|-------------------------------------------|-----------------|-----|--------------|-----|---------|
| | | CMA | LOS | CMA | LOS | Impact |
| 11. | Lincoln Blvd./Mindanao Way | 0.884 | D | 0.901 | E | +0.017* |
| 12. | Lincoln Blvd./Fiji Way | 0.762 | C | 0.769 | C | +0.007 |
| 13. | Admiralty Way/Bali Way | 0.602 | B | 0.631 | B | +0.029 |
| 14. | Admiralty Way/Mindanao Way | 0.772 | C | 0.835 | D | +0.063* |
| 15. | Admiralty Way/Fiji Way | 0.386 | A | 0.390 | A | +0.004 |
| 16. | Marina Expressway (SR-90) WB/Mindanao Way | 0.555 | A | 0.569 | A | +0.014 |
| 17. | Marina Expressway (SR-90) EB/Mindanao Way | 0.769 | C | 0.779 | C | +0.010 |

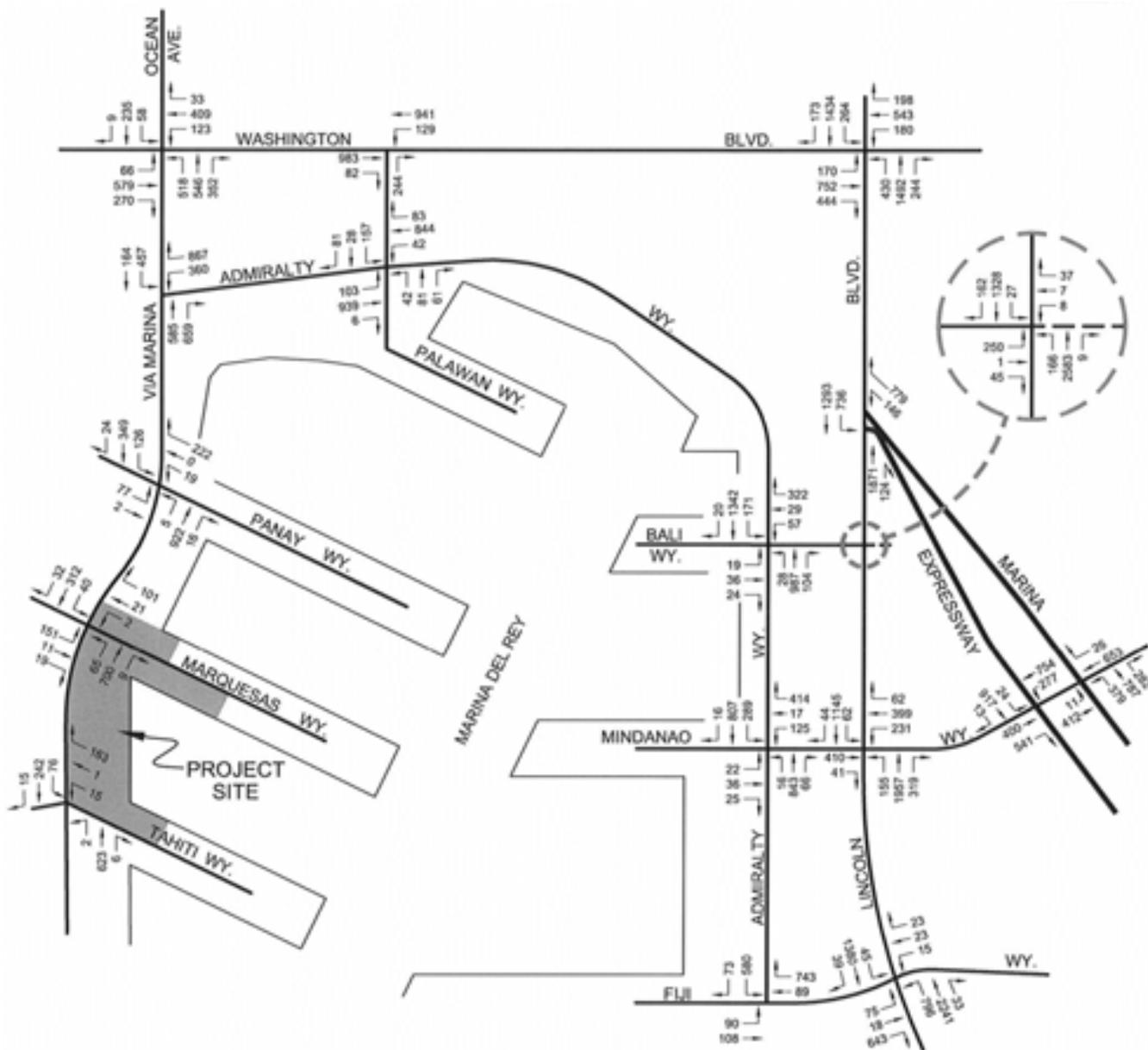
* Denotes significant impact, prior to mitigation.

Mitigation Measures: Through the implementation of area traffic improvement measures recommended in the adopted Marina del Rey Specific Plan TIP project (i.e., existing + ambient growth + project) traffic related impacts would be reduced to a less than significant level. The TIP includes specific detailed transportation and circulation improvements designed to fully mitigate the traffic generation of the Phase II development in Marina del Rey. In order to fund the recommended TIP roadway improvements, all projects developed within the Marina, including the proposed project, are required to pay a traffic mitigation fee imposed by the County of Los Angeles pursuant to the Marina del Rey Specific Plan Transportation Improvement Program. This fee is intended to fund the Category 1 (local Marina) and Category 3 (regional) roadway improvements described in the TIP, by providing fair share contributions toward the improvements, based on the amount of project PM peak hour trips. (Category 2 roadway improvements are reserved for Area A, which is DZ 15 and is part of the Playa Vista Development on the Marina.) These improvements address local traffic generated in and confined to the Marina, as well as trips which leave or pass through the Marina (regional trips). The County's traffic mitigation fee structure is currently \$5,690 per PM peak hour trip. Based on the expected net project trip generation of 228 PM peak hour trips, the project would be required to pay \$1,297,320 in trip mitigation fees (\$716,940 attributable to Legacy Partners and \$580,380 attributable to Woodfin). A portion of these fees is designated toward the Category 3 (regional) transportation improvements.

The County Department of Public Works has expressed that it prefers to implement the Marina del Rey TIP-recommended roadway improvements as a single major project in order to minimize traffic disruptions and construction time. Therefore, payment of the traffic impact mitigation fee is the recommended mitigation over the partial construction by this project of portions of the relevant TIP roadway improvements.

However, should the County decide that roadway improvement measures must be implemented earlier to assure that the project's direct significant impacts are reduced to less than significant levels on or before project occupancy, the following measures are recommended:

- **Admiralty Way and Via Marina** – Reconstruct the intersection to provide for a realignment of Admiralty Way as a through roadway with the southern leg of Via Marina, instead of widening the south side of Admiralty Way to accommodate a triple westbound left turn movement, and two lanes eastbound on Admiralty Way with a right-turn merge lane from northbound Via Marina as proposed under the Marina del Rey TIP Category 1 improvement. This improvement is identified in the Marina del Rey TIP as a Category 3 improvement, and will enhance traffic flow within the Marina.
- **Washington Boulevard and Via Marina/Ocean Avenue** – No feasible physical improvements are identified in the TIP that remain available to mitigate this potential direct project traffic impact. However, the County of Los Angeles Department of Public Works has identified an improvement at the nearby intersection of Washington Boulevard and Palawan Way that would provide additional egress from the Marina, reducing traffic volumes on the northbound approach of Via Marina at this intersection, and providing mitigation for the impacts. The proposed improvement would reconstruct the intersection of Washington Boulevard and Palawan Way to allow for dual northbound left-turns onto westbound Washington Boulevard, and install a new traffic signal at that intersection. The improvement will provide an additional means of accessing westbound Washington Boulevard from westbound Admiralty Way, reducing the existing high northbound volumes at Washington Boulevard and Via Marina/Ocean Avenue. (See “Washington Boulevard and Palawan Way” below for additional details.) It should be noted that this improvement is not included in the TIP. As such, the proposed project would be conditioned to contribute fair share funding to this improvement above and beyond the previously identified traffic mitigation fees. The project's fair share proportion is 18.4 percent or approximately \$61,180 as determined by the County.
- **Lincoln Boulevard and Mindanao Way** – Widen the west side of Lincoln Boulevard both north and south of Mindanao Way, and relocate and narrow the median island on Lincoln Boulevard to provide a right-turn lane in the northbound direction. This improvement is identified in the Marina del Rey TIP as a Category 1 improvement, and will enhance traffic flow within the Marina.
- **Admiralty Way and Mindanao Way** – Install dual left-turn lanes on Admiralty Way for southbound travel at the approach to Mindanao Way and modify the traffic signal to provide a westbound right-turn phase concurrent with the southbound left-turn movement. The dual left-turn lanes on Admiralty Way will enhance egress from the Marina at Mindanao Way, has already been approved as part of a previous project (Marina Two), and would mitigate to less than significance the combined traffic impacts of both projects. It should be noted that this improvement is not included in the TIP. As such, the proposed project would be conditioned to contribute fair share funding to this improvement above and beyond the previously identified traffic mitigation fees. The project's fair share proportion would be negotiated between the proposed project and the County.

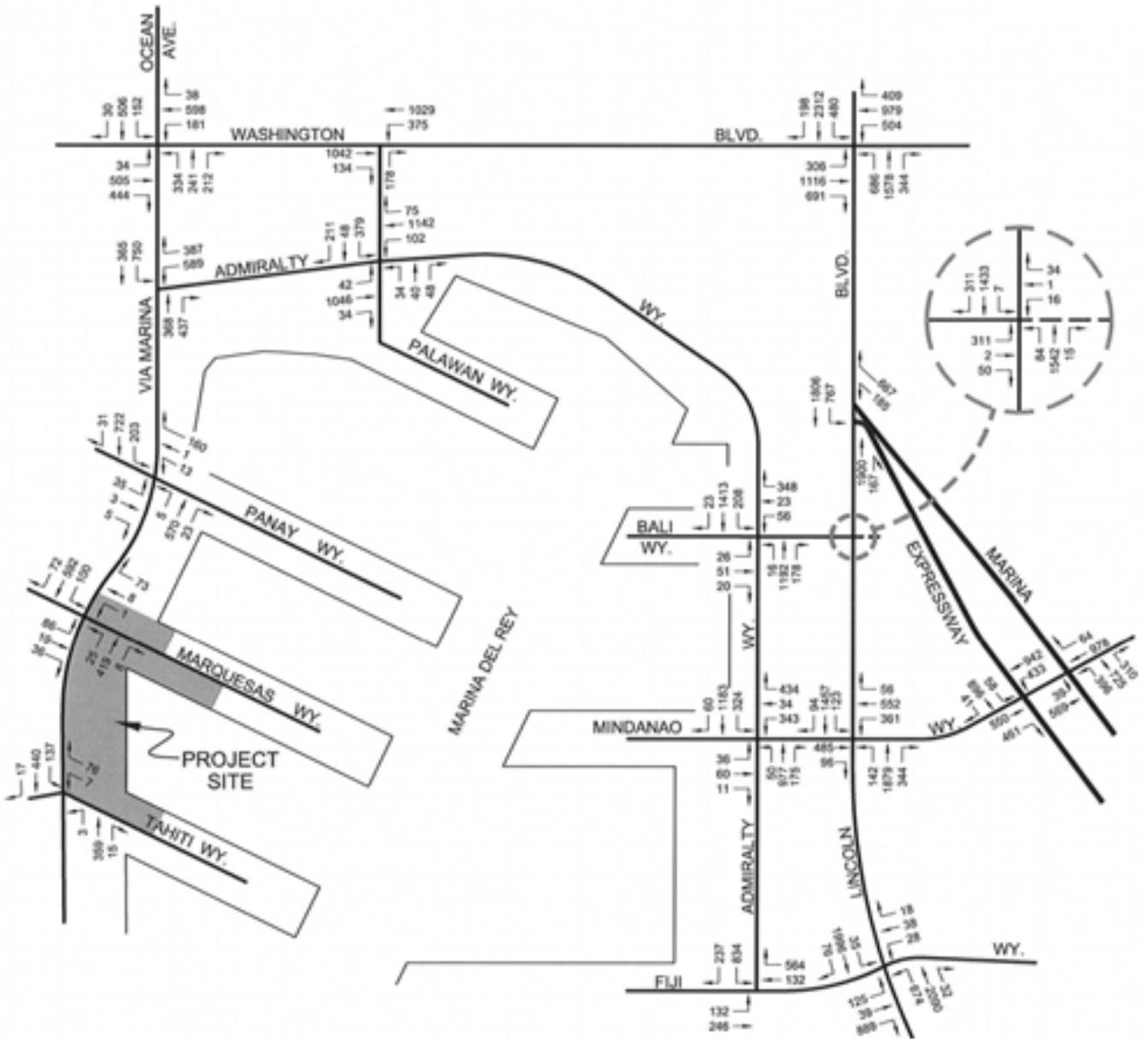



NOT TO SCALE

SOURCE: Crain & Associates - December 2007

FIGURE 5.7-10

Future (2013) Traffic Volumes Without Project (Ambient Growth) - AM Peak Hour

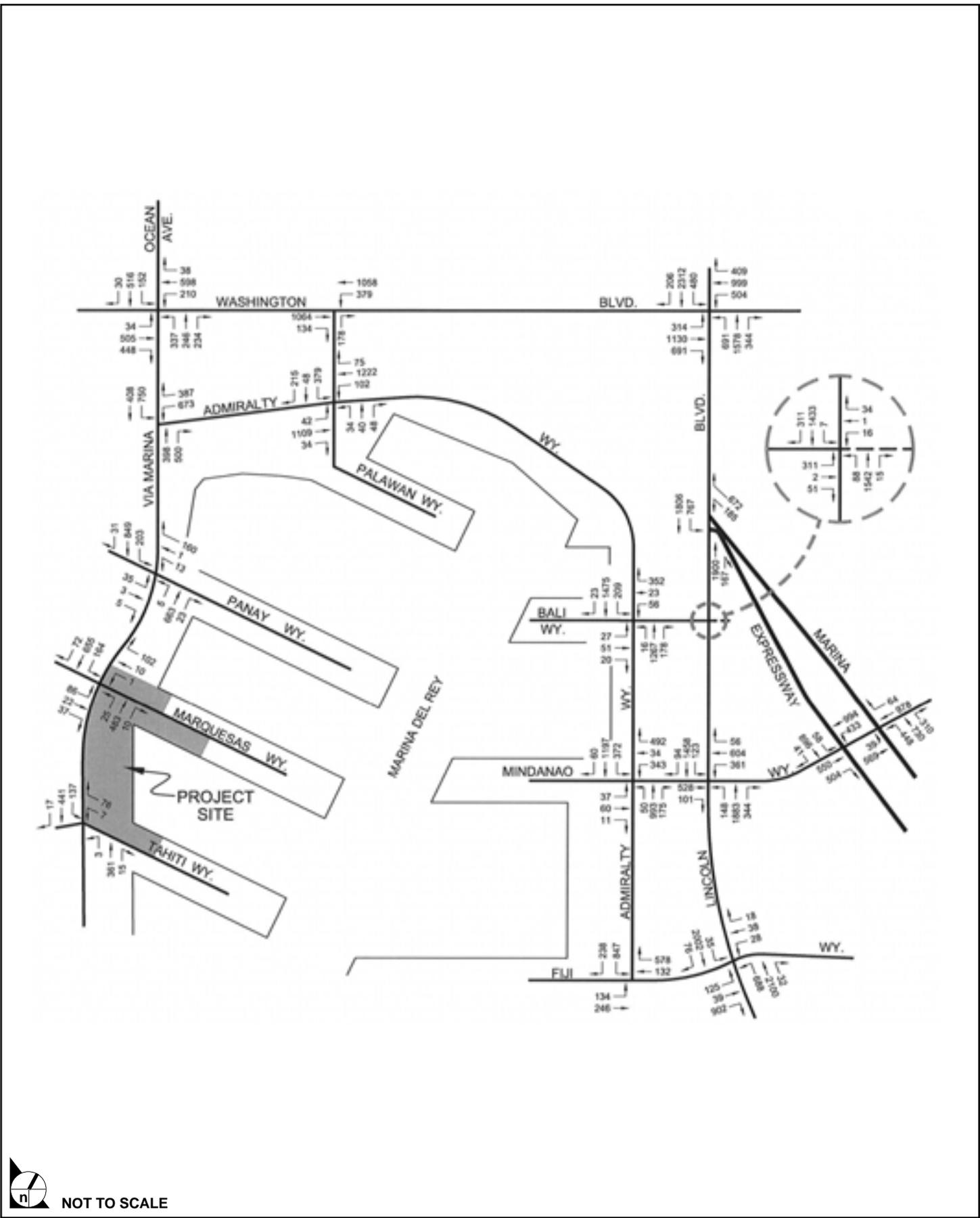


NOT TO SCALE

SOURCE: Crain & Associates - December 2007

FIGURE 5.7-11

Future (2013) Traffic Volumes Without Project (Ambient Growth) - PM Peak Hour



NOT TO SCALE

SOURCE: Crain & Associates - December 2007

FIGURE 5.7-13

Future (2013) Traffic Volumes With Project - PM Peak Hour

To determine the quantitative effect of these mitigation measures on the project-specific significant impact, a supplemental analysis was performed. This analysis utilized the same analysis procedures and techniques as were used in the preceding analysis of intersection conditions, with the exception that the proposed mitigation measures were assumed to be in place for the With Mitigation scenario. The results of the supplemental With Mitigation analysis are presented in **Table 5.7-13** and show that, once installed, these mitigation measures will reduce the traffic impacts of the proposed project to a less than significant level, and no additional project-specific traffic improvements are necessary.

Table 5.7-13
Summary of Critical Movement Analysis
Future (2013) Traffic Conditions – With Project Plus Mitigation

| No. | Intersection | Without Project | | With Project | | | With Mitigation | | |
|-----|--------------|---------------------------------------------------------|-----|--------------|-----|---------|-----------------|-----|--------|
| | | CMA | LOS | CMA | LOS | Impact | CMA | LOS | Impact |
| 4. | | Admiralty Way and Via Marina | | | | | | | |
| | AM Peak Hour | 0.730 | C | 0.749 | C | +0.019 | 0.637 | B | -0.093 |
| | PM Peak Hour | 0.783 | C | 0.826 | D | +0.043* | 0.725 | C | -0.047 |
| 5. | | Washington Boulevard and Via Marina/Ocean Avenue | | | | | | | |
| | AM Peak Hour | 0.744 | C | 0.774 | C | +0.030 | 0.689 | B | -0.055 |
| | PM Peak Hour | 0.799 | C | 0.831 | D | +0.032* | 0.791 | C | -0.008 |
| 11. | | Lincoln Boulevard and Mindanao Way | | | | | | | |
| | AM Peak Hour | 0.754 | C | 0.782 | C | +0.028 | 0.704 | C | -0.050 |
| | PM Peak Hour | 0.884 | D | 0.901 | E | +0.017* | 0.819 | D | -0.065 |
| 14. | | Admiralty Way and Mindanao Way | | | | | | | |
| | AM Peak Hour | 0.654 | B | 0.712 | C | +0.058* | 0.608 | B | -0.046 |
| | PM Peak Hour | 0.772 | C | 0.835 | D | +0.063* | 0.734 | C | -0.038 |

* Denotes significant impact, prior to mitigation.

Conclusion: Less than significant.

5.7.5.3.2.2 Threshold: Would project-generated traffic interfere with the existing traffic flow (e.g., due to the location of access roads, driveways, parking facilities).

Analysis: As discussed in the project description of this EIR, the proposed project would adhere to County standards regarding access roads and driveway locations.

As described in the previous section and in **Table 5.7-14, Parking Tabulation for the Proposed Project Parcels 10R, FF, and 9U**, parking for the proposed project site (Parcels FF, 10R, and 9U) is generally provided in parking structures beneath or adjacent to each building. The project would also meet the

County standards regarding parking requirements. The comparison of County Code requirements and proposed project parking is shown below.

As shown in **Table 5.7-14**, the proposed development on Parcel 10R will require a total of 777 parking spaces for the residents and guests of the 400 apartments, plus an additional 131 spaces for boat slip parking needs, for a total of 908. The project will provide a minimum of 908 spaces to meet the total amount of parking required for the Parcel 10R development. **Table 5.7-14** shows that the residential development on Parcel FF will require a total of 242 parking spaces for the residents and guests of the 126 apartments. The project will provide 242 resident parking spaces including a minimum of 32 guest parking spaces on Parcel FF in order to meet the total amount of parking required for this parcel. Since the proposed project developments on Parcels 10R and FF meet parking requirements both on an overall basis and for each individual use, no parking spillover onto area streets or into the nearby neighborhoods is anticipated, and no parking-related impacts are expected as a result of the project components on these two parcels.

As summarized in **Table 5.7-14**, approximately 556 on-site parking spaces would be required for the proposed hotel/timeshare resort component on Parcel 9U if the resort's primary and accessory uses were analyzed as stand-alone facilities. However, stand-alone parking often does not reflect the true parking demand of a mixed-used development. Therefore, County Code allows for an analysis to be made of the project uses on a shared parking basis. A shared parking analysis, prepared using Urban Land Institute (ULI) procedures as detailed in **Appendix 5.7**, concludes that the maximum parking demand for the project site would be approximately 345 parking spaces and would occur between 9:00 PM and 10:00 PM on a typical summer weekend, with a slightly lower maximum parking demand of 344 spaces on atypical summer weekday. The proposed hotel/timeshare resort will accommodate a total of 360 spaces including 21 fee-based self-park spaces located on the second parking level, and 339 valet spaces located on all other parking levels. Thus, no parking spillover onto area streets or into the nearby neighborhoods is anticipated, and no parking-related impacts are expected as a result of the proposed hotel/timeshare resort development on Parcel 9U.

Table 5.7-14
Parking Tabulation for the Proposed Project-Parcels 10R, FF, and 9U

| Site | Type of Unit | Number of Units | Spaces Per Unit ¹ | Total |
|-------------------|-----------------|---------------------------------------|---------------------------------|------------------------|
| <i>Parcel 10R</i> | 1 Bedroom | 246 | 1.50 | 369 |
| | 2 Bedroom | 154 | 2.00 | <u>308</u> |
| | | | Subtotal Resident Only | 677 |
| | Guests | 400 | 0.25 | <u>100</u> |
| | | | Subtotal Guests Only | 100 |
| | Boat Slips | 174 slips | .75/slip | <u>131</u> |
| | | | Subtotal Boat Slips Only | 131 |
| | | Total Required | 908 | |
| | | Total Parking Provided | 908 | |
| <i>Parcel FF</i> | 1 Bedroom | 94 | 1.50 | 141 |
| | 2 Bedroom | 24 | 2.00 | <u>48</u> |
| | | | Subtotal Resident Only | 210 |
| | Guests | 126 | 0.25 | <u>32</u> |
| | | | Subtotal Guests Only | 32 |
| | | | Total Required | 242 |
| | | Total Parking Provided | 242 | |
| <i>Parcel 9U</i> | Hotel-2 Bedroom | 83 | 1/unit | 83 |
| | Hotel-1 Bedroom | 205 | 0.5/unit | 103 |
| | Sundry Shop | 1,176 sq. ft | 4/1,000 sq. ft. | 5 |
| | Spa | 111 Occupants | 1/3 Occupants | 37 |
| | Ballroom | 347 Occupants | 1/3 Occupants | 116 |
| | Meeting Room | 227 Occupants | 1/3 Occupants | 76 |
| | Restaurant | 407 Occupants | 1/3 Occupants | 136 |
| | | | Total Stand-Alone Rates | 556² |
| | | Total Parking Provided | 360 | |
| | | Project Parking Provided Total | 1,510 | |

¹ Pursuant to Los Angeles County Code.

² stand-alone parking rate does not reflect the true demand of a full-scale hotel development. Major hotel developments typically have a variety of facilities and are designed to be 24-hour mixed-use facilities. According to the ULI Shared Parking document, parking demand for the hotel uses and the demand for the various uses include the guest rooms, meeting rooms, ballrooms, retail, spa and restaurant, peak at different times of the day. To require parking per code for each hotel use would result in excess parking. The shared parking analysis, included in **Appendix 5.7** of this EIR concluded that the maximum number of parking spaces required would be 345, during 9 PM and 10 PM on a typical summer weekend, resulting in 15 surplus spaces during the peak parking demand period.

³ Employee parking rates are included within the standard Los Angeles County parking rates and are accounted for within the table above.

Mitigation Measure: None required.

Conclusion: Less than significant.

5.7.5.3.2.3 Threshold: Would the proposed project cause an adverse impact to the existing regional transportation system.

Analysis: As mentioned previously, a traffic analysis is required at all arterial monitoring intersections where the proposed project would add 50 or more trips during either the AM or PM weekday peak hours. In addition, a traffic analysis is also required at all mainline freeway monitoring locations where the project would add 150 or more trips, in either direction, during either the AM or PM weekday peak hours.

One CMP intersection, Lincoln Boulevard and Marina Expressway, was identified in the project area. The proposed project is not expected to add 50 or more trips to this intersection during either the AM or PM weekday peak hours. However, this intersection was included as a study intersection and analyzed due to its close proximity to the project site. In addition, a traffic analysis is also required at all mainline freeway monitoring locations where the project will add 150 or more trips, in either direction, during either the AM or PM weekday peak hours. A review of the project's net trip generation assignments, as shown previously in **Figures 5.7-12** and **5.7-13**, indicates that the project is not expected to add substantial traffic volumes to the regional transportation system. The maximum amount of project traffic added to any particular freeway segment would occur along the eastbound Marina Expressway/Freeway east of Mindanao Way during the AM peak hour. During this time, the project would add approximately 71 trips, which is substantially less than the Los Angeles CMP threshold of 150 peak hour trips added to any freeway segment in a single direction. Based on this information, the impact criteria will not be exceeded, and no significant regional impacts on arterial monitoring intersections and mainline freeway locations would occur. Therefore, this is considered a less than significant impact.

Mitigation Measure: None required.

Conclusion: Less than significant.

5.7.5.3.2.4 Threshold: Would the project be consistent with the Marina del Rey Land Use Plan.

Analysis: The portion of the project within DZ 2 consists of the 288-unit hotel/timeshare resort on the northern portion of Parcel 9U and an approximately 1.46-acre public wetland park on the southern portion of the parcel. Parcel 9U is currently vacant. The 1.46-acre public wetland park is to replace the area of Parcel FF (located at the northeast corner of the intersection of Marquesas Way and Via Marina) designated as Open Space in the LCP. Although not specifically noted in the development allowances,

public open space development within the Marina is encouraged and is considered to be compatible with the intent of the LUP development standards. The original development allowances for DZ 2 included a total of 275 dwelling units, 288 hotel rooms and 76 boat slips. Thus, the proposed project development in DZ 2, with 288 hotel/timeshare suites, accessory resort uses and a public park, would be consistent with the development allowances for this zone.

A portion of DZ 3 will also be developed as part of this project. The 136 existing apartments located on Parcel 10R along Via Marina and Marquesas Way will be removed. A total of 400 and 126 new apartments will be constructed on Parcels 10R and FF, respectively, for a total of 526 new apartments within DZ 3. Parcel FF is currently developed with an approximately 207-space surface parking lot. The project will also remove a total of 198 existing boat spaces and develop 174 new boat slips adjacent to Parcel 10R. Thus, the proposed project will result in a net increase of 390 apartments, and a decrease of 24 boat slips within DZ 3.

The original development allowances for DZ 3 included a total of 320 dwelling units, a total of 15,000 square feet of visitor-serving retail, and 76 boat slips; however, the development potential for each development zone is granted on a “first come, first served” basis.

As noted previously, another project (Marina Two) is currently approved for development in DZ 3. The Marina Two project included development on both Parcel 12, within DZ 3, and Parcel 15 within DZ 4. Only the DZ 3 portion of the development is pertinent to the proposed project. The Marina Two project was approved to develop a total of 437 residential dwelling units, 2,000 square feet of visitor-serving retail, and 227 boat slips on parcels containing a total of 120 existing dwelling units, 5,600 square feet of visitor-serving retail, and 464 boat slips, all of which would be removed. The net effect of the Marina Two project on the DZ 3 remaining allowable development is the utilization of 317 dwelling units, reducing the remaining allowable development potential for DZ 3 to only three (3) dwelling units. However, no change in the allowable development potential for the visitor-serving retail or boat slips would occur due to the Marina Two project, since the approved development actually reduces the amount of visitor-serving retail on the site by 3,600 square feet, and the number of DZ 3 boat slips by 237 slips. Since the Phase II LUP development allowances were based on development beyond the existing conditions at the time of its adoption, the Marina Two project reductions in retail space and boat slips are not considered to affect the allowable Phase II development amounts for these uses, which remain at 15,000 square feet of visitor-serving retail and 76 boat slips, respectively.

Consequently, the proposed net increase of 264 dwelling units on Parcel 10R and 126 dwelling units on Parcel FF (390 net combined) is 387 dwelling units more than the three dwelling units currently available in DZ 3. Therefore, to facilitate the project, the County is requesting an amendment to the LCP to transfer

residential development rights from other adjoining and/or nearby development zones to allow for the proposed increase in dwelling units within DZ 3.

The proposed project would transfer development allowances for Parcel 10R of approximately 261 dwelling units (out of an allowable total of 275 units) from the abutting DZ 2. The transfer of 261 dwelling units from DZ 2 plus the 3 remaining allowable units for DZ 3 would allow for the development increase of 264 dwelling units on Parcel 10R. In addition, the proposed project would transfer development allowances from the remaining 14 dwelling units within DZ 2, and transfer 112 dwelling unit allowances from nearby DZ 1 (the “Bora Bora” DZ comprised of parcels at near the terminus of Via Marina) to DZ 3. As a result, DZ 2 would have no allowable dwelling units remaining. However, as noted earlier, this condition will not significantly affect development within DZ 2, since the only project proposed for this zone is the subject 288-room hotel/timeshare resort, which is currently allowed. Thus, the proposed residential development allowance transfers from DZ 1 and DZ 2 would permit the entire proposed Parcel 10R and FF development within DZ 3 to be consistent with the development allowances described in the Marina del Rey LUP.

The Marina del Rey LUP also requires that proposed projects demonstrate compatibility with the Circulation Element of the Plan, based upon a comparison of the number of trips generated by the allowable development and the trips generated by the proposed project. As noted previously, the Phase II development potential for each zone is based upon the Marina’s ultimate capacity to accommodate traffic. To determine the compatibility of the proposed development with the Circulation Element, the PM peak hour trip generation potentials for both the proposed and allowable land uses were computed. The trip generation rates used in this comparison are specified in Table 2 of Appendix G, Transportation Improvement Program (TIP), of the Marina del Rey Local Implementation Program, which is, in turn, a part of the LUP. These trip rates were used to determine the number of trips attributable to the allowed Phase II development levels, and to assess the need for and effectiveness of the roadway improvements required as part of the Phase II development. The calculation of the number of allowable and proposed PM peak hour trips for DZ 2 and DZ 3 is summarized in **Table 5.7-15, Development Zone 2 and 3 PM Peak-Hour Trips**.

Table 5.7-15 shows that the project development proposed for DZ 2 is well within the allowable buildout trip limits for that zone, as determined based on the allowed development land uses specified in the LUP. No other developments have occurred under the Phase II Marina development for DZ 2, and as such, development of the proposed project including the residential development transfer of 275 dwelling units from DZ 2 to DZ 3 leaves 9.58 net allowable trips remaining for future development in this Zone. Development Zone 3 exhibits a similar situation. The potential development listed in the Marina del Rey Land Use Plan Development for Zone 3 would allow a total of 180.50 net new PM trips. However, the

approved Marina Two project on Parcel 12 results in a net total of 49.59 trips, leaving 130.91 remaining allowable trips. The project development proposed for DZ 3 would produce a total of 125.88 net new PM peak-hour trips. In addition, the proposed residential development allowance transfer would increase the trip allowance by 126.16 trips. As a result, the allowable trips available for future development for this Zone following the proposed project would be approximately 131.19 trips. As such, the proposed project is compatible with the trip generation limit identified in the Marina del Rey LUP for both Development Zones 2 and 3.

Additionally, overall development within the Marina is projected to remain well within acceptable limits. The Marina del Rey Phase II Buildout development allowed by the LUP and the TIP, as summarized in **Table 5.7-7**, produces a total of 2,750 net new PM peak hour trips for the Marina, beyond those trips occurring at the time those documents were certified. The LUP and its supporting documents were updated and certified most recently in February of 1996. Only four projects have been developed to date under the allowed Phase II development, although several additional developments are pending, approved, or currently being constructed. The developed projects (Dolphin Marina and the Parcel 20 Development within DZ 4, the Parcel 112 Development within DZ 1, and Parcels 50 and 83 within DZ 9) result in an increase of 26.97 PM peak hour trips, an increase of 25.80 PM peak hour trips, a decrease of 3.87 net PM peak hour trips, and an increase of 20.87 PM peak hour trips, respectively, for a total of 69.77 trips, which is about 2.5 percent of the total allowable Phase II trips. However, several development proposals, including the subject project, have been approved, are under construction, or are currently proceeding through the approval process. These projects will also contribute toward the overall Marina trip cap. As shown in **Table 5.7-15**, the proposed project will result in a net trip generation of approximately 227.54 PM peak hour trips.

The other currently approved, proposed, or potential projects within the Marina include:

- Marina Two project (152.34 total trips on both Parcels 12 and 15)
- Redevelopment of Parcels 95 (135.26 trips)
- The approved redevelopment of Parcel 97 (2.16 trips)
- The Parcel 140 residential project (37.49 trips)
- Villa Venetia project (87.39 trips on Parcel 64)
- The Parcel 27 hotel expansion project (24.36 trips)
- Mixed-use expansion development on Parcels 55, 56 and W (209 trips)
- The approved Del Rey Shores Project (111.49 trips on both Parcels 100 and 101)
- A proposed hotel project on Parcel IR (51.89 trips)
- The Waterfront project on Parcels 33/NR (22.07 trips)

- The Boat Central/Pacific Marina Development on Parcels 52/GG (51.38 trips)
- The proposed Congregate-care Retirement Facility on Parcel OT and Holiday Harbor Courts project on Parcel 21 (30.54 trips)

These developments could potentially add a total of approximately 972.83 net new trips to the Marina. With buildout of the already developed projects (Dolphin Marina and the Parcels 20, 112 and 50/83 Developments) and the proposed project, a net total addition of approximately 1,212.68 PM trips, or approximately 44 percent of the total of 2,750 PM peak hour trips allowed under the development and mitigation scenarios approved for Marina del Rey, would result.

This level of overall trip generation from the developed, approved and proposed Marina projects is less than the 50 percent development level at which Category 3 System-Wide Improvements (as described in the LCP), such as the Admiralty Way improvement to five lanes or the realignment of the intersection of Admiralty Way and Via Marina, are warranted before any additional development can occur. It should also be noted that the proposed project has identified several Category 3 improvements as mitigation measures for the cumulative traffic impacts, described in detail below.

Mitigation Measure: None required.

Conclusion: Less than significant.

**Table 5.7-15
Development Zone 2 and 3 PM Peak-Hour Trips**

| Development Zone 2 | | |
|------------------------------------------------------------------|---|---------------------|
| Allowable Phase II Development (Without Proposed Project) | | |
| 275 dwelling units x 0.326 trips/unit | = | 89.65 trips |
| 288 hotel rooms x 3.53 trips/room | = | 101.66 trips |
| 76 boat slips x 0.126 trips/slip | = | <u>9.58 trips</u> |
| <i>Total Allowable Trips</i> | | <i>200.89 trips</i> |
| Approved/Constructed Phase II Development | | |
| None | = | <u>0.00 trips</u> |
| <i>Remaining Allowable Phase II Trips</i> | | <i>200.89 trips</i> |
| Proposed Development (Parcel 9U) | | |
| 288 hotel units x 0.353 trips/unit | = | 101.66 trips |
| 1.46-acre park x 0.00 trips/acre | = | <u>0.00 trips</u> |
| <i>Net Parcel 9U Project Trips</i> | = | <i>101.66 trips</i> |
| Proposed Residential Development Allowance Transfers | | |
| 275 new dwelling units x 0.326 trips/unit (To DZ 3) | | 89.65 trips |
| <i>Total Transferred Residential Trips</i> | | <i>89.65 trips</i> |
| Surplus/(Deficit) Development Zone 2 Allowable Trips | | 9.58 trips |

| Development Zone 3 | | |
|------------------------------------------------------------------|---|---------------------|
| Allowable Phase II Development (Without Proposed Project) | | |
| 275 dwelling units x 0.326 trips/unit | = | 104.32 trips |
| 15,000 sq. ft. visitor-serving retail x 4.44 trips/KSF | = | 66.60 trips |
| 76 boat slips x 0.126 trips/slip | = | <u>9.58 trips</u> |
| <i>Total Allowable Trips</i> | | <i>180.50 trips</i> |
| Approved Phase II Development (Parcel 12) | | |
| 402 new dwelling units x 0.326 trips/unit | = | 131.05 trips |
| 35 new senior dwelling units x 0.100 trips/unit | = | 3.50 trips |
| 2,000 sq. ft. visitor-serving retail x 4.44 trips/KSF | = | 8.88 trips |
| 227 boat slips x 0.126 trips/slip | = | <u>28.60</u> |
| <i>Total Approved</i> | | <i>172.03 trips</i> |
| Less 120 existing dwelling units x 0.326 trips/unit | = | -39.12 trips |
| Approved Phase II Development (Parcel 12) | | |
| Less 5,600 sq. ft. existing retail x 4.44 trips/KSF | = | -24.86 trips |
| Less 464 boat slips x 0.126 trips/slip | = | <u>-58.46 trips</u> |
| <i>Net Approved Trips</i> | | <i>49.59 trips</i> |
| <i>Remaining Allowable Phase II Trips</i> | | <i>130.91 trips</i> |
| Proposed Development (Parcels 10R and FF) | | |
| Parcel 10R | | |
| 400 new dwelling units x 0.326 trips/unit | = | 130.40 trips |
| 174 new boat slips x 0.126 trips/slip | = | <u>21.92 trips</u> |
| | | 152.32 trips |
| Less 136 existing dwelling units x 0.326 trips/unit | = | -44.34 trips |
| Less 184 existing boat slips x 0.126 trips/slip | = | <u>-23.18 trips</u> |
| <i>Net Parcel 10R Project Trips</i> | = | <i>84.80 trips</i> |
| Parcel FF | | |
| 126 new dwelling units x 0.326 trips/unit | = | <u>41.08 trips</u> |
| <i>Net Parcel FF Project Trips</i> | = | <i>41.08 trips</i> |
| Proposed Residential Development Allowance Transfers | | |
| 112 new dwelling units x 0.326 trips/unit (from DZ 1) | = | 36.51 trips |
| 275 new dwelling units x 0.326 trips/unit (from DZ 2) | = | <u>89.65 trips</u> |
| <i>Total Transferred Residential Trips</i> | = | <i>126.16 trips</i> |
| Surplus/(Deficit) Development Zone 3 Allowable Trips | | 131.19 trips |

5.7.5.3.3 Neptune Marina Parcel 10R Project

The applicable thresholds of significance are listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts, if applicable.

5.7.5.3.3.1 Threshold: Would the project cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system.

Threshold: Would the project exceed an LOS standard established by the county congestion management agency for designated roads and highways.

Threshold: Would the project cause an increase in the CMA value of 0.010 or more, when the final With Project LOS is E or F (CMA > 0.900); or cause an increase in the CMA of 0.020 or more at LOS D (CMA > 0.800 to 0.900); or cause an increase in the CMA of 0.040 or more at LOS C (CMA > 0.700 to 0.800).

Threshold: Would the traffic generated by the project if added to existing traffic volumes, exceed the design capacity of an intersection or roadway, contribute to an unacceptable LOS, or exacerbate an existing congested condition.

Analysis: Using the trip generation rates provided in **Table 5.7-1**, Parcel 10R is expected to generate approximately 1,045 net new trips per day. Of this total, an estimated 93 trips would occur during the morning peak hour, and 86 new trips would occur during the evening peak hour. These new trips would be added to the project area roadway network once the existing development is removed and the proposed project is completed and fully occupied. Estimated trip generation figures for the project are provided in **Table 5.7-10**.

These general geographic trip distribution percentages from **Table 5.7-5** were then assigned to specific travel routes in the study area and are assumed to be the same during both the AM and PM peak hours. Using the directional distribution percentages shown in **Figures 5.7-5, 5.7-6 and 5.7-7, Trip Distribution Percentages**, the number of trips along each roadway were calculated. These roadway trips were then assigned to specific routes serving the project. The results of this traffic assignment provide the necessary level of detail to conduct the future traffic analysis. Traffic assignments for the AM and PM peak-hour project traffic on the nearby street system are shown in **Figure 5.7-14, Traffic Volumes – Parcel 10R Residential Project Traffic – AM Peak Hour**, and **Figure 5.7-15, Traffic Volumes – Parcel 10R Residential Project Traffic – PM Peak Hour**.

Future “With Project” Traffic Conditions

The analysis of future conditions (i.e., existing + ambient growth + project) traffic in the project area was performed using the same CMA procedures described previously in this report. For future project conditions, the roadway system was considered to have no improvements beyond existing conditions. Traffic volumes for the analysis were developed as follows:

- Future-year traffic volumes for the project vicinity were determined by applying a 0.6 percent per year ambient growth factor to the 2007 traffic counts, to estimate area traffic growth.
- Traffic volumes generated by the project were combined with these benchmark Without Project volumes to form the With Project traffic conditions and to determine traffic impacts directly attributable to the proposed development.

The 2013 baseline Without Project AM and PM peak-hour traffic volumes for the project are shown in **Figure 5.7-8, Future (2013) Traffic Volumes without Project (Ambient Growth) – AM Peak Hour**, and **Figure 5.7-9, Future (2013) Traffic Volumes without Project (Ambient Growth) – PM Peak Hour**, respectively. Future year 20113 With Project traffic volumes are shown in **Figure 5.7-16, Future (2013) Traffic Volumes with Parcel 10R – AM Peak Hour**, and **Figure 5.7-17, Future (2013) Traffic Volumes with Parcel 10R – PM Peak Hour**, for the AM and PM peak hours, respectively.

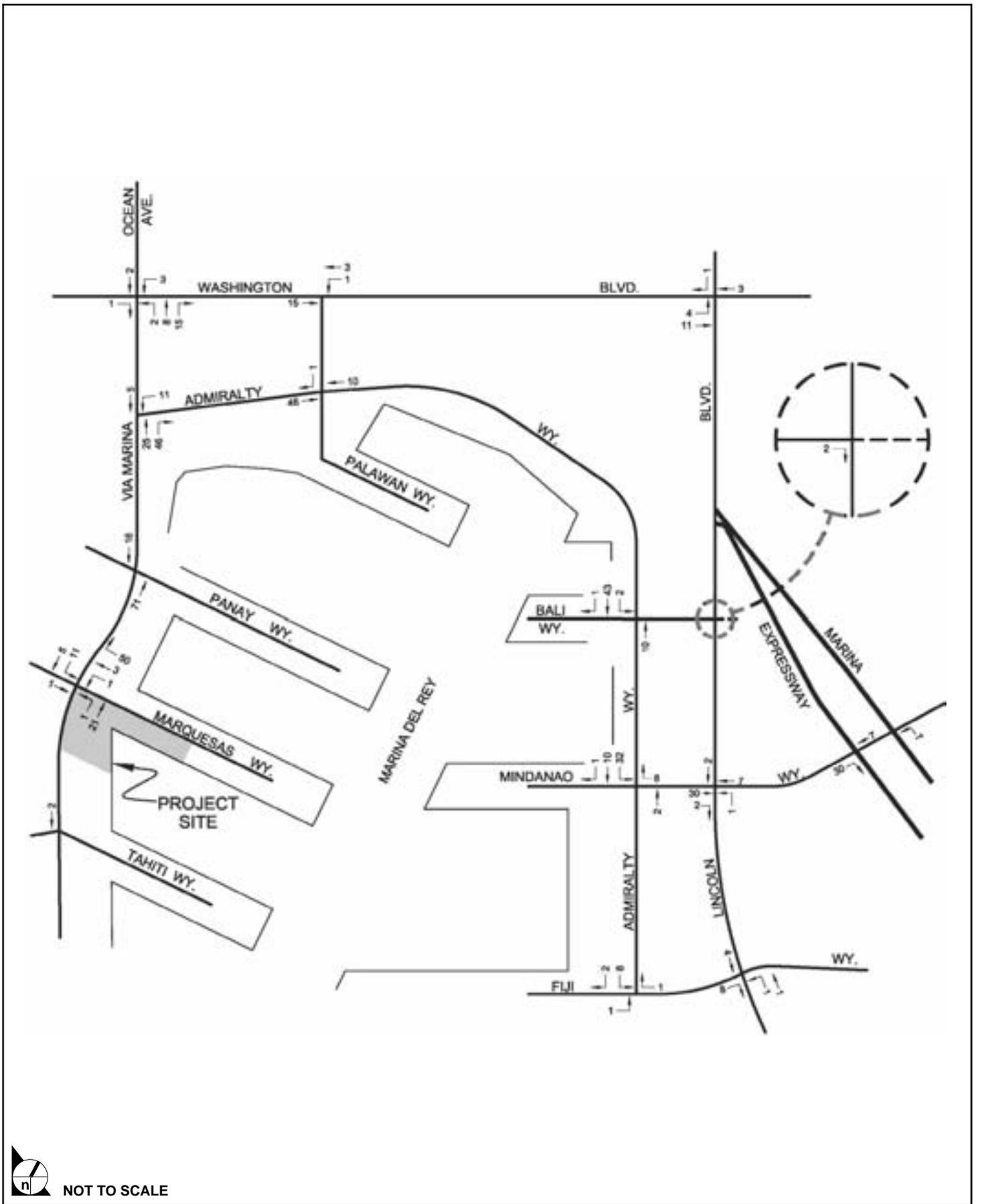
Study Area Intersection Impacts

The results of the CMA for future traffic conditions at the 17 study area intersections are summarized in **Table 5.7-16, Summary of Critical Movement Analysis Future (2013) Traffic Conditions – Without and With Project – AM Peak Hour**, and **Table 5.7-17, Summary of Critical Movement Analysis Future (2013) Traffic Conditions – Without and With Project – PM Peak Hour**. The table shows that both the Without Project and With Project intersection traffic conditions would range between LOS A and LOS F at the most congested study intersections during both the AM and PM peak hours. The incremental project traffic would not cause the LOS at any intersection to degrade, which is considered a less than significant impact.

5.7.5.3.3.2 Threshold: Would project-generated traffic interfere with the existing traffic flow (e.g., due to the location of access roads, driveways, parking facilities).

Analysis: See analysis under **Section 5.7.5.3.2.2** above. Parcel 10R development would provide parking in accordance with County requirements. Parking related impacts for Parcel 10R were included in the overall analysis. Because less than significant impacts were identified for the project as a whole, impacts associated with Parcel 10R itself would be less than significant as well.

Mitigation Measure: None required.

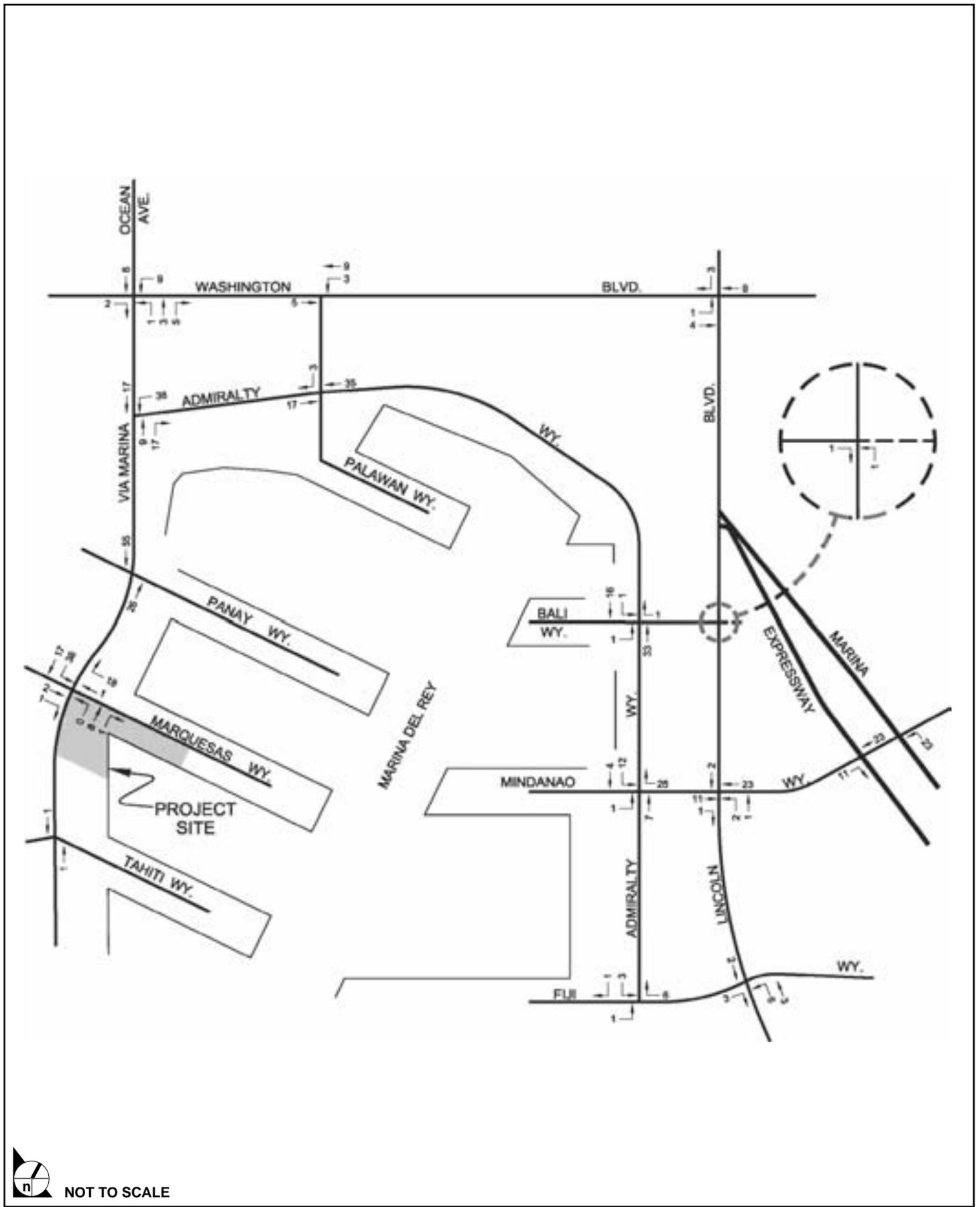


 NOT TO SCALE

SOURCE: Crain & Associates - May 2007

FIGURE 5.7-14

Traffic Volumes - Parcel 10R Residential Project Traffic - AM Peak Hour

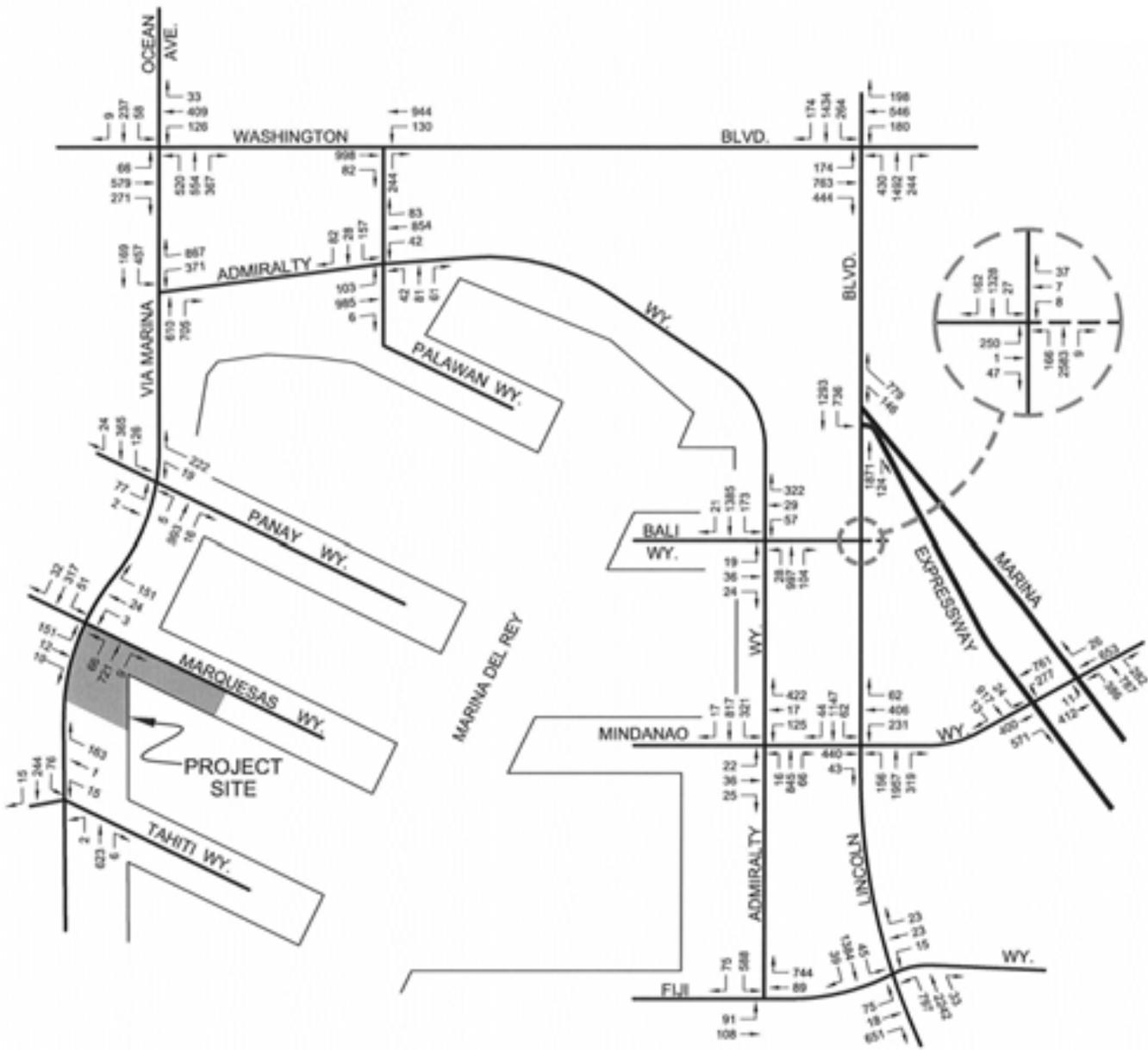


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SOURCE: Crain & Associates - May 2007

FIGURE 5.7-15

Traffic Volumes - Parcel 10R Residential Project Traffic - PM Peak Hour



 NOT TO SCALE

SOURCE: Crain & Associates - December 2007

FIGURE 5.7-16

Future (2013) Traffic Volumes With Parcel 10R - AM Peak Hour



Table 5.7-16
Summary of Critical Movement Analysis Future (2013) Traffic Conditions
Without and With Project – AM Peak Hour

| No. | Intersection | Without Project | | With Project | | |
|-----|-------------------------------------------|-----------------|-----|--------------|-----|--------|
| | | CMA | LOS | CMA | LOS | Impact |
| 1. | Via Marina/Tahiti Way | 0.276 | A | 0.276 | A | +0.000 |
| 2. | Via Marina/Marquesas Way | 0.271 | A | 0.304 | A | +0.033 |
| 3. | Via Marina/Panay Way | 0.360 | A | 0.372 | A | +0.012 |
| 4. | Admiralty Way/Via Marina | 0.730 | C | 0.739 | C | +0.009 |
| 5. | Washington Blvd./Ocean Ave./Via Marina | 0.744 | C | 0.753 | C | +0.009 |
| 6. | Admiralty Way/Palawan Way | 0.444 | A | 0.447 | A | +0.003 |
| 7. | Washington Blvd./Palawan Way | 0.668 | B | 0.673 | B | +0.005 |
| 8. | Lincoln Blvd./Washington Blvd. | 0.807 | D | 0.811 | D | +0.004 |
| 9. | Lincoln Blvd./Marina Expressway (SR-90) | 0.707 | C | 0.707 | C | +0.000 |
| 10. | Lincoln Blvd./Bali Way | 0.677 | B | 0.677 | B | +0.000 |
| 11. | Lincoln Blvd./Mindanao Way | 0.754 | C | 0.765 | C | +0.011 |
| 12. | Lincoln Blvd./Fiji Way | 0.613 | B | 0.614 | B | +0.001 |
| 13. | Admiralty Way/Bali Way | 0.480 | A | 0.489 | A | +0.009 |
| 14. | Admiralty Way/Mindanao Way | 0.654 | B | 0.672 | B | +0.018 |
| 15. | Admiralty Way/Fiji Way | 0.266 | A | 0.268 | A | +0.002 |
| 16. | Marina Expressway (SR-90) WB/Mindanao Way | 0.423 | A | 0.423 | A | +0.000 |
| 17. | Marina Expressway (SR-90) EB/Mindanao Way | 0.641 | B | 0.648 | B | +0.007 |

* Denotes significant impact, prior to mitigation.

Table 5.7-17
Summary of Critical Movement Analysis Future (2013) Traffic Conditions
Without and With Project – PM Peak Hour

| No. | Intersection | Without Project | | With Project | | |
|-----|-----------------------------------------|-----------------|-----|--------------|-----|--------|
| | | CMA | LOS | CMA | LOS | Impact |
| 1. | Via Marina/Tahiti Way | 0.179 | A | 0.179 | A | +0.000 |
| 2. | Via Marina/Marquesas Way | 0.188 | A | 0.209 | A | +0.021 |
| 3. | Via Marina/Panay Way | 0.263 | A | 0.268 | A | +0.005 |
| 4. | Admiralty Way/Via Marina | 0.783 | C | 0.800 | C | +0.017 |
| 5. | Washington Blvd./Ocean Ave./Via Marina | 0.799 | C | 0.812 | D | +0.013 |
| 6. | Admiralty Way/Palawan Way | 0.629 | B | 0.641 | B | +0.012 |
| 7. | Washington Blvd./Palawan Way | 0.747 | C | 0.752 | C | +0.005 |
| 8. | Lincoln Blvd./Washington Blvd. | 1.390 | F | 1.392 | F | +0.002 |
| 9. | Lincoln Blvd./Marina Expressway (SR-90) | 0.751 | C | 0.751 | C | +0.000 |
| 10. | Lincoln Blvd./Bali Way | 0.534 | A | 0.535 | A | +0.001 |

| No. | Intersection | Without Project | | With Project | | |
|-----|-------------------------------------------|-----------------|-----|--------------|-----|--------|
| | | CMA | LOS | CMA | LOS | Impact |
| 11. | Lincoln Blvd./Mindanao Way | 0.884 | D | 0.888 | D | +0.004 |
| 12. | Lincoln Blvd./Fiji Way | 0.762 | C | 0.765 | C | +0.003 |
| 13. | Admiralty Way/Bali Way | 0.602 | B | 0.616 | B | +0.014 |
| 14. | Admiralty Way/Mindanao Way | 0.772 | C | 0.797 | C | +0.025 |
| 15. | Admiralty Way/Fiji Way | 0.386 | A | 0.387 | A | +0.001 |
| 16. | Marina Expressway (SR-90) WB/Mindanao Way | 0.555 | A | 0.560 | A | +0.005 |
| 17. | Marina Expressway (SR-90) EB/Mindanao Way | 0.769 | C | 0.772 | C | +0.003 |

* Denotes significant impact, prior to mitigation.

Mitigation Measure: None required.

Conclusion: Less than significant.

Conclusion: Less than significant.

5.7.5.3.3.3 Threshold: Would the proposed project cause an adverse impact to the existing regional transportation system.

Analysis: See analysis under **Section 5.7.5.3.2.3** above. Impacts to the existing regional transportation system for Parcel 10R were included in the overall analysis. Because less than significant impacts were identified for the project as a whole, impacts associated with Parcel 10R itself would be less than significant as well.

Mitigation Measure: None required.

Conclusion: Less than significant.

5.7.5.3.3.4 Threshold: Would the project be consistent with the Marina del Rey Land Use Plan.

Analysis: See analysis under **Section 5.7.5.3.2.4** above. Consistency with the Marina del Rey LUP for Parcel 10R was included in the overall analysis. Because less than significant impacts were identified for the project as a whole, impacts associated with Parcel 10R itself would be less than significant as well.

Mitigation Measure: None required.

Conclusion: Less than significant.

5.7.5.3.4 Neptune Marina Parcel FF Project

The applicable thresholds of significance are listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts, if applicable.

5.7.5.3.4.1 Threshold: Would the project cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system.

Threshold: Would the project exceed an LOS standard established by the county congestion management agency for designated roads and highways.

Threshold: Would the project cause an increase in the CMA value of 0.010 or more, when the final "With Project" LOS is E or F (CMA > 0.900); or cause an increase in the CMA of 0.020 or more at LOS D (CMA > 0.800 to 0.900); or cause an increase in the CMA of 0.040 or more at LOS C (CMA > 0.700 to 0.800).

Threshold: Would the traffic generated by the project if added to existing traffic volumes, exceed the design capacity of an intersection or roadway, contribute to an unacceptable LOS, or exacerbate an existing congested condition.

Analysis: Using the trip generation rates provided in **Table 5.7-1**, the Parcel FF is expected to generate approximately 499 net new trips per day. Of this total, an estimated 44 trips would occur during the morning peak hour, and 41 new trips would occur during the evening peak hour. These new trips would be added to the project area roadway network once the existing development is removed and the proposed project is completed and fully occupied. Estimated trip generation figures for the project are provided in **Table 5.7-10**.

These general geographic trip distribution percentages from **Table 5.7-5** were then assigned to specific travel routes in the study area and are assumed to be the same during both the AM and PM peak hours. Using the directional distribution percentages shown in **Figure 5.7-5, 5.7-6, and 5.7-7, Trip Distribution Percentages**, the number of trips along each roadway were calculated. These roadway trips were then assigned to specific routes serving the project. The results of this traffic assignment provide the necessary level of detail to conduct the future traffic analysis. Traffic assignments for the AM and PM peak-hour project traffic on the nearby street system are shown in **Figure 5.7-18, Traffic Volumes – Parcel FF Project Traffic – AM Peak Hour**, and **Figure 5.7-19, Traffic Volumes – Parcel FF Project Traffic – PM Peak Hour**.

Future “With Project” Traffic Conditions

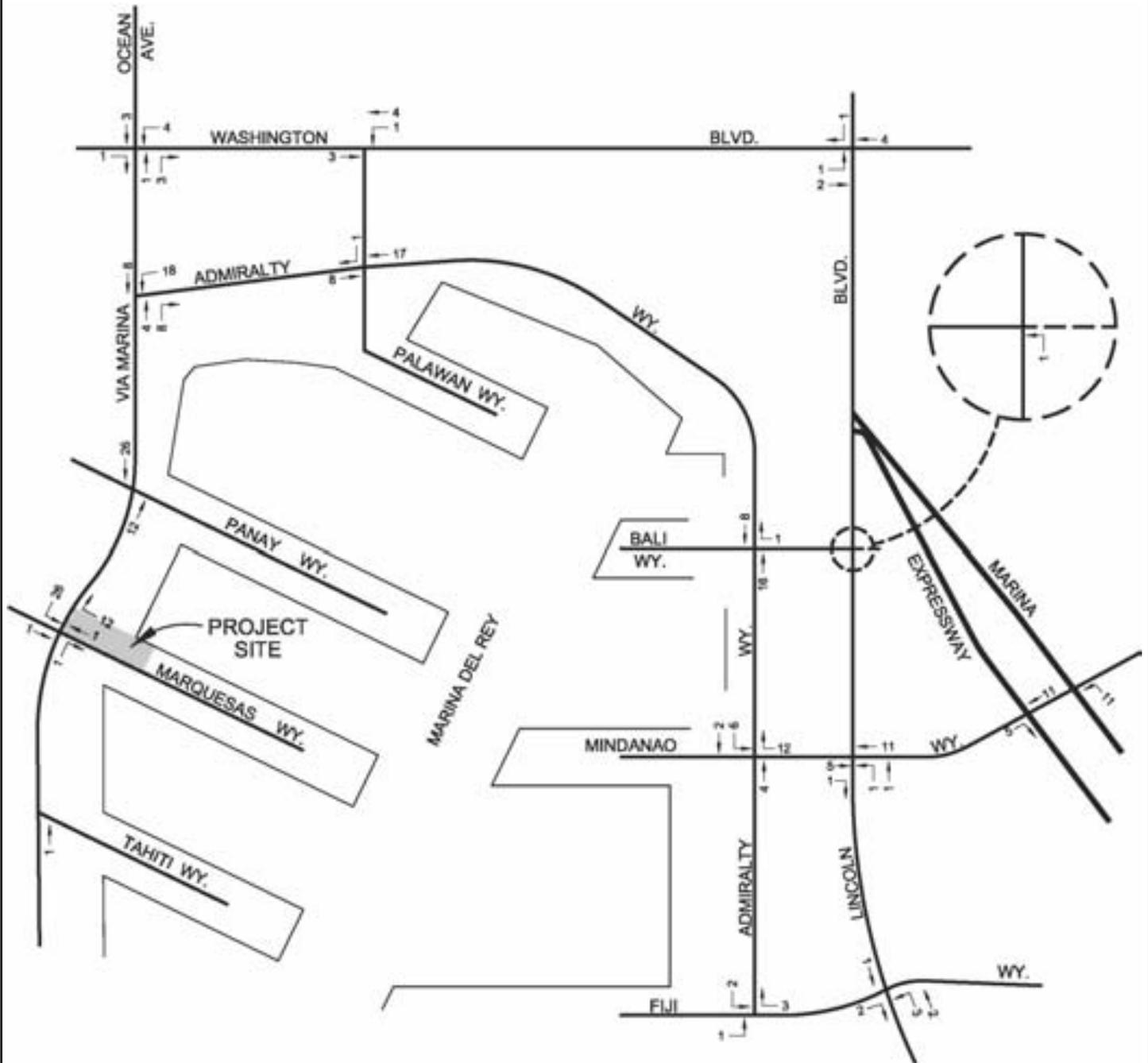
The analysis of future (i.e., existing + ambient growth + project) traffic conditions in the project area was performed using the same CMA procedures described previously in this report. For future project conditions, the roadway system was considered to have no improvements beyond existing conditions. Traffic volumes for the analysis were developed as follows:

- Future-year traffic volumes for the project vicinity were determined by applying a 0.6 percent per year ambient growth factor to the 2007 traffic counts, to estimate area traffic growth.
- Traffic volumes generated by the project were combined with these benchmark Without Project volumes to form the With Project traffic conditions and to determine traffic impacts directly attributable to the proposed development.

The 2013 baseline Without Project AM and PM peak-hour traffic volumes for the project are shown in **Figure 5.7-8, Future (2013) Traffic Volumes without Project (Ambient Growth) – AM Peak Hour**, and **Figure 5.7-9, Future (2013) Traffic Volumes without Project (Ambient Growth) – PM Peak Hour**, respectively. Future year 2013 With Project traffic volumes are shown in **Figure 5.7-20, Future (2013) Traffic Volumes with Parcel FF – AM Peak Hour**, and **Figure 5.7-21, Future (2013) Traffic Volumes with Parcel FF– PM Peak Hour**, for the AM and PM peak hours, respectively.

Study Area Intersection Impacts

The results of the CMA for future traffic conditions at the 17 study area intersections are summarized in **Table 5.7-18, Summary of Critical Movement Analysis Future (2013) Traffic Conditions – Without and With Project – AM Peak Hour**, and **Table 5.7-19, Summary of Critical Movement Analysis Future (2013) Traffic Conditions – Without and With Project – PM Peak Hour**. The table shows that both the Without Project and With Project intersection traffic conditions would range between LOS A and LOS F at the most congested study intersections during both the AM and PM peak hours. The incremental project traffic would not cause the LOS at any intersection to degrade, which is considered a less than significant impact.

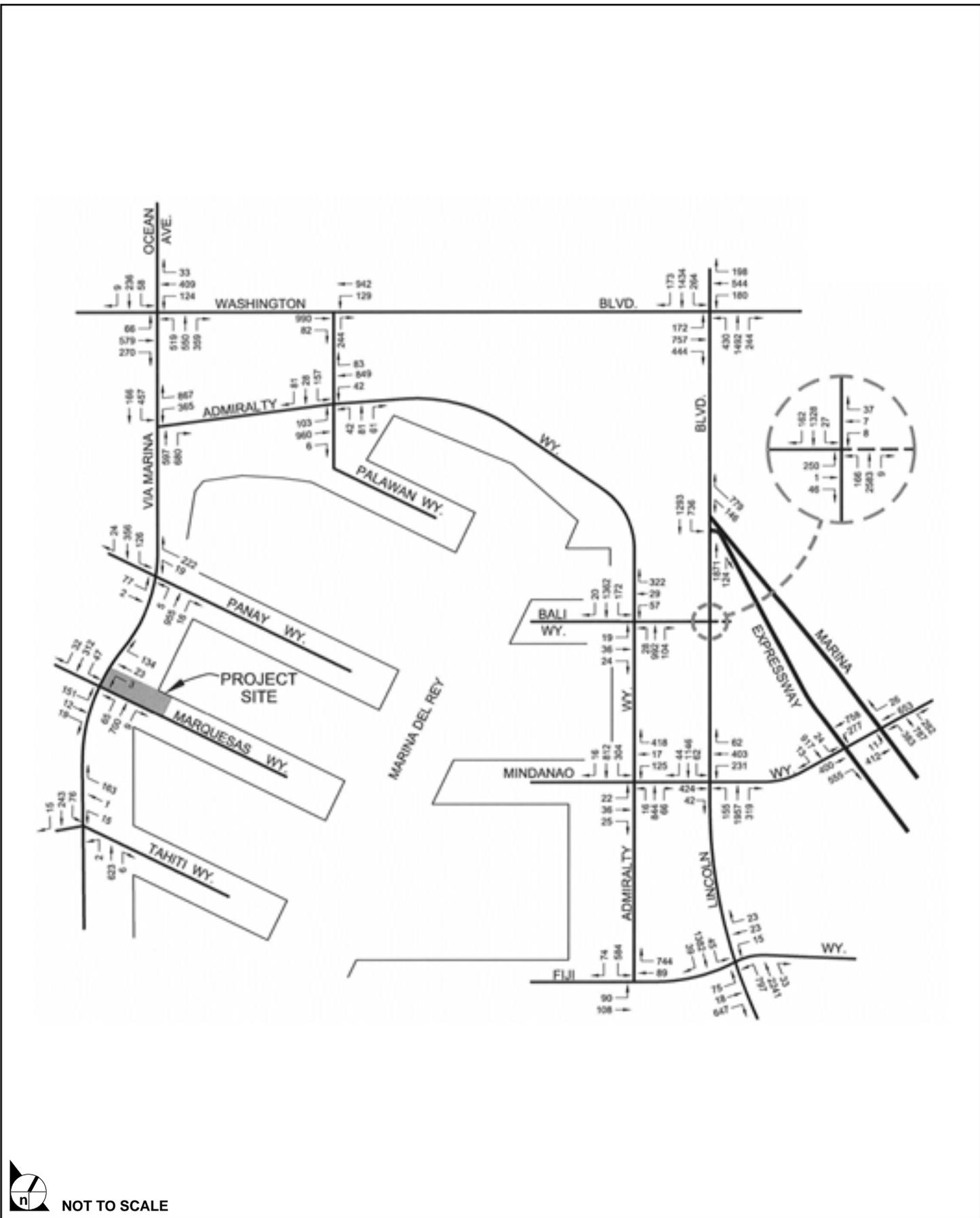


NOT TO SCALE

SOURCE: Crain & Associates - May 2007

FIGURE 5.7-19

Traffic Volumes - Parcel FF Residential Project Traffic - PM Peak Hour



NOT TO SCALE

SOURCE: Crain & Associates - December 2007

FIGURE 5.7-20

Future (2013) Traffic Volumes With Parcel FF - AM Peak Hour

Table 5.7-18
Summary of Critical Movement Analysis Future (2013) Traffic Conditions
Without and With Project – AM Peak Hour

| No. | Intersection | Without Project | | With Project | | Impact |
|-----|-------------------------------------------|-----------------|-----|--------------|-----|--------|
| | | CMA | LOS | CMA | LOS | |
| 1. | Via Marina/Tahiti Way | 0.276 | A | 0.276 | A | +0.000 |
| 2. | Via Marina/Marquesas Way | 0.271 | A | 0.290 | A | +0.019 |
| 3. | Via Marina/Panay Way | 0.360 | A | 0.366 | A | +0.006 |
| 4. | Admiralty Way/Via Marina | 0.730 | C | 0.734 | C | +0.004 |
| 5. | Washington Blvd./Ocean Ave./Via Marina | 0.744 | C | 0.748 | C | +0.004 |
| 6. | Admiralty Way/Palawan Way | 0.444 | A | 0.445 | A | +0.001 |
| 7. | Washington Blvd./Palawan Way | 0.668 | B | 0.670 | B | +0.002 |
| 8. | Lincoln Blvd./Washington Blvd. | 0.807 | D | 0.808 | D | +0.001 |
| 9. | Lincoln Blvd./Marina Expressway (SR-90) | 0.707 | C | 0.707 | C | +0.000 |
| 10. | Lincoln Blvd./Bali Way | 0.677 | B | 0.677 | B | +0.000 |
| 11. | Lincoln Blvd./Mindanao Way | 0.754 | C | 0.759 | C | +0.005 |
| 12. | Lincoln Blvd./Fiji Way | 0.613 | B | 0.614 | B | +0.001 |
| 13. | Admiralty Way/Bali Way | 0.480 | A | 0.474 | A | +0.002 |
| 14. | Admiralty Way/Mindanao Way | 0.654 | B | 0.662 | B | +0.008 |
| 15. | Admiralty Way/Fiji Way | 0.266 | A | 0.267 | A | +0.001 |
| 16. | Marina Expressway (SR-90) WB/Mindanao Way | 0.423 | A | 0.423 | A | +0.000 |
| 17. | Marina Expressway (SR-90) EB/Mindanao Way | 0.641 | B | 0.644 | B | +0.003 |

* Denotes significant impact, prior to mitigation.

Table 5.7-19
Summary of Critical Movement Analysis Future (2013) Traffic Conditions
Without and With Project – PM Peak Hour

| No. | Intersection | Without Project | | With Project | | Impact |
|-----|-----------------------------------------|-----------------|-----|--------------|-----|--------|
| | | CMA | LOS | CMA | LOS | |
| 1. | Via Marina/Tahiti Way | 0.179 | A | 0.179 | A | +0.000 |
| 2. | Via Marina/Marquesas Way | 0.188 | A | 0.201 | A | +0.013 |
| 3. | Via Marina/Panay Way | 0.263 | A | 0.266 | A | +0.003 |
| 4. | Admiralty Way/Via Marina | 0.783 | C | 0.791 | C | +0.008 |
| 5. | Washington Blvd./Ocean Ave./Via Marina | 0.799 | C | 0.805 | D | +0.006 |
| 6. | Admiralty Way/Palawan Way | 0.629 | B | 0.635 | B | +0.006 |
| 7. | Washington Blvd./Palawan Way | 0.747 | C | 0.748 | C | +0.001 |
| 8. | Lincoln Blvd./Washington Blvd. | 1.390 | F | 1.391 | F | +0.001 |
| 9. | Lincoln Blvd./Marina Expressway (SR-90) | 0.751 | C | 0.751 | C | +0.000 |

| No. | Intersection | Without Project | | With Project | | |
|-----|-------------------------------------------|-----------------|-----|--------------|-----|--------|
| | | CMA | LOS | CMA | LOS | Impact |
| 10. | Lincoln Blvd./Bali Way | 0.534 | A | 0.535 | A | +0.001 |
| 11. | Lincoln Blvd./Mindanao Way | 0.884 | D | 0.887 | D | +0.003 |
| 12. | Lincoln Blvd./Fiji Way | 0.762 | C | 0.763 | C | +0.001 |
| 13. | Admiralty Way/Bali Way | 0.602 | B | 0.608 | B | +0.006 |
| 14. | Admiralty Way/Mindanao Way | 0.772 | C | 0.784 | C | +0.012 |
| 15. | Admiralty Way/Fiji Way | 0.386 | A | 0.387 | A | +0.001 |
| 16. | Marina Expressway (SR-90) WB/Mindanao Way | 0.555 | A | 0.558 | A | +0.003 |
| 17. | Marina Expressway (SR-90) EB/Mindanao Way | 0.769 | C | 0.770 | C | +0.001 |

* Denotes significant impact, prior to mitigation.

Mitigation Measure: None required.

Conclusion: Less than significant.

5.7.5.3.4.2 Threshold: Would project-generated traffic interfere with the existing traffic flow (e.g., due to the location of access roads, driveways, parking facilities).

Analysis: See analysis under Section 5.7.5.3.2.2 above. Parcel FF development would provide parking in accordance with County requirements. Parking related impacts for Parcel FF were included in the overall analysis. Because less than significant impacts were identified for the project as a whole, impacts associated with Parcel FF itself would be less than significant as well.

Mitigation Measure: None required.

Conclusion: Less than significant.

5.7.5.3.4.3 Threshold: Would the proposed project cause an adverse impact to the existing regional transportation system.

Analysis: See analysis under Section 5.7.5.3.2.3 above. Impacts to the existing regional transportation system for Parcel FF were included in the overall analysis. Because less than significant impacts were identified for the project as a whole, impacts associated with Parcel FF itself would be less than significant as well.

Mitigation Measure: None required.

Conclusion: Less than significant.

5.7.5.3.4.4 Threshold: Would the project be consistent with the Marina del Rey Land Use Plan.

Analysis: See analysis under **Subsection 5.7.5.3.2.4** above. Consistency with the Marina del Rey LUP for Parcel FF was included in the overall analysis. Because less than significant impacts were identified for the project as a whole, impacts associated with Parcel FF itself would be less than significant as well.

Mitigation Measure: None required.

Conclusion: Less than significant.

5.7.5.3.5 Woodfin Suite Hotel and Timeshare Resort Project

The applicable thresholds of significance are listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts, if applicable.

5.7.5.3.5.1 Threshold: Would the project cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system.

Threshold: Would the project exceed an LOS standard established by the county congestion management agency for designated roads and highways.

Threshold: Would the project cause an increase in the CMA value of 0.010 or more, when the final "With Project" LOS is E or F (CMA > 0.900); or cause an increase in the CMA of 0.020 or more at LOS D (CMA > 0.800 to 0.900); or cause an increase in the CMA of 0.040 or more at LOS C (CMA > 0.700 to 0.800).

Threshold: Would the traffic generated by the project if added to existing traffic volumes, exceed the design capacity of an intersection or roadway, contribute to an unacceptable LOS, or exacerbate an existing congested condition.

Analysis: Using the trip generation rates provided in **Table 5.7-1**, the Parcel 9U is expected to generate approximately 1,538 net new trips per day. Of this total, an estimated 117 trips would occur during the morning peak hour, and 102 new trips would occur during the evening peak hour. These new trips would be added to the project area roadway network once the existing development is removed and the proposed project is completed and fully occupied. Estimated trip generation figures for the project are provided in **Table 5.7-10**.

These general geographic trip distribution percentages from **Table 5.7-5** were then assigned to specific travel routes in the study area and are assumed to be the same during both the AM and PM peak hours. Using the directional distribution percentages shown in **Figures 5.7-5, 5.7-6, and 5.7-7, Trip Distribution Percentages**, the number of trips along each roadway were calculated. These roadway trips were then assigned to specific routes serving the project. The results of this traffic assignment provide the necessary level of detail to conduct the future traffic analysis. Traffic assignments for the AM and PM peak-hour project traffic on the nearby street system are shown in **Figure 5.7-22, Traffic Volumes – Parcel 9U Project Traffic – AM Peak Hour**, and **Figure 5.7-23, Traffic Volumes – Parcel 9U Project Traffic – PM Peak Hour**.

Future “With Project” Traffic Conditions

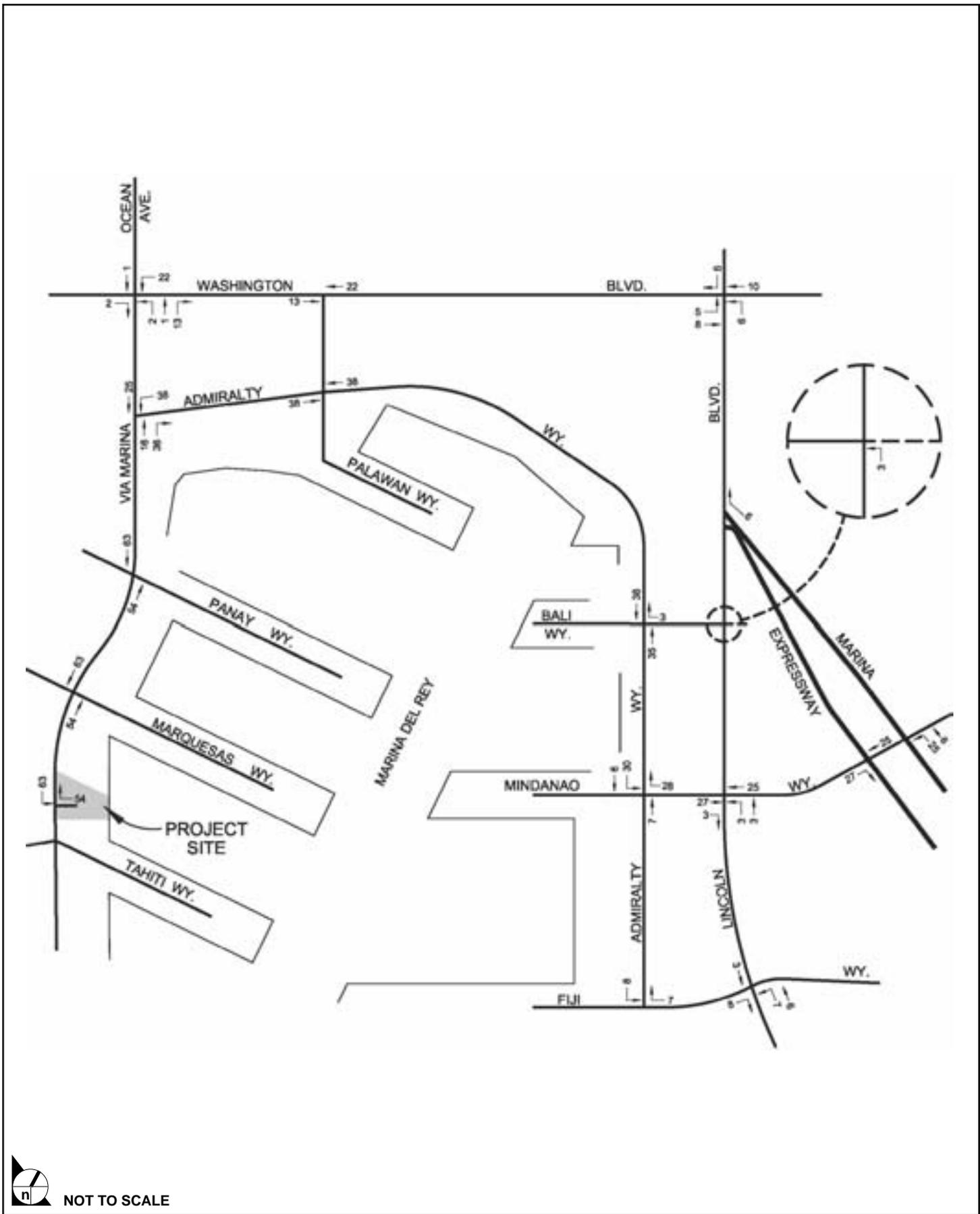
The analysis of future (i.e., existing + ambient growth + project) traffic conditions in the project area was performed using the same CMA procedures described previously in this report. For future project conditions, the roadway system was considered to have no improvements beyond existing conditions. Traffic volumes for the analysis were developed as follows:

- Future-year traffic volumes for the project vicinity were determined by applying a 0.6 percent per year ambient growth factor to the 2007 traffic counts, to estimate area traffic growth.
- Traffic volumes generated by the project were combined with these benchmark Without Project volumes to form the With Project traffic conditions and to determine traffic impacts directly attributable to the proposed development.

The 2013 baseline Without Project AM and PM peak-hour traffic volumes for the project are shown in **Figure 5.7-8, Future (2013) Traffic Volumes without Project (Ambient Growth) – AM Peak Hour**, and **Figure 5.7-9, Future (2013) Traffic Volumes without Project (Ambient Growth) – PM Peak Hour**, respectively. Future year 2013 With Project traffic volumes are shown in **Figure 5.7-24, Future (2013) Traffic Volumes with Parcel 9U – AM Peak Hour**, and **Figure 5.7-25, Future (2013) Traffic Volumes with Parcel 9U – PM Peak Hour**, for the AM and PM peak hours, respectively.

Study Area Intersection Impacts

The results of the CMA for future traffic conditions at the 17 study area intersections are summarized in **Table 5.7-20, Summary of Critical Movement Analysis Future (2013) Traffic Conditions – Without and With Project – AM Peak Hour**, and **Table 5.7-21, Summary of Critical Movement Analysis Future (2013) Traffic Conditions – Without and With Project – PM Peak Hour**. The table shows that both the Without Project and With Project intersection traffic conditions would range between LOS A and LOS F at the most congested study intersections during both the AM and PM peak hours. The incremental project traffic would not cause the LOS at any intersection to degrade, which is considered a less than significant impact.

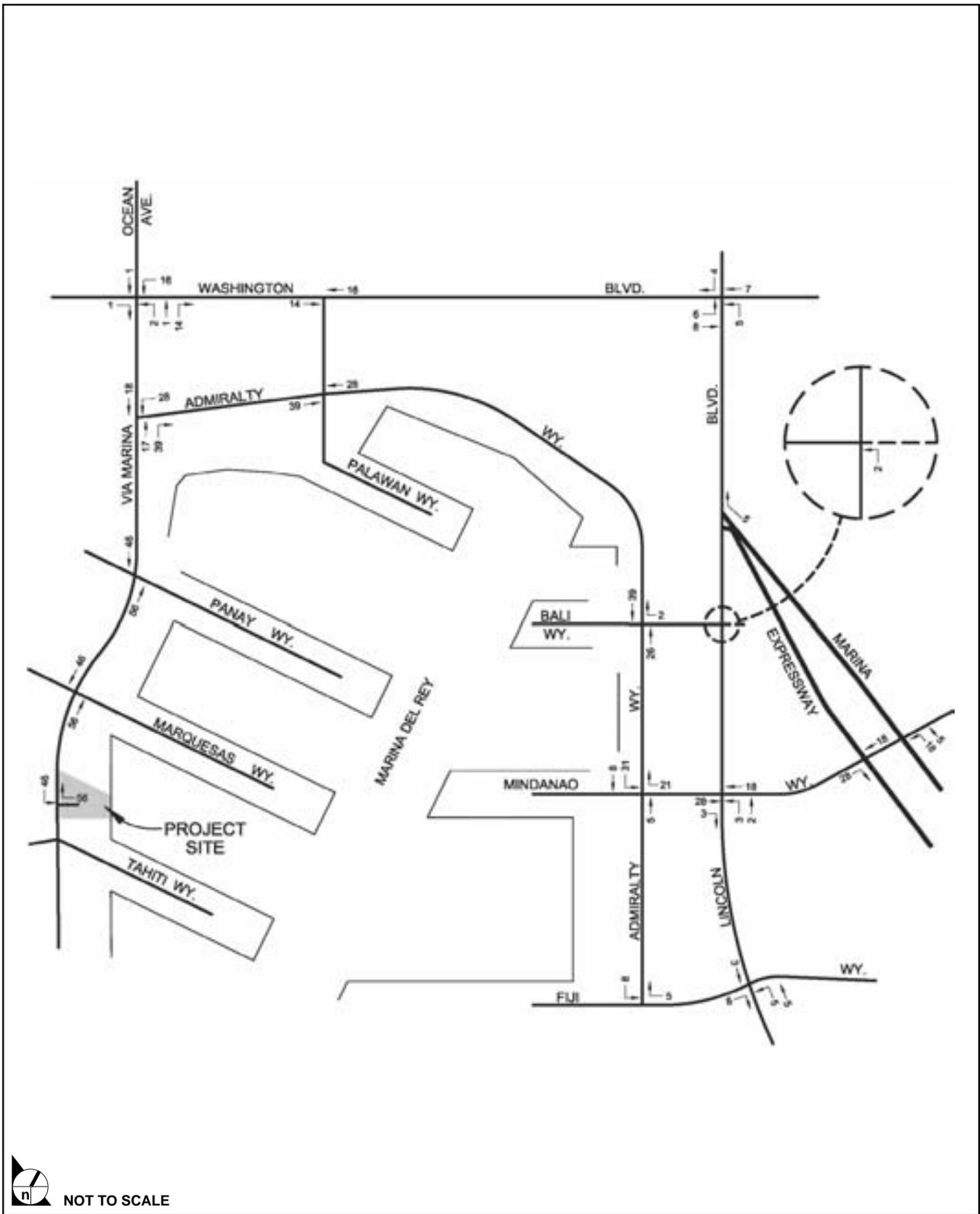


NOT TO SCALE

SOURCE: Crain & Associates - May 2007

FIGURE 5.7-22

Traffic Volumes - Parcel 9U Hotel Project Traffic - AM Peak Hour

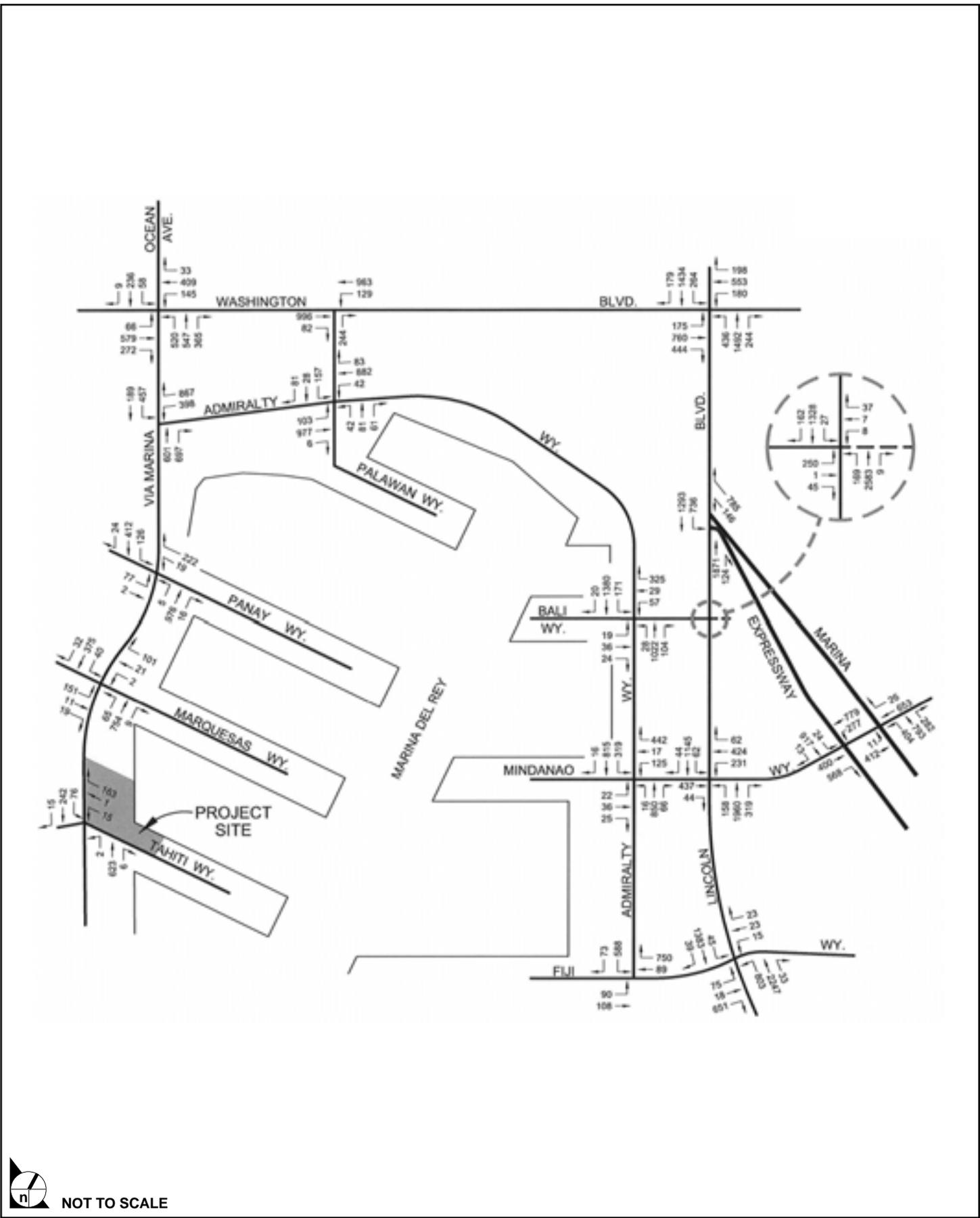


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SOURCE: Crain & Associates - May 2007

FIGURE 5.7-23

Traffic Volumes - Parcel 9U Hotel Project Traffic - PM Peak Hour

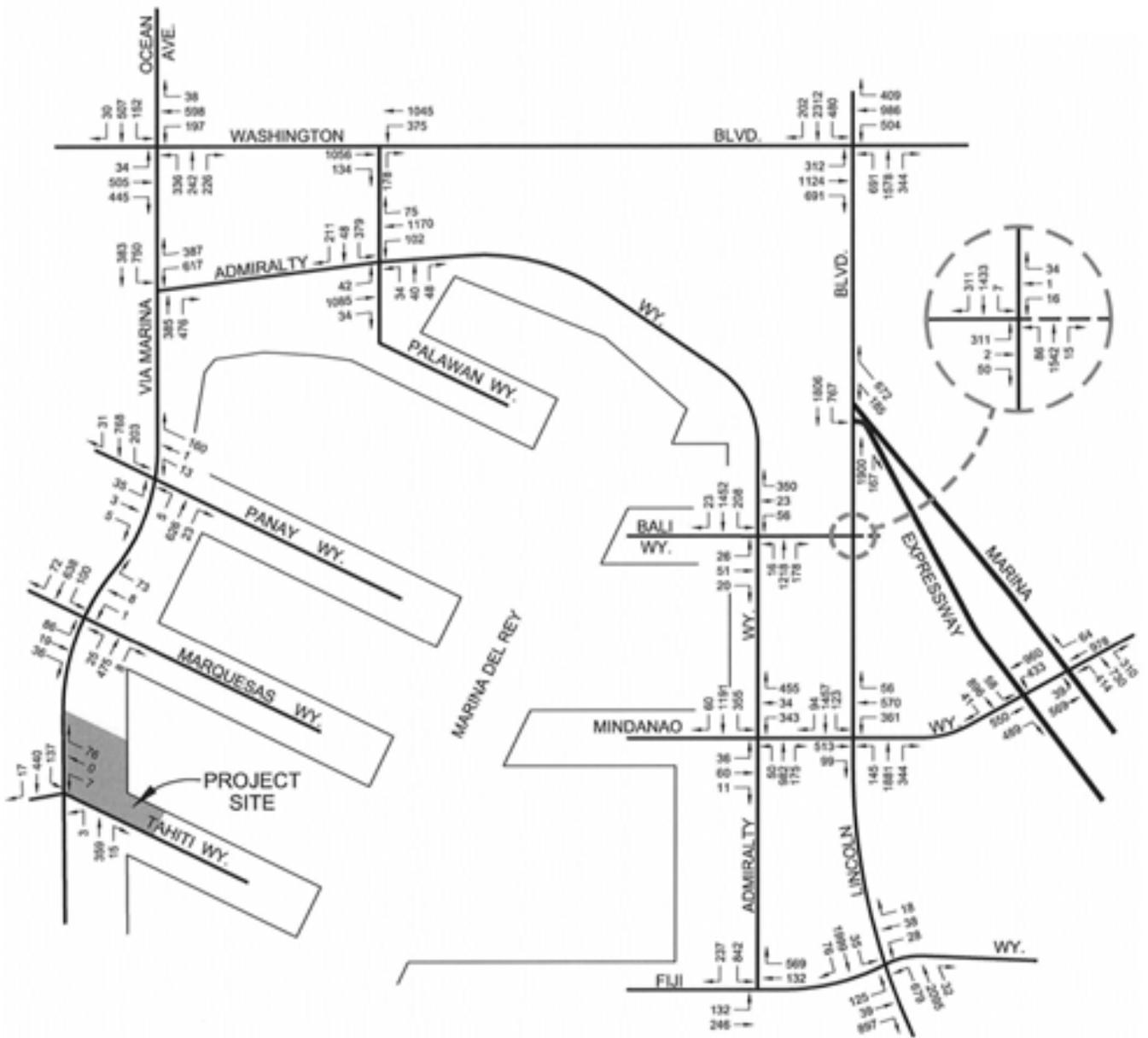


 NOT TO SCALE

SOURCE: Crain & Associates - December 2007

FIGURE 5.7-24

Future (2013) Traffic Volumes With Parcel 9U - AM Peak Hour



NOT TO SCALE

SOURCE: Crain & Associates - December 2007

FIGURE 5.7-25

Future (2013) Traffic Volumes With Parcel 9U - PM Peak Hour

Table 5.7-20
Summary of Critical Movement Analysis Future (2013) Traffic Conditions
Without and With Project – AM Peak Hour

| No. | Intersection | Without Project | | With Project | | |
|-----|-------------------------------------------|-----------------|-----|--------------|-----|--------|
| | | CMA | LOS | CMA | LOS | Impact |
| 1. | Via Marina/Tahiti Way | 0.276 | A | 0.276 | A | +0.000 |
| 2. | Via Marina/Marquesas Way | 0.271 | A | 0.281 | A | +0.010 |
| 3. | Via Marina/Panay Way | 0.360 | A | 0.370 | A | +0.010 |
| 4. | Admiralty Way/Via Marina | 0.730 | C | 0.736 | C | +0.006 |
| 5. | Washington Blvd./Ocean Ave./Via Marina | 0.744 | C | 0.760 | C | +0.016 |
| 6. | Admiralty Way/Palawan Way | 0.444 | A | 0.456 | A | +0.012 |
| 7. | Washington Blvd./Palawan Way | 0.668 | B | 0.673 | B | +0.005 |
| 8. | Lincoln Blvd./Washington Blvd. | 0.807 | D | 0.814 | D | +0.007 |
| 9. | Lincoln Blvd./Marina Expressway (SR-90) | 0.707 | C | 0.707 | C | +0.000 |
| 10. | Lincoln Blvd./Bali Way | 0.677 | B | 0.677 | B | +0.000 |
| 11. | Lincoln Blvd./Mindanao Way | 0.754 | C | 0.765 | C | +0.011 |
| 12. | Lincoln Blvd./Fiji Way | 0.613 | B | 0.616 | B | +0.003 |
| 13. | Admiralty Way/Bali Way | 0.480 | A | 0.493 | A | +0.013 |
| 14. | Admiralty Way/Mindanao Way | 0.654 | B | 0.686 | B | +0.032 |
| 15. | Admiralty Way/Fiji Way | 0.266 | A | 0.268 | A | +0.002 |
| 16. | Marina Expressway (SR-90) WB/Mindanao Way | 0.423 | A | 0.426 | A | +0.003 |
| 17. | Marina Expressway (SR-90) EB/Mindanao Way | 0.641 | B | 0.647 | B | +0.006 |

* Denotes significant impact, prior to mitigation.

Table 5.7-21
Summary of Critical Movement Analysis Future (2013) Traffic Conditions
Without and With Project – PM Peak Hour

| No. | Intersection | Without Project | | With Project | | |
|-----|-----------------------------------------|-----------------|-----|--------------|-----|--------|
| | | CMA | LOS | CMA | LOS | Impact |
| 1. | Via Marina/Tahiti Way | 0.179 | A | 0.179 | A | +0.000 |
| 2. | Via Marina/Marquesas Way | 0.188 | A | 0.198 | A | +0.010 |
| 3. | Via Marina/Panay Way | 0.263 | A | 0.273 | A | +0.010 |
| 4. | Admiralty Way/Via Marina | 0.783 | C | 0.799 | C | +0.016 |
| 5. | Washington Blvd./Ocean Ave./Via Marina | 0.799 | C | 0.812 | D | +0.013 |
| 6. | Admiralty Way/Palawan Way | 0.629 | B | 0.638 | B | +0.009 |
| 7. | Washington Blvd./Palawan Way | 0.747 | C | 0.752 | C | +0.005 |
| 8. | Lincoln Blvd./Washington Blvd. | 1.390 | F | 1.396 | F | +0.006 |
| 9. | Lincoln Blvd./Marina Expressway (SR-90) | 0.751 | C | 0.751 | C | +0.000 |

| No. | Intersection | Without Project | | With Project | | |
|-----|-------------------------------------------|-----------------|-----|--------------|-----|--------|
| | | CMA | LOS | CMA | LOS | Impact |
| 10. | Lincoln Blvd./Bali Way | 0.534 | A | 0.536 | A | +0.002 |
| 11. | Lincoln Blvd./Mindanao Way | 0.884 | D | 0.896 | D | +0.012 |
| 12. | Lincoln Blvd./Fiji Way | 0.762 | C | 0.765 | C | +0.003 |
| 13. | Admiralty Way/Bali Way | 0.602 | B | 0.612 | B | +0.010 |
| 14. | Admiralty Way/Mindanao Way | 0.772 | C | 0.799 | C | +0.027 |
| 15. | Admiralty Way/Fiji Way | 0.386 | A | 0.388 | A | +0.002 |
| 16. | Marina Expressway (SR-90) WB/Mindanao Way | 0.555 | A | 0.560 | A | +0.005 |
| 17. | Marina Expressway (SR-90) EB/Mindanao Way | 0.769 | C | 0.775 | C | +0.006 |

* Denotes significant impact, prior to mitigation.

Mitigation Measure: None required.

Conclusion: Less than significant.

5.7.5.3.5.2 Threshold: Would project-generated traffic interfere with the existing traffic flow (e.g., due to the location of access roads, driveways, parking facilities).

Analysis: See analysis under **Subsection 5.7.5.3.2.2** above. Parking related impacts for Parcel 9U were included in the overall analysis. Because less than significant impacts were identified for the project as a whole, impacts associated with Parcel 9U itself would be less than significant as well.

Mitigation Measure: None required.

Conclusion: Less than significant.

5.7.5.3.5.3 Threshold: Would the proposed project cause an adverse impact to the existing regional transportation system.

Analysis: See analysis under **Subsection 5.7.5.3.2.3** above. Impacts to the existing regional transportation system for Parcel 9U were included in the overall analysis. Because less than significant impacts were identified for the project as a whole, impacts associated with Parcel 9U itself would be less than significant as well.

Mitigation Measure: None required.

Conclusion: Less than significant.

5.7.5.3.5.4 Threshold: Would the project be consistent with the Marina del Rey Land Use Plan.

Analysis: See analysis under **Subsection 5.7.5.3.2.4** above. Consistency with the Marina del Rey LUP for Parcel 9U was included in the overall analysis. Because less than significant impacts were identified for the project as a whole, impacts associated with Parcel 9U itself would be less than significant as well.

Mitigation Measure: None required.

Conclusion: Less than significant.

5.7.6 MITIGATION MEASURES

5.7.6.1 Mitigation Measures Already Incorporated into Project

The project applicant would construct all on-site circulation improvements to LACDPW and LADOT standards.

Traffic/Access Impacts and Mitigation Measures: Woodfin Suite Hotel and Timeshare Resort Project

5.7.7 CUMULATIVE IMPACTS

5.7.7.1 Threshold: Would the project exceed an LOS standard established by the county congestion management agency for designated roads and highways.

Threshold: Would the traffic generated by the project, if added to existing traffic volumes, exceed the design capacity of an intersection or roadway, contribute to an unacceptable LOS, or exacerbate an existing congested condition.

Analysis: Traffic resulting from the previously identified 41 related projects would also contribute to impacts at the study intersections that are part of the proposed project. In order to gauge the effects of this additional traffic, an additional level of analysis was conducted. Although the 0.6 percent annual growth factor is expected to fully represent all area traffic increases, for the purposes of conservative analysis, traffic generated from nearby related projects was added to these future baseline traffic volumes, to form the basis for the Without Project conditions. Further, in order to present a conservative analysis of future conditions, most of the 41 related projects were assumed to be completed and fully occupied by the study year (2013), although in reality, many of the related projects are still speculative, have not yet been approved, or are sufficiently large or complicated that they will not be constructed within the assumed study timeframe.

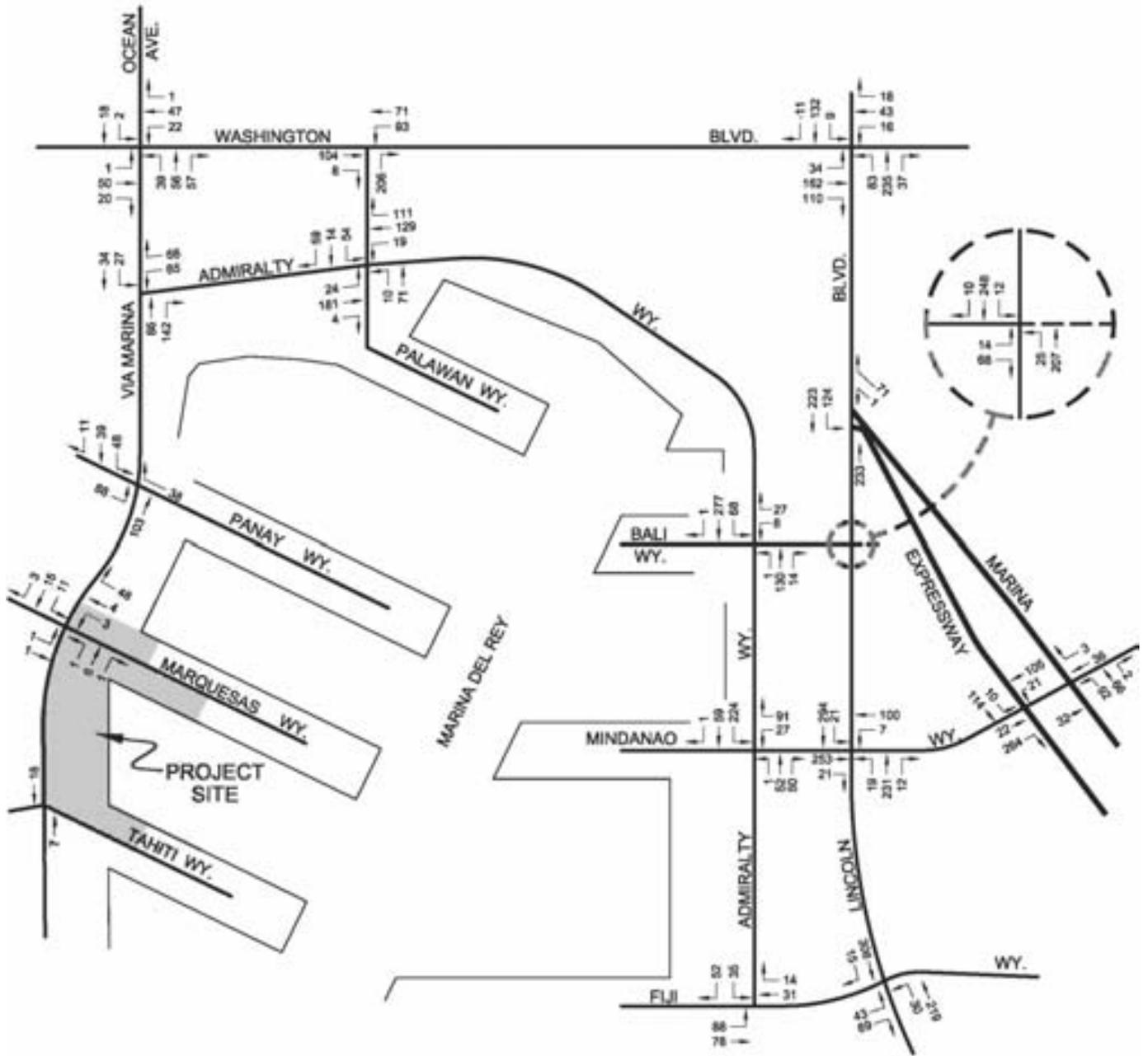
Figure 5.7-26, Related Project Traffic Volumes – AM Peak Hour, and Figure 5.7-27, Related Project Traffic Volumes – PM Peak Hour show the anticipated AM and PM peak-hour traffic at the study intersections resulting from the expected cumulative development in the study area. The related project traffic volumes were added to the future (2013) With Project traffic conditions shown previously in **Figure 5.7-10 and Figure 5.7-11** to obtain projections of the ultimate expected future year 2013 traffic. These cumulative traffic volumes are shown in **Figure 5.7-28, Future (2013) Traffic Volumes – With Project and Related Projects – AM Peak Hour, and Figure 5.7-29, Future (2013) Traffic Volumes – With Project and Related Project Traffic – PM Peak Hour.** The analysis of the cumulative traffic conditions was performed using the same CMA methodology described earlier.

The results of the cumulative development analysis are summarized in **Table 5.7-22, Summary of Critical Movement Analysis Future (2013) Traffic Conditions – With Cumulative Development – AM Peak Hour, and Table 5.7-23, Summary of Critical Movement Analysis Future (2013) Traffic Conditions – With Cumulative Development – PM Peak Hour,** and show that the potential additional traffic resulting from area-wide development would significantly impact 12 of the 17 study intersections, resulting in several locations nearing or exceeding capacity. The Neptune Marina Apartments and Anchorage/Woodfin Suites Hotel and Timeshare Resort Project would also contribute incrementally to these cumulative impacts.

5.7.7.1 Cumulative Mitigation Measures

All 41 projects identified in the cumulative projects list would be required to undergo a traffic impact analysis similar to the analysis prepared for this project. Such analyses would include mitigation measures (similar to those recommended for this project), where feasible, that would reduce their traffic impacts to less than significant, both on a project level as well as on a cumulative projects level. However, this analysis conservatively does not assume that the related projects will implement such measures. The intersection improvement measures recommended to address these cumulative traffic impacts are described below.

- **Admiralty Way and Via Marina** – Participate in the reconstruction of the intersection to provide for a realignment of Admiralty Way as a through roadway with the southern leg of Via Marina. As described above, the northern leg of Via Marina, south of Washington Boulevard, will intersect into Admiralty Way in a “T” configuration. The striping for turning movements at the reconfigured intersection will be constructed as dual left and dual/triple right-turning movements. This improvement is identified in the Marina del Rey TIP as Category 3 improvement, and will enhance traffic flow within the Marina.
- **Washington Boulevard and Via Marina/Ocean Avenue** – No feasible physical improvements are identified in the TIP that remain available to mitigate this potential direct project traffic impact. However, the County of Los Angeles Department of Public Works has identified an improvement at the nearby intersection of Washington Boulevard and Palawan Way that would provide additional egress from the Marina, reducing traffic volumes on the northbound approach of Via Marina at this intersection, and providing mitigation for the cumulative impacts. The proposed improvement would reconstruct the intersection of Washington Boulevard and Palawan Way to allow for dual northbound left-turns onto westbound Washington Boulevard, and install a new traffic signal at that intersection. The improvement will provide an additional means of accessing westbound Washington Boulevard from westbound Admiralty Way, reducing the existing high northbound volumes at Washington Boulevard and Via Marina/Ocean Avenue. (See “Washington Boulevard and Palawan Way” below for additional details.)
- In addition, the Marina del Rey TIP also identified an improvement at the intersection of Via Marina and Admiralty Way that will enhance traffic flow between Admiralty Way and Via Marina south of Admiralty Way within the Marina, reducing the northbound right-turn traffic volumes on Via Marina at Washington Boulevard. This improvement would reconstruct the Admiralty Way/Via Marina intersection to realign Admiralty Way as a through roadway with the southern leg of Via Marina. The northern leg of Via Marina, south of Washington Boulevard, will intersect into Admiralty Way in a “T” configuration. The striping for turning movements at the reconfigured intersection will be constructed as dual left and dual/triple right-turning movements. As a result, northbound traffic volumes on Via Marina would need to turn left (instead of making a through movement) at Admiralty Way to access eastbound Washington Boulevard. Due to the high left-turn volume on northbound Via Marina at Admiralty Way, some of these traffic volumes would reroute along eastbound Admiralty Way and turn left at Palawan Way.

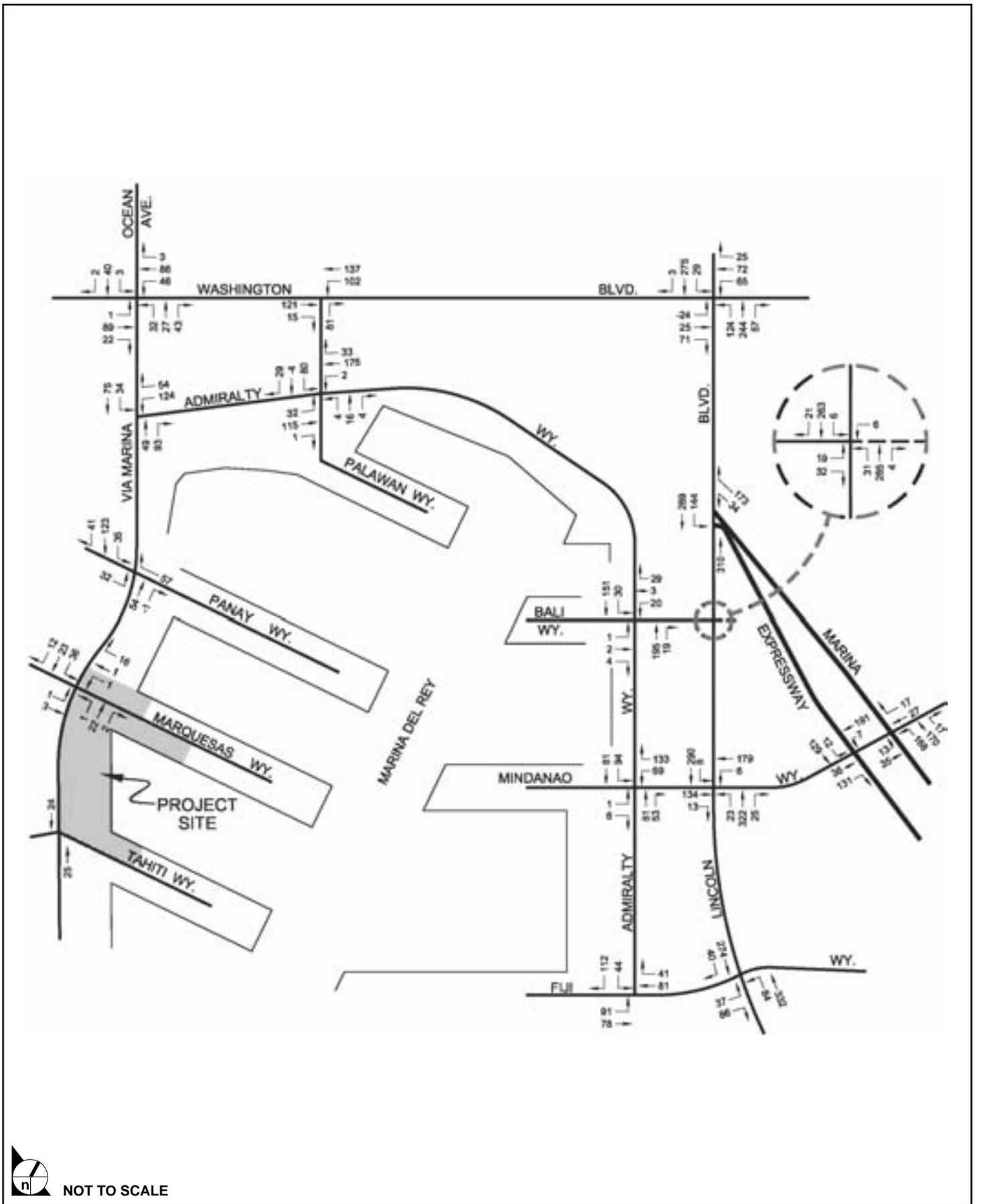


NOT TO SCALE

SOURCE: Crain & Associates - May 2006

FIGURE 5.7-26

Related Project Traffic Volumes - AM Peak Hour



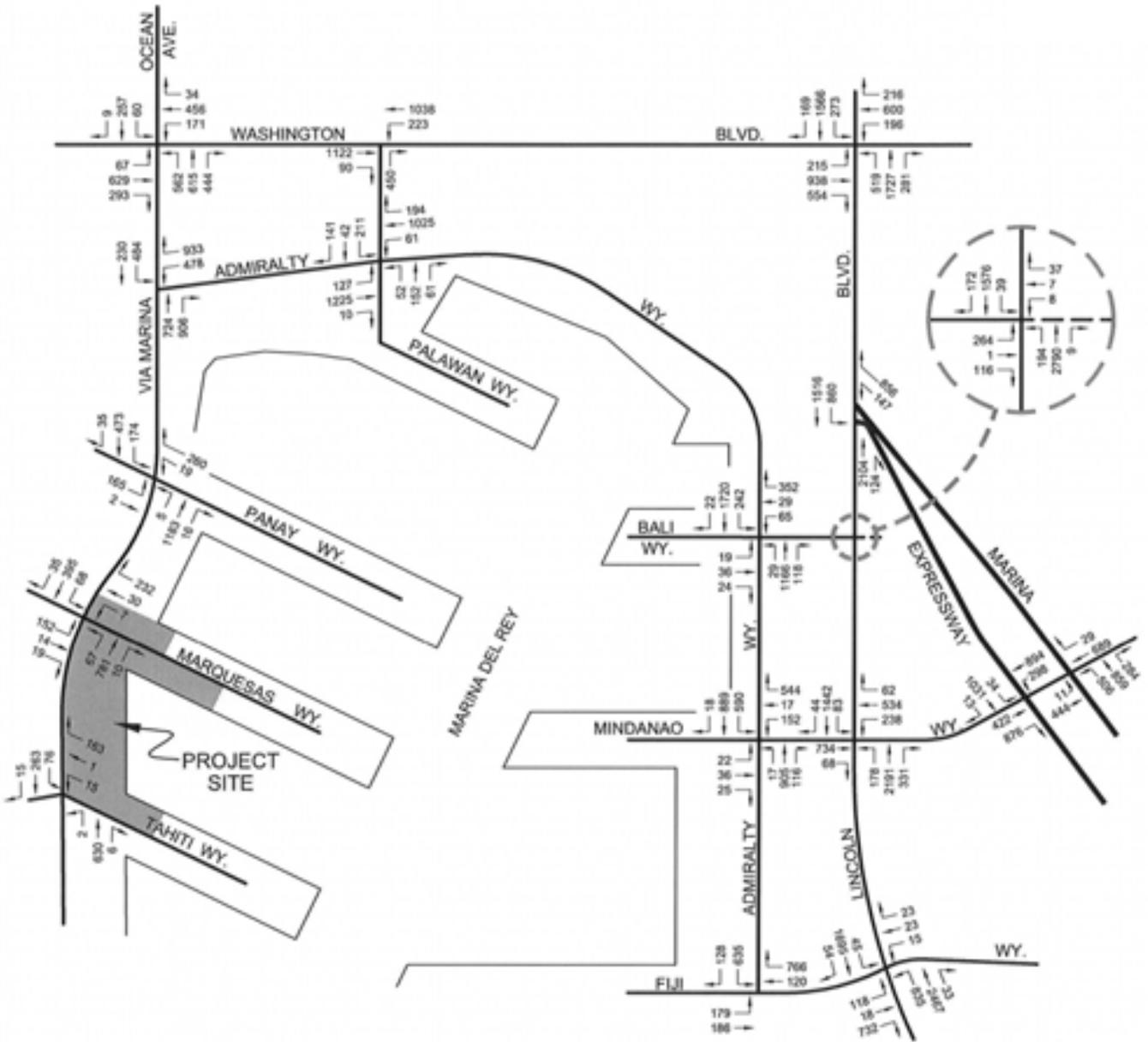
 NOT TO SCALE

SOURCE: Crain & Associates - May 2007

FIGURE 5.7-27

Related Project Traffic Volumes - PM Peak Hour



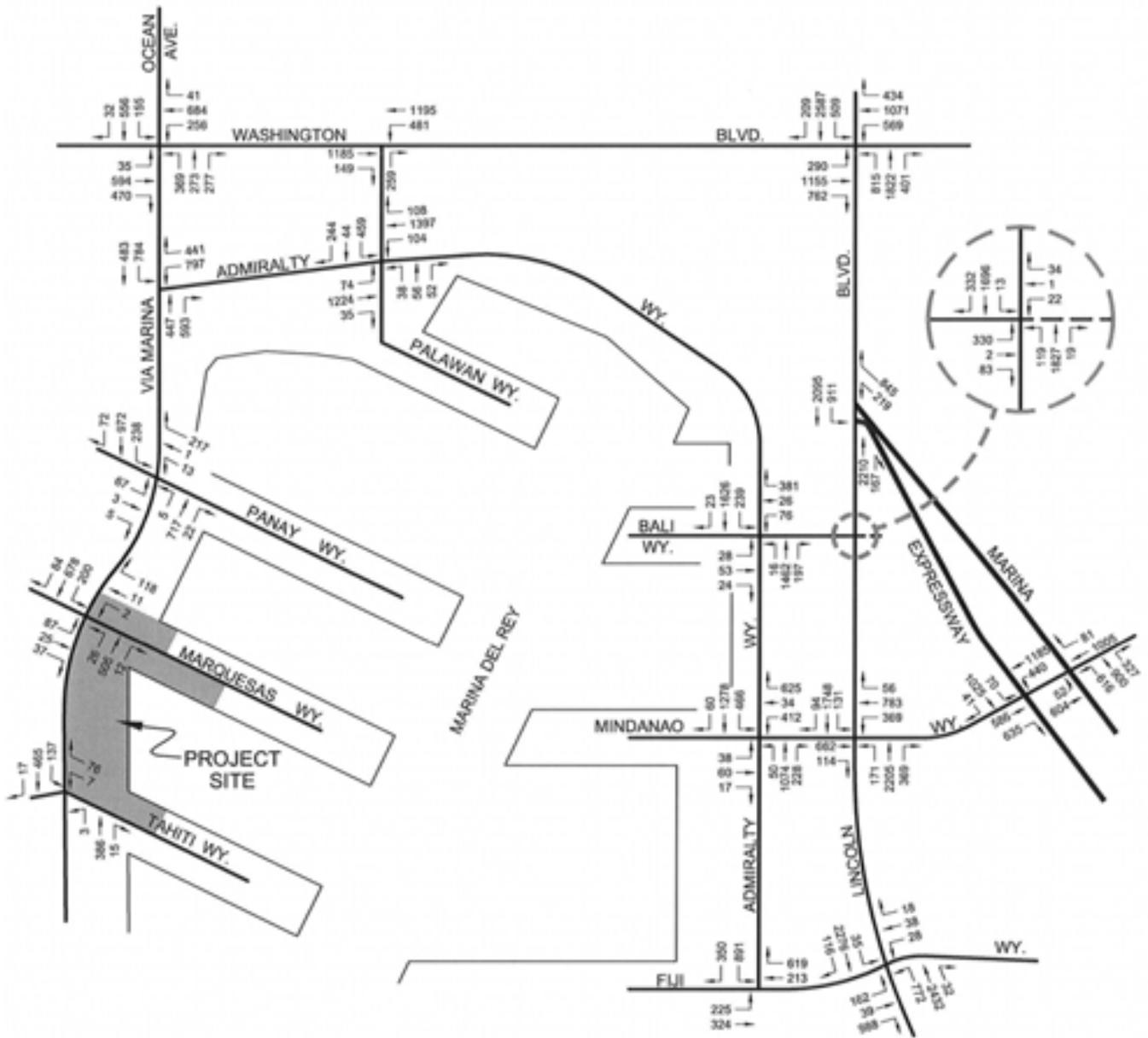


NOT TO SCALE

SOURCE: Crain & Associates - December 2007

FIGURE 5.7-28

Future (2013) Traffic Volumes With Project and Related Projects - AM Peak Hour



NOT TO SCALE

SOURCE: Crain & Associates - December 2007

FIGURE 5.7-29

Future (2013) Traffic Volumes With Project and Related Projects - PM Peak Hour

Table 5.7-22
Summary of Critical Movement Analysis
Future (2013) Traffic Conditions – With Cumulative Development
AM Peak Hour

| No. | Intersection | Without Project | | With Project | | | With Project Plus Cumulative Development | | | Project % of Total |
|-----|-------------------------------------------|-----------------|-----|--------------|-----|---------|------------------------------------------|-----|--------------|--------------------|
| | | CMA | LOS | CMA | LOS | Impact | CMA | LOS | Impact | |
| 1. | Via Marina & Tahiti Way | 0.276 | A | 0.276 | A | +0.000 | 0.278 | A | +0.002 | 0.0% |
| 2. | Via Marina & Marquesas Way | 0.271 | A | 0.333 | A | +0.062 | 0.364 | A | +0.093 | 67.0% |
| 3. | Via Marina & Panay Way | 0.360 | A | 0.388 | A | +0.028 | 0.508 | A | +0.148 | 19.0% |
| 4. | Admiralty Way & Via Marina | 0.730 | C | 0.749 | C | +0.019 | 0.821 | D | +0.091* | 21.0% |
| 5. | Washington Blvd. & Ocean Ave./Via Marina | 0.744 | C | 0.774 | C | +0.030 | 0.858 | D | +0.114* | 26.0% |
| 6. | Admiralty Way & Palawan Way | 0.444 | A | 0.461 | A | +0.017 | 0.620 | B | +0.176 | 10.0% |
| 7. | Washington Blvd. & Palawan Way | 0.668 | B | 0.682 | B | +0.014 | 0.935 | E | +0.267* | 5.0% |
| 8. | Lincoln Blvd. & Washington Blvd. | 0.807 | D | 0.820 | D | +0.013 | 0.947 | E | +0.140* 0 | 9.0% |
| 9. | Lincoln Blvd. & Marina Expressway (SR-90) | 0.707 | C | 0.707 | C | +0.000 | 0.810 | D | +0.103* | .0% |
| 10. | Lincoln Blvd. & Bali Way | 0.677 | B | 0.677 | B | +0.000 | 0.741 | C | +0.064* | 0.0% |
| 11. | Lincoln Blvd. & Mindanao Way | 0.754 | C | 0.782 | C | +0.028 | 0.959 | E | +0.205* | 14.0% |
| 12. | Lincoln Blvd. & Fiji Way | 0.613 | B | 0.619 | B | +0.006 | 0.735 | C | +0.122* | 5.0% |
| 13. | Admiralty Way & Bali Way | 0.480 | A | 0.510 | A | +0.030 | 0.605 | B | +0.125 | 24.0% |
| 14. | Admiralty Way & Mindanao Way | 0.654 | B | 0.712 | C | +0.058* | 0.889 | D | +0.235* | 25.0% |
| 15. | Admiralty Way & Fiji Way | 0.266 | A | 0.272 | A | +0.006 | 0.346 | A | +0.080 | 8.0% |
| 16. | Marina Expressway (SR-90) WB/Mindanao Way | 0.423 | A | 0.428 | A | +0.005 | 0.479 | A | +0.056 | 9.0% |
| 17. | Marina Expressway (SR-90) EB/Mindanao Way | 0.641 | B | 0.657 | B | +0.016 | 0.783 | C | +0.142* | 11.0% |

* Denotes significant impact, prior to mitigation.

Table 5.7-23
Summary of Critical Movement Analysis
Future (2013) Traffic Conditions – With Cumulative Development
PM Peak Hour

| No. | Intersection | Without Project | | With Project | | | With Project Plus Cumulative Development | | | Project % of Total Impact |
|-----|-------------------------------------------|-----------------|-----|--------------|-----|---------|------------------------------------------|-----|---------|---------------------------|
| | | CMA | LOS | CMA | LOS | Impact | CMA | LOS | Impact | |
| 1. | Via Marina & Tahiti Way | 0.179 | A | 0.180 | A | +0.001 | 0.186 | A | +0.007 | 14.0% |
| 2. | Via Marina & Marquesas Way | 0.188 | A | 0.231 | A | +0.043 | 0.254 | A | +0.066 | 65.0% |
| 3. | Via Marina & Panay Way | 0.263 | A | 0.280 | A | +0.017 | 0.346 | A | +0.083 | 20.0% |
| 4. | Admiralty Way & Via Marina | 0.783 | C | 0.826 | D | +0.043* | 0.915 | E | +0.132* | 33.0% |
| 5. | Washington Blvd. & Ocean Ave./Via Marina | 0.799 | C | 0.831 | D | +0.032* | 0.918 | E | +0.119* | 27.0% |
| 6. | Admiralty Way & Palawan Way | 0.629 | B | 0.655 | B | +0.026 | 0.809 | D | +0.180* | 14.0% |
| 7. | Washington Blvd. & Palawan Way | 0.747 | C | 0.759 | C | +0.012 | 0.910 | E | +0.163* | 7.0% |
| 8. | Lincoln Blvd. & Washington Blvd. | 1.390 | F | 1.399 | F | +0.009 | 1.552 | F | +0.162* | 6.0% |
| 9. | Lincoln Blvd. & Marina Expressway (SR-90) | 0.751 | C | 0.751 | C | +0.000 | 0.892 | D | +0.141* | 0.0% |
| 10. | Lincoln Blvd. & Bali Way | 0.534 | A | 0.537 | A | +0.003 | 0.640 | B | +0.106 | 3.0% |
| 11. | Lincoln Blvd. & Mindanao Way | 0.884 | D | 0.901 | E | +0.017* | 1.049 | F | +0.165* | 10.0% |
| 12. | Lincoln Blvd. & Fiji Way | 0.762 | C | 0.769 | C | +0.007 | 0.901 | E | +0.139* | 5.0% |
| 13. | Admiralty Way & Bali Way | 0.602 | B | 0.631 | B | +0.029 | 0.740 | C | +0.138* | 24.0% |
| 14. | Admiralty Way & Mindanao Way | 0.772 | C | 0.835 | D | +0.063* | 1.013 | F | +0.241* | 26.0% |
| 15. | Admiralty Way & Fiji Way | 0.386 | A | 0.390 | A | +0.004 | 0.519 | A | +0.133 | 3.0% |
| 16. | Marina Expressway (SR-90) WB/Mindanao Way | 0.555 | A | 0.569 | A | +0.014 | 0.672 | B | +0.117 | 12.0% |
| 17. | Marina Expressway (SR-90) EB/Mindanao Way | 0.769 | C | 0.779 | C | +0.010 | 0.868 | D | +0.099* | 10.0% |

*Denotes significant impact, prior to mitigation.

- **Admiralty Way and Palawan Way** – Restripe the southbound approach to convert the through lane into a left/through shared lane. Restripe the northbound approach to provide an exclusive left-turn only lane, in addition to a shared right-turn/through lane. In addition, add a third westbound through lane to Admiralty Way within the existing right-of-way by moving the median and restriping Admiralty Way. These measures are identical to or consistent with the improvements in the Marina del Rey TIP.
- **Washington Boulevard and Palawan Way** – Install a new traffic signal at this intersection (as described above as in-lieu mitigation for the cumulative impact at Washington Boulevard and Via Marina/Ocean Avenue). The south leg of the intersection should be realigned to reduce the angle of the northbound right-turn only lane, and provide a more perpendicular approach, and provide northbound dual left-turn lanes. While this improvement is currently being investigated by the County for implementation as a new TIP-type measure, funded by fair share contributions by projects within Marina del Rey, it is not currently included in the TIP improvement program. As such, the proposed project would be conditioned to contribute fair share funding to this improvement above and beyond the previously identified traffic mitigation fees. Cost estimates for this traffic signal improvement are currently being finalized, but are expected to be approximately \$332,500, with a project responsibility of approximately \$61,180. If the measure is not implemented by the time the anticipated cumulative traffic growth occurs, a temporary significant cumulative impact would remain. Furthermore, if this measure or another measure of equal effectiveness are not implemented (because the County is unable to formally establish an enforceable TIP-type mechanism for collecting fair share contributions or otherwise), a significant cumulative traffic impact would remain at this location.
- **Lincoln Boulevard and Washington Boulevard** – No feasible physical improvements are currently available to mitigate this potential cumulative impact. However, regional transportation improvements being considered include the future extension of the Marina Freeway (SR-90) westward to connect with Admiralty Way. The extension, slated for completion by the year 2016, will help alleviate traffic congestion in the area, including at the key intersection of Lincoln Boulevard and Washington Boulevard. However, it should be noted that a temporary cumulative traffic impact would remain at this location if the extension of the SR-90 or another measure of equal effectiveness is not implemented by the time the anticipated cumulative traffic growth occurs. This measure is identified in Appendix G of the Marina del Rey Local Implementation Program and must have approval by the Board of Supervisors, the City of Los Angeles, and Caltrans. Furthermore, if the extension of the SR-90 is not constructed (due to not having concurrent approval by the Board of Supervisors, the City of Los Angeles, and Caltrans, or for other reasons) or another measure of equal effectiveness is not implemented, a significant cumulative traffic impact would remain at this location.
- **Lincoln Boulevard and Marina Expressway (SR-90)** – Extend Route 90 to connect to Admiralty Way across Lincoln Boulevard. The extension would reconstruct and expand the at-grade intersection, providing additional capacity for all approaches. This improvement is currently included in the TIP roadway improvements funded by the trip fee.

However, it should be noted that a temporary cumulative traffic impact would remain at this location if the extension of the SR-90 or another measure of equal effectiveness is not implemented by the time the anticipated cumulative traffic growth occurs. Furthermore, if the extension of the SR-90 is not constructed at all (due to not having concurrent approval by the Board of Supervisors, the City of Los

Angeles, and Caltrans, or for other reasons) or another measure of equal effectiveness is not implemented, a significant cumulative traffic impact would remain at this location.

- **Lincoln Boulevard and Bali Way** – No feasible physical improvements are currently available to mitigate this potential cumulative impact. However, regional transportation improvements being considered include the future extension of the Marina Freeway (SR-90) westward to connect with Admiralty Way. The extension, slated for completion by the year 2016, will help alleviate traffic congestion in the area, including at the intersection of Lincoln Boulevard and Bali Way. However, it should be noted that a temporary cumulative traffic impact would remain at this location if the extension of the SR-90 or another measure of equal effectiveness is not implemented by the time the anticipated cumulative traffic growth occurs. The SR-90 extension is identified in Appendix G of the Marina del Rey Local Implementation Program and must receive approval from the Board of Supervisors, the City of Los Angeles, and Caltrans.

Furthermore, if the extension of the SR-90 is not constructed (due to not having concurrent approval by the Board of Supervisors, the City of Los Angeles, and Caltrans, or for other reasons) or another measure of equal effectiveness is not identified, a significant cumulative traffic impact would remain at this location.

- **Lincoln Boulevard and Mindanao Way** – No feasible physical improvements are currently available to mitigate this potential cumulative impact. However, regional transportation improvements being considered include the future extension of the Marina Freeway (SR-90) westward to connect with Admiralty Way. The extension, slated for completion by the year 2016, will help alleviate traffic congestion in the area, including at the intersection of Lincoln Boulevard and Mindanao Way, which currently provides direct access from the SR-90 to Admiralty Way in the Marina, by providing a direct access alternative route. However, it should be noted that a temporary cumulative traffic impact would remain at this location if the extension of the SR-90 or another measure of equal effectiveness is not implemented by the time the anticipated cumulative traffic growth occurs. The SR-90 extension is identified in Appendix G of the Marina del Rey Local Implementation Program and must have approval by the Board of Supervisors, the City of Los Angeles, and Caltrans. Furthermore, if the extension of the SR-90 is not constructed (due to not having concurrent approval by the Board of Supervisors, the City of Los Angeles, and Caltrans, or for other reasons) or another measure of equal effectiveness is not identified, a significant cumulative traffic impact would remain at this location.
- **Lincoln Boulevard and Fiji Way** – No feasible physical improvements are currently available to mitigate this potential cumulative impact. However, regional transportation improvements being considered include the future extension of the Marina Freeway (SR-90) westward to connect with Admiralty Way. The extension, slated for completion by the year 2016, will help alleviate traffic congestion in the area, including at the intersection of Lincoln Boulevard and Fiji Way. However, it should be noted that a temporary cumulative traffic impact would remain at this location if the extension of the SR-90 or another measure of equal effectiveness is not implemented by the time the anticipated cumulative traffic growth occurs. The SR-90 extension is identified in Appendix G of the Marina del Rey Local Implementation Program and must receive approval from the Board of Supervisors, the City of Los Angeles, and Caltrans.

Furthermore, if the extension of the SR-90 is not constructed (due to not having concurrent approval by the Board of Supervisors, the City of Los Angeles, and Caltrans, or for other reasons) or another

measure of equal effectiveness is not identified, a significant cumulative traffic impact would remain at this location.

- **Admiralty Way and Bali Way** – Add a third westbound through lane to Admiralty Way within the existing right-of-way by moving the median and restriping Admiralty Way, as identified in the TIP as Category 1 improvement
- **Admiralty Way and Mindanao Way** – Widen northbound Admiralty Way to provide a right-turn lane at Mindanao Way, as identified in the TIP. In addition, install dual left-turn lanes on Admiralty Way for southbound travel at the approach to Mindanao Way and modify the traffic signal to provide a westbound right-turn phase concurrent with the southbound left-turn movement. The dual left-turn lanes on Admiralty Way will enhance egress from the Marina at Mindanao Way, and has already been approved as part of a previous project (Marina Two). It should be noted that the installation of dual left-turn lanes on Admiralty Way and the traffic signal modification is not identified in the TIP. As such, the proposed project would be conditioned to contribute “fair share” funding to this non-TIP improvement above and beyond the previously identified traffic mitigation fees. The project’s “fair share” proportion would be negotiated between the proposed project and the County.
- **Marina Expressway (SR-90) Eastbound and Mindanao Way** – Restripe the westbound approach of Mindanao Way at the eastbound Marina Expressway to provide two through lanes and one free-right-turn lane. This improvement is not identified in the TIP. As such, the proposed project would be conditioned to contribute fair share funding to this non-TIP improvement above and beyond the previously identified traffic mitigation fees. The project’s fair share proportion would be negotiated between the proposed project and Caltrans. If the measure is not implemented by the time the anticipated cumulative traffic growth occurs, a temporary significant cumulative impact would remain. Furthermore, if this measure or another measure of equal effectiveness are not implemented (because the County and/or Caltrans is unable to formally establish an enforceable TIP-type mechanism for collecting fair share contributions or otherwise), a significant cumulative traffic impact would remain at this location.

The effectiveness of these recommended cumulative mitigation measures was evaluated in a supplemental analysis. This With Cumulative Development Plus Mitigation analysis in **Table 5.7-24, Summary of Critical Movement Analysis – Future (2013) With Cumulative Development Traffic Conditions**, utilized the same methodologies and assumptions as described previously, again with the exception that the recommended cumulative improvement measures described above were assumed to be in place for the With Cumulative Development Plus Mitigation scenario. This assumption also included the redistribution of traffic at several intersections (Via Marina at Washington Boulevard, Admiralty Way, and Panay Way, and Palawan Way at Washington Boulevard and Admiralty Way) as a result of anticipated travel pattern changes resulting from the mitigation measure at Washington Boulevard and Palawan Way, and at Via Marina and Admiralty Way. As discussed above, mitigation of cumulative traffic impacts to less than a level of significance may not occur if one or more mitigation measures is not implemented.

As shown in **Table 5.7-24**, the implementation of the cumulative mitigation measures cited above could result in a reduction of cumulative impacts at most study intersections. The LUP identifies implementation of the SR-90 extension as a Category 3 mitigation measure to mitigate cumulative impacts of Phase 2 development in the Marina, and the County is preparing an EIR for the SR-90 extension. However, the exact design and alignment of this improvement is still being defined, and the precise beneficial effects of this improvement on the study intersections cannot be quantified at this time. Therefore, it is conservatively assumed that significant cumulative impacts will remain at the following intersections even with implementation of the SR-90 extension: Lincoln Boulevard and Washington Boulevard; Lincoln Boulevard and Marina Expressway; Lincoln Boulevard and Bali Way; Lincoln Boulevard and Mindanao Way; and Lincoln Boulevard and Fiji Way. At intersections where the With Cumulative Development Plus Mitigation traffic conditions that can be evaluated, cumulative impacts would be reduced to a less than significant level.

Table 5.7-24
Summary of Critical Movement Analysis
Future (2013) With Cumulative Development Traffic Conditions

| No. | Intersection | Peak Hour | Without Project | | With Cumulative Development | | | With Cumulative Development Plus Mitigation | | |
|-----|------------------------------------------------|-----------|-----------------|-----|-----------------------------|-----|--------|---------------------------------------------|-----|--------|
| | | | CMA | LOS | CMA | LOS | Impact | CMA | LOS | Impact |
| 4. | Admiralty Way/ Via Marina | AM | 0.730 | C | 0.821 | D | 0.091* | 0.508 | A | -0.222 |
| | | PM | 0.783 | C | 0.915 | E | 0.132* | 0.546 | A | -0.237 |
| 5. | Washington Blvd./ Ocean Ave./ Via Marina | AM | 0.744 | C | 0.858 | D | 0.114* | 0.774 | C | 0.030 |
| | | PM | 0.799 | C | 0.918 | E | 0.119* | 0.807 | D | 0.008 |
| 6. | Admiralty Way and Palawan Way | AM | 0.444 | A | 0.620 | B | 0.176 | 0.607 | B | 0.163 |
| | | PM | 0.629 | B | 0.809 | D | 0.180* | 0.658 | B | 0.029 |
| 7. | Washington Blvd./ Palawan Way | AM | 0.668 | B | 0.935 | E | 0.267* | 0.671 | B | 0.003 |
| | | PM | 0.747 | C | 0.910 | E | 0.163* | 0.719 | C | -0.028 |
| 8. | Lincoln Blvd./ Washington Blvd. | AM | 0.807 | D | 0.947 | E | 0.140* | NA | NA | NA |
| | | PM | 1.390 | F | 1.552 | F | 0.162* | NA | NA | NA |
| 9. | Lincoln Blvd./ Marina Expressway (SR-90) | AM | 0.707 | C | 0.810 | D | 0.103* | NA | NA | NA |
| | | PM | 0.751 | C | 0.892 | D | 0.141* | NA | NA | NA |
| 10. | Lincoln Blvd./ Bali Way | AM | 0.677 | B | 0.741 | C | 0.064* | NA | NA | NA |
| | | PM | 0.534 | A | 0.640 | B | 0.106* | NA | NA | NA |
| 11. | Lincoln Blvd./ Mindanao Way | AM | 0.754 | C | 0.959 | E | 0.205* | NA | NA | NA |
| | | PM | 0.884 | D | 1.049 | F | 0.165* | NA | NA | NA |

| No. | Intersection | Peak Hour | Without Project | | With Cumulative Development | | | With Cumulative Development Plus Mitigation | | |
|-----|--------------------------------------------------|-----------|-----------------|-----|-----------------------------|-----|--------|---------------------------------------------|-----|--------|
| | | | CMA | LOS | CMA | LOS | Impact | CMA | LOS | Impact |
| 12. | Lincoln Blvd./Fiji Way | AM | 0.613 | B | 0.735 | C | 0.122* | NA | NA | NA |
| | | PM | 0.762 | C | 0.901 | E | 0.139* | NA | NA | NA |
| 13. | Admiralty Way/Bali Way | AM | 0.480 | A | 0.605 | B | 0.125 | 0.605 | B | 0.125 |
| | | PM | 0.602 | B | 0.740 | C | 0.138* | 0.579 | A | -0.023 |
| 14. | Admiralty Way/ Mindanao Way | AM | 0.654 | B | 0.889 | D | 0.235* | 0.655 | B | 0.001 |
| | | PM | 0.772 | C | 1.013 | F | 0.241* | 0.787 | C | 0.015 |
| 17. | Marina Expressway (SR-90) EB/ Mindanao Way | AM | 0.641 | B | 0.783 | C | 0.142* | 0.624 | B | -0.017 |
| | | PM | 0.769 | C | 0.868 | D | 0.099* | 0.788 | C | -0.019 |

* Indicates significant impact, prior to mitigation.

NA = Design of future extension of SR-90 to Admiralty Way not finalized. CMA value could not be calculated.

In summary, the cumulative mitigation measures include measures specifically identified in the TIP, including funding for larger long-term improvements such as widening the Lincoln Boulevard Corridor and the planned Marina Expressway (SR-90) extension to Admiralty Way that will increase area-wide traffic capacity and help alleviate existing and future congestion in the study area. If these or other equally effective measures are not installed, significant cumulative traffic impacts would remain.

The improvements described above, with the exceptions of the new traffic signal at Washington Boulevard and Palawan Way, the installation of the dual left-turn lanes and traffic signal modification at Admiralty Way and Mindanao Way, and the installation of dual left-turn lanes on Mindanao Way in the westbound direction at the SR-90 eastbound approach, are identical to or consistent with the area-wide roadway improvements identified in Appendix G (Transportation Improvement Program) of the Marina del Rey Local Implementation Program, and funded through payment of the traffic impact fees. The project is responsible for its fair share portion of implementation of the cumulative mitigation (or other County approved) improvements through payment of the \$1,297,320 trip fee, plus the pro-rata share for the added measures.

5.7.8 UNAVOIDABLE SIGNIFICANT IMPACTS

Pursuant to *State CEQA Guidelines* Section 15130(d), the project's cumulative impacts may be found to be less than cumulatively considerable/less than significant because they are consistent with (and indeed less severe than predicted in) the cumulative traffic analysis in the Certified LCP (a "comparable programmatic plan...") that is hereby incorporated by reference.

As to intersections within the County and LCP, the project's significant cumulative impacts are rendered less than cumulatively considerable (less than significant) because the project is required to pay the MDR traffic fees (i.e., its fair share of improvements designed to alleviate the cumulative impacts at the five intersections within Marina del Rey and that are controlled by the LACDPW). As such, all impacts can be reduced to a level of less than significant with implementation of identified mitigation measures. However, if these or other equally effective measures are not installed, significant cumulative traffic impacts would remain. Furthermore, as the precise benefits of the SR-90 extension cannot be quantified at this time, it is conservatively concluded that significant cumulative impacts will remain at the following intersections even with implementation of the SR-90 extension: Lincoln Boulevard and Washington Boulevard; Lincoln Boulevard and Marina Expressway; Lincoln Boulevard and Bali Way; Lincoln Boulevard and Mindanao Way; and Lincoln Boulevard and Fiji Way.

5.8 SEWER SERVICE

SUMMARY

Wastewater in Marina del Rey is collected and conveyed by a sewer system owned and operated by the Los Angeles County Department of Public Works (LACDPW), which is regulated in the Marina Sewer Maintenance District (MSMD). Treatment of domestic sewage and wastewater occurs at the City of Los Angeles Hyperion Treatment Plant (HTP) in El Segundo.

The proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would generate approximately 151,100 gallons of wastewater per day. This represents a net increase of approximately 130,700 gallons per day when compared with existing uses. The HTP currently has adequate capacity to treat sewage generated by the projects. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project applicant(s) must pay connection fees to the City of Los Angeles in order to retroactively fund recent treatment plant improvements. This connection fee program occurs through a developer fee paid to the County and a corresponding payment of fees from the County to the City of Los Angeles. The project applicant must also obtain a "will serve" letter prior to issuance of building permits demonstrating the ability of the treatment plant and collection system to accommodate project generated effluent. Based on the above, no significant impacts to wastewater treatment facilities would occur as a result of the proposed project.

The LACDPW requires that any developer constructing a new sewer line coordinate the construction and dedication of any new sewer facilities with LACDPW's Water Works and Sewer Maintenance Division, which would be responsible for future operation and maintenance. All local collector sewer lines within the project boundaries would be constructed to standards set forth by LACDPW, and would be sized to accommodate sewage flows generated at project buildout. Impacts to the wastewater collection system would be less than significant.

5.8.1 INTRODUCTION

This EIR section presents an overview of the existing sewer collection, treatment, and disposal systems in the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project area. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project (Parcels 10R, FF, and Parcel 9U) is comprised of five parts: Neptune Marina Parcel 10R, Neptune Marina Parcel FF, the Woodfin Suite Hotel and Timeshare Resort Project, a 1.46-acre public park consisting of a 0.46-acre restored wetland and 0.99-acre upland buffer, and 7 to 11 public-serving boat spaces. Impacts are discussed for the combined project (i.e., the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project), as well as for each part independently (in case one was to proceed separately).

Construction and operation of the 1.46-acre public park and between 7 to 11 public-serving boat spaces would not generate domestic sewage in a quantifiable amount. As such, impacts associated with the 1.46-acre public park and between 7 and 11 public-serving boat spaces are not considered further in the analysis of project impacts (with the exception of brief descriptions defined in **subsection 5.8.3**).

This section also includes a discussion of the cumulative impacts of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project in conjunction with other related projects. Where impacts are identified, mitigation measures are recommended to reduce such impacts to acceptable levels. This analysis is primarily based on information obtained from the *Sewer Capacity Report* prepared by Fuscoe Engineering, Inc., (September 2005) and a sewer capacity report prepared by Hunsaker Associates (September 2006). Additional sources of information include written and oral communication with LACDPW staff, staff of the Waterworks and Sewer Maintenance Division, and information derived from the Marina del Rey Land Use Plan. A sewer area study report prepared by Hunsaker Associates (dated July 2008) also provided information. An updated sewer master plan has been prepared by Los Angeles County Department of Public Works in 2007 and was incorporated as part of this analysis.

5.8.2 EXISTING CONDITIONS

Wastewater collection and treatment for the Marina del Rey area is provided by LACDPW and the City of Los Angeles HTP. The LACDPW's Water Works and Sewer Maintenance Division is charged with maintaining the sewer collection and conveyance system, which is regulated in the Marina Sewer Maintenance District (MSMD). Wastewater collected within the MSMD system is ultimately directed to the City of Los Angeles HTP treatment facility under a contract between the City and the County of Los Angeles.

5.8.2.1 Regional Wastewater Treatment Facilities

Wastewater from the Marina del Rey area, including the existing apartments on Parcel 10R, is treated at the HTP in El Segundo, located southwest of the Los Angeles International Airport. The drainage area served by the HTP is approximately 328,000 acres of developed land. The HTP treats wastewater from portions of the City of Los Angeles as well as from seven cities that it contracts with, including Santa Monica, Beverly Hills, Burbank, Culver City, El Segundo, Glendale, and San Fernando. HTP also treats wastewater from portions of Los Angeles County and 29 contract agencies.

Completed in 1950, the HTP was originally designed with a treatment capacity of 320 million gallons per day (mgd). Since that time, the plant's capacity has increased to 480 mgd and now includes full secondary

treatment of wastewater. The HTP is currently treating 350 mgd of effluent flow to secondary treatment standards, 130 mgd below its maximum operating capacity.¹

The HTP service area also includes two inland reclamation plants: the Los Angeles/Glendale Water Reclamation Plant (LAGWRP) and the Tilman Water Reclamation Plant (TWRP). These plants partially treat upstream flows generated by urban uses in the San Fernando Valley and route the partially treated flows to the HTP. The LAGWRP was completed in 1976 and is capable of processing approximately 30 mgd of wastewater. The TWRP became operational in 1985 and was designed to process 40 mgd of wastewater. An expansion of TWRP was completed in October 1991, which increased its current capacity to 80 mgd. In total, the Hyperion Treatment System, inclusive of LAGWRP and TWRP, has the capacity to treat 590 mgd of domestic wastewater under normal operating conditions. Presently, the HTP system is treating 350 mgd, 240 mgd below its rated capacity. This excess capacity is due in part to water conservation measures now required as part of the City of Los Angeles Uniform Building Code (UBC).

The Regional Water Quality Control Board (RWQCB) regulates the treatment of wastewater at treatment plants and the discharge of the treated wastewater into receiving waters. Therefore, the HTP is responsible for adhering to RWQCB regulations as they apply to wastewater generated by Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project.

Until recently, the Marina Sewer Maintenance District (MSMD) had contractual rights to 0.97 mgd of treatment capacity at HTP, which is the capacity required to serve existing development within Marina del Rey. To accommodate future growth, the MSMD has contracted for additional capacity and has obtained contractual rights to 3.0 mgd of treatment plant capacity at HTP. Therefore, 2.03 mgd of unused capacity is available to the MSMD.

5.8.2.2 Wastewater Collection System

In the vicinity of the project site, existing 12-inch and 15-inch VCP (vitrified clay pipe) sewer mains occur in Dell Avenue and Via Marina, respectively, and an 18-inch main crosses the property parallel to Marquesas Way. These mains join at manhole 69 (**Figure 5.8-1**). As shown on **Figure 5.8-1**, from manhole 69, an existing 18-inch main connects the system to a City of Los Angeles owned and operated pumping station before it discharges into a force main. On the project site, a 10-foot-wide sewer easement is present. In conformance with normal building requirements, no structures occur or are proposed within this existing easement.

¹ Doug Bohlmann, Shift Superintendent II, Hyperion Treatment Plant, telephone conversation, August 27, 2004.

This sewer system discharges to the City of Los Angeles' system through a metering station located at Via Dolce at Marquesas Way. Sewage is then pumped via the Venice Pumping Plant at Hurricane Street and Esplanade. The pump station has five pumps: three running and two parallel-force main systems. Based on growth in the marina and other projects that occur in the marina area, this system of pumps is reaching capacity. The City of Los Angeles has plans to upgrade the pump station. As a normal practice, the costs of these improvements are paid for by sewer connection fees paid by developers to the City of Los Angeles.

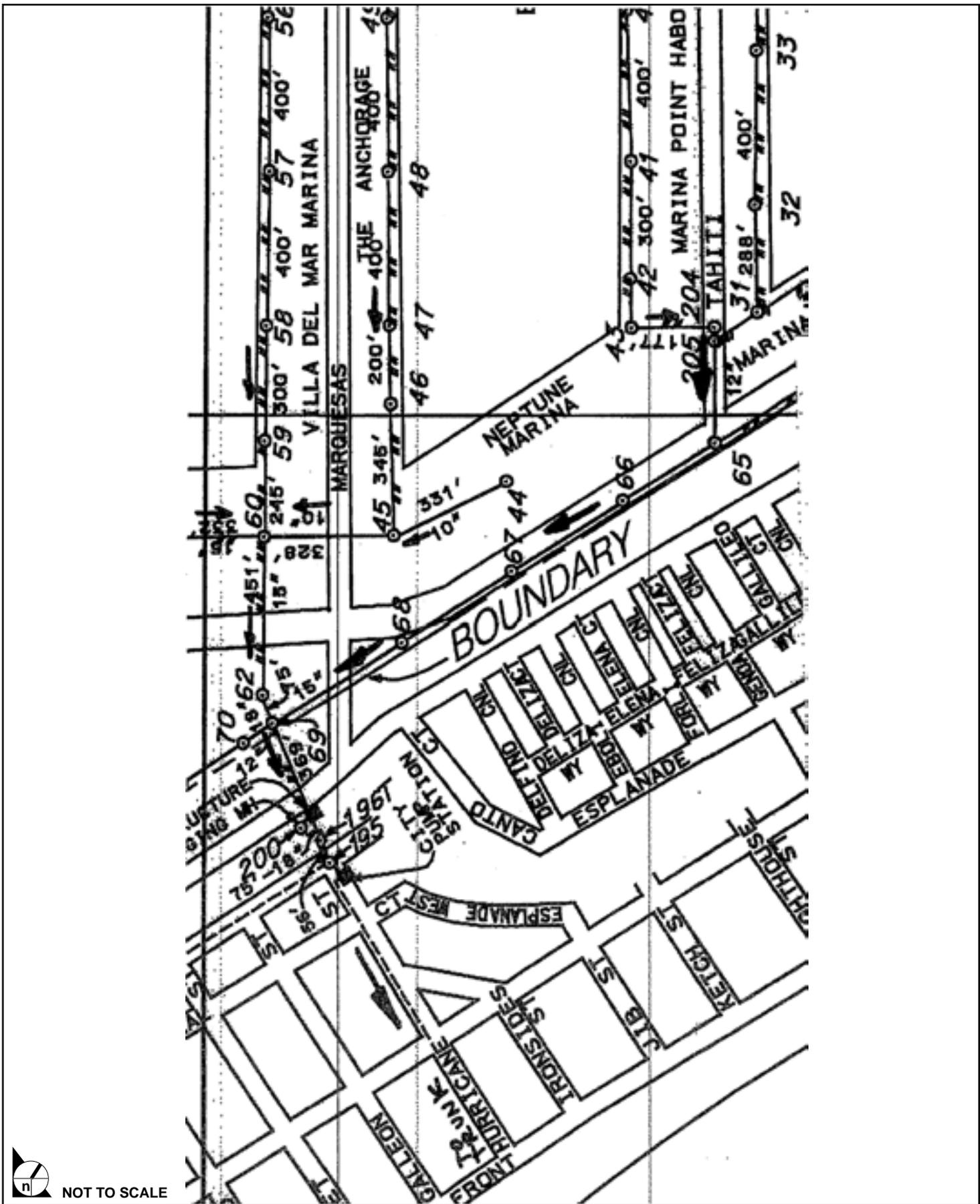
From the Venice Pumping Plant, sewage flows via the Coastal Interceptor Sewer (CIS) System, which transmits sewage to the HTP. Currently, there is a proposal for a new parallel force main system to provide relief for the existing CIS System.

5.8.2.3 Funding

The marina area holds contractual flow rights, purchased from the City, for use of pipe and pumping systems as well as treatment at HTP. Payment for these rights is based on the proportionate share of capital costs and annual costs for the system used, based on the relation of its contractual capacity to the design capacity of the system.

The LACDPW requires that new local sewer lines connect to the MSMD's existing sanitary sewer system. Moreover, LACDPW requires that any developer constructing a new local sewer line or sewer network not only coordinate its construction with the MSMD, but also dedicate the sewer line or network to the MSMD. Upon dedication, the MSMD would be responsible for future operation and maintenance. Prior to any demolition/construction, the City of Los Angeles must ensure adequate capacity in the receiving trunk sewers and receiving water reclamation plant. If adequate capacity does not exist in the City of Los Angeles' system to accommodate the additional flows, the receiving trunk sewers and/or WRP may require expansion.

The mechanism used to fund improvements to the City of Los Angeles' system is the connection fee program. This connection fee program occurs through a developer fee paid to the City of Los Angeles. Prior to connection of the local sewer network to the City of Los Angeles' system, all new users are required to pay a fair share contribution for City of Los Angeles' sewage system expansions. This connection fee is used by the City of Los Angeles to finance periodic expansion of treatment capacity and trunk lines. The connection fee varies in relation to the number of plumbing fixtures associated with a proposed project.



SOURCE: Fuscoe Engineering, Inc. - 2005

FIGURE 5.8-1

Existing Wastewater Collection and Conveyance System

5.8.2.4 Existing Wastewater Generation

5.8.2.4.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

As shown in **Table 5-8.1**, operation of the 136 existing apartments located on Parcel 10R generates a total of 20,400 gallons per day (gpd). Please see **Appendix 5.8** for calculation worksheets.

Table 5.8-1
Existing Wastewater Generation

| Land Use | Units | Generation Factor ¹ (gal./day/unit) | Daily Generation (gal./day) |
|---------------|--------|---------------------------------------------------|--------------------------------|
| Residential | 136 du | 150 | 20,400 |
| Total: | | | 20,400 |

Source: Impact Sciences, Inc., March 2005.

du = dwelling unit.

¹ The generation factor is from the Marina del Rey Apartment Community Draft EIR, Impact Sciences, Inc., May 2000, unless otherwise noted.

Parcel FF consists of a total of 2.05 acres. The only existing land uses on the parcel is a 2-acre surface parking lot. Parcel 9U is an undeveloped vacant lot. As such, the existing uses on Parcel FF or 9U do not currently generate wastewater that is directed to County- or City-owned facilities.

5.8.3 ENVIRONMENTAL IMPACTS

5.8.3.1 Project Improvements

Implementation of the proposed Neptune Marina and Woodfin Suite Hotel and Timeshare Resort Project would result in the development of 526 residential dwelling units; 19-story building with 288 hotel and timeshare suites; 174 private and between 7 to 11 public-serving boat spaces; and a restored public wetland and upland park area. There are 136 existing apartments and 198 boat spaces presently on site. Therefore, completion of the proposed Neptune Marina and Woodfin Suite Hotel and Timeshare Resort Project would result in a net increase of 390 apartment units, 288 hotel and timeshare suite, a net decrease of up to 17 boat spaces, and a 1.46-acre public park containing a 0.47-acre restored wetland and 0.99-acre upland buffer.

5.8.3.2 Thresholds of Significance

The County of Los Angeles Department of Regional Planning has not adopted County specific significance thresholds. Based on Appendix G of the most recent update of the *State California Environmental Quality Act (CEQA) Guidelines*, impacts related to sewer service are considered significant if the project would

- exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board;
- require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or
- result in the determination by the wastewater treatment provider, which serves or may serve the project, that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

5.8.3.3 Impact Analysis

5.8.3.3.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.8.3.3.1.1 Threshold: Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

Threshold: Have insufficient water supplies available to serve the project from existing entitlements and resources, or would require expanded entitlements.

Threshold: Require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts.

Construction Impacts: Construction activities on Parcel 10R are expected to begin in January 2009 and would require a total of approximately 33 months to complete. Anticipated buildout would occur in September 2011.

Construction activities on Parcel FF are expected to begin in April 2010 and would require approximately 18 months to complete. Buildout of the project is anticipated to occur in September 2011.

Construction activities on Parcel 9U are expected to begin in January 2009 and would require approximately 24 months to complete. Anticipated buildout would occur January 2011.

Demolition of existing on-site uses would not disrupt sewer services to adjacent uses, as the lines will be disconnected prior to removal of the existing structures. Construction contractors would provide portable on-site sanitation facilities for use during demolition and construction that would be serviced at approved disposal facilities and/or treatment plants. The amount of construction-related wastewater that would be generated would not have a significant impact on wastewater disposal and treatment facilities due to the temporary nature of construction activity and the available capacity of the treatment facilities.

Operation Impacts; Wastewater Collection System Improvements: Based on information obtained from the *Sewer Capacity Report* prepared by Fuscoe Engineering, Inc., September 2005, the sewage collection and conveyance system designed to serve the proposed Neptune Marina Apartments and

Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would connect to the existing sewer facilities. Proposed sewer improvements for the Neptune Marina Apartments and Anchorage Project require the abandonment of the existing 10-inch sewer main due to the main's location, and the development of a new 10-inch main. The precise alignment of the sewer main has not been determined but would occur within already graded portions of the project site. The existing 8-inch sewer main that parallels the Basin B bulkhead would be removed and replaced with a new 10-inch main. Each of these new mains would be connected to the existing 15-inch main in Via Marina. Two new manholes would also be constructed, and new building laterals would be constructed connecting each new apartment building to the proposed 10-inch mains. The City and County of Los Angeles have evaluated the increase in sewer flows due to the project and has found there to be sufficient capacity.

Based on information obtained from the *Sewer Capacity Report* prepared by Hunsaker Engineering, Inc., September 2006, the sewage collection and conveyance system designed to serve the proposed Woodfin Suite Hotel and Timeshare Resort Project would connect to the existing sewer facilities. Proposed sewer improvements would involve construction of a new 10-inch line that will connect to the existing 15-inch line that is existing in Via Marina before it meets the existing 18-inch line located at manhole 69. As defined above, the precise alignment of the sewer main has not been determined but would occur within already graded portions of the project site. The City and County of Los Angeles have evaluated the increase in sewer flows due to the project and have found there to be sufficient capacity.

The LACDPW requires that any developer constructing a new sewer line must coordinate the construction and dedication of the sewer with the department's Water Works and Sewer Maintenance Division for future operation and maintenance. All local collector sewer lines within the project boundaries would be constructed to the standards set forth LACDPW, and would be sized to accommodate sewage flows generated at project buildout. Impacts to the wastewater collection system would be less than significant.

Operation Impacts; Wastewater Treatment System: As shown below in **Table 5.8-2**, the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would generate approximately 151,100 gpd of domestic wastewater. This represents a net increase of 130,700 gpd due to the increased number of dwelling units and the hotel project. Please refer to **Appendix 5.8** for calculation worksheets. With regard to wastewater generation from the Neptune Marina Anchorage sewage pumping station that will be included in the new anchorage at Parcel 10R, there are no standard rates or data available for wastewater generation rates for boats in the marina. However, the project would result in a net decrease in the number of boat spaces and no impact is anticipated.

**Table 5.8-2
Proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel
and Timeshare Resort Project Wastewater Generation**

| Land Use | Units | Daily Generation (gal./day) |
|-------------------------------------------------|--------|-----------------------------------|
| Neptune Marina Apartments and Anchorage | | |
| 1-Bedroom | 330 | 49,500 |
| 2-Bedroom | 196 | 39,200 |
| Woodfin Suite Hotel and Timeshare Resort | | |
| Hotel | 152 | 22,800 |
| 1-Bedroom | 68 | 13,600 |
| 2-Bedroom | 68 | 17,000 |
| Restaurant | NA | 9,000 |
| Subtotal: | | 151,100 |
| Less Existing Residential | 136 du | -20,400 |
| Net Project Total: | | 130,700 |

Source: Impact Sciences, Inc., March 2005.

du = dwelling unit.

¹ The generation factor is from the Marina del Rey Apartment Community Draft EIR, Impact Sciences, Inc., May 2000, unless otherwise noted.

Sewage generated on the project site would be conveyed to the HTP for treatment, as described above. With the HTP currently operating 130 mgd below capacity, the addition of approximately 130,700 net gpd generated by the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would not result in the plant exceeding capacity. Therefore, adequate capacity exists to treat sewage generated by the project, and the impact of the proposed project on the sewage treatment system is less than significant. As stated above in **5.8.2.1, Regional Wastewater Treatment Facilities**, the RWQCB is responsible for regulating the treatment of wastewater at treatment plants. Compliance with wastewater treatment requirements would not represent a significant impact.

As previously discussed, Marina del Rey has had contractual rights to 0.97 mgd of treatment capacity at the HTP, which covers treatment of effluent generated by existing uses within Marina del Rey. Also as previously discussed, an additional 2.03 mgd is currently in place to accommodate future demand (inclusive of this project). Further, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project applicant must pay connection fees to the City of Los Angeles in order to purchase the additional capacity necessary to convey and treat project-generated wastewater and fund

incremental expansion of treatment capacity. The project applicant must also obtain a “will serve” letter prior to issuance of building permits demonstrating the ability of the treatment plant and collection system to accommodate project generated effluent (reference **Appendix 5.8**). Based on the above, no significant impacts to wastewater treatment facilities will occur as a result of the proposed project.

Mitigation Measures: The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project shall design and construct all sewer lines to the specifications and standards defined by LACDPW. The project applicant shall pay the required sewer connection and capacity fees that are used to fund expansion of facilities.

Mitigation Measures Recommended by the EIR:

- 5.8-1. Prior to issuance of building permits, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project applicants shall demonstrate sufficient sewage capacity for the proposed project by providing a “will serve” letter from LACDPW’s Waterworks and Sewer Maintenance Division.
- 5.8-2. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project applicants shall pay a "fair share" contribution to the amount of the cost to upgrade the downstream segments of the sewer trunk that are identified as inadequate to accommodate effluent generated by the proposed project. If deemed necessary, these improvements shall be funded and completed in accordance with County Department of Public Works procedures.

Conclusion: Less than significant.

5.8.3.3.2 Neptune Marina Parcel 10R Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.8.3.3.2.1 **Threshold: Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.**

Threshold: Have insufficient water supplies available to serve the project from existing entitlements and resources, or would require expanded entitlements.

Threshold: Require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts.

Analysis:

Construction Impacts: Construction activities on the Neptune Marina Parcel 10R site is expected begin in January 2009 and would require 33 months to complete. Anticipated buildout would occur in September 2011. Demolition of existing on-site uses would not disrupt sewer services to adjacent uses, as the lines will be disconnected prior to removal of the existing structures. Construction contractors would provide portable on-site sanitation facilities for use during demolition and construction that would be serviced at approved disposal facilities and/or treatment plants. The amount of construction-related wastewater generated would not have a significant impact on wastewater disposal and treatment facilities due to the temporary nature of construction activity and the available capacity of the treatment facilities.

Operation Impacts; Wastewater Collection System Improvements: Based on information obtained from the *Sewer Capacity Report* prepared by Fuscoe Engineering, Inc., September 2005, the sewage collection and conveyance system designed to serve the proposed Neptune Marina Parcel 10R would connect to the existing sewer facilities. Proposed sewer improvements require the abandonment of the existing 10-inch sewer main due to the main's location, and the development of a new 10-inch main. The existing 8-inch sewer main that parallels the Basin B bulkhead would be removed and replaced with a new 10-inch main. The precise alignment of the sewer main has not been determined but would occur within already graded portions of the project site. Each of these new mains would be connected to the existing 15-inch main in Via Marina. Two new manholes would also be constructed, and new building laterals would be constructed connecting each new apartment building to the proposed 10-inch mains. The City

and County of Los Angeles have evaluated the increase in sewer flows due to the project and has found there to be sufficient capacity.

The LACDPW requires that any developer constructing a new sewer line must coordinate the construction and dedication of the sewer with the department's Water Works and Sewer Maintenance Division for future operation and maintenance. All local collector sewer lines within the project boundaries would be constructed to the standards set forth LACDPW, and would be sized to accommodate sewage flows generated at project buildout. Impacts to the wastewater collection system would be less than significant.

Operation Impacts; Wastewater Treatment System: As shown below in **Table 5.8-3**, the proposed Neptune Marina Parcel 10R would generate approximately 67,700 gpd of domestic wastewater. This represents a net increase of 47,300 gpd due to the increase of dwelling units in the proposed project. Please refer to **Appendix 5.8** for calculation worksheets. With regard to wastewater generation from the Neptune Marina Anchorage, there is no standard rates or data available for wastewater generation rates for boats in the marina. However, as the project will result in a net decrease of 24 boat spaces (198 existing less 174 proposed) no increase in impact potential is anticipated.

Table 5.8-3
Proposed Neptune Marina Parcel 10R Project; Wastewater Generation

| Land Use | Units | Generation Factor ¹ (gal./day/unit) | Daily Generation (gal./day) |
|---------------------------|--------|---------------------------------------------------|--------------------------------|
| Proposed Residential | | | |
| 1-Bedroom | 246 | 150 | 36,900 |
| 2-Bedroom | 154 | 200 | 30,800 |
| Subtotal | | | 67,700 |
| Less Existing Residential | 136 du | 150 | -20,400 |
| Net Project Total: | | | 47,300 |

Source: Impact Sciences, Inc., March 2005.

du = dwelling unit.

¹ The generation factor is from the Marina del Rey Apartment Community Draft EIR, Impact Sciences, Inc., May 2000, unless otherwise noted.

Sewage generated on the project site would be conveyed to the HTP for treatment as described above. With the HTP currently operating 130 mgd below capacity, the addition of approximately 47,300 net gpd would not result in the plant exceeding capacity. Therefore, adequate capacity exists to treat sewage

generated by the project, and the impact of the proposed project on the sewage treatment system is less than significant. As stated above in 5.8.2.1, **Regional Wastewater Treatment Facilities**, the RWQCB is responsible for regulating the treatment of wastewater at treatment plants. Compliance with wastewater treatment requirements would not represent a significant impact.

As previously discussed, Marina del Rey has had contractual rights to 0.97 mgd of treatment capacity at the HTP, which covers treatment of effluent generated by existing uses within Marina del Rey. Also as previously discussed, an additional 2.03 mgd is currently in place to accommodate future demand (inclusive of this project). Further, the Neptune Marina Parcel 10R applicant must pay connection fees to the City of Los Angeles in order to purchase the additional capacity necessary to convey and treat project-generated wastewater and fund incremental expansion of treatment capacity. The project applicant must also obtain a “will serve” letter prior to issuance of building permits demonstrating the ability of the treatment plant and collection system to accommodate project generated effluent (reference **Appendix 5.8**). Based on the above, no significant impacts to wastewater treatment facilities will occur as a result of the proposed Neptune Marina Parcel 10R.

Mitigation Measures: The Neptune Marina Parcel 10R shall design and construct all sewer lines to the specifications and standards defined by LACDPW. The project applicant shall pay the required sewer connection and capacity fees that are used to fund expansion of facilities.

Mitigation Measures Recommended by the EIR:

Mitigation Measures 5.8-1 and **5.8-2** would mitigate impacts associated with the Neptune Marina Parcel 10R Project.

Conclusion: Less than significant.

5.8.3.3.3 Neptune Marina Parcel FF Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.8.3.3.3.1 Threshold: Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

Threshold: Have insufficient water supplies available to serve the project from existing entitlements and resources, or would require expanded entitlements.

Threshold: Require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts.

Analysis:

Construction Impacts: Construction activities on the Neptune Marina Parcel FF site are expected to begin in April 2010 and would require a total of approximately 18 months to complete. Buildout of the project is anticipated to occur in September 2011. Construction contractors would provide portable on-site sanitation facilities for use during demolition and construction that would be serviced at approved disposal facilities and/or treatment plants. The amount of construction-related wastewater that would be generated would not have a significant impact on wastewater disposal and treatment facilities due to the temporary nature of construction activity and the available capacity of the treatment facilities.

Operation Impacts; Wastewater Collection System Improvements: Based on information obtained from the *Sewer Capacity Report* prepared by Fuscoe Engineering, Inc., September 2005, the sewage collection and conveyance system designed to serve the proposed Neptune Marina Parcel FF would connect to the existing sewer facilities. Proposed sewer improvements require the abandonment of the existing 10-inch sewer main due to the main's location, and the development of a new 10-inch main. The existing 8-inch sewer main that parallels the Basin B bulkhead would be removed and replaced with a new 10-inch main. The precise alignment of the sewer main has not been determined but would occur within already graded portions of the project site. Each of these new mains would be connected to the existing 15-inch main in Via Marina. Two new manholes would also be constructed, and new building laterals would be constructed connecting the new apartment building to the proposed 10-inch mains. The City and County of Los Angeles have evaluated the increase in sewer flows due to the project and have found there to be sufficient capacity.

The LACDPW requires that any developer constructing a new sewer line must coordinate the construction and dedication of the sewer with the department's Water Works and Sewer Maintenance Division for future operation and maintenance. All local collector sewer lines within the project boundaries would be constructed to the standards set forth LACDPW, and would be sized to accommodate sewage flows generated at project buildout. Impacts to the wastewater collection system would be less than significant.

Operation Impacts; Wastewater Treatment System: As shown in **Table 5.8-4**, the proposed Neptune Marina Parcel FF would generate approximately 21,000 gpd of domestic wastewater. Please refer to **Appendix 5.8** for calculation worksheets. Sewage generated on the project site would be conveyed to the HTP for treatment, as described above. With the HTP currently operating 130 mgd below capacity, the addition of approximately 21,000 gpd would not result in the plant exceeding capacity. Therefore, adequate capacity exists to treat sewage generated by the project, and the impact of the proposed project on the sewage treatment system is less than significant.

Table 5.8-4
Proposed Neptune Marina Parcel FF Project; Wastewater Generation

| Land Use | Units | Generation Factor ¹ (gal./day/unit) | Daily Generation (gal./day) |
|-----------------------|-------|---------------------------------------------------|--------------------------------|
| Proposed Residential | | | |
| 1-Bedroom | 84 | 150 | 12,600 |
| 2-Bedroom | 42 | 200 | 8,400 |
| Project Total: | | | 21,000 |

Source: Impact Sciences, Inc., March 2005.

du = dwelling unit.

¹ The generation factor is from the Marina del Rey Apartment Community Draft EIR, Impact Sciences, Inc., May 2000, unless otherwise noted.

As previously discussed, Marina del Rey has had contractual rights to 0.97 mgd of treatment capacity at the HTP, which covers treatment of effluent generated by existing uses within Marina del Rey. Also as previously discussed, an additional 2.03 mgd is currently in place to accommodate future demand (inclusive of this project). Further, the Neptune Marina Parcel FF applicant must pay connection fees to the City of Los Angeles in order to purchase the additional capacity necessary to convey and treat project-generated wastewater and fund incremental expansion of treatment capacity. The project applicant must also obtain a "will serve" letter prior to issuance of building permits demonstrating the ability of the treatment plant and collection system to accommodate project generated effluent (reference

Appendix 5.8). Based on the above, no significant impacts to wastewater treatment facilities will occur as a result of the proposed project.

Mitigation Measures: The Neptune Marina Parcel FF shall design and construct all sewer lines to the specifications and standards defined by LACDPW. The project applicant shall pay the required sewer connection and capacity fees that are used to fund expansion of facilities.

Mitigation Measures Recommended by the EIR:

Mitigation Measures 5.8-1 and 5.8-2 would mitigate impacts associated with the Neptune Marina Parcel FF Project.

Conclusion: Less than significant.

5.8.3.3.4 Woodfin Suite Hotel/Timeshare Resort Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.8.3.3.4.1 **Threshold: Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.**

Threshold: Have insufficient water supplies available to serve the project from existing entitlements and resources, or would require expanded entitlements.

Threshold: Require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts.

Analysis:

Construction Impacts: Construction activities on the Woodfin Suite Hotel and Timeshare Resort Project would begin in January 2009 and would require 24 months to complete. Buildout of the project is anticipated to occur in January 2011. Construction contractors would provide portable on-site sanitation facilities for use during construction that would be serviced at approved disposal facilities and/or treatment plants. The amount of construction-related wastewater that would be generated would not have a significant impact on wastewater disposal and treatment facilities due to the temporary nature of construction activity and the available capacity of the treatment facilities.

Operation Impacts; Wastewater Collection System Improvements: Based on information obtained from the *Sewer Capacity Report* prepared by Hunsaker Engineering, Inc., September 2006, the sewage collection and conveyance system designed to serve the proposed Woodfin Suite Hotel and Timeshare Resort Project would connect to the existing sewer facilities. Proposed sewer improvements would involve construction of a new 10-inch line that will connect to the existing 15-inch line that is existing in Via Marina before it meets the existing 18-inch line located at manhole 69. The precise alignment of the sewer main has not been determined but would occur within already graded portions of the project site. The City and County of Los Angeles have evaluated the increase in sewer flows due to the project and has found there to be sufficient capacity.

The LACDPW requires that any developer constructing a new sewer line must coordinate the construction and dedication of the sewer with the department's Water Works and Sewer Maintenance

Division for future operation and maintenance. All local collector sewer lines within the project boundaries would be constructed to the standards set forth by LACDPW, and would be sized to accommodate sewage flows generated at project buildout. Impacts to the wastewater collection system would be less than significant.

Operation Impacts; Wastewater Treatment System: As shown in **Table 5.8-5**, the proposed Woodfin Suite Hotel and Timeshare Resort Project would generate an average of approximately 62,400 gpd of domestic wastewater. Please refer to **Appendix 5.8** for calculation worksheets. Sewage generated on the project site would be conveyed to the HTP for treatment, as described above. With the HTP currently operating 130 mgd below capacity, the addition of approximately 62,400 gpd generated by the proposed Woodfin Suite Hotel and Timeshare Resort Project would not result in the plant exceeding capacity. Therefore, adequate capacity exists to treat sewage generated by the project, and the impact of the proposed project on the sewage treatment system is less than significant.

Table 5.8-5
Proposed Woodfin Suite Hotel and Timeshare Resort; Wastewater Generation

| Land Use | Units | Average Generation ¹ (gal./day) |
|-----------------------|-------|-----------------------------------------------|
| Proposed Use | | |
| Hotel | 152 | 22,800 |
| 1-Bedroom | 68 | 13,600 |
| 2-Bedroom | 68 | 17,000 |
| Restaurant | NA | 9,000 |
| Project Total: | | 62,400 |

Source: Impact Sciences, Inc., March 2005.

du = dwelling unit.

¹ *The generation factor is from the Marina del Rey Apartment Community Draft EIR, Impact Sciences, Inc., May 2000, unless otherwise noted.*

As previously discussed, Marina del Rey has had contractual rights to 0.97 mgd of treatment capacity at the HTP, which covers treatment of effluent generated by existing uses within Marina del Rey. Also as previously discussed, an additional 2.03 mgd is currently in place to accommodate future demand (inclusive of this project). Further, the Woodfin Suite Hotel and Timeshare Resort Project applicant must pay connection fees to the City of Los Angeles in order to purchase the additional capacity necessary to convey and treat project-generated wastewater and fund incremental expansion of treatment capacity. The project applicant must also obtain a "will serve" letter prior to issuance of building permits demonstrating the ability of the treatment plant and collection system to accommodate project generated

effluent (reference **Appendix 5.8**). Based on the above, no significant impacts to wastewater treatment facilities will occur as a result of the proposed project.

Mitigation Measures: The Woodfin Suite Hotel and Timeshare Resort Project shall design and construct all sewer lines to the specifications and standards defined by LACDPW. The project applicant shall pay the required sewer connection and capacity fees that are used to fund expansion of facilities.

Mitigation Measures Recommended by the EIR:

Mitigation Measures 5.8-1 and **5.8-2** would mitigate impacts associated with the Woodfin Suite Hotel and Timeshare Resort Project.

Conclusion: Less than significant.

5.8.4 CUMULATIVE IMPACTS

5.8.4.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and Other Related Projects

The cumulative impacts on sewer service from the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project in conjunction with other related/approved projects identified in **Section 4.0, Cumulative Projects**, were analyzed. Related projects within the Marina Sewer Maintenance are listed in **Table 5.8-6** below. For this analysis, a cumulative development scenario is compared with existing conditions. The scenario includes the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and other related projects occurring in MSMD. The applicable thresholds are listed below in bold followed by an analysis of the cumulative impacts and their potential significance. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

The applicable thresholds are listed below in bold followed by an analysis of the cumulative impacts and their potential significance. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.8.4.1.1 Threshold: Require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

Threshold: Result in the determination by the wastewater treatment provider, which serves or may serve the project, that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

Cumulative Analysis: As shown in **Table 5.8-7**, buildout of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and related projects occurring within the MSMD would generate an estimated 653,346 gpd of domestic wastewater, which does not exceed the 2.03 mgd currently available at the HTP. Therefore, capacity is available at the HTP under current contracts. In addition, each future project is required to provide adequate capacity to convey sewage to a safe point of discharge and pay fees to connect to the sewage system. In this manner, the existing sewage collection and conveyance system would be upgraded to accommodate sewage created by the development of future projects.

Mitigation Measures: None required.

**Table 5.8-6
Cumulative Wastewater Generation
Related Projects within Marina Sewer Maintenance District**

| Project Number from Table 4.0-1 | New Development | Existing Uses to be Replaced | Location (Address) |
|----------------------------------------|-----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|----------------------------------------------------------------------|
| 9. | 600-du Condominium | | 4333 Admiralty Wy. |
| 10. | 158-du Condominium 3,178-sf Specialty Retail | 48,000-sf Car Rental Facility | 4363 Lincoln Bl. |
| 11. | 179-du Apartment | 64-du Apartment | NWC Admiralty Wy./Palawan Wy. (Parcels 140) |
| 12. | 6,236-sf Retail | 5,750-sf Retail | 514-586 Washington Bl. Bet. Via Marina/Palawan Wy. (Parcel 97) |
| 13. | 72-du Apartment 16,352-sf Retail 368-sf Restaurant 7,888-sf Office | 9,180-sf Office 165-sf Restaurant 7,500-sf Drive-in Bank | S/s Washington Bl. Bet. Via Marina/Via Dolce (Parcel 95) |
| 14. | 147-rm Hotel | | 4175 Admiralty Wy. |
| 16. | 114-du Congregate Care Retirement Facility 5,000-sf Retail 6,000-sf Marine Commercial Office | 6,000-sf Health Club | E/o Palawan Wy. Betw. Washington Bl. /Admiralty Wy. (Parcel OT) |
| 18. | 544-du Apartment | 202-du Apartment | W/s Via Marina (Parcel 100 and 101) |
| 19. | 940-du Apartment 82-du Senior Apartment 4,000-sf Retail 6,000-sf Commercial 439 sl Boat | Project partially existing and partially under new construction | E/s Via Marina bet. Panay Wy./Marquesas Wy. (Parcels 12, 15) |
| 20. | 351-du Apartment 2 4,300-sf Retail 266-seat Restaurant (10,000 sf) | 1,067-seat Restaurant (to be removed) | South Side of Admiralty Wy., East side of Palawan Wy. (Parcel 33/NR) |
| 23. | 478-du Apartment 500-sf Retail 34 sl Boat | 224-du Apartment | Southern terminus of Fiji Wy. (Parcel 64) |
| 37. | 111-rm Hotel | 42-rm Hotel | SWC Admiralty Wy. & Palawan Wy. (Parcel 27) |

| Project Number from Table 4.0-1 | New Development | Existing Uses to be Replaced | Location (Address) |
|---------------------------------|------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|--------------------------------------------------------------------------------|
| 38. | 132-rm Hotel 1,230-seat Restaurant 24,250-sf Retail 5,200-sf Office 26 sl Boat | 12,984-sf Retail/Commercial 16,149-sf Restaurant 17 sl Boat | West of Fiji Wy. Near Terminus -Fisherman's Village (Parcels 55/56/W) |
| 40. | 345-Vessel Dry Stack Storage Facility 30-Vessel Mast Up Storage Space 1,500-sf Sheriff Boatwright Facility | Existing parking lot | N/s Fiji Wy, W/o Admiralty Wy (Parcel 52/GG) |

sf = square foot; du = dwelling unit; rm = room; ac = acre; sl = slips; p = pump.

**Table 5.8-7
Cumulative Wastewater Generation
Proposed Project and Related Projects**

| Land Use | Net Units | Generation Factor ¹ (gal./day/unit) | Daily Generation (gal./day) |
|---------------------------|---------------------------|---------------------------------------------------|--------------------------------|
| Related Projects | | | |
| Multi-Family ² | 3,435 du | 150/gal/unit | 515,250 |
| Commercial | 32,098 sf | 0.10 gal/day | 3,210 |
| Restaurant ³ | -5946 sf | 1.00 gal/day | -5,946 |
| Restaurant ⁴ | 163 seats | 50 gal/seat | 8,150 |
| Office | 9,908 sf | 0.20/gal/day | 1,982 |
| | Subtotal: | | 522,646 |
| | Net Project Total: | | 130,700 |
| | Total: | | 653,346 |

Source: Impact Sciences, Inc., March 2005.

Note: Numbers may not total exactly due to rounding.

du = dwelling unit; sf = square feet

¹ The generation factor is from the Marina del Rey Apartment Community Draft EIR, Impact Sciences, May, 2000, unless otherwise noted.

² Includes senior care facilities, hotel and motel rooms

³ The generation factor is from the Los Angeles County Sanitation Districts, Loadings for Each Class of Land Use (1998-99).

⁴ The generation factor is from the Los Angeles County Sanitation Districts, Estimated Average Daily Flows for Various Occupancies.

5.8.5 UNAVOIDABLE SIGNIFICANT IMPACTS

With mitigation, development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project (combined, separately, and cumulative with other related projects) would not significantly impact the sewer service environment during operation.

5.9 WATER SERVICE

SUMMARY

Water is provided to Marina del Rey by the County of Los Angeles Department of Public Works (Waterworks District [WWD] No. 29), which is the local purveyor for the Metropolitan Water District. The Los Angeles County Department of Public Works (LACDPW) prepared a master plan to upgrade the Marina del Rey Water distribution system based on existing demand and growth projections provided by the Los Angeles County Department of Regional Planning and land uses proposed in the Marina del Rey Land Use Plan.

*The proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would consume approximately 107,320 gallons of water per day (gpd), or about 120 acre-feet per year (afy). This represents a net increase of approximately 91,000 gpd, or about 102 afy, over existing water use on the project site. No significant impacts to the existing water distribution system would occur with implementation of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project provided recommended project improvements are made in coordination with planned upgrades to the Marina del Rey water distribution system. A water supply assessment (WSA) prepared September 2007 by Impact Sciences for Los Angeles County Waterworks District 29 and Marina del Rey Water System (WWD No. 29) for the project (**Appendix 5.9**) confirmed that entitlements for water have been secured and are sufficient to serve existing uses and projected growth in its service area. In addition, mitigation is recommended that requires the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project to provide the County Department of Regional Planning with a letter from the WWD No. 29 confirming their ability to serve the project. This letter shall be required prior to the issuance of grading, building or construction permits. Given water system improvements, existing entitlements in WWD No. 29, and recommended mitigation measures, impacts to the water supply system would be less than significant.*

5.9.1 INTRODUCTION

This EIR section presents an overview of the existing water distribution system in the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project area. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project (Parcels 10R, FF, and Parcel 9U) is comprised of five components: Neptune Marina Parcel 10R; Neptune Marina Parcel FF; the Woodfin Suite Hotel and Timeshare Resort Project on the northerly approximately 2.2 acres of Parcel 9U; a 1.46-acre public park (inclusive of a 0.47-acre restored wetland and 0.99-acre upland buffer) on the southerly portion of Parcel 9U; and between 7 and 11 public-serving boat spaces. Impacts are discussed for the combined project (i.e., the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project), as well as for each component independently.

Construction and operation of the 1.46-acre public park and between 7 and 11 public-serving boat spaces would not require potable water in a quantifiable amount. As such, impacts associated with the 1.46-acre public park and the 7 to 11 public-serving boat spaces are not considered further in the analysis of project impacts (with the exception of brief descriptions defined in **Section 5.9.3**).

This section also includes a discussion of the cumulative impacts of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project in conjunction with other related projects. Where impacts are identified, mitigation measures are recommended to reduce such impacts to acceptable levels. This analysis is primarily based on information obtained from the Water Supply/Capacity Report prepared by Fuscoe Engineering, Inc., September 2005 (Parcels 10R and FF), a Water Supply/Capacity Report prepared by Hunsaker Associates dated September, 2006 (Parcel 9U), and the WSA prepared by Impact Sciences, dated September, 2007. Additional sources of information include 2005 Urban Water Management Plan for Waterworks District No. 29 (WWD No. 29), written and oral communication with LACDPW staff, staff of the Waterworks and Sewer Maintenance Division and information derived from the Marina del Rey Land Use Plan.

5.9.2 EXISTING CONDITIONS

5.9.2.1 Los Angeles County Water Works District Number 29 and Marina Del Rey Water System

Marina del Rey is supplied water from WWD No. 29, which is a public water purveyor for the Metropolitan Water District (MWD) of Southern California. WWD No. 29 is responsible for providing water to its customers while meeting all applicable federal and state water quality standards. The LACDPW operates and maintains the Marina del Rey Water System for the Department of Beaches and Harbors, via the Waterworks and Sewer Maintenance Division. The service area of WWD No. 29 includes Marina del Rey, the City of Malibu, and unincorporated territory within Topanga Canyon. In accordance with the California Urban Water Management Act as amended, WWD No. 29 prepared in 2005 an Urban Water Management Plan (2005 UWMP). This plan is incorporated as **Appendix 5.9**.

Current entitlements provide the Marina del Rey Water System with a maximum water allocation of 5 cubic feet per second (cfs). The volume of water sold to WWD No. 29 from 2004 to 2005 was 9,235 acre-feet.¹

¹ County of Los Angeles Department of Public Works Waterworks District 29 and Marina Del Rey Water System. *Draft Water Supply Assessment, Legacy Woodfin Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project*, September 2005.

5.9.2.2 Metropolitan Water District of Southern California

WWD No. 29 purchases water from the West Basin Municipal Water District (West Basin MWD), which purchases water from the MWD. The MWD serves 27 member agencies comprised of 14 cities, 12 municipal water districts and one County water authority. The MWD imports water from the Colorado River Aqueduct (CRA) and the State Water Project (SWP) in the Sacramento-San Joaquin Delta and distributes this water to its member agencies.

Based on projected growth, MWD expects that water demand in its service area will rise from a current demand of 3.6 million afy to 4.8 million afy by 2020. To accommodate this projected growth, MWD developed an Integrated Water Resources Plan (IRP) in 1996. The IRP is a 25-year comprehensive water resources plan for Southern California and was last updated in 2003. The plan is a multifaceted approach towards the development and maintenance of reliable water supplies that are necessary to meet an increasing demand. The IRP proposes to combine water conservation, surface and groundwater storage, water transfers and exchanges, water recycling and water imports as a managed and integrated strategy to provide a stable and reliable source of water to its customers. The MWD's objective is to ensure reliability, affordability, quality, diversity and adaptability of the regional water supply. Implementation of plans and programs identified in the IRP will allow the MWD to provide water to all the firm's wholesale water demands of its member agencies through 2025.² More recently and based on information from the *Draft State Water Project Delivery Reliability Report, 2007*, MWD has determined that there are sufficient water supplies available for pending and future development within the West Basin MWD's service area for the foreseeable future through 2030 as set forth in the 2005 UWMP.

5.9.2.2.1 Water Supply

The following information is primarily from the 2005 UWMP. Because the 2005 UWMP accounts for this project, the following discussion of water supply would apply to the proposed project.

5.9.2.2.2 Imported Water

The project site is located in the Marina del Rey Water System service area. The Marina del Rey Water System is an extension of the WWD No. 29 and accounts for 17 percent of the water demand from West Basin MWD. This smaller system is served directly off the transmission main delivering water to the WWD No. 29. There are no pump stations or storage tanks within the Marina del Rey Water System, but it has a connection to 1 million gallons of storage at the Sunset Mesa tank site in the Malibu area for

² *Integrated Water Resources Plan, 2003 Update*, prepared by the Metropolitan Water District of Southern California, May 2004.

emergency purposes. The Marina del Rey Water System also has two emergency interconnections with Los Angeles Department of Water and Power.

The WWD No. 29 receives 100 percent of its water supply from West Basin MWD. West Basin MWD, as a member agency of the Metropolitan Water District of Southern California, relies on imported water from both the Colorado River and SWP, to supplement its groundwater supplies and recycled water in areas within West Basin. West Basin MWD currently relies on a minimum of 126,000 acre-feet per year of imported water from the Colorado River and the SWP delivered through the MWD to meet the WWD No. 29's retail and replenishment demands. Under a contract with the federal government, the MWD has a basic entitlement of 550,000 afy of Colorado River water. In addition, the Maximum Annual SWP Table A Amount for the MWD is 1,911,500 afy. A description of the reliability of supplies to the WWD No. 29 is included below.

Litigation Challenges to SWP Operations

Recent litigation has had an effect upon the availability and reliability of imported SWP supplies. For example, in October 2006, plaintiff, Watershed Enforcers, a project of the California Sportfishing Protection Alliance, filed a lawsuit in Alameda County Superior Court alleging that Department of Water Resources was not in compliance with the California Endangered Species Act (CESA) and did not have the required state incidental take permit to protect the Delta smelt as part of DWR's pumping operations at the Harvey O. Banks Pumping Plant located near the town of Tracy (Watershed Enforcers, et al. v. California Department of Water Resources, et al. Alameda County Superior Court No. RG06292124 [Watershed decision]). In April 2007, the court agreed with the plaintiff and ordered a shutdown of pumping from the Delta if appropriate permits could not be obtained in 60 days. In May 2007, DWR filed an appeal of the trial court's decision, which automatically stayed the decision pending the outcome of the appeal. At the same time, DWR entered into a Memorandum of Understanding with CDFG to jointly work with the appropriate federal agencies to develop a federal Biological Opinion that complies with CESA. During preparation of the new Biological Opinion, DWR committed itself to actions related to protecting the Delta smelt and other species through adaptive management provisions. Upon completion of this effort, DWR plans to submit a request to CDFG for a consistency determination under CESA that would allow for incidental take based on the new federal Biological Opinion.

In addition, on May 25, 2007, the US District Court for the Eastern District, the Honorable Oliver W. Wanger, presiding, found that the 2005 USFWS Biological Opinion for Delta smelt was not consistent with the requirements of the federal Endangered Species Act and must be rewritten. On August 31, 2007, Judge Wanger established interim operating rules to protect Delta smelt until the USFWS rewrites the Biological Opinion. The interim operating rules set in-delta flow targets in Old and Middle Rivers from

late December through June that will restrict Central Valley Project (CVP) and SWP pumping in 2008 and until the biological opinion is rewritten. Judge Wanger's restrictions on CVP/SWP operations will last until September 15, 2008, while the new Biological Opinion for Delta smelt is completed. The new Biological Opinion is expected to impose restrictions that may continue reduced pumping operations in the CVP/SWP until broader solutions are implemented for the bay-delta. Other implications are described below based on the best available current information.

In terms of short-term water supply availability, there have been short-term effects related to issues presented in the *Watershed* and Wanger decisions. For example, pumping operations were shut down for approximately nine days in June 2007 due to concerns over the declining number of Delta smelt. DWR then operated the pumps at limited levels for several weeks while waiting for the smelt to migrate to cooler waters. DWR then resumed normal operations in July 2007. The August 31, 2007, interim operating rules will restrict CVP and SWP pumping in 2008 and until the Biological Opinion is rewritten. There is also concern that the remedy adopted by the District Court could ultimately become part of the conditions in the new Biological Opinion and incidental take permit expected to be issued in the fall of 2008. These concerns, if they materialize, could limit the percentage of SWP water that can be delivered to SWP Contractors, including MWD long term. DWR estimates that its water deliveries will be reduced up to 30 percent this year as a result of the August 31, 2007, interim ruling.³

However, precisely because of these concerns, DWR was directed to take immediate action to improve conditions in the delta.⁴ According to the Office of the Governor, the governor's Strategic Growth Plan proposes approximately \$6 billion to upgrade California's water systems. The governor's plan invests \$4.5 billion to develop additional surface and groundwater storage. The plan also includes \$1 billion toward restoration of the delta, including development of a new conveyance system, \$250 million to support restoration projects on the Klamath, San Joaquin, and Sacramento rivers, and the Salton Sea project, and \$200 million for grants to California communities to help conserve water. Using existing resources, DWR will implement numerous actions, including screening delta agriculture intake pumps to protect smelt, restoring the North Delta's natural habitat, improving the Central Delta water flow patterns, and improving DWR's ability to respond to delta emergencies, such as levee failures.

The governor has also directed the Delta Vision Blue Ribbon Task Force to develop a delta management plan. The task force has presented its findings and recommendations, and its strategic plan is due by October 31, 2008. The Bay-Delta Conservation Plan is also underway. This plan is intended to ensure

³ DWR News Release, *DWR Announces New Delta Pumping Cutbacks*, March 13, 2008.

⁴ For the Governor's release issued July 17, 2007, please refer to <http://gov.ca.gov/index.php?/print-version/press-release/6972/>, which is included in Appendix 4.3 of the Final EIR.

compliance with federal and state Endangered Species Act requirements in the delta. The \$1 billion proposed in the governor's comprehensive plan will be used to fund recommendations from both the Delta Vision Task Force and the Conservation Plan.

Over the long-term, water supply availability and reliability will continue to be assessed by DWR in their biennial SWP delivery reliability reports. These reports necessarily take into account a myriad of factors in evaluating long-term water supply availability and reliability. These factors include multiple sources of water, a range of water demands, timing of water uses, hydrology, available facilities, and regulatory restraints, including pumping constraints due to impacts on listed fish species, water conservation strategies, and future weather patterns. The *Watershed* and *Wanger* decisions highlight the regulatory restraints applicable to SWP supplies, which have impacted DWR deliveries of SWP supplies in the past, and could curtail such deliveries in the future.

DWR has issued its *State Water Project Delivery Reliability Report, 2007*, which is intended "to ultimately assist local agencies, cities, and counties using SWP water in planning integrated water resources management to allow them to develop adequate and affordable water supplies for their communities." (2007 Draft Reliability Report, 2.) The 2007 draft reliability report assesses the current state of water reliability, which depends on "the availability of water at the source, the ability to convey water from the source to the desired point of delivery, and the magnitude of demand for the water." (Id. 6.) In comparison to the *State Water Project Delivery Reliability Report, 2005*, the total annual SWP deliveries are expected to decrease for normal, single-dry, and multiple-dry water years.

Litigation Challenges to Colorado River Supplies

An additional challenge to MWD's supplies is the pending litigation concerning the Quantification Settlement Agreement (QSA) and related agreements. The QSA and related agreements were approved on October 10, 2003. These agreements address the supplies of all California users of Colorado River water, including MWD. MWD described the QSA and related agreements and their impact on the reliability of MWD's supplies in its 2006 Integrated Water Resources Plan Implementation Report.⁵ According to MWD, it is expected that its fourth priority apportionment of 550,000 afy of Colorado River water will be available every year for the next 20 years.⁶ This supply is "expected to be available during all year types, including wet, average, single dry-year, and multiple dry-year weather."⁷

⁵ MWD, *2006 Integrated Water Resources Plan Implementation Report* at 1-2 to 1-10 (October 10, 2006).

⁶ *Report on Metropolitan Water Supplies: A Blueprint for Water Reliability*, March 2003, (Blueprint Report), p. B-6.

⁷ Blueprint Report at B-6.

The litigation has taken two forms: (1) a series of lawsuits against the lining of the All-American Canal; and (2) a series of lawsuits which challenge the Imperial Irrigation District (IID)/San Diego County Water Agency (SDCWA) transfer. The All-American Canal litigation has been litigated and resolved in favor of the QSA parties thus, increasing the certainty of MWD's Colorado River supplies.⁸

Several lawsuits against the IID/SDCWA transfer were brought by the County of Imperial, various landowners within IID and environmental advocacy groups, and have been consolidated in Sacramento County Superior Court. In two of those lawsuits, the County of Imperial sued the State Water Resources Control Board (SWRCB), IID and SDCWA regarding the legitimacy of the QSA approvals. In November 2004, the Superior Court dismissed those cases with prejudice on the ground that the County had failed to name MWD and the Coachella Valley Water District as necessary and indispensable parties to the actions on a timely basis. The County appealed that decision and the Court of Appeal affirmed the dismissal in 2007, which lifted a stay on the other QSA cases.⁹ Several demurrers were filed and sustained in the consolidated cases, reducing the number of causes of action pending in the litigation.¹⁰ The water transfer challengers filed motions for preliminary injunction,¹¹ which were dismissed by the Court of Appeal, along with all claims for damages. The only remaining claims are that validation of the QSA is inappropriate and that there are violations of CEQA.¹²

While all significant issues in the QSA litigations have been resolved in favor of MWD and the other QSA parties to date, including the entire All-American Canal case, it is impossible to predict with absolute certainty how the remaining litigation will be resolved. MWD is actively involved in the litigation and plans to defend the QSA fully to prevent any impacts to its Colorado River supplies.

⁸ On April 6, 2007, the U.S. Court of Appeals for the Ninth Circuit dismissed the challenge to the lining of the All-American Canal and lifted the court-imposed injunction that for a period of time halted construction. The ruling allowed IID to commence work on the project to conserve water lost by seepage from the existing earthen canal. See *Consejo de Desarrollo Economico de Mexicali, A.C. v. United States*, 482 F.3d 1157 (2007).

⁹ *County of Imperial v. Superior Court*, 152 Cal.App.4th 13 (2007).

¹⁰ October 10, 2007 Order by Judge Candee in *Imperial Irrigation District v. All Persons Interested in Any of the Following Contracts*. Imperial County Case No. ECU01649 (Sacramento County Case No. 04CS00875) filed November 5, 2003.

¹¹ See Notice of Motion and Motion of Putative Class Representatives for Preliminary Injunction or Other Immediate Provisional Relief, Case No. 4353 (Filed October 15, 2007); POWER's and James Albert Abatti's Combined Joinder in the Putative Class Representatives' Motion for Preliminary Injunction or Other Immediate Provisional Relief; Additional Points and Authorities in Support of Preliminary Injunction Based on CEQA, Case No. 4353 (Filed October 16, 2007).

¹² See Final Ruling on Motion and Demurrers Heard on February 5, 2008.

5.9.2.2.3 Recycled Water

The WWD No. 29 is within the service area of West Basin MWD's Recycled Water Program. Under this program, West Basin MWD produces recycled water for 13 southern California cities in its service area. Although the program does not currently service the WWD No. 29 with recycled water because of its location, it does provide an indirect benefit. The Recycled Water Program reduces demand on potable water by other water districts and ensures a strong reliable source for the WWD No. 29. According to West Basin MWD's 2005 UWMP, West Basin expects to increase recycled water production from 14,000 afy to nearly 43,750 afy by year 2030.

A description of imported water to the Malibu and Topanga areas, also served by the District, is located in Section 2.1 of the 2005 UWMP. Section 2.2, Recycled Water, in the 2005 UWMP includes a description of the publicly-owned wastewater treatment plants that produce and use recycled water, including the West Basin MWD Recycled Water Program. These wastewater treatment plants, in addition to other water recycling programs, are located in the Malibu and Topanga areas and in the West Basin MWD service area outside of the WWD No. 29 boundaries.

5.9.2.2.4 Groundwater

The geology below the WWD No. 29's service area lacks groundwater basins capable of producing an adequate supply of groundwater. Therefore, no supply from ground water sources will be used for future water supply within the WWD No. 29.

5.9.2.2.5 Water Reliability

The following information is from the 2005 UWMP, unless otherwise noted. Since the project is accounted for in the 2005 UWMP, the following discussion of water reliability would apply to the proposed project.

5.9.2.2.6 Reliability

Reliability is a measure of a water system's expected success in managing water shortages. Reliability planning requires information about the following: (1) expected frequency and severity of shortages; (2) how additional water management is likely to affect the frequency and severity of shortages; and (3) how available contingency measures can reduce the impact of shortages when they occur.

5.9.2.2.7 Frequency and Magnitude of Supply Deficiencies

The WWD No. 29 experienced a drought between 1987 and 1991. During this period, supply in southern California decreased and MWD called for water use reductions throughout its service area. To meet these

reductions, the County of Los Angeles adopted three ordinances in 1991 that included measures to limit wastewater, reduce water use through a conservation surcharge, and through amending the plumbing code to require low flow toilets and urinals. These ordinances are described in further detail in Section 4.2 of the 2005 UWMP.

5.9.2.2.8 Reliability Comparison

Table 5.9-1 shows the anticipated water demand in the WWD No. 29's service area for an average or "normal" water year, a single dry water year, and multiple dry water years. The Normal Water Year Demand is based on data from 2000 to 01 which was a year of normal rainfall. According to the National Weather Service, the recorded rainfall in 2000 to 01 was 17.94 inches. This was one of the closest years to the historical 100 year averages (16.42 inches). The single dry year demand is based on the lowest rainfall year of 2001 to 2002. The recorded rainfall in 2001 to 02 was 4.42 inches – the lowest recorded year in over 100 years. The three multiple dry-water year demands are based on the most recent multiple dry year period of 2001 to 2004.

Table 5.9-1
Supply Reliability in Acre-Feet per Year

| Supplies | Normal Water Year | Single Dry Water Year | Multiple Dry-Water Years | | |
|----------------|-------------------|-----------------------|--------------------------|--------|--------|
| | | | Year 1 | Year 2 | Year 3 |
| Imported Water | 9,360 | 10,418 | 10,418 | 10,303 | 10,690 |

Source: Los Angeles County Waterworks District 29, Malibu and the Marina Del Rey Water System 2005 UWMP

The primary reason for an increase in water demand during single dry and multiple dry years is the increased landscape irrigation that occurs to compensate for reduced rainfall.

5.9.2.2.9 Plans to Assure a Reliable Water Supply

The WWD No. 29 purchases all of its water supply from West Basin MWD. While emergency connections do exist with Las Virgenes MWD and Los Angeles Department of Water and Power (LADWP), they do not supply an adequate or reliable source. Therefore, a reliable water supply is completely dependent on the availability of water from the district's wholesaler, West Basin MWD.

In order to meet the challenges of supply shortages on these sources, the Metropolitan Water District designed an IRP, described in detail below in **section 5.9.2.2.11**, to decrease the region's reliance on

Colorado River and SWP supplies. According to West Basin MWD's 2005 UWMP, as part of the IRP, West Basin MWD and Metropolitan Water District have taken important steps such as wastewater recycling and groundwater recharge to reduce the vulnerability of supplies to extended droughts or other potential threats to reliability. The West Basin MWD Reliability Plan and the Metropolitan Water District's Water Surplus and Drought Management Plan are described in further detail under Section 4.4 in the 2005 UWMP. Based on information from the *Draft State Water Project Delivery Reliability Report, 2007*, Metropolitan Water District has determined that there are sufficient water supplies available for pending and future development within the West Basin MWD's service area for the foreseeable future through 2030 as set forth in the 2005 UWMP.

Table 5.9-2 depicts the wholesale supply reliability for West Basin MWD for a normal water year, single dry-water year, and Multiple dry-water years, as defined above. West Basin MWD relies on groundwater for 20 percent of its retail demand. However, the WWD No. 29 does not have any adjudicated pumping rights in West Basin, and therefore relies solely on the imported supplies.

Table 5.9-2
Supply Reliability West Basin MWD (Acre-feet)

| Supplies | Normal Water Year | Single Dry-Water Year | Multiple Dry-Years | | |
|-----------------------------|-------------------|-----------------------|--------------------|---------|---------|
| | | | Year 1 | Year 2 | Year 3 |
| Imported Water | 126,000 | 129,936 | 129,936 | 130,940 | 135,334 |
| Groundwater ¹ | 56,797 | 56,797 | 56,797 | 56,797 | 56,797 |
| Recycled Water ² | 14,000 | 14,000 | 14,000 | 14,000 | 14,000 |
| Total Supply | 196,797 | 200,733 | 200,733 | 201,737 | 206,131 |

Source: West Basin Municipal Water District; 2005 UWMP

¹ Based on the total water rights for each customer agency within West Basin's service area, according to the 2004 DWR West Coast Basin Watermaster Report. Also includes groundwater rights (2,000 AFY) from the Central Coast Groundwater Basin, which are imported in West Basin

² Includes Recycled Water sales from West Basin's service area; does not include recycled water sales to LADWP or replenishment sales.

5.9.2.2.10 Climate Change

Another source of water supply uncertainty is due to global climate change. Current literature suggests that global warming is likely to significantly impact the hydrological cycle, changing California's precipitation pattern and amount from that shown by the historical record. According to DWR, there is evidence that some changes have already occurred, such as an earlier beginning of snowmelt in the Sierras, an increase in water runoff as a fraction of the total runoff, and an increase in winter flooding frequency. More variability in rainfall, wetter at times and drier at times, would place more stress on the

reliability of existing flood management and water supply systems, such as the SWP. Other uncertainties include future sea level rise associated with global climate change, which could increase salinity in the delta and the risk of interruptions in SWP diversions from the Delta due to levee failures. As to estimating future demand for SWP water, DWR has identified uncertainty factors, including population growth, water conservation, recycling efforts, other supply sources, and global climate change. In addition to the above-identified factors affecting water delivery reliability, DWR has reported other limitations and assumptions, all of which are explained in the *Draft State Water Project Delivery Reliability Report 2007*. This report has also identified the status of four major concurrent Delta planning efforts that are underway with objectives related to providing a sustainable Delta over the long-term. These planning efforts may propose changes to SWP operations, which in turn could affect SWP delivery reliability. The planning efforts are the Delta Vision, the Delta Risk Management Strategy, the CALFED Ecosystem Restoration Program Conservation Strategy, and the Bay-Delta Conservation Plan. According to DWR, each planning effort could affect SWP and CVP operations in the Delta, and each planning effort is explained in detail in the *Draft State Water Project Delivery Reliability Report 2007*.

5.9.2.2.11 Additional Actions to Mitigate Supply Risks

Water Surplus and Drought Management Plan (WSDM). In 1999, MWD incorporated the water shortage contingency analysis that is required as part of any urban water management plan into a separate, more detailed plan, called the WSDM.¹³ That plan provides policy guidance to manage MWD's supplies and achieve the goals laid out in the agency's Integrated Resources Plan. The WSDM also "identifies the expected sequence of resource management actions that [MWD] will execute during surpluses and shortages to minimize the probability of severe shortages and eliminate the possibility of extreme shortages and shortages allocations."¹⁴ MWD's 10-year WSDM categorizes its ability to deliver water to its customers by distinguishing between surpluses, shortages, severe shortages and extreme shortages.¹⁵ The WSDM's integration of management actions taken during times of surplus and shortages reflects MWD's belief that these actions are interrelated.

For example, MWD's regional storage facilities, such as Lake Skinner, Lake Mathews and Diamond Valley Lake, along with storage capacity available to MWD in Castaic Lake and Lake Perris, provide MWD with flexibility in managing its supplies.¹⁶ MWD's storage supplies and existing management practices allow MWD to mitigate shortages without having to impact retail municipal and industrial

¹³ See Cal. Water Code §10632; MWD's *Water Surplus and Drought Management Plan*, Report No. 1150, 1 (August 1999).

¹⁴ MWD 2005 UWMP, II-15.

¹⁵ *Id.*, II-16.

¹⁶ WSDM Plan, 20.

demands, except in severe or extreme shortages.¹⁷ MWD's 2005 UWMP shows its expected ability to meet demands in single dry years by water supply source. For example, in 2010 MWD expects to have 831,000 acre-feet in potential reserve and replenishment supplies, primarily through in-basin storage.¹⁸ In 2030, MWD estimates that it will have 716,000 acre-feet in potential reserve and replenishment supplies.¹⁹ Anytime MWD withdraws from storage to meet demands, it is considered to be in a shortage stage.²⁰ MWD has spent decades building up its storage reserves and groundwater management programs in order to prepare for a variety of shortage conditions. "Each [shortage] stage is associated with specific resource management actions designed to (1) avoid an Extreme Shortage to the maximum extent possible and (2) minimize adverse impacts to retail customers if an Extreme Shortage occurs."²¹ MWD notes that the "overriding goal of the WSDM Plan is to never reach Shortage Stage 7, an Extreme Shortage."²²

In an actual shortage, MWD will take one or more of the following actions: (1) draw on storage out of reservoirs; (2) draw on out-of-region storage in the Semitropic and Arvin-Edison groundwater banks; (3) reduce or suspend long-term seasonal and groundwater replenishment deliveries; (4) draw on groundwater storage programs; (5) draw on SWP terminal reservoir storage; (6) call for voluntary conservation and public education; (7) reduce Interruptible Agricultural Water Program (IAWP) deliveries; (8) call on water transfer options contracts; (9) purchase transfers on the spot market; and (10) reduce imported supplies to its members agencies by an allocation method.²³

MWD clarifies that this list is not in any particular order, "although it is clear that the last action [taken] will be the curtailment of firm deliveries to the member agencies."²⁴ If MWD were obligated to curtail firm deliveries, it would enforce these shortage allocations using rate surcharges.²⁵ For example, if deliveries exceed 102 percent of a customer's allotment, the customer will be assessed a surcharge. MWD's actions in 2007 are instructive in demonstrating how the WSDM Plan is implemented in practice.

¹⁷ *Id.* at 23.

¹⁸ MWD 2005 UWMP at III-2.

¹⁹ *Id.*

²⁰ *Id.* at II-16.

²¹ *Id.*

²² *Id.* at II-17

²³ WSDM Plan at 23. Notably, the threat of water shortages was much greater in the late 1980s and early 1990s when the agency only had about 225,000 AF of water stored. Since then, MWD has increased its storage capacity significantly and today has more than 2.5 million AF of water stored around Southern California, including Diamond Valley Lake in Riverside County.

²⁴ *Id.*

²⁵ MWD 2005 UWMP at II-16 to II-17.

Prior to the start of calendar year 2007, MWD estimated that water demands would exceed annual supplies (not including stored water) by approximately 300,000 acre-feet.²⁶ In response, MWD took the following actions: (1) called for water stored in its Central Valley storage programs; (2) initiated replenishment cuts and notified participating agencies with in-basin groundwater storage programs; (3) embarked on a public outreach and media conservation campaign; and (4) announced reductions in IAWP agricultural supplies.²⁷

Regarding reductions in agricultural water deliveries, before MWD imposes any restrictions on water, it will reduce deliveries of discounted agricultural supplies. In 1994, MWD established the IAWP to deliver surplus water for irrigation purposes at a reduced rate that is more affordable for certain sectors of the agricultural industry.²⁸ In exchange for the discounted rate, the MWD General Manager has the authority to reduce IAWP deliveries up to 30 percent before it imposes mandatory allocations to municipal and industrial retail customers under its WSDM.²⁹

Due to dry conditions and the Delta smelt litigation in 2007 that may affect MWD's supplies, MWD will implement the water shortage actions which it outlined in its WSDM, which include a 30 percent reduction in IAWP deliveries. On October 9, 2007, MWD's Board of Directors announced that it will reduce IAWP deliveries over a 12-month calendar year beginning in January 2008.³⁰ At this time, MWD has stated that it will not reduce water purchased by its member agencies at the full service rate.³¹

MWD has announced a strategic approach for 2008 regarding its WSDM Plan. Besides exercising interruptions to the IAWP, MWD's major strategies are as follows:

- Continue conservation campaign.
- Maximize recovery of water from Central Valley storage and banking programs.
- Purchase additional supplies to augment existing supplies.
- Develop and implement a shortage allocation plan.³²

²⁶ Metropolitan Water District of Southern California, *Water Surplus and Drought Management Plan*, 3 (June 21, 2007) [Appendix J]. That figure did not include the risk of the SWP supply being restricted to protect Delta smelt, which in fact occurred.

²⁷ *Id.*, 4.

²⁸ MWD Administrative Code Section 4900 *et seq.*

²⁹ *Id.* Section 4905.

³⁰ MWD Board of Directors Agenda Item 8-4, 1 (October 9, 2007).

³¹ *Id.*, Attachment 2, 3.

³² MWD's *Water Surplus and Drought Management Plan Board Report*, 4 (June 21, 2007).

On February 12, 2008, MWD adopted a long-term Water Supply Allocation Plan that may require reductions of full service deliveries during periods of drought.³³ MWD has used several of these types of initiatives in the past (e.g., during the droughts of 1977-78 and 1989-92), which allowed the agency to meet the needs of its member agencies.³⁴ The plan serves as the final piece of the WSDM Plan and would allocate water based on member agency dependency on MWD supplies, while taking into account other local sources of supply. The plan relies on pricing to encourage agencies to reach their targeted allocated supplies. These "penalty rates" are similar to drought pricing used in many cities during the 1987-92 drought, calling for agencies to pay up to four times MWD's highest priced water, depending how far the agencies exceed their allocation. Any funds collected through penalty rates will be applied toward investments in conservation and local resources development.³⁵

Integrated Resources Plan. MWD first adopted its IRP in 1996. The most updated IRP, which was adopted in 2004, discussed local water supply initiatives (e.g., local groundwater conjunctive use programs) and established a buffer supply to mitigate against the risks associated with implementation of local and imported water supply programs.³⁶

On October 10, 2006, MWD released its 2006 Integrated Water Resources Plan Implementation Report (2006 Implementation Report) to report on progress toward implementing the targets from the 2004 IRP Update. The 2006 Implementation Report included a summary of each of MWD's water resource development categories: (1) conservation; (2) local resources; (3) Colorado River Aqueduct; (4) SWP supplies; (5) Central Valley storage and transfer programs; (6) in-region groundwater conjunctive use storage; and (7) in-region surface water storage. This recent report concluded that "while changes occur in all resource areas, Metropolitan is able to maintain supply reliability through its diversified water resources portfolio."³⁷

MWD supported this conclusion by providing detailed updates for each of its resource categories, restating dry-year IRP targets and examining current considerations, changed conditions, implementation strategies and identified programs, implementation challenges and cost information. A brief summary of each of MWD's water resource development categories (other than the Colorado River and SWP supplies, which were discussed in detail in previous sections of this WSA) is provided below:

³³ See *Water Supply Allocation Plan Adopted by Metropolitan Board*, MWD News Release, February 12, 2008, http://www.mwdh2o.com/mwdh2o/pages/news/press_releases/2008-02/allocation_plan.pdf.

³⁴ 2005 UWMP, 3-4.

³⁵ See *Water Supply Allocation Plan Adopted by Metropolitan Board*, MWD News Release, February 12, 2008.

³⁶ MWD, *Integrated Resources Plan Update* (2004).

³⁷ MWD, *2006 Integrated Water Resources Implementation Report* (2006).

- *Conservation*: In 2006, MWD invested \$10.6 million in conservation programs and initiatives, including executing a 10-year residential master conservation funding agreement with member agencies, encouraging the use of high-efficiency toilets, strengthening outdoor conservation programs and introducing new Industrial Process Improvement programs. In 2005-2006, MWD programs conserved approximately 762,000 acre-feet, which was an increase of approximately 30,000 acre-feet over the previous fiscal year. MWD's 2010 target for conservation savings is 865,000 acre-feet.³⁸
- *Local Resources—Recycling, Groundwater Recovery and Seawater Desalination*: MWD has invested \$213 million with its member agencies to develop local resource programs. MWD contributed approximately \$24.5 million toward the production of 127,000 acre-feet of local resource production supplies in 2006, which is an increase of 16,000 acre-feet from 2005. MWD's 2010 target for regional water recycling and groundwater recovery is 410,000 acre-feet. Further, three desalination project agreements have been signed.³⁹
- *Central Valley Storage and Transfer Programs*: MWD has developed significant water storage and transfer program partnerships in the Central Valley and has witnessed increased cooperation with DWR and federal agencies to facilitate water transfers. MWD continues to pursue transfers with Central Valley parties and has worked to improve existing storage programs with existing SWP storage partners.⁴⁰ For 2008, MWD is currently seeking to acquire up to 250,000 acre-feet by temporary transfer from the Central Valley.
- *In-Region Groundwater Storage*: The 2006 Implementation Report identified that components of MWD's in-region groundwater storage program may not meet its 2010 dry-yield target of 275,000 acre-feet. As of October 2006, groundwater storage had been developed to provide about 135,000 acre-feet.⁴¹ In response, MWD conducted a groundwater basin assessment to explore other groundwater storage opportunities. MWD's recent Groundwater Basin Assessment Study provided new information to focus on meeting this goal.⁴² MWD will continue to develop new strategies for groundwater storage.⁴³

MWD's 2007 Implementation Report demonstrates that the agency has continued to react aggressively to address challenges facing water resources.⁴⁴ By amending existing strategies, MWD has made significant progress in most resource areas toward meeting the IRP targets. For example, in fiscal year 2006-2007, MWD saved approximately 812,000 acre-feet through conservation efforts and is expected to meet its 2010 target.⁴⁵ MWD's Board has taken a number of actions to strengthen conservation efforts, including:

³⁸ *Id.*, 5-6.

³⁹ *Id.*, 7-8.

⁴⁰ *Id.*, 19.

⁴¹ *Id.*, 20.

⁴² *Id.*, I-6.

⁴³ *Id.*, 22.

⁴⁴ MWD, *2007 Integrated Water Resources Implementation Report* (2007).

⁴⁵ *Id.*, I-5.

- *Program refinements*; more options, streamlined administrative processes, upgraded and new incentives, and more standardization across programs to increase program participation;
- *Expanded incentives*; new incentives have been added to facilitate the installation of water conserving devices; grants and like funding from other agencies help expand incentive programs;
- *New programs*; novel programs like recently approved Public Sector Water Efficiency Partnership Demonstration Program (MWD's Board authorized \$15 million for the program) allows MWD to work with member agencies to save water through public agencies within MWD's service area that have high potential to achieve accelerated conservation or water recycling use.⁴⁶

Local resource production is expected to exceed the 2010 target of 426,000 acre-feet based on current production and expansion of existing programs.⁴⁷ Existing supplies in Central Valley storage programs are also expected to exceed the 2010 target of 300,000 acre-feet.⁴⁸ While in-region groundwater storage programs are currently falling short of MWD's 2010 IRP target, MWD is actively working to find new ways to meet this goal and the success of other programs, such as Central Valley storage, can avoid any negative impacts from failure to meet this single goal.⁴⁹ For example, MWD has already exceeded its 2010 target for dry-year surface water storage.⁵⁰ While SWP dry-year resources met future year 2006-2007 target level estimates (446,000 acre-feet), the 2010 IRP target of 463,000 acre-feet (or longer-term targets) are not projected to be met. However, MWD is actively seeking to resolve the risks associated with that supply, as discussed above.⁵¹

MWD's 2008 Implementaton Report is scheduled for release in October 2008. In addition, MWD is currently planning to fully update the 2004 IRP itself scheduled for 2009. The updated IRP will address existing and new challenges such as the Delta smelt litigation and climate change.⁵² As can be seen by these ongoing studies, MWD is continually updating its plans to meet ever-changing challenges to its water supplies.

5.9.2.2.12 Storage and Water Transfers

Since the completion of the first Integrated Resource Plan in 1996, MWD has developed and implemented a number of storage projects and water transfers. These projects and programs have been beneficial in

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ *Id.*, I-6.

⁴⁹ *Id.*

⁵⁰ *Id.*, I-7.

⁵¹ *Id.*

⁵² *Id.*, I-3.

ensuring MWD's reliability despite reductions in water deliveries. Below is a list of some of the significant projects and programs in MWD's portfolio:

- *Diamond Valley Reservoir.* An 800,000 acre-feet surface reservoir used for drought and emergency situations.
- *Various Conjunctive Use Programs.* A variety of groundwater conjunctive use and groundwater storage programs have been or are being developed between MWD and its member agencies that will provide up to 275,000 acre-feet of dry-year yield.
- *Palo Verde Irrigation District Land Management Program.* A water transfer that can provide up to 111,000 afy of supply for the Colorado River Aqueduct.
- *Hayfield Storage Program, Mojave Desert.* A groundwater conjunctive use project that can provide up to 150,000 afy of supply for the Colorado River Aqueduct.
- *Arvin-Edison Program, Kern County.* A groundwater banking program that can provide up to 90,000 afy to augment SWP supplies.
- *Semitropic Program, Kern County.* A groundwater banking and exchange program that can provide up to 107,000 afy to augment SWP supplies.
- *San Bernardino Valley MWD Program.* A groundwater conjunctive use program that can provide up to 20,000 afy.

A full list of MWD's storage projects and transfer programs is provided in MWD's 2003 IRP Update Report and MWD's 2005 Regional Urban Water Management Plan. Additional information is provided in MWD's 2007 Groundwater Assessment Study.

5.9.2.2.13 Summary of MWD Water Supply Reliability

MWD has consistently found that its existing water supplies, when managed according to its water resource plans, such as the WSDM and IRP, are and will be 100 percent reliable for at least a 20-year planning period. Since publication of those reports, MWD has continued to implement its water supply programs, as reported in its 2006 and 2007 Implementation Reports, the latter of which was published on October 9, 2007. Although water supply conditions are always subject to uncertainties, MWD has maintained its supply reliability in the face of such uncertainties in the past, and is actively managing its supplies to ensure the same 100 percent reliability for the future.

5.9.2.3 Marina del Rey Water Distribution System

The existing and proposed Marina del Rey water distribution system is shown on **Figure 5.9-1, Existing and Proposed Marina del Rey Water Distribution System**. Gravity storage for the Marina del Rey water system is provided at WWD No. 29's Sunset Mesa Reservoir site. This site is located northeast of the

intersection of Pacific Coast Highway and Topanga Canyon. A total of 1 million gallons are stored at this site and supply the domestic needs and a portion of the flows required for fire protection. The balance of water necessary for fire protection is supplied through emergency interconnections with the City of Los Angeles Department of Water and Power via connections at Marquesas Way and Via Dolce and Mindanao Way and Lincoln Boulevard.

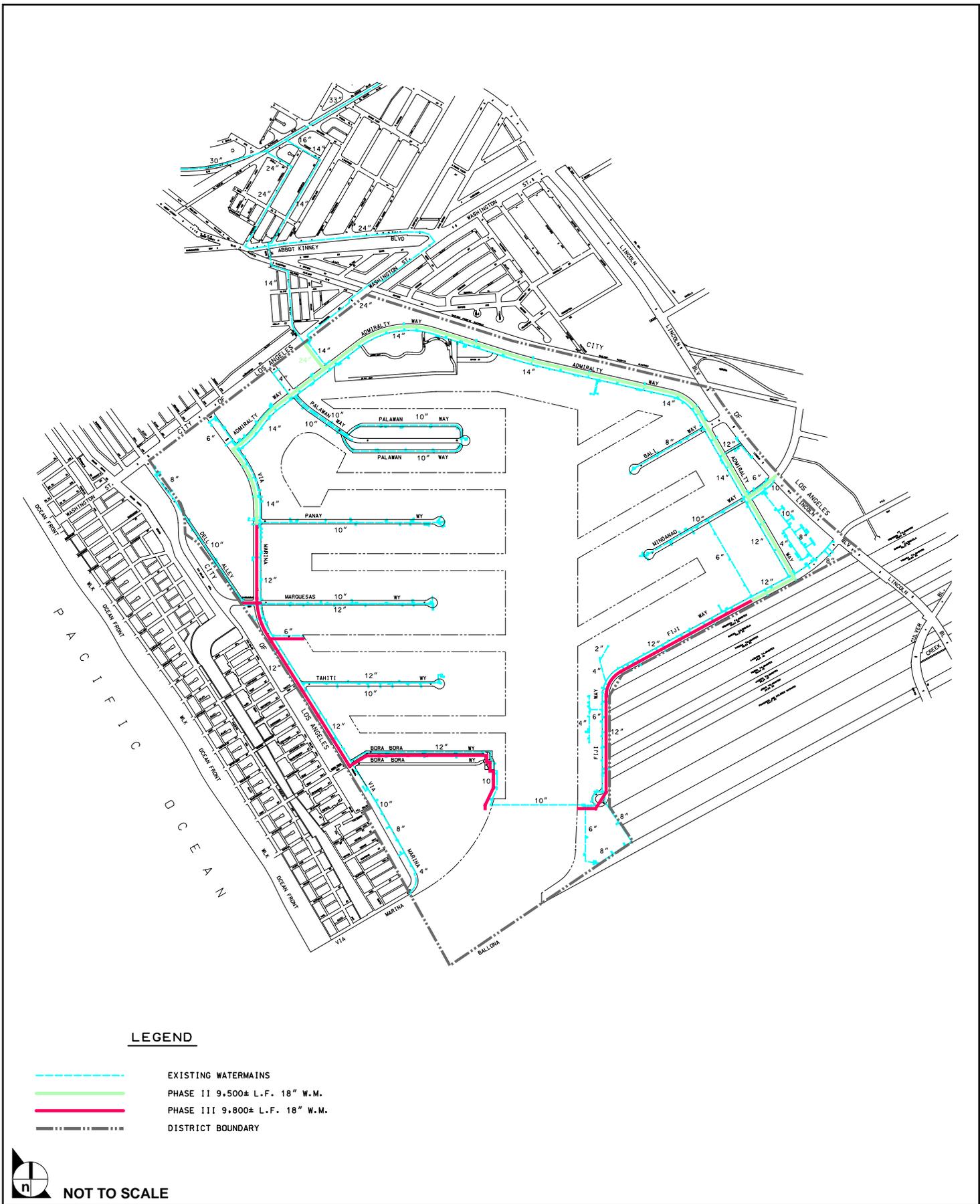
Water for Marina del Rey is supplied through a metered connection to WWD No. 29's feeder main in Venice Boulevard. In the vicinity of the project sites, water enters the Marina del Rey water system via a 14-inch transmission main in Washington Street near Palawan Way. Water mains occurring in perimeter roads connect to lines for each finger of the marina and to a pipeline that crosses under the Ballona Channel south of Basin A. All existing mains are asbestos-cement pipes except the channel crossing which is somastic-coated, cement-mortar-lined steel.

Water for the site for both domestic uses and for fire response is provided from the mains described above. On the south side of Marquesas Way, existing facilities consist of a 12-inch and a 10-inch main. Similarly, 12- and 10-inch mains are located west of the project site on Via Marina. A 6-inch fire line runs in the alley between the existing apartments at the southern end of the project site. Current water supply available for fire fighting "fire flows" on and near the project site ranges from 2,400 to 5,700 gallons per minute (gpm).

5.9.2.4 Planned Upgrades to the Marina del Rey Water Distribution System

To service future uses in the marina area, the LACDPW has prepared a master plan to upgrade the domestic water backbone distribution network in Marina del Rey. This upgrade was based on existing demand and growth projections provided by the Los Angeles County Department of Regional Planning and land uses proposed in the Marina del Rey Land Use Plan. These improvements are funded through a surcharge on revenue from the sale of water.

Planned improvements to the Marina del Rey water distribution system are phased and are in progress. Phase I of this improvement plan was completed in 2002, with the construction of a new 24-inch line from the WWD No. 29 metered connection in Venice Boulevard to Marina del Rey. This line replaced an existing 14-inch diameter main.



NOT TO SCALE

SOURCE: Los Angeles County Department of Public Works – March 2004

FIGURE 5.9-1

Existing and Proposed Marina del Rey Water Distribution System

Phases II and III improvements are in the design phase. Phase II improvements consist of the construction of a new 18-inch water line along a section of Via Marina. A new 18-inch water main is planned to run along the remainder of Via Marina as part of Phase III improvements. Other proposed improvements include construction of an 18- and 16-inch water main along Admiralty Way and Fiji Way, construction of an 18-inch water main across the main channel of the small-craft harbor and construction of an additional 3.6 million gallons of storage at the existing Sunset Mesa Reservoir site. Phase II improvements are expected to be completed in 2008 and therefore would be available in time to serve the proposed project. Upon completion of Phase II and III water distribution network improvements, the delivery infrastructure would be sufficient to meet the projected demand required to implement the entire Marina del Rey redevelopment.⁵³ However, under current conditions fire flow water capacity may be insufficient for new development within the marina. An applicant can arrange for a flow analysis of the lines that would serve that applicant's project. Should flow capacity be inadequate, the County has a system whereby a developer can finance required improvements and within a certain time period, be reimbursed a fair share portion.⁵⁴

⁵³ Greg Even, Senior Civil Engineer III, Los Angeles County Department of Public Works, Waterworks and Sewer Maintenance Division, communication with Impact Sciences, August 26, 2004.

⁵⁴ Ibid.

5.9.2.5 Existing Water Consumption

5.9.2.5.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

Operation of the 136 existing apartments located on Parcel 10R requires a total of 16,320 gpd, or 18 afy, as shown in **Table 5.9-3, Existing Water Demand – Neptune Marina Parcel 10R Site**, below. Parcel FF is an existing surface parking lot and Parcel 9U is a vacant undeveloped lot. As such, domestic water service is not currently required for Parcels FF and 9U. Please see **Appendix 5.9** for calculation worksheets.

**Table 5.9-3
Existing Water Demand
Neptune Marina Parcel 10R Site**

| Land Use | Units | Demand Factor ¹ (gal/day/unit) | Daily Demand (gal/day) | Annual Demand (acre-feet/year) |
|---------------|--------|----------------------------------------------|---------------------------|-----------------------------------|
| Residential | 136 du | 120 | 16,320 | 18 |
| Total: | | | 16,320 | 18 |

Source: Impact Sciences, Inc., March 2005.

du = dwelling unit; gal = gallon.

¹ The water consumption rate is from the Marina del Rey Apartment Community Draft EIR, Impact Sciences, May 2000.

5.9.2.6 Regulatory Policies for Water Quality and Conservation

5.9.2.6.1 Federal Level

The primary federal legislation concerning domestic water supply is the Safe Drinking Water Act (SDWA) of 1974. The SDWA provides the US Environmental Protection Agency (US EPA) with the authority to regulate water supplies. The SDWA required US EPA to set interim primary drinking water regulations that establish recommended maximum contamination levels (RMCLs) for each contaminant that may have an adverse effect on human health. Since promulgation of the National Primary Drinking Water Regulations (NPDWR), US EPA has developed additional drinking water quality standards for volatile organic chemicals, fluoride, surface water treatment, total coliform bacteria, lead, copper, synthetic organic contaminants and inorganic contaminants. All domestic water supplies are required to meet these standards.

5.9.2.6.2 State Level

In addition to the water quality standards identified above, Title 20 (Sections 1604 and 1606) and Title 24 (Sections 2-5307 and 2-5352) of the California Administrative Code (CAC) establish efficiency standards (i.e., maximum flow rates) for all new showerheads, lavatory faucets and sink faucets. These regulations also prohibit the sale of fixtures that do not comply with the current regulations; prohibit the installation of fixtures unless the manufacturer has certified compliance with the flow rate standards; and address pipe insulation requirements that can reduce water used before hot water reaches fixtures. Other applicable state water conservation laws include the health and safety codes.

State Senate Bills (SB) 610 and 221 were adopted in 2001. SB 610 requires lead agencies to obtain a water supply assessment from the local water supplier to determine the sufficiency of the water supply for a proposed development. SB 221 requires written verification from the applicable public water system that sufficient water supply is available. SB 610 applies at the time an EIR is prepared; SB 221 applies at the time a Tentative Tract Map or other related project actions are approved.

As defined in Public Resources Code 10910, a city or county determines whether the projected water demand associated with a proposed project was included as a part of the most recently adopted urban water management plan. If the water demand associated with the proposed project was not accounted for in the most recently adopted urban water management plan, the water supply assessment for the project must include a discussion with regard to whether the public water system's total projected water supplies available during normal, single dry and multiple dry water years during a 20-year projection would meet the projected water demand associated with the proposed project, in addition to the water systems' existing and planned future uses. Normal, single, and multiple dry water year demands are based on recorded rainfall information for normal/historic average years, the lowest rainfall years, and consecutive dry years over a period of three years.

5.9.3 ENVIRONMENTAL IMPACTS

5.9.3.1 Project Improvements

Implementation of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in the development of 526 residential dwelling units, a nineteen-story building with 288 hotel and timeshare suites and an assortment of visitor-serving accessory uses, 174 private and between 7 and 11 public-serving boat spaces and a 1.46-acre public park inclusive of a 0.47-acre restored wetland and 0.99-acre upland buffer. There are 136 existing apartments and 198 boat spaces presently on site. Therefore, completion of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in a net

increase of 390 apartment units, 288 hotel and timeshare suites with accessory visitor-serving uses, a net decrease of up to 17 boat spaces and creation of a 1.46-acre public park.

5.9.3.2 Thresholds of Significance

The County of Los Angeles Department of Regional Planning has not adopted County specific significance thresholds. Based on Appendix G of the most recent update of the *State CEQA Guidelines*, impacts related to water service are considered significant if the project would:

- have insufficient water supplies available to serve the project from existing entitlements and resources, or would require expanded entitlements; or
- require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts.

5.9.3.3 Impact Analysis

5.9.3.3.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.9.3.3.1.1 **Threshold: Have insufficient water supplies available to serve the project from existing entitlements and resources, or would require expanded entitlements.**

Threshold: Require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts.

Analysis:

Construction Impacts: Construction of the Neptune Marina Parcel 10R project component would initiate in December 2009, and would require a total of approximately 33 months to complete, in September 2012. Construction of the Neptune Marina Parcel FF project component would initiate in April 2011, and would require 18 months to complete, in September 2012. Construction of the Woodfin Suite Hotel and Timeshare Resort project component is expected to begin as earlier as January 2009, and would require 24 months to complete, January 2011 at the earliest.

Water would be used during landside demolition and construction primarily as a dust palliative and to moisten the fill dirt to achieve the required compaction during all grading and excavation activities.

During construction, no residential water use would occur on the project site and it is expected that low volumes of water would be consumed for construction uses. During the maximum five months associated with site demolition and grading it is expected that water consumption would be approximately 8,500 gpd. During construction it is expected that water consumption would be reduced to approximately 3,000 gpd. Given that these water consumption rates are lower when compared with existing demand (16,320 gpd), the amount of construction-related water that would be consumed on site would not have a significant impact on the existing water supply system.

Operation Impacts; Water System Improvements: The proposed domestic water needs for Buildings 1 and 2 of the Neptune Marina Parcel 10R component can be met through a single connection for each building to the existing 12-inch water main along Marquesas Way and a single connection to the existing 12-inch water main along Via Marina for Building 3. Other improvements for the Neptune Marina Parcel 10R consist of the addition of a looped main that connects to the existing 10-inch water main along Marquesas Way at the easterly end of the project site and to the existing 12-inch water main along Via Marina at the westerly end. This looped system will support the potable water and fire flow needs for Buildings 1 through 3.

The proposed domestic water needs for the Neptune Marina Parcel FF apartment building can be met through a single connection to the existing 12-inch water main along Marquesas Way. Other improvements for the Neptune Marina Parcel FF consist of the addition of a looped main that connects to the existing 10-inch water main along Marquesas Way at the eastern end of the project site and to the existing 12-inch water main along Via Marina at the western end. This looped system will support the potable water and fire flow needs for the proposed project.

The proposed domestic water needs for the Woodfin Suite Hotel and Timeshare Resort project can be met through a single connection to an existing 12-inch water main existing in Via Marina and a 12- and 10-inch main situated in Tahiti Way. Improvements for the Woodfin Suite Hotel and Timeshare Resort project are limited to new water lines that would be connected from the project site to the existing lines in Via Marina and in Tahiti Way. Connection with the existing system will permit a flow capacity of at least 3,500 gallons per minute (gpm) at a static pressure of 90 pounds per inch and a residential pressure of 40 pounds per inch under fire flow conditions. This water and available pressure would support the potable water and fire flow needs for the proposed project.

Regarding water distribution, no long-term significant impacts would occur with implementation of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project provided that recommended project improvements are made in coordination with the marina water distribution system upgrades on the parts of the system that would serve the project. Depending on the

timing of water system improvements implemented by the County along Via Marina, there could be short-term operational impacts from related to the County's construction of new water system improvements. This could result in temporary disruptions of water supply that would rarely exceed 3 to 4 hours and low water pressure.

Operation Impacts; Water Supply: As shown in Table 5.9-4, **Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project Water Demand**, the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would require a total of approximately 107,320 gpd, or about 120 afy. This represents a net increase of approximately 91,000 gpd, or about 102 afy, over existing site use. Please see **Appendix 5.9** for calculation worksheets. With regard to water demand for the boat spaces, there are no standard rates or data available for water demand rates for the existing boat spaces in the marina available. However, as the Neptune Marina Parcel 10R Project would result in a net decrease of 24 boat and end-tie spaces (198 existing less 174 proposed), no impact is anticipated.

Table 5.9-4
Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project
Water Demand

| Land Use | Units | Demand Factor ¹ (gal/day/unit) | Daily Demand (gal/day) | Annual Demand (acre-feet/year) |
|--------------------------------|----------------------------------|----------------------------------------------|---------------------------|--------------------------------------|
| Proposed Residential | 526 du | 120 | 63,120 | 71 |
| Woodfin Suite Hotel Project | 152 hotel units | 130 | 19,760 | 22 |
| | 68 One-bedroom Timeshare Unit | 120 | 8,160 | 9 |
| | 68 Two-bedroom Timeshare Unit | 160 | 10,880 | 12 |
| | Restaurant | | 5,400 | 6 |
| Subtotal | | | 107,320 | 120 |
| Less Existing Residential | -136 du | 120 | -16,320 | -18 |
| Net Project Total: | 390 du | | 91,000 | 102 |

Source: Impact Sciences, Inc., March 2005.

Note: Numbers may not total exactly due to rounding.

du = dwelling unit.

¹ The water consumption rate is from the Marina del Rey Apartment Community Draft EIR, Impact Sciences, May 2000.

The WSA (**Appendix 5.9**) prepared for the County indicated that WWD No. 29's projected water supplies will meet the projected water demands associated with the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project, in addition to other planned uses within the WWD No. 29's service area. WWD No. 29 purchases water from the West Basin Municipal Water District, which purchases water from the MWD. Based on projected growth within the MWD service area, MWD expects that water demand in its service area will rise from a current demand of 3.6 million afy to 4.8 million afy by 2020. To accommodate this projected growth, MWD developed an Integrated Water Resources Plan (IRP) that is a 25-year comprehensive water resources plan for Southern California. As part of the IRP, West Basin MWD and MWD have taken steps to improve reliability of supplies through extended droughts or other potential threats to supply. Based on the reliability of water supplies for the WWD No. 29 for both normal and dry years, it will be able to adequately supply the project with the projected 91,000 gpd net increase. Please see **Appendix 5.9** for the WSA.

In addition, mitigation is recommended below that requires the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project to provide the County Department of Regional Planning with a letter from WWD No. 29 confirming their ability to serve the project. This letter shall be required prior to the issuance of grading, building or construction permits. In the unlikely event that there is insufficient water supply available, the project would not be constructed and the site would remain in its current condition. None of the environmental impacts described in this EIR would occur, including impacts to water supply. As a result, impacts to the water supply system would be less than significant.

Mitigation Measures:

- 5.9-1. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project shall meet the County Efficient Landscape Ordinance since landscaped areas exceed 2,500 square feet in area.
- 5.9-2. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project shall incorporate into the building plans water conservation measures as outlined in the following items:

Health and Safety Code Section 17921.3 requiring low-flow toilets and urinals;

- Title 24, California Administrative Code which establishes efficiency standards for shower heads, lavatory faucets and sink faucets, as well as requirements for pipe insulation which can reduce water used before hot water reaches equipment or fixtures; and

Government Code Section 7800 which requires that lavatories in public facilities be equipped with self-closing faucets that limit the flow of hot water.

- 5.9-3. Prior to the issuance of grading permits, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project applicants shall provide to the Los Angeles County Department of Regional Planning a letter from WWD No. 29 confirming that it is able to provide water service to the project phase under consideration.

5.9.3.3.2 Neptune Marina Parcel 10R Project

The applicable thresholds of significance are listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.9.3.3.2.1 Threshold: Have insufficient water supplies available to serve the project from existing entitlements and resources, or would require expanded entitlements.

Threshold: Require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts.

Analysis:

Construction Impacts: Construction activities on Parcel 10R are expected to begin in December 2009 and would require a total of approximately 33 months to complete. Anticipated buildout would occur in September 2012.

Water would be used during demolition and construction primarily as a dust palliative and to moisten the fill dirt to achieve the required compaction during all grading and excavation activities. During the maximum five months associated with site demolition and grading it is expected that water consumption would be approximately 5,000 gpd and would be used primarily for dust control. During construction it is expected that water consumption would be reduced to approximately 1,500 gpd. Given that these water consumption rates are lower when compared with existing demand (16,320 gpd) the amount of construction-related water that would be consumed would not have a significant impact on the existing water supply system.

Operation Impacts; Water System Improvements: The proposed domestic water needs for Buildings 1 and 2 can be met through a single connection for each building to the existing 12-inch water main along Marquesas Way and a single connection to the existing 12-inch water main along Via Marina for Building 3. Other improvements for the Neptune Marina Parcel 10R consist of the addition of a looped main that connects to the existing 10-inch water main along Marquesas Way at the eastern end of the project site and to the existing 12-inch water main along Via Marina at the western end. This looped system will support the potable water and fire flow needs for Buildings 1 through 3.

Regarding water distribution, Fusco (2005) indicates no significant impacts would occur with implementation of the Neptune Marina Parcel 10R provided the recommended project improvements are

made in coordination with the marina water distribution system upgrades on the parts of the system that would serve the project. Completion of the improvements to Marina del Rey water distribution system lines that would serve the project would enhance fire flows for the existing system and provide additional capacity to meet Fire Department requirements. Depending on the timing of water system improvements implemented by the County along Via Marina, there could be short-term operational impacts related to the County's construction of new water system improvements. This could result in temporary disruptions of water supply that would rarely exceed 3 to 4 hours and, low water pressure.

Operation Impacts; Water Supply: As shown in **Table 5.9-5, Neptune Marina Parcel 10R Water Demand**, the proposed Neptune Marina Parcel 10R would require approximately 48,000 mgd, or about 54 afy. This represents a net increase of approximately 31,680 mgd, or about 36 afy, over existing site use. Please see **Appendix 5.9** for calculation worksheets. With regard to water demand for the existing boat spaces, there are no standard rates or data available for water demand rates for boats in the marina available. However, as the project will result in a net decrease of 24 boat spaces and end-tie spaces (198 existing less 174 proposed), no impact is anticipated.

The WSA prepared for the County indicated that WWD No. 29's projected water supplies will meet the projected water demands associated with the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project, in addition to other planned uses within the WWD No. 29's service area. The proposed Neptune Marina Parcel 10R project was included within the projections for the WSA. Therefore, as discussed above, entitlements have been secured through WWD No. 29 and are adequate to serve existing uses and projected growth in Marina del Rey. Please see **Appendix 5.9** for the WSA.

In addition, mitigation is recommended below that requires the Neptune Marina Parcel 10R project to provide the County Department of Regional Planning with a letter from WWD No. 29 indicating their ability to serve the project prior to the issuance of grading, building, or construction permits. In the unlikely event that there is insufficient water supply available, the project would not be constructed and the site would remain in its current condition. None of the environmental impacts described in this EIR would occur, including impacts to water supply. Impacts to the water supply system would be less than significant.

**Table 5.9-5
Neptune Marina Parcel 10R Water Demand**

| Land Use | Units | Demand Factor¹ (gal./day/unit) | Daily Demand (gal./day) | Annual Demand (acre-feet/year) |
|---------------------------|---------------|------------------------------------------------------|------------------------------------|-------------------------------------------|
| Proposed Residential | 400 du | 120 | 48,000 | 54 |
| Less Existing Residential | -136 du | 120 | 16,320 | -18 |
| Net Project Total: | 264 du | 120 | 31,680 | 36 |

Source: Impact Sciences, Inc., March 2005.

Note: Numbers may not total exactly due to rounding.

du = dwelling unit.

¹ The water consumption rate is from the Marina del Rey Apartment Community Draft EIR, Impact Sciences, May 2000.

Mitigation Measures:

5.9-4. The Neptune Marina Parcel 10R shall meet the County Efficient Landscape Ordinance since landscaped areas exceed 2,500 square feet in area.

5.9-5. The Neptune Marina Parcel 10R shall incorporate into the building plans water conservation measures as outlined in the following items:

Health and Safety Code Section 17921.3 requiring low-flow toilets and urinals;

Title 24, California Administrative Code which establishes efficiency standards for shower heads, lavatory faucets and sink faucets, as well as requirements for pipe insulation which can reduce water used before hot water reaches equipment or fixtures; and

Government Code Section 7800 which requires that lavatories in public facilities be equipped with self-closing faucets that limit the flow of hot water.

5.9-6. Prior to the issuance of grading permits, the Neptune Marina Parcel 10R applicant shall provide to the Los Angeles County Department of Regional Planning a letter from WWD No. 29 stating that it is able to provide water service to the project phase under consideration. Grading permits shall not be issued until such time that WWD No. 29 indicates that the distribution system and water supply are adequate to serve the project.

5.9.3.3.3 Neptune Marina Parcel FF Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.9.3.3.3.1 Threshold: Have insufficient water supplies available to serve the project from existing entitlements and resources, or would require expanded entitlements.

Threshold: Require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts.

Analysis:

Construction Impacts: Demolition and construction activities on the Neptune Marina Parcel FF site are expected to begin in April 2011. Construction of the project would require a total of approximately 18 months to complete. Buildout of the project is anticipated to occur in September 2012.

Water would be used during demolition and construction as a dust palliative and to moisten the fill dirt to achieve the required compaction during all grading and excavation activities. During the maximum five months associated with site demolition and grading it is expected that water consumption would be approximately 1,500 gpd and would be used primarily for dust control. During construction it is expected that water consumption would be reduced to approximately 500 gpd. The Los Angeles County Department of Public Works indicates that these water consumption rates are not expected to have a significant impact on the existing water supply system.

Operation Impacts; Water System Improvements: On-site the proposed domestic water needs for the Neptune Marina Parcel FF apartment building can be met through a single connection to the existing 12-inch water main along Marquesas Way. Other improvements for the Neptune Marina Parcel FF consist of the addition of a looped main that connects to the existing 10-inch water main along Marquesas Way at the easterly end of the project site and to the existing 12-inch water main along Via Marina at the westerly end. This looped system will support the potable water and fire flow needs for the proposed project.

Regarding water distribution, Fusco (2005) indicates no significant impacts would occur with implementation of the Neptune Marina Parcel FF provided the recommended project improvements are made in coordination with the marina water distribution system upgrades on the parts of the system that would serve the project. Depending on the timing of water system improvements implemented by the

County along Via Marina, there could be short-term operational impacts from related to the County's construction of new water system improvements. This could result in a temporary disruption of water supply that would rarely exceed 3 to 4 hours and low water pressure.

Operation Impacts; Water Supply: As shown in Table 5.9-6, Neptune Marina Parcel FF Water Demand, the proposed Neptune Marina Parcel FF would require approximately 15,120 mgd, or about 17 afy. Please see Appendix 5.9 for calculation worksheets. The WSA prepared for the County indicated that WWD No. 29's projected water supplies will meet the projected water demands associated with the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project, in addition to other planned uses within the WWD No. 29's service area. The proposed Neptune Marina Parcel FF project was included within the projections for the WSA. Therefore, as discussed above, entitlements have been secured through WWD No. 29 and are adequate to serve existing uses and projected growth in Marina del Rey. Please see Appendix 5.9 for the WSA.

In addition, mitigation is recommended below that requires the Neptune Marina Parcel FF project to provide the County Department of Regional Planning with a letter from WWD No. 29 indicating their ability to serve the project prior to the issuance of grading, building or construction permits. In the unlikely event that there is insufficient water supply available, the project would not be constructed and the site would remain in its current condition. None of the environmental impacts described in this EIR would occur, including impacts to water supply. Impacts to the water supply system would be less than significant.

**Table 5.9-6
Neptune Marina Parcel FF Water Demand**

| Land Use | Units | Demand Factor ¹ (gal./day/unit) | Daily Demand (gal./day) | Annual Demand (acre-feet/year) |
|-----------------------|---------------|-----------------------------------------------|----------------------------|-----------------------------------|
| Proposed Residential | 126 du | 120 | 15,120 | 17 |
| Project Total: | 126 du | 120 | 15,120 | 17 |

Source: Impact Sciences, Inc., March 2005.

Note: Numbers may not total exactly due to rounding.

du = dwelling unit

¹ The water consumption rate is from the Marina del Rey Apartment Community Draft EIR, Impact Sciences, May 2000.

Mitigation Measures:

5.9-7. The Neptune Marina Parcel FF shall meet the County Efficient Landscape Ordinance since landscaped areas exceed 2,500 square feet in area.

5.9-8. The Neptune Marina Parcel FF shall incorporate into the building plans water conservation measures as outlined in the following items:

Health and Safety Code Section 17921.3 requiring low-flow toilets and urinals;

Title 24, California Administrative Code which establishes efficiency standards for shower heads, lavatory faucets and sink faucets, as well as requirements for pipe insulation which can reduce water used before hot water reaches equipment or fixtures; or

Government Code Section 7800 which requires that lavatories in public facilities be equipped with self-closing faucets that limit the flow of hot water.

5.9-9. Prior to the issuance of grading permits, the Neptune Marina Parcel FF applicant shall provide to the Los Angeles County Department of Regional Planning a letter from WWD No. 29 stating that it is able to provide water service to the project phase under consideration. Grading permits shall not be issued until such time that WWD No. 29 indicates that the distribution system and water supply are adequate to serve the project.

5.9.3.3.4 Woodfin Suite Hotel and Timeshare Resort Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.9.3.3.3.1 Threshold: Have insufficient water supplies available to serve the project from existing entitlements and resources, or would require expanded entitlements.

Threshold: Require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts.

Analysis:

Construction Impacts: Demolition and construction activities on the Woodfin Suite Hotel and Timeshare Resort Project site are expected to begin as early as January 2009. Construction of the project would require a total of approximately 24 months to complete. Buildout of the project is anticipated to occur in January 2011 at the earliest.

Water would be used during demolition and construction as a dust palliative and to moisten the fill dirt to achieve the required compaction during all grading and excavation activities. During the maximum five months associated with site demolition and grading it is expected that water consumption would be approximately 2,000 gpd and would be used primarily for dust control. During construction it is expected that water consumption would be reduced to approximately 1,000 gpd. The Los Angeles County Department of Public Works indicates that these water consumption rates are not expected to have a significant impact on the existing water supply system.

Operation Impacts; Water System Improvements: The proposed domestic water needs for the Woodfin Suite Hotel and Timeshare Resort project can be met through a single connection to an existing 12-inch water main existing in Via Marina and a 12-inch and 10-inch main situated in Tahiti Way. Improvements for the Woodfin Suite Hotel and Timeshare Resort project are limited to new water lines that would be connected from the project site to the existing lines in Via Marina and in Tahiti Way. Connection with the existing system will permit a flow capacity of at least 3,500 gallons per minute (gpm) at a static pressure of 90 pounds per inch and a residential pressure of 40 pounds per inch under fire flow conditions. This water and available pressure would support the potable water and fire flow needs for the proposed project.

No significant impacts would occur with implementation of the Woodfin Suite Hotel and Timeshare Resort project provided the recommended project improvements are made in coordination with the marina water distribution system upgrades on the parts of the system that would serve the project. Completion of the improvements to Marina del Rey water distribution system lines that would serve the project would enhance fire flows for the existing system and provide additional capacity to meet Fire Department requirements. Depending on the timing of water system improvements implemented by the County along Via Marina, there could be short-term operational impacts from related to the County's construction of new water system improvements. This could result in a temporary disruption of water supply that would rarely exceed 3 to 4 hours and low water pressure.,

Operation Impacts; Water Supply: As shown in **Table 5.9-7, Woodfin Suite Hotel and Timeshare Resort Project Water Demand**, the proposed Woodfin Suite Hotel and Timeshare Resort Project would require approximately 44,200 gpd, or about 50 afy. Please see **Appendix 5.9** for calculation worksheets. The WSA prepared for the County indicated that WWD No. 29's projected water supplies will meet the projected water demands associated with the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project, in addition to other planned uses within the WWD No. 29's service area. The proposed Woodfin Suite Hotel and Timeshare Resort project was included within the projections for the WSA. Therefore, as discussed above, entitlements have been secured through WWD No. 29 and are adequate to serve existing uses and projected growth in Marina del Rey. Please see **Appendix 5.9** for the WSA.

In addition, mitigation is recommended below that requires the Woodfin Suite Hotel and Timeshare Resort Project to provide the County Department of Regional Planning with a letter from WWD No. 29 indicating their ability to serve the project prior to the issuance of grading, building or construction permits. In the unlikely event that there is insufficient water supply available, the project would not be constructed and the site would remain in its current condition. None of the environmental impacts described in this EIR would occur, including impacts to water supply. Impacts to the water supply system would be less than significant.

**Table 5.9-7
Woodfin Suite Hotel and Timeshare Resort Project Water Demand**

| Land Use | Units | Demand Factor ¹ (gal/day/unit) |
|----------------------------|-------|----------------------------------------------|
| Proposed Unit Type | | |
| Hotel | 152 | 19,760 |
| One Bedroom Timeshare Unit | 68 | 8,160 |
| Two Bedroom Timeshare Unit | 68 | 10,880 |
| Restaurant | n/a | 5,400 |
| Project Total | | 44,200 |

Source: Impact Sciences, Inc., March 2005.

Note: Numbers may not total exactly due to rounding.

du = dwelling unit

¹ *The water consumption rate is from the Marina del Rey Apartment Community Draft EIR, Impact Sciences, May 2000.*

Mitigation Measures:

- 5.9-10.** The Woodfin Suite Hotel and Timeshare Resort Project shall meet the County Efficient Landscape Ordinance since landscaped areas exceed 2,500 square feet in area.
- 5.9-11.** The Woodfin Suite Hotel and Timeshare Resort Project shall incorporate into the building plans water conservation measures as outlined in the following items:

Health and Safety Code Section 17921.3 requiring low-flow toilets and urinals;

Title 24, California Administrative Code which establishes efficiency standards for shower heads, lavatory faucets and sink faucets, as well as requirements for pipe insulation which can reduce water used before hot water reaches equipment or fixtures; or

Government Code Section 7800 which requires that lavatories in public facilities be equipped with self-closing faucets that limit the flow of hot water.

- 5.9-12.** Prior to the issuance of grading permits, the Woodfin Suite Hotel and Timeshare Resort Project applicant shall provide to the Los Angeles County Department of Regional Planning a letter from WWD No. 29 stating that it is able to provide water service to the project phase under consideration. Grading permits shall not be issued until such time that WWD No. 29 indicates that the distribution system and water supply are adequate to serve the project.

5.9.4 CUMULATIVE IMPACTS

5.9.4.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and Other Related Projects

The cumulative impacts on water service from the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project in conjunction with other related/approved projects identified in **Section 4.0, Cumulative Projects**, were analyzed. The applicable thresholds are listed below in bold followed by an analysis of the cumulative impacts and their potential significance. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.9.4.1.1 Threshold: Have insufficient water supplies available to serve the project from existing entitlements and resources, or would require expanded entitlements.

Threshold: Require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts.

Cumulative Analysis: As shown in **Table 5.9-4**, buildout of the Neptune Marina Parcel 10R, the Neptune Marina Parcel FF, and Woodfin Suite Hotel and Timeshare Resort Parcel 9U would consume an estimated 120 afy of water. Please see **Appendix 5.9** for calculation worksheets.

The WSA prepared for the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project found that water use demanded by the project would be within the total water demand projected for normal, single-dry year, and multiple-dry year demands for the WWD No. 29. normal year supplies for the WWD No. 29 for the next twenty years. As described in the WSA, in the event of consecutive dry years and reductions in the available water from West Basin MWD, WWD. No.29 would implement water reduction measures to reduce water demand in its service area. It is expected that WWD No. 29 will meet water demands during times of drought or when sources of water are otherwise constrained. Therefore, entitlements for water have been secured and are adequate to serve existing uses and projected growth in Marina del Rey. Projects that are not included in the water demands projected by the WWD No. 29 would be subject to the requirements of SB 610 under CEQA. However, the WSA assumed an annual growth factor of 5 to 7 percent increase for each year of water supply demand projected beyond the existing demand. Please see **Appendix 5.9** for the WSA. In addition, each future project would be required to provide to the Los Angeles County Department of Regional Planning a letter from WWD No. 29 stating that it is able to provide water service to the project

phase under consideration. Grading permits shall not be issued until such time that WWD No. 29 indicates that the distribution system and water supply are adequate to serve the project.

5.9.5 UNAVOIDABLE SIGNIFICANT IMPACTS

With mitigation, development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project (combined, separately, and cumulative with other related projects) would not significantly impact water service to the project site during operation. The proposed project would generate an increased demand for water services. However, existing entitlements, and implementation of recommended mitigation measures is considered full and complete mitigation of water service related impacts.

5.10 SOLID WASTE SERVICE

SUMMARY

Residential, commercial, and industrial trash collection in the unincorporated areas of Los Angeles County, including the Marina del Rey area, is handled by private haulers who contract with property owners. When collected, the waste may be taken to any landfill or processing center that is willing to accept it. Private haulers are free to operate in any of the unincorporated areas of the County and may transfer waste to a variety of sites both inside of and outside the County.

Demolition of existing uses on the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort project site would generate approximately 12,600 cubic yards of solid waste. Construction debris would also contribute solid waste. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort project would also generate approximately 177,800 cubic yards of excess earth material (215,135 tons) that would be disposed of at the Puente Hills Landfill. During project operation, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would generate a net increase of solid waste generation of approximately 2,868 pounds per day, or approximately 523 tons per year, assuming no solid wastes from the project would be recycled (a worst-case scenario).

The project would also generate some hazardous wastes consistent with typical residential land uses. Los Angeles County's landfills have adequate capacity to service the existing population and planned growth until the year 2017, and, capacity will likely extend well beyond the year 2017. Therefore, it is reasonable to assume that solid waste disposal facilities and other options will be available in the future. Hazardous debris generated during construction and operation can be accommodated by the permitted Class I and II landfills currently in operation within Southern and Central California. Mitigation to reduce the amount of project-generated solid waste disposed of at landfills is recommended. Project construction and operation solid waste impacts would be reduced to less than significant levels.

Because an adequate supply of landfill space has not been approved for beyond 2017 and because existing solid and hazardous waste management facilities in the County are inadequate, the project and cumulative increase in solid and hazardous waste generation would cause a significant impact unless additional landfill space or other disposal alternatives are approved.

5.10.1 INTRODUCTION

This section evaluates the potential impacts of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project on solid waste disposal services. The Neptune Marina/Woodfin Suite Hotel and Timeshare Resort Project (Parcels 10R, FF, and Parcel 9U) is

comprised of five parts, Neptune Marina Parcel 10R, Neptune Marina Parcel FF, the Woodfin Suite Hotel/Timeshare Resort Project, a 1.46-acre public park inclusive of a 0.47-acre restored wetland and 0.99-acre upland buffer and between 7 and 11 public-serving boat spaces. Impacts are discussed for the combined project (i.e., the Neptune Marina/Woodfin Suite Hotel and Timeshare Resort Project), as well as for each part independently (in case one were to proceed separately).

Construction and operation of the wetland park and between 7 and 11 public-serving boat spaces would not generate solid waste in a quantifiable amount. As such, impacts associated with the wetland park and between 7 and 11 public-serving boat spaces are not considered further in the analysis of project impacts.

This section also includes a discussion of the cumulative impacts of the Neptune Marina/Woodfin Suites Hotel and Timeshare Resort Project in conjunction with other related projects. Where impacts are identified, mitigation measures are recommended to reduce such impacts to acceptable levels. Information in this section was derived from the Los Angeles County Department of Public Works, the County Sanitation Districts of Los Angeles County, the California Integrated Waste Management Board, and a variety of documents including Los Angeles County Integrated Waste Management Plan; 2002 Annual Report on the Countywide Summary Plan and Countywide Siting Element; 2002 Annual Report on the Source Reduction and Recycling Element; Household Hazardous Waste Element, and 2004 Nondisposal Facility Element for the County of Los Angeles Unincorporated Areas.

5.10.2 EXISTING CONDITIONS

The Los Angeles County Department of Public Works (LACDPW) has the responsibility to develop plans and strategies to manage solid waste generated (including hazardous waste) in the County's unincorporated areas and to address the disposal needs of Los Angeles County as a whole. In the past, solid waste was simply collected and disposed of at landfills in the local vicinity. More recently, many jurisdictions, including the County of Los Angeles, have maintained that existing local landfill space may reach capacity in the very near future. While solid waste (including hazardous waste) continues to be generated and the public expects it to be collected and disposed of, the public has paradoxically strongly opposed opening new facilities or expanding existing ones. Even with waste reduction and recycling efforts, many jurisdictions are having difficulty siting new landfills or alternative means of disposal to address the anticipated shortage.

Options to reduce the amount of waste disposed of in landfills have traditionally included curbside pickup of recyclable materials and separate processing of these materials at recycling facilities. Solid waste collection has become highly privatized in recent years and a number of companies have created sophisticated recycling facilities that can process and sort recyclables from other wastes. In this

free-enterprise system, private industries now compete for contracts to collect and dispose of solid waste. After materials separation, these private haulers dispose of the remaining solid waste at whatever landfill they choose that can accept the materials. These facilities may be within the local geographic region, outside the County, or even outside the state. The LACDPW maintains that prudent public policy includes a balance of in County and out-of-County disposal capacity to provide for the long-term disposal needs of the County. Without multiple options, the County would have little negotiating leverage against unfavorable pricing structures.

Landfills in the Los Angeles County area are nearing capacity; however, it is unlikely that all existing landfill space will reach capacity and that no new landfill space or disposal options will be made available. Because untreated solid waste is a public health risk (e.g., from disease), it will be necessary for either local agencies or the state to intervene to assist with implementing new landfills and/or other disposal options. Discussion of such intervention is currently taking place at the state level.

Because of the difficulty in predicting what facilities private haulers will use, or predicting future waste disposal sites or methods, it was necessary in this EIR to formulate a method to evaluate impacts on the landfills that are most likely at present to serve the project site. Specifically, this EIR section compares the solid waste generation of the proposed project with the capacity of the existing landfills operating within Los Angeles County that accept waste from unincorporated areas. This is considered a worst-case scenario, as it does not assume development of any new landfills or the implementation of any other disposal options.

5.10.2.1 Plans and Policies for Solid Waste Disposal

5.10.2.1.1 California Integrated Waste Management Act

In response to reduced landfill capacity, the State of California passed in 1989 the California Integrated Waste Management Act (CIWMA). This legislation, generally known by the name of the enacting Assembly Bill (AB) 939, requires cities and counties to reduce the amount of solid wastes entering existing landfills, through recycling, reuse and waste prevention efforts.

AB 939 requires every city and county in the state to prepare a Source Reduction and Recycling Element to its Solid Waste Management Plan that identifies how each jurisdiction planned to meet mandatory state waste diversion goals of 25 percent by the year 1995 and 50 percent by the year 2000. The purpose of AB 939 is to “reduce, recycle, and re-use solid waste generated in the state to the maximum extent feasible.” Noncompliance with the goals and timelines set forth within the act can be severe, as the bill imposes fines up to \$10,000 per day on jurisdictions not meeting these recycling and planning goals.

AB 939 requires jurisdictions to utilize “integrated waste management”—a variety of waste management practices to handle the municipal solid waste stream safely and effectively with the least adverse impact on human health and the environment. The act establishes the following waste management hierarchy:

- **Source Reduction** – "Source reduction" means any action that causes a net reduction in the generation of solid waste. Source reduction includes, but is not limited to, reducing the use of nonrecyclable materials, replacing disposable materials and products with reusable materials and products, reducing packaging, reducing the amount of yard wastes generated, establishing garbage rate structures with incentives to reduce the amount of wastes that generators produce, and increasing the efficiency of the use of paper, cardboard, glass, metal, plastic, and other materials. Source reduction does not include steps taken after the material becomes solid waste.¹
- **Recycling** – "Recycling" means the process of collecting, sorting, cleansing, treating, and reconstituting materials that would otherwise become solid waste, and returning them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace. Recycling does not include transformation.²
- **Composting** – "Compost" means the product resulting from the controlled biological decomposition of organic wastes that are source separated from the municipal solid waste stream, or which are separated at a centralized facility. Compost includes vegetable, yard, and wood wastes that are not hazardous waste.³
- **Transformation** – "Transformation" means incineration, pyrolysis, distillation, or biological conversion other than composting. Transformation does not include composting, gasification, or biomass conversion.⁴
- **Disposal** – "Solid waste disposal" or "disposal" means the final deposition of solid wastes onto land, into the atmosphere, or into the waters of the state.⁵

5.10.2.1.2 California Integrated Waste Management Board Model Ordinance

Subsequent to the passage of CIWMA, additional legislation was passed to assist local jurisdictions in accomplishing the goals of AB 939. The California Solid Waste Reuse and Recycling Access Act of 1991 (Section 42900–42911 of the Public Resources Code) directs the California Integrated Waste Management Board (CIWMB) to draft a “model ordinance” for the provision of adequate areas for collecting and loading recyclable materials in development projects. If, by September 1, 1994, a local agency did not

¹ Public Resources Code, Section 40196.

² Public Resources Code, Section 40180.

³ Public Resources Code, Section 40116.

⁴ Public Resources Code, Section 40201.

⁵ Public Resources Code, Section 40192.

adopt its own ordinance based on the CIWMB model, the CIWMB model ordinance took effect for that local agency. The County of Los Angeles chose to use the CIWMB model ordinance.

5.10.2.1.3 County of Los Angeles Solid Waste Management Action Plan

In 1988, the County of Los Angeles Board of Supervisors approved the Los Angeles County Solid Waste Management Action Plan to provide long-range management of the solid waste generated within the County. This plan includes such approaches as source reduction, recycling and composting programs, household hazardous waste management programs and public education awareness programs. The plan concludes that land filling will remain an integral part of the waste management system and calls for the establishment of 50 years of in-County permitted landfill capacity, as well as the County's support for the development of disposal facilities out of the County.

5.10.2.1.4 County of Los Angeles Source Reduction and Recycling Element

The Source Reduction and Recycling Element (SRRE) was prepared in response to AB 939. It describes policies and programs that will be implemented by the County for the County unincorporated areas to achieve the state's mandates of 25 and 50 percent waste disposal reductions by the years 1995 and 2000, respectively. Per the Integrated Waste Management Act of 1989, the Source Reduction and Recycling Element projects disposal capacity needs for a 15-year period. The current SRRE 15-year period commenced in 2002.

5.10.2.1.5 County of Los Angeles Household Hazardous Waste Element

AB 939 requires every city and county within the state to prepare a Household Hazardous Waste Element (HHWE) and to provide for management of household hazardous waste generated by the residents within its jurisdiction. The Countywide household hazardous waste management program, consisting of collection and public education/information services, has been formulated to serve residents throughout the County in a convenient and cost-effective manner. In addition to reducing the amount of waste that might otherwise be sent to a landfill, these programs are important facets in the County's effort to "clean up" the solid waste stream.

5.10.2.1.6 County of Los Angeles Non-Disposal Facility Element

AB 939 requires every city and county within the state to prepare and adopt a Non-Disposal Facility Element (NDFE) to identify all existing, proposed expansions of, and proposed new non-disposal facilities. These include source reduction and recycling facilities that are needed to implement the local jurisdiction's SRRE. Los Angeles County's NDFE identifies 20 existing materials recovery

facilities/transfer stations, and 9 proposed material recovery facilities as non-disposal facilities. In addition, the County's NDFE also identifies the utilization of four landfill facilities, operated by the County Sanitation Districts of Los Angeles County, for diversion of yard/green waste that is intended to be used as alternative daily cover at the landfills.

5.10.3 FUTURE SOLID WASTE MANAGEMENT CONDITIONS

Currently, most solid waste is disposed of in local landfills. In the future, the amount of waste diverted from landfills is expected to increase as jurisdictions throughout the state achieve compliance with the provisions of AB 939. This diversion will increase the life expectancy of landfills, but not eliminate the need for new landfills. As growth occurs throughout Southern California, new landfills will need to be developed and/or other waste disposal alternatives will need to be implemented.

Options that have been discussed include expanding existing landfills, developing new landfills locally, transferring solid waste out of the County or state by truck or rail car, or the incineration of solid waste in co-generation plants that generate electricity. New and expanded landfills are expected to be approved as part of a comprehensive solid waste program.

The transfer of solid waste either out of the County, or even out of the state, is also an option. Two landfills, which would receive Los Angeles area waste by rail car, have proposed to provide some long-term solid waste disposal for Los Angeles County. The Mesquite Regional Landfill in southern Imperial County and the Eagle Mountain Landfill in Riverside County are both owned by the Sanitation Districts of Los Angeles County (Sanitation Districts). The operation of both sites can provide more than 100 years of disposal capacity for Los Angeles County.⁶ The Mesquite Regional Landfill is scheduled to be operational in 2008, and is permitted to accept up to 20,000 tons of waste each day.⁷ However, waste from Los Angeles county would not be permitted until rail infrastructure to the landfill is completed, which would occur in 2011. The Sanitation Districts are currently performing due diligence examination of the Eagle Mountain Landfill. However, pending federal litigation could overturn this facility's current landfill permit.⁸

Though some landfills are currently restricted to accept solid waste from limited geographical areas, the US Supreme Court has held that restrictions limiting interjurisdictional transfers to landfills willing to accept solid waste are unconstitutional because such restrictions infringe on the landfill operator's ability

⁶ Sanitation Districts of Los Angeles County, *Fiscal Year 2003–2004 in Review*.

⁷ Ibid.

⁸ Ibid.

to actively participate in interstate commerce.⁹ It is therefore likely that interjurisdictional transfers will increase as a method of managing solid waste.

Incineration facilities provide a dual function of disposing of solid waste and generating regional power supplies; their use may increase in the future as new plants are built.

Because the siting of future landfills, expansions of recycling efforts, and construction of co-generation plants is at this time speculative, this EIR methodology will focus only on the present conditions within Los Angeles County.

5.10.3.1 Existing Solid Waste Generation

5.10.3.1.1 Statewide Solid Waste Generation

In the State of California, 71.8 million tons of solid waste was generated in 2002.¹⁰ Some of the solid waste stream was diverted from landfills through various source reduction, recycling, and re-use efforts. The diversion rate in the state was 48 percent in 2000.¹¹

5.10.3.1.2 Regional Solid Waste Generation

A total of 1.1 million tons of solid waste was collected within unincorporated Los Angeles County for the year 2000.¹² Some of the solid waste stream was diverted from landfills through various source reduction, recycling, and re-use efforts. The diversion rate in unincorporated Los Angeles County has increased since 1995. Between 1995 and 2000, the diversion rate for the County has increased from 27 percent in 1995, 29 percent in 1996, 40 percent in 1998, and to 40 percent in 1999.¹³ The CIWMB reviewed waste diversion figures for 2003–2004 and official diversion rates for these years were 12 percent in 2003 and 53 percent for 2004. The biennial review has not been conducted yet for years 2005 and 2006. For the purpose of this EIR, the 50 percent diversion rate mandated by the CIWMB will be used

⁹ *Philadelphia vs. New Jersey*, 98 Supreme Court 2531, 1978.

¹⁰ California Integrated Waste Management Board website, March 23, 2005. <http://www.ciwmb.ca.gov>.

¹¹ Ibid.

¹² California Integrated Waste Management Board, Jurisdiction Diversion and Disposal Profile: Los Angeles County at <http://www.ciwmb.ca.gov/Profiles>, March 23, 2005.

¹³ Ibid.

5.10.3.1.2.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

The proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site is currently developed with 136 residential units and 198 boat spaces (Parcel 10R only). Neptune Marina Project Parcel FF is currently a surface parking lot, while Parcel 9U is vacant undeveloped open space. Parcels FF and 9U generate no solid waste and as such are not considered further in this analysis of existing conditions. As shown in **Table 5.10-1**, operation of the 136 existing apartments on Parcel 10R generate a total of 872 pounds per day, or 159 tons per year, of solid waste. These quantities represent a worst-case scenario for solid waste sent to landfills, as information on the quantity diverted through recycling is not available. Using a 50 percent diversion rate, actual quantities of solid waste being sent to local landfills are likely 50 percent lower than what is shown below. Please see **Appendix 5.10** for calculation worksheets.

Table 5.10-1
Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project
Existing Solid Waste Generation (No Recycling)

| Land Use | Units | Quantity | Generation Factor ¹ (lbs./day/unit) | Daily Generation (lbs./day) | Annual Generation (tons/year) |
|---------------|-------|------------|---------------------------------------------------|--------------------------------|----------------------------------|
| Residential | du | 136 | 6.41 | 872 | 159 |
| Total: | | 136 | 6.41 | 872 | 159 |

Source: Impact Sciences, Inc., March 2005.

du = dwelling unit.

¹ Generation factor provided by the solid waste daily generation rates in tons per year are derived from the Ventura County Solid Waste Management Department's Guidelines for Preparation of Environmental Assessments for Solid Waste Impacts.

5.10.3.2 Existing Solid Waste Collection

Residential, commercial, and industrial trash collection in unincorporated Los Angeles County, including the Marina del Rey, area is handled by private haulers. Once collected, the waste may be taken to any landfill that is willing to accept it. Currently, about 120 haulers are permitted by the County of Los Angeles Department of Health Services to collect residential, commercial, and industrial waste in unincorporated Los Angeles County.¹⁴

¹⁴ Telecommunication with Carlos Ruiz, Supervising Civil Engineer III, Head, Planning Section, Environmental Programs Division, Los Angeles County Department of Public Works, July 15, 2003.

5.10.3.3 Existing Solid Waste Disposal

Four types of solid waste facilities occur within Los Angeles County: (1) Class III landfills, (2) Unclassified landfills, (3) transformation facilities, and (4) materials recovery facilities (MRF). A Class-III landfill is a facility that accepts household waste and where site characteristics and containment structures isolate non-hazardous solid waste from the waters of the state. Unclassified landfills are facilities that accept materials such as soil, concrete, asphalt and other construction and demolition debris. Transformation facilities involve the incineration of municipal solid waste in order to generate energy. MRFs recover recyclable materials from other waste to provide for the efficient transfer of the residual waste to permitted landfills for proper disposal.

Currently most solid waste collected within Los Angeles County by private haulers is disposed of within the County. However, it is likely that independent solid waste haulers do and will continue to take solid wastes to facilities outside the County. Greater inter-County transfer of solid waste may occur in the near future if landfills outside of Los Angeles County provide greater economic advantages to haulers, or if landfills within the County reach capacity.

There are eight landfills in Los Angeles County that may accept solid waste from the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site. **Figure 5.10-1** illustrates the locations of Los Angeles County landfills in relation to the project site.¹⁵

There have been recent expansions at the Antelope Valley, Bradley, Chiquita Canyon, Lancaster, and Puente Hills Landfills. These landfills have adequate capacity to service the existing population and planned growth until the year 2017. However, capacity will likely extend well beyond the year 2017.

A number of landfills that serve Los Angeles County unincorporated have an anticipated life expectancy that extends beyond 2017. For example, the Lancaster Landfill was approved for expansion to extend the life of this landfill to 2030¹⁶ and the Burbank, Chiquita Canyon, Pebbly Beach, San Clemente, Scholl, and Whittier (Savage Canyon) Landfills are permitted until 2054, 2019, 2033, 2032, 2019, and 2025, respectively.¹⁷

¹⁵ **Table 5.10-1** is based on the Los Angeles County Department of Public Works, *Los Angeles County Integrated Waste Management Plan, 2002 Annual Report on the Countywide Summary Plan and Countywide Siting Element*, February 2004.

¹⁶ Telecommunication with Kay Krumwied, Lancaster Landfill, December 4, 2002. A life expectancy to 2030 assumes the acceptance of the maximum daily tonnage of 1,700 tons of solid waste.

¹⁷ California Integrated Waste Management Board Web site, July 30, 2004.

Other recent events have expanded landfill capacity within Los Angeles County. An agreement between Orange County and Waste Management, Inc. (WMI) would divert 168,000 tons per year of San Diego County's waste to Orange County instead of to Los Angeles County landfills. Also, an agreement between Orange County and Taormina Industries, which mainly serves Los Angeles County, calls for 2,000 tons of solid waste per day to be diverted to Orange County landfills.¹⁸

5.10.3.3.1 Site-Specific Solid Waste Disposal

Residential, commercial, and industrial trash collection in the unincorporated areas of Los Angeles County, including the Marina del Rey area, is handled by private haulers. When collected, the waste may be taken to any landfill that is willing to accept it. Thus, solid wastes from the Marina del Rey area may be disposed of at any of the landfills described above.¹⁹

5.10.3.4 Hazardous Materials Collection and Disposal

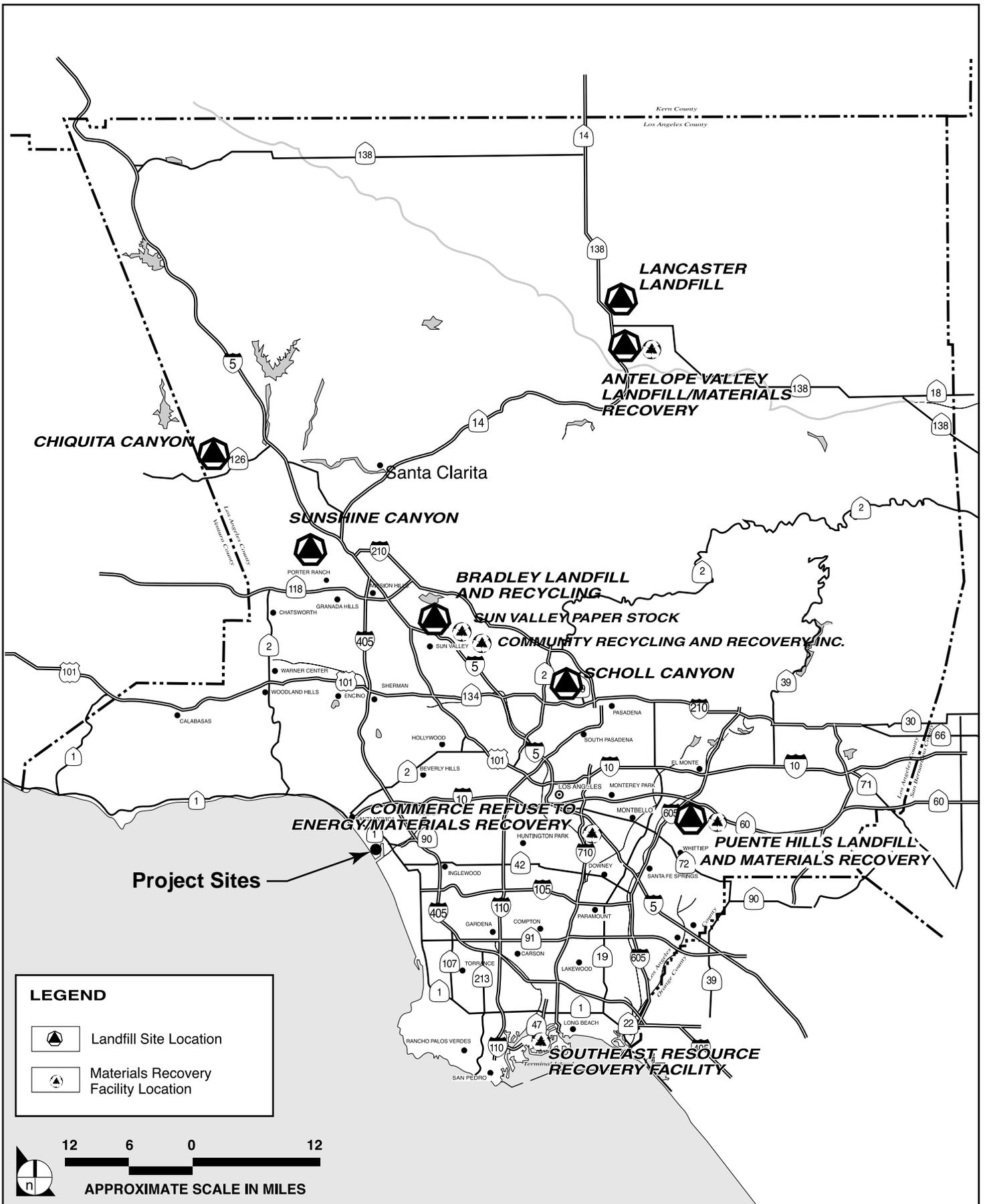
Certain uses and activities generate hazardous waste that cannot be disposed of at Class III or unclassified landfills. The California Hazardous Waste Control Law (Health and Safety Code Section 25100 through Section 25249) requires that these hazardous materials be transported and disposed of or treated at a licensed facility. The disposal and transport of hazardous materials is complicated by the fact that there are many forms of hazardous materials. Operations that use hazardous materials and/or generate hazardous waste are responsible for the disposal of the waste.

LACDPW has indicated that existing hazardous waste management facilities within the County are inadequate to meet the waste currently generated within Los Angeles County. However, there are several Class I and II landfills that exist in Southern and Central California that can accept hazardous waste generated within the County. Each is identified briefly below.

- Laidlaw Landfill, Buttonwillow, Kern County, California: This facility accepts hazardous and non-hazardous waste and is permitted as a Class I landfill. The facility has no restrictions for the amount of waste that can be accepted on a daily basis.
- Kettleman Hills Landfill, Kettleman City, Kings County, California: This is a Class I permitted landfill that accepts hazardous and non-hazardous waste with no capacity restrictions.

¹⁸ GBB, Solid Waste Management Consultants, *Approaching an Integrated Solid Waste Management System for Los Angeles County, California*, May 2, 1997.

¹⁹ Telecommunication with Carlos Ruiz, Assistant Division Engineer, Planning Section, Environmental Programs Division, Los Angeles County Department of Public Works, August 30, 2004.



SOURCE: Impact Sciences, Inc. – May 2005

FIGURE 5.10-1

Locations of Major Los Angeles County Landfills

- McKittrick Waste Treatment Site, McKittrick, Kern County, California: This facility is a Class II permitted landfill that accepts hazardous and non-hazardous waste. The facility has a capacity restriction of 412 cubic meters daily.

As discussed above, Los Angeles County has prepared a HHWE to provide for management of household hazardous waste generated by the residents within its jurisdiction.

5.10.4 ENVIRONMENTAL IMPACTS

5.10.4.1 Project Improvements

Implementation of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in the development of 526 residential dwelling units, a 19-story building with 288 hotel and timeshare suites, 174 private and between 7 and 11 public-serving boat spaces, and a 1.46-acre public park that includes a 0.47-acre restored wetland and 0.99-acre upland buffer. There are 136 existing apartments and 198 boat spaces presently on site. Therefore, completion of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in a net increase of 390 apartment units, 288 hotel and timeshare suites, a net decrease of up to 17 boat spaces, and a 1.46-acre public park containing a 0.47-acre restored wetland and 0.99-acre upland buffer.

5.10.4.2 Thresholds of Significance

The County of Los Angeles has not adopted significance thresholds for impacts related to solid waste. Based on Appendix G of the *State California Environmental Quality Act (CEQA) Guidelines*, impacts related to solid waste services are considered significant if the project would

- Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs; or
- Not comply with federal, state, and local statutes and regulations related to solid waste.

5.10.4.3 Impact Analysis

5.10.4.3.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.10.4.3.1.1 Threshold: Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs.

Threshold: Not comply with federal, state, and local statutes and regulations related to solid waste.

Analysis:

Construction Impacts:

Construction of the Neptune Marina Parcel 10R project component would initiate in January 2009, and would require a total of approximately 33 months to complete, in September 2011. Construction of the Neptune Marina Parcel FF project component would initiate in April 2010, and would require 18 months to complete, in September 2011. Construction of the Woodfin Suite Hotel and Timeshare Resort project component is expected to begin in January 2009, and would require 24 months to complete in January 2011.

As proposed, the project would require the removal of the existing apartment buildings and existing boat spaces on Parcel 10R, and the existing surface parking lot on Parcel FF. Demolition of existing uses on Parcels 10R and FF would generate approximately 12,600 cubic yards of solid waste. Construction activities would also generate some debris; however, the amount is not quantifiable at this time and is expected to be less than the solid waste generated by the existing apartments and therefore less than significant.

Prior to the commencement of demolition, appropriate testing for asbestos containing materials and lead-based paint within the existing structures (Parcel 10R only) shall be completed. Abatement of identified materials will occur prior to building removal. Building materials containing asbestos, if any, would be handled, transported, and disposed of in accordance with applicable laws and regulations prior to building removal.

Waste materials generated during construction and operation are expected to be typical construction debris, including concrete, stucco, asphalt, rocks, building materials, wood, paper, glass, plastic, metals, cardboard, and other inert wastes (i.e., wastes that are not likely to produce leachates of environmental concern), and green wastes.

On January 4, 2005, Los Angeles County adopted an amendment to Title 20, Utilities, of the Los Angeles County Code, to add Chapter 20.87, Construction and Demolition Debris Recycling, to provide for the recycling and reuse of construction and demolition debris in the unincorporated areas of the County of Los Angeles. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would comply with this amendment. The project proponent is required to prepare a Waste Management Plan to recycle, at a minimum, 50 percent of the construction and demolition debris. Reports would be submitted to the Los Angeles County Environmental Programs Division for review and approval.

Waste generated during demolition and construction would result in an incremental and intermittent increase in solid waste disposal at landfills and other waste disposal facilities within Los Angeles County. Debris will be trucked from the site for disposal at unclassified landfills that accept these waste materials including, but not limited to, the Azusa Land Reclamation Co. Landfill in Azusa, Nu Way Live Oak and Reliance Pit No. 2 Landfills in Irwindale, or other appropriate landfills located within reasonable hauling distance from the project site that may be located outside Los Angeles County. The estimated closure dates for the Azusa Land Reclamation Co. Landfill, Nu Way Live Oak Landfill, and Reliance Pit No. 2 Landfill are 2025, 2010, and 2025, respectively.²⁰ As discussed above, the implementation of the proposed project would generate construction waste. The one-time disposal of solid waste associated with construction generated by the project could be accommodated at the facilities listed above. Therefore, with mitigation, the impact of construction waste on local landfills would be reduced to a less than significant level.

Site grading would require the export of 215,135 tons (177,800 cubic yards) of earth material in 2009 to 2010. Excess earth material would be disposed of at landfills only if requested by landfill operators. As planned, excess cut material would be disposed of at the Puente Hills landfill. The Puente Hills landfill has the capacity to accommodate the approximately 215,135 tons of excess earth material that would be delivered in 2009 and 2010. Given the significance threshold of “capacity” the impact is not considered significant given the available capacity at the Puente Hills Landfill. However, considering the threshold of “exceeding daily landfill planning limits” the impact of disposal of excess earth material is considered

²⁰ California Integrated Waste Management Board website, Solid Waste Information System, Facility/Site Search, April 19, 2005.

significant. This conclusion is based on the fact that in 2009, the Class III landfill disposal need would exceed the daily solid landfill planning limits defined by the County of Los Angeles²¹. If accepted, excess earth material disposed of at the Puente Hills landfill would be used for daily over-capping operations. No mitigation is proposed or is required.

Operation Impacts – Solid Waste Generation and Disposal: As shown in **Table 5.10-2**, the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would generate a net increase over existing uses of approximately 3,676 pounds per day, or about 671 tons per year, of solid waste. These quantities represent a worst-case scenario, with no recycling activities in place. However, project uses would be required to provide adequate areas for collecting and loading recyclable materials in accordance with the County’s model ordinance to reduce the volume of solid waste entering landfills. This recycling, implemented in concert with the Countywide efforts and programs, would substantially reduce the volume of solid waste generated by the project and entering landfills. Although the project would generate approximately 523 tons per year of solid waste per year, the inclusion of a solid waste diversion program (e.g., adequate areas for collecting and loading recyclables) would result in the project meeting at least the minimum recycling level established by Los Angeles County. If the project succeeds in achieving the 50 percent reduction level mandated for the County by CIWMA, it would divert at least 262 tons of solid waste per year. Please see **Appendix 5.10** for calculation worksheets. Meeting the 2004 recycling levels (53 percent) would result in a further reduction of 16 tons of solid waste per year. With regard to solid waste generation from the boat spaces, there are no standard rates or data available for solid waste generation rates for boats in the marina available. However, as the project would result in a net decrease in the number of boat spaces, no increase in impact potential is anticipated.

The County of Los Angeles identifies landfill capacity in 15-year planning periods.²² As discussed above, Los Angeles County’s landfills have adequate capacity to service the existing population and planned growth until the year 2017, and as described in **Section 5.10.3.3**, capacity will likely extend well beyond the year 2017 because many of the landfills in the area are permitted beyond 2017, including 2025, 2033, and 2054). Additionally, recent agreements between the County and other nearby municipalities have been completed to divert solid waste from Los Angeles County landfills. Therefore, it is reasonable to assume that solid waste disposal facilities and other options will be available in the future beyond 2017. However, mitigation to reduce the amount of project-generated solid waste disposed of at landfills is

²¹ Los Angeles County Department of Public Works, *Los Angeles County Integrated Waste Management Plan, 2002 Annual Report on the Countywide Summary Plan and Countywide Siting Element*, February 2004.

²² Los Angeles County Department of Public Works, *Los Angeles County Integrated Waste Management Plan, 2002 Annual Report on the Countywide Summary Plan and Countywide Siting Element*, page 38, February 2004.

recommended and based upon the above information and the inclusion of mitigation measures, solid waste impacts related to the project would be reduced to less than significant levels.

Table 5.10-2
Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort
Proposed Project Solid Waste Generation (No Recycling)

| Land Use | Units | Quantity | Generation Factor ¹ (lbs./day/unit) | Daily Generation (lbs./day) | Annual Generation (tons/year) |
|---------------------------|-------|----------|---------------------------------------------------|-----------------------------------|-------------------------------------|
| Proposed Residential | du | 526 | 6.41 | 3,372 | 615 |
| Hotel | room | 152 | 2.0 | 304 | 55 |
| Timeshare Units | du | 136 | 6.41 | 872 | 159 |
| Less Existing Residential | du | 136 | 6.41 | -872 | -159 |
| Net Project Total: | -- | -- | | 3,676 | 671 |

Source: Impact Sciences, Inc., April 2007.

du = dwelling unit.

¹ Generation factor provided by the solid waste daily generation rates in tons per year are derived from the Ventura County Solid Waste Management Department's Guidelines for Preparation of Environmental Assessments for Solid Waste Impacts.

Hazardous waste generation and disposal will be handled and disposed of in accordance with all appropriate state and federal laws. Because of the many laws and regulations associated with the disposal of hazardous waste, it would have to be determined at the time of disposal where any certain hazardous waste would be taken. At this time, hazardous wastes cannot be disposed of within Los Angeles County. However, hazardous debris generated during construction and operation can be accommodated by the permitted Class I and II landfills currently in operation within southern and central California, and no significant impact to hazardous waste disposal facilities are expected as a result of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project.

Mitigation Measures Recommended by the EIR:

- 5.10-1.** The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project shall comply with Title 20, Chapter 20.87, of the Los Angeles County Code, Construction and Demolition Debris Recycling. The project proponent shall also provide a Waste Management Plan to recycle, at a minimum, 50 percent of the construction and demolition debris. The Waste Management Plan shall be provided to the County of Los Angeles Department of Public Works for review and approval, prior to the issuance of the Certificate of Occupancy.

5.10-2. To reduce the volume of solid and hazardous waste generated by the operation of the project, a solid waste management plan shall be developed by the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project applicants. This plan shall be reviewed and approved by the LACDPW. The plan shall identify methods to promote recycling and re-use of materials, as well as safe disposal consistent with the policies and programs contained within the County of Los Angeles SRRE. Methods shall include locating recycling bins in proximity to dumpsters used by future on-site residents.

Conclusion: Not significant.

5.10.4.3.2 Neptune Marina Parcel 10R Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.10.4.3.2.1 Threshold: Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs.

Threshold: Not comply with federal, state, and local statutes and regulations related to solid waste.

Analysis:

Construction Impacts: Construction for Neptune Marina Parcel 10R is expected to begin in January 2009. Neptune Marina Parcel 10R would require a total of approximately 33 months to complete. Given this construction schedule, Neptune Marina Parcel 10R would be operational in September 2011. As proposed, the project would require the removal of the existing apartment buildings, the existing boat spaces, and the surface parking lot surrounding the existing structures. Demolition of existing uses would generate approximately 11,200 cubic yards of solid waste. Construction debris would also generate solid waste; however, the amount is not quantifiable at this time.

Prior to the commencement of demolition, appropriate testing for asbestos containing materials and lead-based paint within the existing structures shall be completed. Abatement of identified materials will occur prior to building removal. Building materials containing asbestos, if any, would be handled, transported, and disposed of in accordance with applicable laws and regulations prior to building removal.

Waste materials generated during construction and operation are expected to be typical construction debris, including concrete, stucco, asphalt, rocks, building materials, wood, paper, glass, plastic, metals, cardboard, and other inert wastes (i.e., wastes that are not likely to produce leachates of environmental concern), and green wastes.

On January 4, 2004, Los Angeles County adopted an amendment to Title 20, Utilities, of the Los Angeles County Code, to add Chapter 20.87, Construction and Demolition Debris Recycling, to provide for the recycling and reuse of construction and demolition debris in the unincorporated areas of the County of Los Angeles. The Neptune Marina Project Parcel 10R would comply with this amendment. The project proponent is required to prepare a Waste Management Plan to recycle, at a minimum, 50 percent of the

construction and demolition debris, and reports would be submitted to the Los Angeles County Environmental Programs Division.

Waste generated during demolition and construction would result in an incremental and intermittent increase in solid waste disposal at landfills and other waste disposal facilities within Los Angeles County. Debris will be trucked from the site for disposal at unclassified landfills that accept these waste materials including, but not limited to, the Azusa Land Reclamation Co. Landfill in Azusa, Nu Way Live Oak and Reliance Pit No. 2 Landfills in Irwindale, or other appropriate landfills located within reasonable hauling distance from the project site that may be located outside Los Angeles County. The estimated closure dates for the Azusa Land Reclamation Co. Landfill, Nu Way Live Oak Landfill, and Reliance Pit No. 2 Landfill are 2025, 2010, and 2025, respectively.²³ The one-time disposal of solid waste associated with construction generated by the project could be accommodated at the facilities listed above. Therefore, with mitigation, the impact of construction waste on local landfills would be reduced to a less than significant level.

Site grading would require the export of 135,518 tons (112,000 cubic yards) of earth material in 2009 to 2010. Excess earth material would be disposed of at landfills only if requested by landfill operators. As planned, excess cut material would be disposed of at the Puente Hills Landfill. The Puente Hills Landfill has the capacity to accommodate the approximately 135,518 tons of excess earth material that would be delivered in 2009 and 2010. Given the significance threshold of “capacity” the impact is not considered significant given the available capacity at the Puente Hills Landfill. However, considering the threshold of “exceeding daily landfill planning limits” the impact of disposal of excess earth material is considered significant. This conclusion is based on the fact that in 2009, the Class III landfill disposal need would exceed the daily solid landfill planning limits defined by the County of Los Angeles²⁴. If accepted, excess earth material disposed of at the Puente Hills Landfill would be used for daily over-capping operations. No mitigation is proposed or is required.

Operation Impacts – Solid Waste Generation and Disposal: As shown in **Table 5.10-3**, the proposed Neptune Marina Project Parcel 10R would generate a net increase over existing uses of approximately 1,692 pounds per day, or about 309 tons per year, of solid waste. These quantities represent a worst-case scenario, with no recycling activities in place. However, the project uses would be required to provide adequate areas for collecting and loading recyclable materials in accordance with the County’s model ordinance to reduce the volume of solid waste entering landfills. This recycling, implemented in concert

²³ California Integrated Waste Management Board Web site, Solid Waste Information System, <http://www.ciwmb.ca.gov/Profiles>. 2007.

²⁴ Los Angeles County Department of Public Works, *Los Angeles County Integrated Waste Management Plan, 2002 Annual Report on the Countywide Summary Plan and Countywide Siting Element*, February 2004.

with the Countywide efforts and programs, would substantially reduce the volume of solid waste generated by the project and entering landfills. The County diverted 53 percent of its waste in 2004. Although the project would generate approximately 309 tons per year, it can also be assumed that the project would at least achieve the 50 percent reduction level mandated by the CIWMB. Given a 50 percent diversion rate, the Neptune Marina Parcel 10R project would generate approximately 155 tons of solid waste per year. Reference **Appendix 5.10** for calculation worksheets. With regard to solid waste generation from the boat spaces, there are no standard rates or data available for solid waste generation rates for boats in the marina available. However, as the project will result in a net decrease in the number of boat spaces of 24 spaces (198 existing less 174 proposed) and no impact is anticipated.

**Table 5.10-3
Neptune Marina (Parcel 10R) Proposed Project Solid Waste Generation (No Recycling)**

| Land Use | Units | Quantity | Generation Factor ¹ (lbs./day/unit) | Daily Generation (lbs./day) | Annual Generation (tons/year) |
|---------------------------|-----------|------------|---------------------------------------------------|-----------------------------------|-------------------------------------|
| Proposed Residential | du | 400 | 6.41 | 2,564 | 468 |
| Less Existing Residential | du | 136 | 6.41 | -872 | -159 |
| Net Project Total: | du | 264 | 6.41 | 1,692 | 309 |

Source: Impact Sciences, Inc., March 2005.

du = dwelling unit.

¹ Generation factor provided by the solid waste daily generation rates in tons per year are derived from the Ventura County Solid Waste Management Department's Guidelines for Preparation of Environmental Assessments for Solid Waste Impacts.

The County of Los Angeles identifies landfill capacity in 15-year planning periods.²⁵ As discussed above, Los Angeles County's landfills have adequate capacity to service the existing population and planned growth until the year 2017, and, capacity will likely extend well beyond the year 2017. Therefore, it is reasonable to assume that solid waste disposal facilities and other options will be available in the future. Mitigation to reduce the amount of project-generated solid waste disposed of at landfills is recommended. Based upon this information and the inclusion of mitigation measures, project solid waste impacts would be reduced to less than significant levels.

Hazardous waste generation and disposal will be handled and disposed of in accordance with all appropriate state and federal laws. Because of the many laws and regulations associated with the disposal of hazardous waste, it would have to be determined at the time of disposal where any certain

²⁵ Los Angeles County Department of Public Works, Los Angeles County Integrated Waste Management Plan, 2002 Annual Report on the Countywide Summary Plan and Countywide Siting Element, page 38, February 2004.

hazardous waste would be taken. At this time, hazardous wastes cannot be disposed of within Los Angeles County. However, hazardous debris generated during construction and operation can be accommodated by the permitted Class I and II landfills currently in operation within southern and central California, and no significant impact to hazardous waste disposal facilities are expected as a result of the Neptune Marina Project Parcel 10R.

Mitigation Measures Recommended by the EIR:

- 5.10-4.** The Neptune Marina Project Parcel 10R shall comply with Title 20, Chapter 20.87, of the Los Angeles County Code, Construction and Demolition Debris Recycling. The project proponent shall also provide a Waste Management Plan to recycle, at a minimum, 50 percent of the construction and demolition debris. Documentation of this recycling program will be provided to the County of Los Angeles Department of Public Works, prior to the issuance of the Certificate of Occupancy.
- 5.10-5.** To reduce the volume of solid and hazardous waste generated by the operation of the project, a solid waste management plan shall be developed by the Neptune Marina Project Parcel 10R applicant. This plan shall be reviewed and approved by the County of Los Angeles Department of Public Works. The plan shall identify methods to promote recycling and re-use of materials, as well as safe disposal consistent with the policies and programs contained within the County of Los Angeles Source Reduction and Recycling Element. Methods shall include locating recycling bins in proximity to dumpsters used by future on-site residents.
- 5.10-6.** If required, during demolition the Neptune Marina Project Parcel 10R applicant shall arrange with a hazardous materials hauling company for materials collection and transport to an appropriate disposal or treatment facility located outside of Los Angeles County

Conclusion: Not significant.

5.10.4.3.3 Neptune Marina Parcel FF Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.10.4.3.3.1 Threshold: Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs.

Threshold: Not comply with federal, state, and local statutes and regulations related to solid waste.

Analysis:

Construction Impacts: Construction for the Neptune Marina Parcel FF project is expected to begin in April 2011 and would require 18 months to complete. Given this construction schedule, Neptune Marina Parcel FF would be operational in September 2012. Demolition of existing uses would generate approximately 1,400 cubic yards of solid waste. Construction debris would also be generated; however, the amount is not quantifiable at this time.

On January 4, 2005, Los Angeles County adopted an amendment to Title 20, Utilities, of the Los Angeles County Code, to add Chapter 20.87, Construction and Demolition Debris Recycling, to provide for the recycling and reuse of construction and demolition debris in the unincorporated areas of the County of Los Angeles. The Neptune Marina Project Parcel FF would comply with this amendment. The project proponent is required to prepare a Waste Management Plan to recycle, at a minimum, 50 percent of the construction and demolition debris. Reports would be submitted to the Los Angeles County Environmental Programs Division for review and approval.

Waste generated during demolition and construction would result in an incremental and intermittent increase in solid waste disposal at landfills and other waste disposal facilities within Los Angeles County. Debris will be trucked from the site for disposal at unclassified landfills that accept these waste materials including, but not limited to, the Azusa Land Reclamation Co., Landfill in Azusa, Nu Way Live Oak and Reliance Pit No. 2 Landfills in Irwindale, or other appropriate landfills located within reasonable hauling distance from the project site that may be located outside Los Angeles County. The estimated closure dates for the Azusa Land Reclamation Co. Landfill, Nu Way Live Oak Landfill, and Reliance Pit No. 2 Landfill are 2025, 2010, and 2025, respectively.²⁶ As discussed above, the implementation of the proposed

²⁶ California Integrated Waste Management Board website, Solid Waste Information System, Facility/Site Search, April 19, 2005.

project would generate 1,400 cubic yards of solid waste for demolition activities. The one-time disposal of the construction waste generated by the project could be accommodated at the facilities listed above. Therefore, with mitigation the impact of the project is reduced to a less than significant level.

Site grading would require the export of 35,815 tons (29,600 cubic yards) of earth material in 2009 to 2010. Excess earth material would be disposed of at landfills only if requested by landfill operators. As planned, excess cut material would be disposed of at the Puente Hills landfill. The Puente Hills landfill has the capacity to accommodate the approximately 35,815 tons of excess earth material that would be delivered in 2009 and 2010. Given the significance threshold of “capacity” the impact is not considered significant given the available capacity at the Puente Hills Landfill. However, considering the threshold of “exceeding daily landfill planning limits” the impact of disposal of excess earth material is considered significant. This conclusion is based on the fact that in 2009, the Class III landfill disposal need would exceed the daily solid landfill planning limits defined by the County of Los Angeles²⁷. If accepted, excess earth material disposed of at the Puente Hills landfill would be used for daily over-capping operations. No mitigation is proposed or is required.

Operation Impacts – Solid Waste Generation and Disposal: As shown in **Table 5.10-4**, the proposed Neptune Marina Project Parcel FF would generate a net increase over existing uses of approximately 808 pounds per day, or about 147 tons per year, of solid waste. These quantities represent a worst-case scenario, with no recycling activities in place. However, the project uses would be required to provide adequate areas for collecting and loading recyclable materials in accordance with the County’s model ordinance to reduce the volume of solid waste entering landfills. This recycling, implemented in concert with the Countywide efforts and programs, would substantially reduce the volume of solid waste generated by the project and entering landfills. The County diverted 53 percent of its waste in 2004. Although the project would generate approximately 147 tons per year, it can be assumed the project would meet the 50 percent diversion rate mandated by the CIWMB. Given this assumption, the Neptune Marina Parcel FF project would generate and dispose approximately 74 tons per year of solid waste to local landfills. Please see **Appendix 5.10** for calculation worksheets. Based on the above, no significant impacts to solid waste will occur as a result of the proposed project.

²⁷ Los Angeles County Department of Public Works, *Los Angeles County Integrated Waste Management Plan, 2002 Annual Report on the Countywide Summary Plan and Countywide Siting Element*, February 2004.

**Table 5.10-4
Neptune Marina (Parcel FF) Proposed Project Solid Waste Generation (No Recycling)**

| Land Use | Units | Quantity | Generation Factor ¹ (lbs./day/unit) | Daily Generation (lbs./day) | Annual Generation (tons/year) |
|----------------------|-------|----------|---------------------------------------------------|-----------------------------------|-------------------------------------|
| Proposed Residential | du | 126 | 6.41 | 808 | 147 |

Source: Impact Sciences, Inc., March 2005.

du = dwelling unit.

¹ Generation factor provided by the solid waste daily generation rates in tons per year are derived from the Ventura County Solid Waste Management Department's Guidelines for Preparation of Environmental Assessments for Solid Waste Impacts.

The County of Los Angeles identifies landfill capacity in 15-year planning periods.²⁸ As discussed above, Los Angeles County's landfills have adequate capacity to service the existing population and planned growth until the year 2017, and, capacity will likely extend well beyond the year 2017. Therefore, it is reasonable to assume that solid waste disposal facilities and other options will be available in the future. Mitigation to reduce the amount of project-generated solid waste disposed of at landfills is recommended. Based upon this information and the inclusion of mitigation measures, project solid waste impacts would be reduced to less than significant levels.

Hazardous waste generation and disposal will be handled and disposed of in accordance with all appropriate state and federal laws. Because of the many laws and regulations associated with the disposal of hazardous waste, it would have to be determined at the time of disposal where any certain hazardous waste would be taken. At this time, hazardous wastes cannot be disposed of within Los Angeles County. However, hazardous debris generated during construction and operation can be accommodated by the permitted Class I and II landfills currently in operation within Southern and Central California, and no significant impact to hazardous waste disposal facilities are expected as a result of the Neptune Marina Project Parcel FF.

Mitigation Measures Recommended by the EIR:

- 5.10-7.** The Neptune Marina Project Parcel FF shall comply with Title 20, Chapter 20.87, of the Los Angeles County Code, Construction and Demolition Debris Recycling. The project proponent shall also provide a Waste Management Plan to recycle, at a minimum, 50 percent of the construction and demolition debris. Documentation of this recycling

²⁸ Los Angeles County Department of Public Works, *Los Angeles County Integrated Waste Management Plan, "2002 Annual Report on the Countywide Summary Plan and Countywide Siting Element,"* 2004, 38.

program will be provided to the County of Los Angeles Department of Public Works, prior to the issuance of the Certificate of Occupancy.

5.10-8. To reduce the volume of solid and hazardous waste generated by the operation of the project, a solid waste management plan shall be developed by the Neptune Marina Project Parcel FF applicant. This plan shall be reviewed and approved by the County of Los Angeles Department of Public Works. The plan shall identify methods to promote recycling and re-use of materials, as well as safe disposal consistent with the policies and programs contained within the County of Los Angeles Source Reduction and Recycling Element. Methods shall include locating recycling bins in proximity to dumpsters used by future on-site residents.

5.10-9. If required, during demolition the Neptune Marina Project Parcel FF applicant shall arrange with a hazardous materials hauling company for materials collection and transport to an appropriate disposal or treatment facility located outside of Los Angeles County.

Conclusion: Not significant.

5.10.4.3.4 Woodfin Suite Hotel and Timeshare Resort Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.10.4.3.4.1 Threshold: Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs.

Threshold: Not comply with federal, state, and local statutes and regulations related to solid waste.

Analysis:

Construction Impacts: Construction for the Woodfin Suite Hotel and Timeshare Resort project is expected to begin in January 2009 and would require 24 months to complete. Given this construction schedule, the Woodfin Suite Hotel and Timeshare Resort project would become operational in January 2011. Parcel 9U is currently vacant and demolition of existing uses (i.e., some existing concrete pilings) is expected to be negligible. Construction debris would also be generated; however, the amount is not quantifiable at this time.

On January 4, 2005, Los Angeles County adopted an amendment to Title 20, Utilities, of the Los Angeles County Code, to add Chapter 20.87, Construction and Demolition Debris Recycling, to provide for the recycling and reuse of construction and demolition debris in the unincorporated areas of the County of Los Angeles. The Woodfin Suite Hotel and Timeshare Resort Project would comply with this amendment. The project proponent is required to prepare a waste management plan to recycle, at a minimum, 50 percent of the construction and demolition debris. Reports would be submitted to the Los Angeles County Environmental Programs Division for their review and approval.

Waste generated during demolition and construction would result in an incremental and intermittent increase in solid waste disposal at landfills and other waste disposal facilities within Los Angeles County. Debris will be trucked from the site for disposal at unclassified landfills that accept these waste materials including, but not limited to, the Azusa Land Reclamation Co. Landfill in Azusa, Nu Way Live Oak and Reliance Pit No. 2 Landfills in Irwindale, or other appropriate landfills located within reasonable hauling distance from the project site that may be located outside Los Angeles County. The estimated closure dates for the Azusa Land Reclamation Co. Landfill, Nu Way Live Oak Landfill, and Reliance Pit No. 2

Landfill are 2025, 2010, and 2025, respectively.²⁹ Implementation of the proposed project would generate solid waste related to construction activities. It is expected that the one-time disposal of construction debris generated by the project could be accommodated at the facilities listed above. Therefore, with mitigation the impact of the project is reduced to a less than significant level.

Site grading would require the export of 43,801 tons (36,200 cubic yards) of earth material in 2009 to 2010. Excess earth material would be disposed of at landfills only if requested by landfill operators. As planned, excess cut material would be disposed of at the Puente Hills Landfill. The Puente Hills Landfill has the capacity to accommodate the approximately 43,801 tons of excess earth material that would be delivered in 2009. Given the significance threshold of “capacity” the impact is not considered significant given the available capacity at the Puente Hills Landfill. However, considering the threshold of “exceeding daily landfill planning limits” the impact of disposal of excess earth material is considered significant. This conclusion is based on the fact that in 2009, the Class III landfill disposal need would exceed the daily solid landfill planning limits defined by the County of Los Angeles³⁰. If accepted, excess earth material disposed of at the Puente Hills Landfill would be used for daily over-capping operations. No mitigation is proposed or is required.

Operation Impacts – Solid Waste Generation and Disposal: As shown in **Table 5.10-5**, the proposed Woodfin Suite Hotel and Timeshare Resort would generate a net increase over existing uses of approximately 1,176 pounds per day, or about 215 tons per year, of solid waste. These quantities represent a worst-case scenario, with no recycling activities in place. However, the project would be required to provide adequate areas for collecting and loading recyclable materials in accordance with the County’s model ordinance to reduce the volume of solid waste entering landfills. This recycling, implemented in concert with the Countywide efforts and programs, would substantially reduce the volume of solid waste generated by the project and entering landfills. The County diverted 53 percent of its waste in 2004. Although the project would generate approximately 215 tons of solid waste per year, it can be assumed the project would meet the 50 percent diversion rate mandated for the County by the CIWMB. Given this assumption, the project would generate and dispose approximately 107 tons per year of solid waste to local landfills. Reference **Appendix 5.10** for calculation worksheets. Based on the above, no significant impacts to solid waste will occur as a result of the proposed project.

²⁹ California Integrated Waste Management Board Web site, Solid Waste Information System, “Facility/Site Search,” 2005.

³⁰ Los Angeles County Department of Public Works, *Los Angeles County Integrated Waste Management Plan, “2002 Annual Report on the Countywide Summary Plan and Countywide Siting Element,”* 2004.

**Table 5.10-5
Woodfin Suite Hotel and Timeshare Resort
Proposed Project Solid Waste Generation (No Recycling)**

| Land Use | Units | Quantity | Generation Factor ¹ (lbs./day/unit) | Daily Generation (lbs./day) | Annual Generation (tons/year) |
|--------------|-------|----------|---------------------------------------------------|-----------------------------------|-------------------------------------|
| Hotel | room | 152 | 2.0 | 304 | 55 |
| Timeshare | du | 136 | 6.41 | 872 | 159 |
| Total | | | | 1,176 | 215 |

Source: Impact Sciences, Inc., April 2007.

du = dwelling unit.

¹ Generation factor provided by the solid waste daily generation rates in tons per year are derived from the Ventura County Solid Waste Management Department's Guidelines for Preparation of Environmental Assessments for Solid Waste Impacts.

The County of Los Angeles identifies landfill capacity in 15-year planning periods.³¹ As discussed above, Los Angeles County's landfills have adequate capacity to service the existing population and planned growth until the year 2017, and, capacity will likely extend well beyond the year 2017. Therefore, it is reasonable to assume that solid waste disposal facilities and other options will be available in the future. Mitigation to reduce the amount of project-generated solid waste disposed of at landfills is recommended. Based upon this information and the inclusion of mitigation measures, project solid waste impacts would be reduced to less than significant levels.

Hazardous waste generation and disposal will be handled and disposed of in accordance with all appropriate state and federal laws. Because of the many laws and regulations associated with the disposal of hazardous waste, it would have to be determined at the time of disposal where any certain hazardous waste would be taken. At this time, hazardous wastes cannot be disposed of within Los Angeles County. However, hazardous debris generated during construction and operation can be accommodated by the permitted Class I and II landfills currently in operation within Southern and Central California, and no significant impact to hazardous waste disposal facilities are expected as a result of the Woodfin Suite Hotel and Timeshare Resort.

Mitigation Measures Recommended by the EIR:

5.10-10. The Woodfin Suite Hotel and Timeshare Resort shall comply with Title 20, Chapter 20.87, of the Los Angeles County Code, Construction and Demolition Debris Recycling. The

³¹ Los Angeles County Department of Public Works, *Los Angeles County Integrated Waste Management Plan, "2002 Annual Report on the Countywide Summary Plan and Countywide Siting Element,"* 2004, 38.

project proponent shall also provide a Waste Management Plan to recycle, at a minimum, 50 percent of the construction and demolition debris. Documentation of this recycling program will be provided to the County of Los Angeles Department of Public Works, prior to the issuance of the Certificate of Occupancy.

- 5.10-11.** To reduce the volume of solid and hazardous waste generated by the operation of the project, a solid waste management plan shall be developed by the Neptune Marina Project Parcel FF applicant. This plan shall be reviewed and approved by the County of Los Angeles Department of Public Works. The plan shall identify methods to promote recycling and re-use of materials, as well as safe disposal consistent with the policies and programs contained within the County of Los Angeles Source Reduction and Recycling Element. Methods shall include locating recycling bins in proximity to dumpsters used by future on-site residents.

Conclusion: Not significant.

5.10.5 CUMULATIVE IMPACTS

5.10.5.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and Other Related Projects

As discussed earlier in this section, new landfills must be developed and other waste disposal options implemented to accommodate future growth. These options may include diversion or transformation as the preferred methods for addressing solid waste and specific and practical applications (i.e., market development, public education and public policy initiatives).³² Solid waste haulers will continue to have flexibility to determine where solid waste is ultimately disposed of based on economic factors.

Because solid waste (including hazardous waste) can be disposed of outside of Los Angeles County and because solid waste disposal is driven by a free-enterprise system, it is reasonable to assume that, to some degree, solid waste generated by cumulative development would be disposed of outside Los Angeles County, and possibly, outside of the State of California. Given this assumption, the cumulative projects area could encompass a geographic area beyond the jurisdictional boundaries of Los Angeles County and could, conceivably, extend beyond state boundaries. It is beyond the scope of this EIR and too speculative to attempt to quantify the solid waste that could be generated by cumulative development that is proposed in greater Los Angeles County or the region beyond, or to assess the landfills that might be available or, more importantly, other solid waste disposal options which could be available. Therefore, the focus of this cumulative impact analysis is the cumulative impacts of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project in conjunction with the related/approved projects identified in **Section 4.0, Cumulative Projects**. The applicable thresholds are listed below in bold followed by an analysis of the cumulative impacts and their potential significance. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.10.5.1.1 Threshold: Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs; and

Threshold: Not comply with federal, state, and local statutes and regulations related to solid waste.

Cumulative Analysis: As shown in **Table 5.10-6**, buildout of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and other related projects would generate

³² GBB, Solid Waste Management Consultants, *Approaching an Integrated Solid Waste Management System for Los Angeles County, California*, 1997.

an estimated 29,199 pounds per day, or 5,329 tons per year, of solid waste. These quantities represent a worst-case scenario, with no recycling activities in place. However, future projects would be required to provide adequate areas for collecting and loading recyclable materials in accordance with the County's Model Ordinance to reduce the volume of solid waste entering landfills. This recycling, implemented in concert with the Countywide efforts and programs, would substantially reduce the volume of solid waste generated by the project and entering landfills. Assuming that cumulative projects will divert at least 50 percent of the waste stream annually, cumulative projects would generate approximately 2,664 tons of solid waste per year. Please see **Appendix 5.10** for calculation worksheets.

**Table 5.10-6
Cumulative Solid Waste Generation (No Recycling)
Proposed Project and Related Projects**

| Land Use | Units | Quantity (Net) | Generation Factor ¹ (lbs./day/unit) | Daily Generation (lbs./day) | Annual Generation (tons/year) |
|---------------------------|---------|----------------|------------------------------------------------|-----------------------------|-------------------------------|
| Related Projects | | | | | |
| Multi-Family ² | du | 3,668 | 6.41 | 23,512 | 4,291 |
| Hotel/Motel ³ | rooms | 348 | 2 | 696 | 127 |
| Commercial | sq. ft. | -34,398 | 0.01 | -344 | -63 |
| Restaurant ² | sq. ft. | 16314 | 0.06 | 979 | 145 |
| Restaurant ⁴ | seat | 797 | 1 | 797 | 179 |
| Office | sq. ft. | -11692 | 0.01 | -116 | -21 |
| Subtotal: | | | | 25,523 | 4,658 |
| Proposed Project | -- | -- | | 3,676 | 671 |
| Total: | | | | 29,199 | 5,329 |

Source: Impact Sciences, Inc., April 2007.

du = dwelling unit; sq. ft. = square feet

Note: Numbers may not total exactly due to rounding.

¹ Generation factor provided by the Ventura County Solid Waste Management Department's Guidelines for Preparation of Environmental Assessments for Solid Waste Impacts, unless otherwise noted.

² Includes senior care facilities.

³ Generation factor from the California Integrated Waste Management Website, November 2003, which cites the Draft EIR for the North Hills Development which, in turn, cites the City of Los Angeles Bureau of Solid Waste, 1989.

⁴ Generation factor from the California Integrated Waste Management Web site, accessed June 2007, which cites the draft EIR for the Stevenson Ranch (Phase IV) in Los Angeles County.

It is reasonable to assume the market forces that drive the waste disposal industry will place pressure on the industry and governmental agencies to continually identify new economically feasible means of waste disposal in the future to accommodate this growth. However, because an adequate supply of landfill space has not been approved for beyond 2017 and because existing hazardous waste management

facilities in the County are deemed inadequate, the cumulative increase in solid and hazardous waste generation would cause a significant impact unless additional landfill space or other disposal alternatives are approved.

Mitigation Measures: There are no cumulative mitigation measures known to be available that would mitigate significant impacts to a level of insignificance.

Conclusion: Significant.

5.10.6 UNAVOIDABLE SIGNIFICANT IMPACTS

Project construction and operation would generate an increase in demand for solid waste collection services in the County. While there is currently sufficient landfill capacity to accommodate solid waste generated by the project, an adequate supply of landfill space in the County has not been approved for beyond 2017. As a result, the project and cumulative projects could contribute to a decline in landfill capacity, resulting in a significant impact unless additional landfill space or other disposal alternatives are approved. There are no known mitigation measures that would mitigate these potentially cumulative significant impacts to a less than significant level.

SUMMARY

Students generated by the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project can be accommodated by local schools without the need for new facilities. Both the Neptune Marina Parcel 10R and the Neptune Marina Parcel FF project components are required to pay standard developer fees for the net increase in residential square footage that would aid in offsetting the cost of student education and local school improvements should they be required. Payment of these developer fees is considered to be full and complete mitigation of school-related impacts. Related projects included in the cumulative analysis are similarly required to pay these developer fees; therefore, cumulative impacts are completely mitigated.

5.11.1 INTRODUCTION

This section of the EIR evaluates the impact of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project (Parcels 10R, FF, and 9U) on elementary, middle, and high schools that serve the Marina del Rey area. Impacts are discussed for the combined project, as well as for each part independently (in case one were to proceed separately). The project consists of five components that include (1) Neptune Marina Parcel 10R; (2) the Neptune Marina Parcel FF; (3) the Woodfin Suite Hotel and Timeshare Resort; (4) a Restored Public Wetland and Upland Park Project on the southern portion of Parcel 9U; and (5) a public-serving anchorage within Marina del Rey Basin B adjoining the Parcel 10R and 9U bulkhead, containing approximately 542 lineal feet of dock space and supporting between 7 and 11 public-serving boat slips. This section also includes a discussion of the cumulative impacts of the Neptune Marina Project in conjunction with other related projects. Where impacts are identified, mitigation measures are recommended to reduce such impacts to acceptable levels. Information utilized in this section was obtained primarily through communication with administrative staff of the Los Angeles Unified School District (LAUSD), the provider of educational service to the project site and surrounding area.

As proposed, the only project components that would directly add permanent residents and school children to the area are the new apartment units proposed on Marina del Rey Parcels 10R and FF. No new school children can be directly attributed to the Woodfin Suite Hotel and Timeshare Resort Project, the 1.46-acre public park or the proposed private and transient boat spaces proposed as part of the project. As such, this analysis of impacts to local schools is limited to the Neptune Marina Apartments and Anchorage project proposed on Parcels 10R and FF.

5.11.2 Overview of School Funding

The state has traditionally been responsible for the funding of local public schools. To assist in providing facilities to serve students generated by new development projects, the state allows school districts to collect school facilities fees from developers of new residential and commercial/industrial building space.

Senate Bill (SB 50) and Proposition 1A (California Government Code Sections 65995, et seq.) provide a comprehensive school facilities financing and reform program by, among other methods, authorizing a \$9.2 billion school facilities bond issue, school construction cost containment provisions. The provisions of Government Code Sections 65995, et seq. prohibit local agencies from denying either legislative or adjudicative land use approvals on the basis that school facilities are inadequate and reinstate the school facility fee cap for legislative actions (e.g., general plan amendments, specific plan adoption, zoning plan amendments). These current provisions are in effect until 2006 and will remain in place until a school district modifies the school facility fee every two years to replace these and as long as subsequent state bonds are approved and available.

According to Government Code Section 65995, three levels of developer fees may be imposed upon new development by the governing board of a school district, depending upon certain conditions within a district. These three levels include the following:

- Level 1: Level 1 fees are the base statutory fees. As of January 2006,¹ Level 1 fees are \$3.60 per square foot for new residential development and \$0.34 per square foot of chargeable, covered and enclosed floor space for new commercial/industrial development.² These amounts currently represent the maximum that can currently be legally imposed upon new development projects by a school district unless the district qualifies for a higher level of funding. Payment of this fee is deemed to constitute full and complete mitigation of project impacts on school facilities.
- Level 2: Level 2 fees allow the school district to impose developer fees above the statutory levels, up to 50 percent of certain costs under designated circumstances. The state would match the 50 percent funding if funds are available.
- Level 3: Level 3 fees apply if the state runs out of bond funds after 2006, allowing the school district to impose 100 percent of the cost of the school facility or mitigation minus any local dedicated school moneys.

¹ Level 1 fees are adjusted every two years in January by the State Allocation Board.

² Telephone communication with Glenn Striegler, LAUSD, Office of Environmental Health and Safety, August 2, 2006.

The ability of a school district to impose fees is limited to the statutory and potential additional charges authorized by the act, as described above. The LAUSD School Facilities Fee Plan, published in 1996, satisfies the requirement for a school facilities needs analysis and permits the imposition of fees in excess of the Level 1 limits described above. The LAUSD does not impose Level 2 fees or Level 3 fees. The current Level 1 developer fee for a residential developments established by LAUSD is \$3.60 per square foot of residential space.³ Per the provisions of Government Code Section 65995 described above, payment of these developer fees is considered to be full and complete impact mitigation.

5.11.3 EXISTING CONDITIONS

5.11.3.1 LAUSD Overview

The LAUSD serves the majority of students in the City of Los Angeles as well as a number of smaller cities located in the larger Los Angeles metropolitan area. As a whole, the district has experienced a substantial increase in student growth and overcrowding in schools in some areas. To alleviate school overcrowding, the LAUSD transfers students from overcrowded schools to less crowded schools and has allowed some schools to change the school calendar year to a year-round format. The LAUSD is also currently considering providing additional portable classrooms to some schools and is planning the construction of new permanent facilities.

5.11.3.2 Local Student Enrollment

The project site is within the attendance boundary of three public schools: Coeur d'Alene Avenue Elementary, Marina del Rey Middle School and Venice Senior High School. Please refer to **Figure 5.11-1** through **Figure 5.11-3** for the location of the schools and their attendance boundaries. These schools operate on a modified, traditional school year calendar that includes longer breaks during December and spring, and a shorter summer break than that found on the traditional calendar.

Students attending elementary school are enrolled in grades K–5, middle school students are enrolled in grades 6–8 and high school students are enrolled in grades 9–12. With the exception of K–3 classes, which are limited to 20 students, standard classroom sizes for schools serving Marina del Rey range from 21 to 29 students per classroom.⁴

Table 5.11-1, Capacity of Schools Serving the Project Site, provides recent school capacity, enrollment (2003–2004), and available capacity for each of the three schools serving the project site.

³ Telephone communication with Glenn Striegler, LAUSD, Office of Environmental Health and Safety, August 2, 2006.

⁴ <http://www.lausd.k12.ca.us>.

**Table 5.11-1
Capacity of Schools Serving the Project Site**

| Schools | Grades | School Capacity ¹ | Enrollment ² | Available Capacity |
|---------------------------------|--------|------------------------------|-------------------------|--------------------|
| Coeur d'Alene Elementary School | K-5 | 478 | 451 | 27 |
| Marina del Rey Middle School | 6-8 | 1,689 | 1,289 | 400 |
| Venice Senior High School | 9-12 | 3,527 | 3,025 | 502 |

¹ Telephone communication with Larry Carletta, LAUSD School Managements Services, May 2007.

² Enrollment numbers are as of September 2006 and are the most current statistics available.

As indicated in **Table 5.11-1**, schools that serve the project site have surplus capacity for 27 elementary school students, 400 middle school students, and 502 high school students.

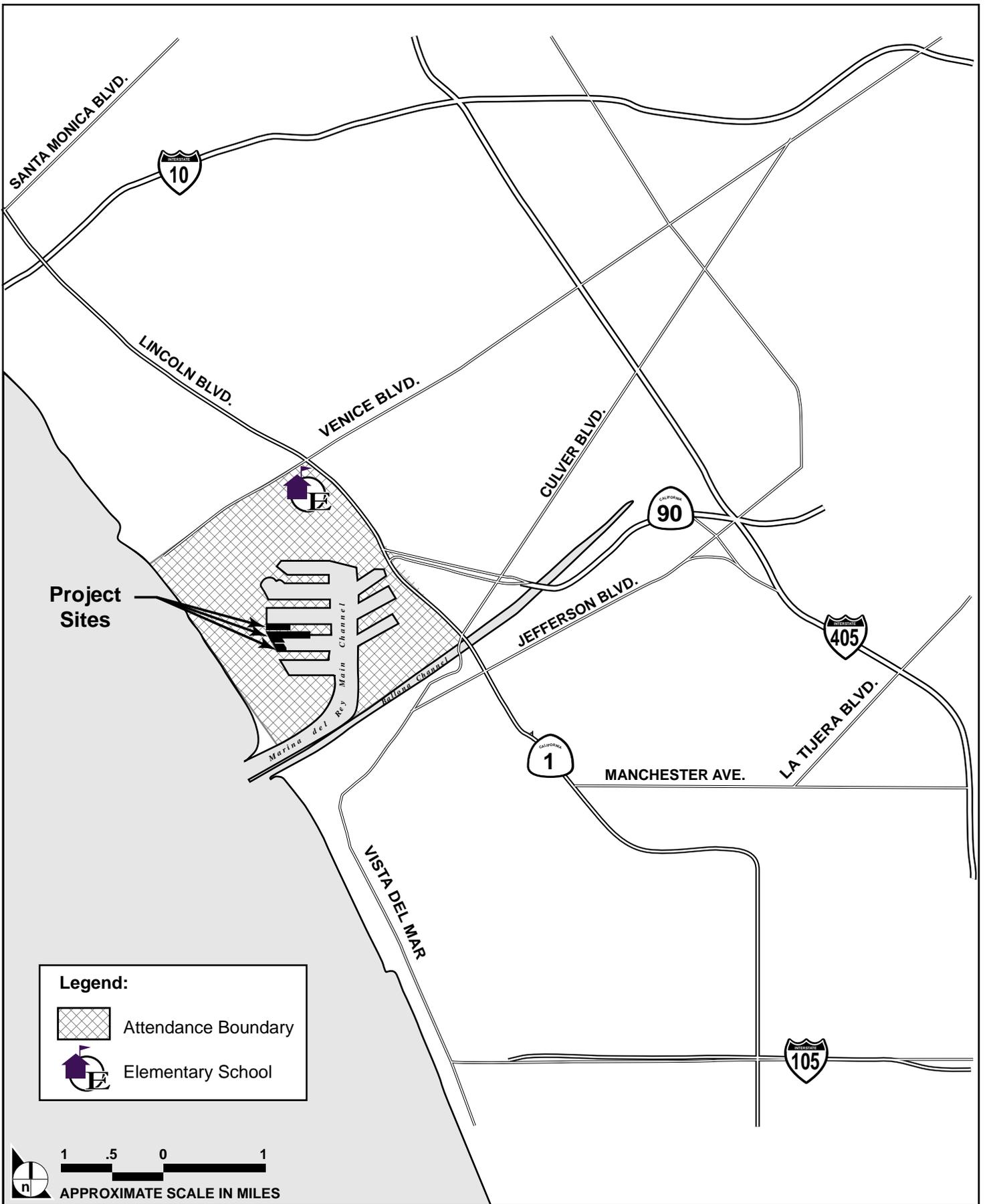
Existing residential uses on the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site are a source of students that are accommodated at each of these three schools. **Table 5.11-2, Students Generated by Existing On-Site Uses**, defines the number of students presently generated by on-site land uses on the Neptune Marina Parcel 10R site. There are no existing uses on the Neptune Marina Parcel FF component that generate students, as the parcel is currently developed as a parking lot. Additionally, as Parcel 9U is currently undeveloped, no students are currently generated at the site.

**Table 5.11-2
Students Generated by Existing On-Site Uses**

| Type of Unit | No. of Units | Generation Rates | | | Total No. of Existing Students | | |
|---------------------|--------------|------------------|-----|------|--------------------------------|-----|------|
| | | K-5 | 6-8 | 9-12 | K-5 | 6-8 | 9-12 |
| 2-Bedroom Apartment | 136 | 0.22 | 0.1 | 0.14 | 30 | 14 | 19 |

Source: Los Angeles Unified School District Student Generation Rates provided to Impact Sciences, Inc. on October 4, 2004, from Raymond Dippel, Assistant Environmental Planning Specialist Los Angeles Unified School District Office of Environmental Health and Safety.

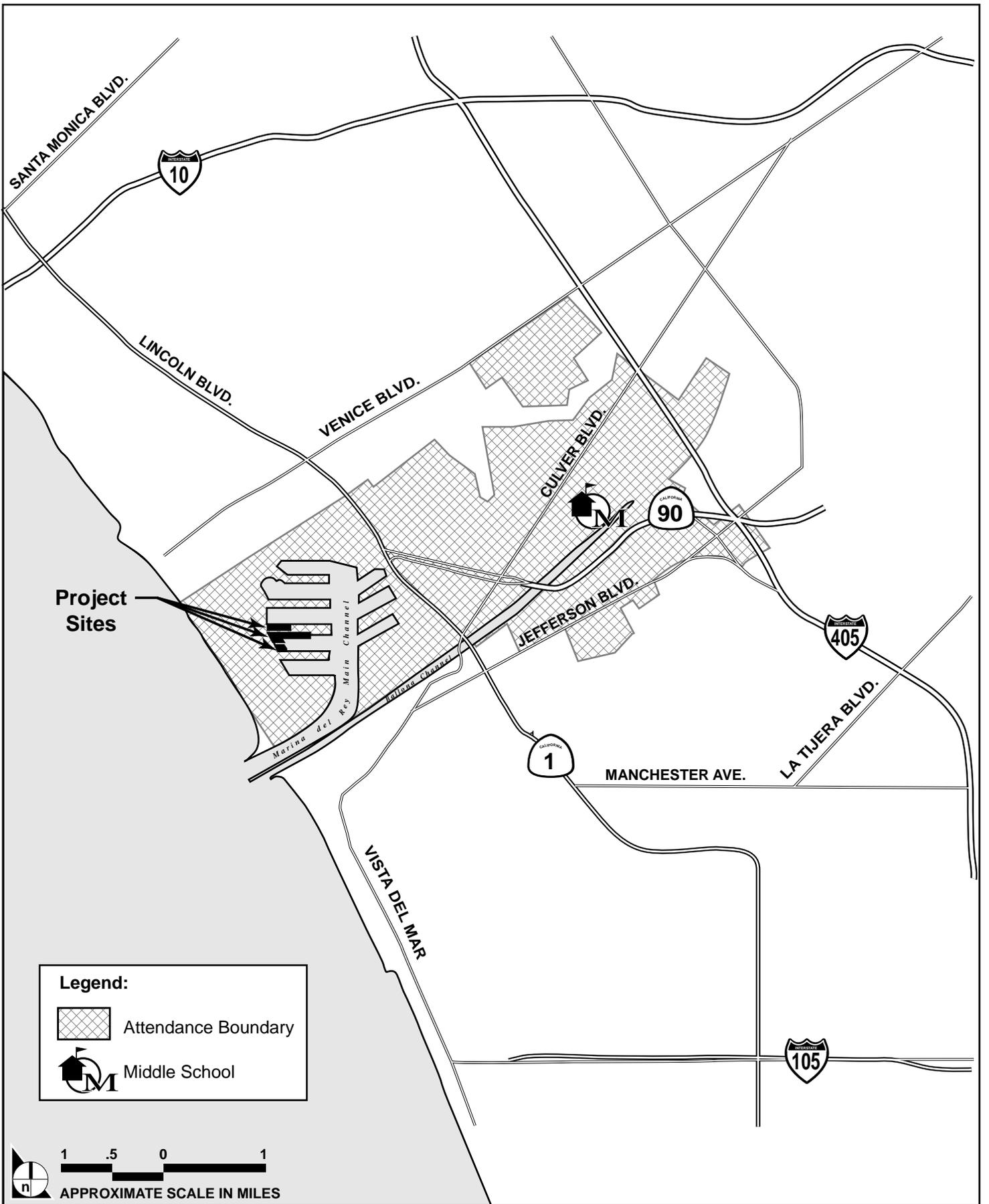
Based on generation rates provided by the LAUSD, existing residential uses on the Neptune Marina Project site presently generate an estimated total student population of 63 students.



SOURCE: Los Angeles Unified School District

FIGURE 5.11-1

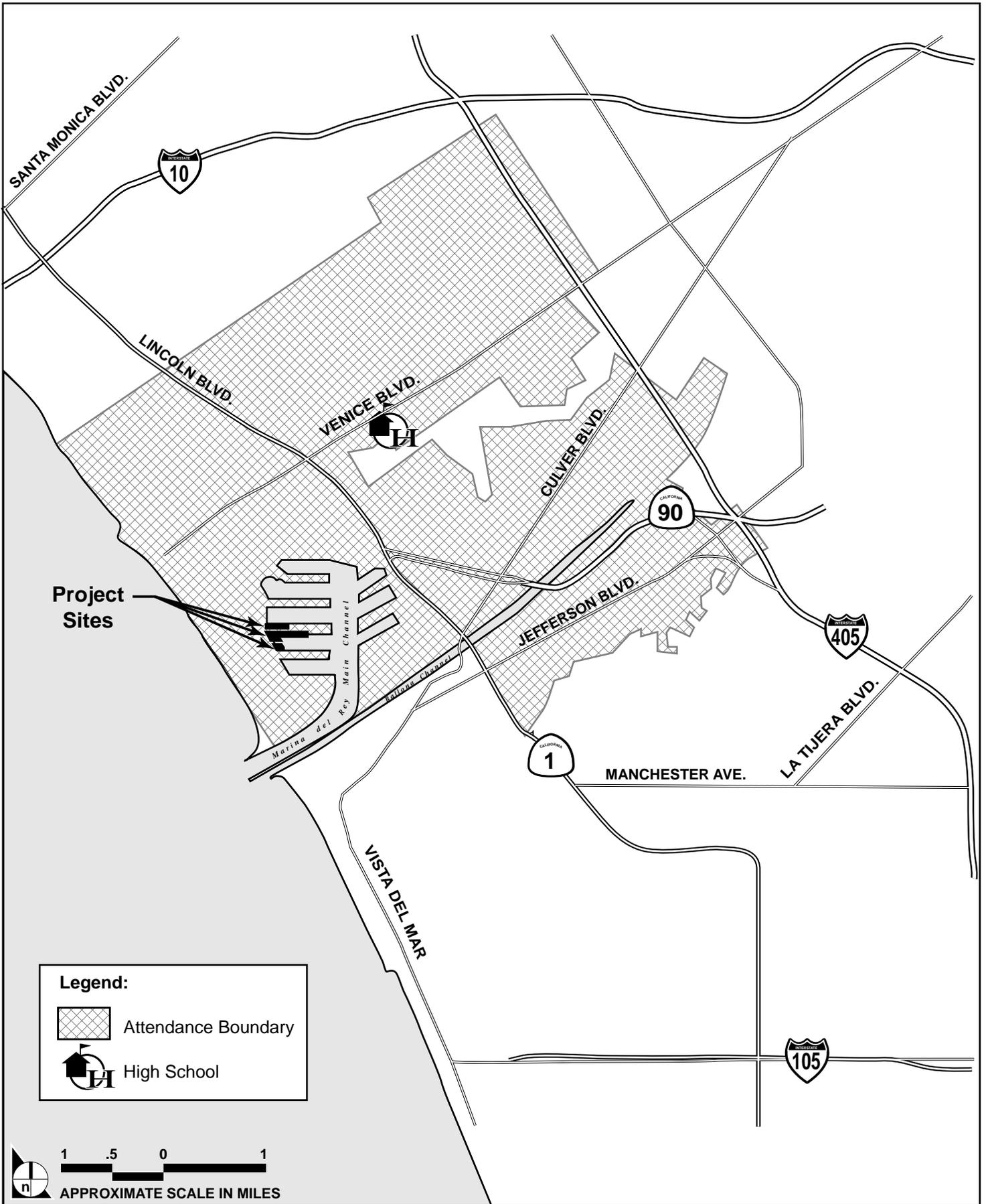
Attendance Boundary for Elementary School



SOURCE: Los Angeles Unified School District

FIGURE 5.11-2

Attendance Boundary for Middle School



SOURCE: Los Angeles Unified School District

FIGURE 5.11-3

Attendance Boundary for High School

5.11.4 ENVIRONMENTAL IMPACTS

5.11.4.1 Project Improvements

5.11.4.1.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

Implementation of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in the development of 526 residential dwelling units, 174 private and between 7 and 11 public-serving boat spaces, and a restored public wetland and upland park area. There are 136 existing apartments and 198 boat spaces presently on site. Therefore, completion of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in a net increase of 390 apartment units, 288 hotel and timeshare suites, a net decrease of up to 17 boat spaces, and a 1.46-acre public park containing a 0.47-acre restored wetland and 0.99-acre upland buffer. Only residential uses are assessed in this report section.

5.11.4.2 Thresholds of Significance

Based on Appendix G of the most recent update of the *State California Environmental Quality Act (CEQA) Guidelines*, impacts related to schools are considered significant if the project would

- result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, need for new or altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives.

5.11.4.3 Impact Analysis

5.11.4.3.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts if applicable.

5.11.4.3.1.1 Threshold: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, need for new or altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives.

Analysis: Operation of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would increase the number of students attending local schools. An estimate of students generated at project buildout is provided in **Table 5.11-3**, below. LAUSD does not consider land uses with temporary or transient populations, such as hotels, as land use types that generate a student population within district schools.⁵ As such, only residential uses proposed would result in student generation.

**Table 5.11-3
Students Generated by Proposed On-Site Uses**

| Type of Unit | No. of Units | Generation Rates | | | Total Estimated No. of Future Students | | |
|---------------------|------------------|------------------|-----------|-----------|----------------------------------------|-----------|-----------|
| | | K-5 | 6-8 | 9-12 | K-5 | 6-8 | 9-12 |
| 1-Bedroom Apartment | 330 ¹ | 0 | 0 | 0 | 0 | 0 | 0 |
| 2-Bedroom Apartment | 196 | 0.22 | 0.1 | 0.14 | 43 | 20 | 27 |
| TOTAL | 526 | NA | NA | NA | 43 | 20 | 27 |

Source: Los Angeles Unified School District Student Generation Rates provided to Impact Sciences, Inc. on October 4, 2004 from Raymond Dippel, Assistant Environmental Planning Specialist Los Angeles Unified School District Office of Environmental Health and Safety.

¹ The LAUSD Generation Factors identify a generation rate of 0 for one-bedroom units. Therefore, one-bedroom units planned for the project were not counted in this table.

⁵ Telephone communication with Dean Miyazaki, Deputy Director of Project Support, LAUSD, Office of the Chief Facilities Executive, August 4, 2006.

Calculations indicate a total of 90 students are estimated to be generated by the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and include 43 elementary school students, 20 middle school students and 27 high school students. Given the removal of the existing apartment units, a net increase of 27 students would occur as a result of buildout of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project as shown in **Table 5.11-4, Net Increase in Student Population.**

**Table 5.11-4
Net Increase in Student Population**

| | Students | | |
|---------------------|-----------|----------|----------|
| | K-5 | 6-8 | 9-12 |
| Proposed Project | 43 | 20 | 27 |
| Existing Uses | 30 | 14 | 19 |
| Net Increase | 13 | 6 | 8 |

Based on this information, a comparison of available school capacity at the time of buildout of the project versus predicted enrollment was calculated. This data is provided in **Table 5.11-5.** Predicted enrollment assumes current enrollment levels plus new students generated by the proposed Neptune Marina Project.

**Table 5.11-5
Impacts Upon Schools Serving the Neptune Marina Project**

| Schools | Current | Project Plus | Design Capacity | % of Design Capacity |
|---------------------------------|------------|---------------------|-----------------|----------------------|
| | Enrollment | Existing Enrollment | | |
| Coeur d'Alene Elementary School | 451 | 464 | 478 | 97% |
| Marina del Rey Middle School | 1,289 | 1,295 | 1,689 | 77% |
| Venice Senior High School | 3,025 | 3,033 | 3,527 | 86% |

Source: Impact Sciences, Inc., June 2007.

¹ Using the net increase in student enrollment.

As shown, additional students generated at buildout of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project can be accommodated within the current capacity of each school serving the area. Therefore, no physical improvements are required. Given the information provided above, no significant impact to the affected schools would occur as a result of the

implementation of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project.

Mitigation Measure: Pursuant to Government Code Section 65995, the developer is required to pay statutory school fees to the LAUSD for the purpose of mitigating the impact of project-generated new students on school facilities. Developer fees are \$3.60 per square foot of new residential use. Payment of this fee is deemed to be full and complete mitigation of project impacts. Therefore, no further mitigation measures are proposed or are required.

Conclusion: Less than significant.

5.11.4.3.2 Neptune Marina Parcel 10R Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts, if applicable.

5.11.4.3.2.1 Threshold: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, need for new or altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives.

Analysis: Operation of the proposed Neptune Marina Parcel 10R would increase the number of students attending local schools. Based upon information provided by the LAUSD, an estimate of the student generation at project buildout was calculated. Generation rates, which vary by grade level and consider income levels and housing type, represent an estimate of the average number of students generated per residential dwelling unit. An estimate of students generated at project buildout is provided in **Table 5.11-6**, below.

Table 5.11-6
Students Generated by Proposed On-Site Uses

| Type of Unit | No. of Units | Generation Rates | | | Total Estimated No. of Future Students | | |
|---------------------|------------------|------------------|-----------|-----------|----------------------------------------|-----------|-----------|
| | | K-5 | 6-8 | 9-12 | K-5 | 6-8 | 9-12 |
| 1-Bedroom Apartment | 246 ¹ | 0 | 0 | 0 | 0 | 0 | 0 |
| 2-Bedroom Apartment | 154 | 0.22 | 0.1 | 0.14 | 34 | 15 | 22 |
| TOTAL | 400 | NA | NA | NA | 34 | 15 | 22 |

Source: Los Angeles Unified School District Student Generation Rates provided to Impact Sciences, Inc. on October 4, 2004 from Raymond Dippel, Assistant Environmental Planning Specialist Los Angeles Unified School District Office of Environmental Health and Safety.

¹ The LAUSD Generation Factors identify a generation rate of 0 for one-bedroom units. Therefore, one-bedroom units planned for the project were not counted in this table.

Calculations indicate a total of 71 students are estimated to be generated by the proposed Neptune Marina Parcel 10R and include 34 elementary school students, 15 middle school students, and 22 high school students. Given the removal of the existing apartment units, a net increase of 8 students would occur as a result of Neptune Marina Parcel 10R buildout as shown in **Table 5.11-7**, below.

Table 5.11-7
Net Increase in Student Population

| | Students Grade K-5 | Students Grade 6-8 | Students Grade 9-12 |
|---------------------|--------------------|--------------------|---------------------|
| Proposed Project | 34 | 15 | 22 |
| Existing Uses | 30 | 14 | 19 |
| Net Increase | 4 | 1 | 3 |

Based on this information, a comparison of available school capacity at the time of project buildout versus predicted enrollment was calculated. This data is provided in **Table 5.11-8**, below. Predicted enrollment assumes current enrollment levels plus new students generated by the proposed Neptune Marina Parcel 10R.

Table 5.11-8
Impacts Upon Schools Serving the Neptune Marina Parcel 10R Project

| Schools | Current Enrollment | Project Plus Existing Enrollment ¹ | Design Capacity | % of Design Capacity |
|---------------------------------|--------------------|-----------------------------------------------|-----------------|----------------------|
| Coeur d'Alene Elementary School | 451 | 455 | 478 | 95% |
| Marina del Rey Middle School | 1,289 | 1,290 | 1,689 | 76% |
| Venice Senior High School | 3,025 | 3,028 | 3,527 | 86% |

Source: Impact Sciences, June 2007.

¹ Using the net increase in student enrollment.

As shown, additional students generated by the proposed Neptune Marina Parcel 10R project can be accommodated within the current capacity of each school serving the project area with project buildout. Therefore, no physical improvements are required. Given the information provided above, no significant impact to the affected schools would occur as a result of the Neptune Marina Parcel 10R project implementation.

Mitigation Measure: Pursuant to Government Code Section 65995, the developer of the Neptune Marina Parcel 10R project is required to pay statutory school fees to the LAUSD for the purpose of mitigating the impact of project-generated new students on school facilities. Developer fees are \$3.60 per square foot of new residential use. Payment of this fee is deemed to be full and complete mitigation of project impacts. Therefore, no further mitigation measures are proposed or are required.

Conclusion: Less than significant.

5.11.4.3.3 Neptune Marina Parcel FF Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts, if applicable.

5.11.4.3.3.1 Threshold: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, need for new or altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives.

Analysis: Operation of the proposed Neptune Marina Parcel FF project would increase the number of students attending local schools. Based upon information provided by the LAUSD, an estimate of the student generation at project buildout was calculated. Generation rates, which vary by grade level and consider income levels and housing type, represent an estimate of the average number of students generated per residential dwelling unit. An estimate of students generated at project buildout is provided in Table 5.11-9, below.

**Table 5.11-9
Students Generated by Proposed On-Site Uses
Neptune Marina Parcel FF Project**

| Type of Unit | No. of Units | Generation Rates | | | Total Estimated No. of Future Students | | |
|---------------------|-----------------|------------------|-----------|-----------|----------------------------------------|----------|----------|
| | | K-5 | 6-8 | 9-12 | K-5 | 6-8 | 9-12 |
| 1-Bedroom Apartment | 84 ¹ | 0 | 0 | 0 | 0 | 0 | 0 |
| 2-Bedroom Apartment | 42 | 0.22 | 0.1 | 0.14 | 9 | 4 | 6 |
| TOTAL | 126 | NA | NA | NA | 9 | 4 | 6 |

Source: Los Angeles Unified School District Student Generation Rates provided to Impact Sciences, Inc. on October 4, 2004 from Raymond Dippel, Assistant Environmental Planning Specialist Los Angeles Unified School District Office of Environmental Health and Safety.

¹ The LAUSD Generation Factors identify a generation rate of 0 for one-bedroom units. Therefore, one-bedroom units planned for the project were not counted in this table.

Calculations indicate a total of 19 students are estimated to be generated by the proposed Neptune Marina Parcel FF project and include 9 elementary school students, 4 middle school students, and 6 high school students.

Based on this information, a comparison of available school capacity at the time of project buildout versus predicted enrollment was calculated. This data is provided in **Table 5.11-10, Impacts Upon Schools Serving the Neptune Marina Parcel FF Project**. Predicted enrollment assumes current enrollment levels plus new students generated by the proposed Neptune Marina Parcel FF.

Table 5.11-10
Impacts Upon Schools Serving the Neptune Marina Parcel FF Project

| Schools | Current Enrollment | Project Plus Existing Enrollment | Design Capacity | % of Design Capacity |
|---------------------------------|--------------------|----------------------------------|-----------------|----------------------|
| Coeur d'Alene Elementary School | 451 | 460 | 478 | 96% |
| Marina del Rey Middle School | 1,289 | 1,293 | 1,689 | 77% |
| Venice Senior High School | 3,025 | 3,031 | 3,527 | 86% |

Source: Impact Sciences, Inc., June 2007.

As shown, additional students generated by the proposed Neptune Marina Parcel FF project can be accommodated within the current capacity of each school serving the project area with project buildout. Therefore, no physical improvements are required. Given the information provided above, no significant impact to the affected schools would occur as a result of Neptune Marina Parcel FF project implementation.

Mitigation Measure: Pursuant to Government Code Section 65995, the developer of the Neptune Marina Parcel FF project is required to pay statutory school fees to the LAUSD for the purpose of mitigating the impact of project-generated new students on school facilities. Developer fees are \$3.60 per square foot of new residential use. Payment of this fee is deemed to be full and complete mitigation of project impacts. Therefore, no further mitigation measures are proposed or are required.

Conclusion: Less than significant.

5.11.5 CUMULATIVE IMPACTS

5.11.5.1 Neptune Marina Project and Other Related Projects

For this analysis, a cumulative development scenario is compared with existing conditions. The scenario includes the Neptune Marina Parcel 10R project, the Neptune Marina Parcel FF project, and other related projects. The applicable threshold is listed in bold followed by an analysis of the cumulative impacts and their potential significance. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

The applicable threshold is listed below in bold followed by an analysis of the cumulative impacts and their potential significance. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts, if applicable.

5.11.5.1.1 Threshold: Would the cumulative projects result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, need for new or altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives.

Cumulative Analysis: Table 5.11-11, Students Generated by Cumulative Residential Projects, provides a breakdown of those related projects located within the attendance boundary of affected schools, and the projected number of students associated with each of these residential projects. Generation figures for apartments have been estimated using the generation rate for two-bedroom apartments. It is likely that these projects will contain more one-bedroom units (that do not generate students) than three-bedroom units (which generate more students than two-bedroom units). Therefore, it is likely that the number of students actually generated by cumulative development will be lower than what is shown in the table below. Non-residential projects and senior care facilities do not directly generate students and have not been included in these calculations.

**Table 5.11-11
Students Generated by Cumulative Residential Projects**

| Project # | Project Type | | | Generation Rates | | | Total Estimated No. of Future Students | | |
|------------------|--------------|---------------------------|------------------------------|------------------|------|-------|----------------------------------------|------------|--------------|
| | | | | K-5 | 6-8 | 9-12 | K-5 | 6-8 | 9-12 |
| 1. | 298 | du | Apartment | 0.22 | 0.1 | 0.14 | 66 | 30 | 42 |
| 2. | 140 | du | Condominium | * | 0.02 | 0.027 | NA | 3 | 4 |
| 3. | 98 | du | Condominium | * | 0.02 | 0.027 | NA | 2 | 3 |
| 5. | 280 | du | Apartment | * | * | 0.14 | NA | NA | 39 |
| 9. | 600 | du | Condominium | 0.026 | * | 0.027 | 16 | NA | 16 |
| 10. | 158 | du | Condominium | 0.026 | 0.02 | 0.027 | 4 | 3 | 4 |
| 11. | 115 (net) | du | Apartment | 0.22 | 0.1 | 0.14 | 25 | 12 | 16 |
| 13. | 72 | du | Apartment | 0.22 | 0.1 | 0.14 | 16 | 7 | 10 |
| 15. | 41 | du | Condominium | * | * | 0.027 | NA | NA | 1 |
| 17. | 3,246 | du | Condominium | 0.026 | 0.02 | 0.027 | | 65 | 88 |
| 18. | 342 (net) | du | Apartment | 0.22 | 0.1 | 0.14 | 75 | 34 | 48 |
| 19. | 940 | du | Apartment | 0.22 | 0.1 | 0.14 | 207 | 94 | 132 |
| 20. | 351 | du | Apartment | 0.22 | 0.1 | 0.14 | 77 | 35 | 49 |
| 21. | 244 | du | Condominium | * | 0.02 | 0.027 | NA | 5 | 7 |
| 22. | 81 | du | Condominium | * | 0.02 | * | NA | 2 | NA |
| 23. | 254 | du | Apartment | 0.22 | 0.1 | 0.14 | 56 | 25 | 36 |
| 29. | 2,600 | du | Apartment | * | 0.1 | 0.14 | NA | 260 | 364 |
| 31. | 2 | du | Apartment | * | 0.1 | 0.14 | NA | 0 | 1 |
| | | | Total without Project | | | | 542 | 577 | 860 |
| Proposed Project | 330 | 1-Bedroom Apartments | | 0 | 0 | 0 | 0 | 0 | 0 |
| | 196 | 2-Bedroom Apartments | | 0.22 | 0.1 | 0.14 | 43 | 20 | 27 |
| | | Total with Project | | -- | -- | -- | 585 | 597 | 887 |
| | | Total | | | | | | | 2,069 |

Source: Impact Sciences, Inc., June 2007.

* This project is not within the school's attendance boundary.

As illustrated, a total of approximately 2,069 students would be generated by cumulative development within the attendance boundaries of the schools serving the project site. Specifically, an estimated total of 585 elementary students, 597 middle school students, and 887 high school students would be generated by cumulative development.

Table 5.11-12, Cumulative Impacts Upon Schools Serving Project Site, illustrates the impact of students generated by cumulative development on the three schools serving the project site. The students are added to the current enrollment to create the predicted future enrollment at buildout of this cumulative scenario.

**Table 5.11-12
Cumulative Impacts Upon Schools Serving Project Site**

| Schools | Current Enrollment | Project Plus Cumulative Projects Enrollment | Design Capacity | % Design Capacity |
|---------------------------------|--------------------|---------------------------------------------|-----------------|-------------------|
| Coeur d'Alene Elementary School | 451 | 1,036 | 478 | 217% |
| Marina del Rey Middle School | 1,289 | 1,886 | 1,689 | 112% |
| Venice Senior High School | 3,025 | 3,912 | 3,527 | 111% |

Source: Impact Sciences, Inc., June 2007.

As shown, the addition of students generated by cumulative development would exceed the capacity of Coeur d'Alene Elementary School, Marina del Rey Middle School, and Venice Senior High School. Without mitigation, the cumulative impact of the Neptune Marina Project and other related projects would be considered significant because the number of additional students would exceed existing capacity at the elementary, middle and high schools and would place additional demands on services and facilities at all three area schools.

Cumulative Mitigation Measures: Implementation of the proposed project in conjunction with the related projects listed above would increase the demand for school services. As with the proposed project, the applicants of the related projects would be required to pay state-mandated developer fees to the LAUSD. According to Section 65995 of the Government Code, payment of the developer fees are deemed to be "full and complete mitigation" for school facility impacts. Payment of such fees by the proposed project and related projects would ensure that the cumulative impacts on school services would be less than significant.

5.11.6 UNAVOIDABLE SIGNIFICANT IMPACTS

With mitigation, development of the Neptune Marina Apartments and Anchorage Project would not significantly impact local schools. When combined with other related projects, development of the proposed project would significantly impact the schools serving the project site. However, payment of the state mandated developer fees described above is considered full and complete mitigation of school-related impacts.

5.12 POLICE PROTECTION

SUMMARY

Primary police protection service for the project site and the surrounding unincorporated Marina del Rey area is provided by the County of Los Angeles Sheriff's Department Marina del Rey station. The level of sheriff's department protection service in the Marina del Rey area is considered adequate.

Implementation of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would increase demand for police protection services on the project site and the local vicinity in terms of personnel and equipment needed to adequately serve the population at the site at project buildout. The Los Angeles County Sheriff's Department (County Sheriff's Department) has indicated that the Marina del Rey station would be able to serve the proposed project.

5.12.1 INTRODUCTION

This section of the EIR addresses existing police protection services in the Marina del Rey area and potential impacts to police protection as a result of development of the proposed project. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project consists of five components that include (1) Neptune Marina Parcel 10R; (2) the Neptune Marina Parcel FF; (3) the Woodfin Suite Hotel and Timeshare Resort Project; (4) a 1.46-acre public park including a 0.46-acre restored wetland and 0.99-acre upland buffer on the southern portion of Parcel 9U; and (5) between 7 and 11 public-serving boat spaces proximal to Parcel 9U within Marina del Rey Basin B. Impacts are discussed for the combined project, as well as for each part independently (in case one were to proceed separately). This section also includes a discussion of the cumulative impacts of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project in conjunction with other related projects. Information for this section was obtained from the County Sheriff's Department and the Marina del Rey Land Use Plan.¹

5.12.2 EXISTING CONDITIONS

5.12.2.1 Los Angeles County Sheriff's Department

Law enforcement within Marina del Rey is provided by the County Sheriff's Department, with assistance from the City of Los Angeles Police Department and the California Highway Patrol. In the vicinity of

¹ Written communication from Gary T. K. Tse, Director, Facilities Planning Bureau, Los Angeles County Sheriff's Department, December 1, 2004, and attached written communication from Sam Dacus, Captain, Commander, Marina del Rey Sheriff station to Gary T. K. Tse, November 8, 2004.

Marina del Rey, the County Sheriff's Department includes the Harbor Patrol and also provides police protection services for unincorporated County areas of Ladera Heights, Windsor Hills and View Park.

As shown on **Figure 5.12-1, Sheriff Station Location**, the County Sheriff's Department operates one station in Marina del Rey. This station is located at 13851 Fiji Way, approximately 0.5 mile southeast of the project site. The Marina del Rey sheriff's station provides a 24-hour public counter for service, information and dispatching, 9-11 emergency operators, Harbor Patrol rescue services, detective services and complete landside law and parking enforcement services. The station presently has 70 sworn and 20 professional staff employees assigned to the station. Of the 70 sworn employees, 18 are supervisors/managers, six are detectives, three are assigned to special operations and approximately 14 are assigned to staff the harbor operation boats. Field deployment consists of four deputies on day shifts and six each on PM and AM shifts. Two of these deputies on each shift are assigned to the unincorporated area of Marina del Rey. Additionally, a field sergeant and a two-deputy boat crew are deployed on every shift. The Marina del Rey station's physical facility is small and operating at capacity as far as staffing accommodations.

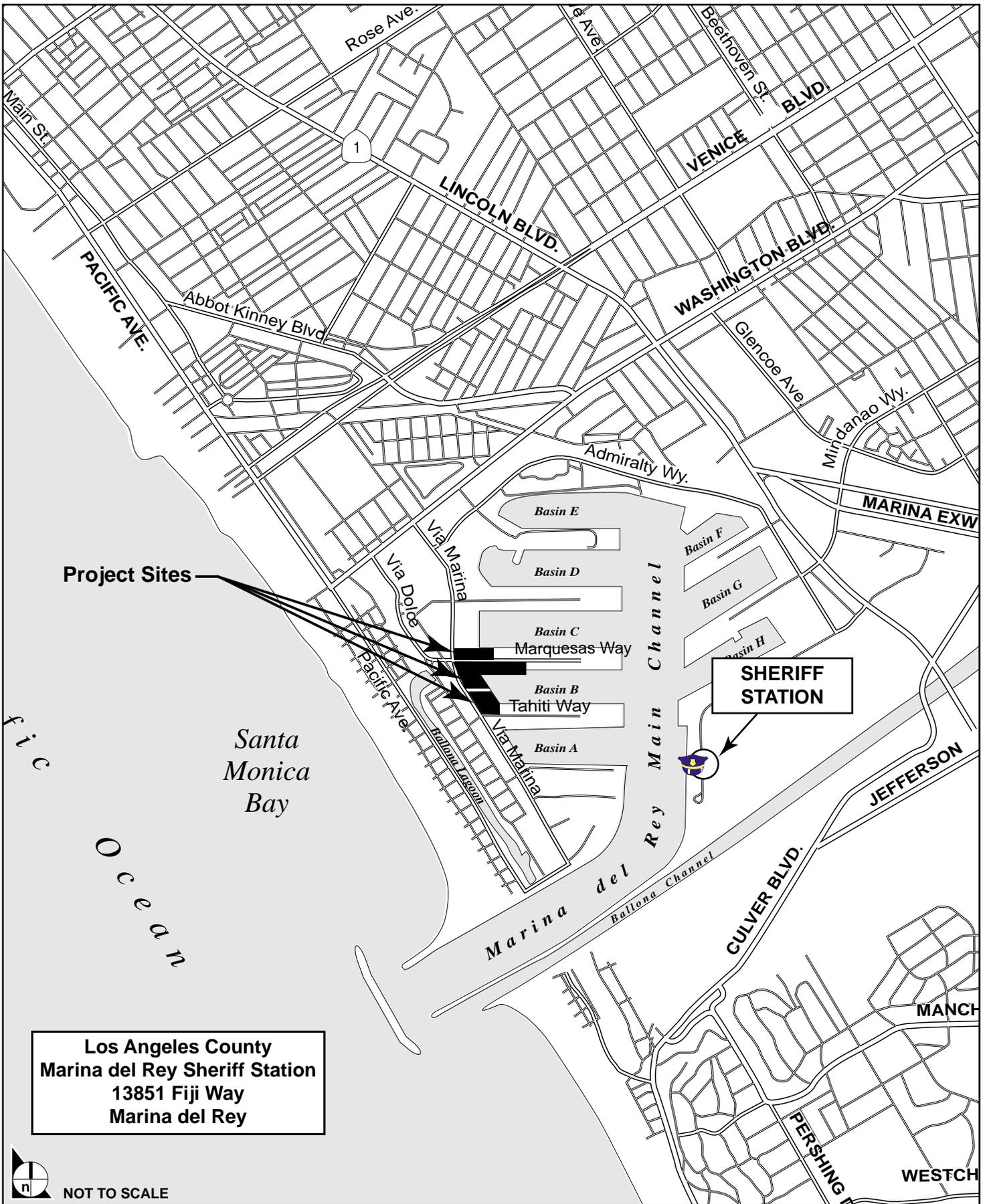
5.12.2.2 Harbor Patrol

In 1984, the County Sheriff's Department merged with the Harbor Patrol and assumed all harbor patrol functions. Marina del Rey sheriff's station personnel run boat operations. The Harbor Patrol, acting under the orders and jurisdiction of the County sheriff, is responsible for law enforcement services in the Marina del Rey harbor and the Los Angeles County Maritime Region in general.

The Harbor Patrol operates 24 hours per day. The Harbor Patrol's responsibilities include regularly checking docks and anchorages for safety and local ordinance violations, enforcement stops for boating law violations and open water rescue and medical emergencies. In the past, the Harbor Patrol has been the first responder to incidents such as airplane crashes, boat fires and explosions, cars in the water and capsized vessels. Marina del Rey Station has a Dive/Rescue Team comprised of over 15 certified divers. All Harbor Patrol deputies are Emergency Medical Technicians (EMT) certified and are Rescue/Recovery Dive Team members.

The Harbor Patrol also works closely with the United States Coast Guard, Los Angeles County Lifeguard Baywatch units and the Los Angeles County Fire Department, which has both land- and water-based fire fighting vessels attached to Fire Station 110.²

² Los Angeles County Sheriff's Department, Marina del Rey station, website. <<http://www.lasd.org/stations/for2/mdr/aboutus.html#anchor1>>, accessed April 2, 2007.



**Los Angeles County
Marina del Rey Sheriff Station
13851 Fiji Way
Marina del Rey**

 NOT TO SCALE

SOURCE: Impact Sciences, Inc. – May 2005

FIGURE 5.12-1

Sheriff Station Location

5.12.2.3 Bicycle Patrol

During the summer months, from Memorial Day to Labor Day, the Marina del Rey station staffs a full-time bicycle law enforcement team.³ The Summer Enforcement Team (SET) generally consists of six deputies and a sergeant. The team is supplemented by two additional Harbor Patrol deputies who police the additional summer boating traffic with two one-man 20-foot patrol boats.

5.12.2.4 Level of Service Standards

Deployment of deputies within the County is based on an “appropriate level of service” standard. Factors used to determine the appropriate level of service for a particular area include consideration of residential population, types of crimes, statistical reports, size of area, type of land uses, actual and expected service calls, transient and visitor population and response time.

Most commonly, the County Sheriff’s Department uses an officer-to-population ratio of one officer to every 1,000 residents as a desired level of service for its service area. This ideal standard is typically applied in environmental impact reports for proposed development projects that are served by the County Sheriff’s Department as a means of developing a rough assessment of a project’s impacts on sheriff’s services. However, the officer to population ratio in Marina del Rey varies greatly as a result of the daily and seasonal influx of people into Marina del Rey and the desired officer-to-population ratio of one officer to every 1,000 residents is not applicable under these circumstances. Service in the project area is currently considered adequate.

5.12.2.5 Response Times

The County Sheriff’s Department has established an optimal response time for services of 10 minutes or less for emergency response incidents (a crime that is presently occurring and/or a life or death situation), 20 minutes or less for priority (immediate) incidents (a crime or incident that is currently occurring, but is not a life or death situation) and 60 minutes or less for routine (non-emergency) responses (a crime that has already occurred and is not a life or death situation).⁴ These response times represent the range of time required to accommodate a service call, which is measured from the time a call is received until the time a patrol car arrives at the incident scene. Response times are generally variable, particularly because the nearest responding patrol car may be located anywhere within the station’s patrol area and may not necessarily respond directly from the station itself. During the period of January 1, 2006, through January

³ Los Angeles County Sheriff’s Department, Marina del Rey station, website <http://www.lasd.org/stations/for2/mdr/aboutus.html#bike>.

⁴ Telephone interview with Terri Beatty, Regional Allocation Police Services (RAPS) Coordinator, Los Angeles County Sheriff’s Department, Santa Clarita Valley station, August 5, 2003.

30, 2007 the average response times in the Marina del Rey area specific to Marquesas Way, Tahiti Way and Via Marina averaged approximately 4 minutes for urgent response incidents, 6 minutes for priority incidents and 18 minutes for routine calls.⁵ Therefore, response times are within the optimal (as defined by the County Sheriff's Department) response time criteria.

5.12.2.6 Types of Crimes in the Marina del Rey Area

During the period of January 1, 2006, through January 1, 2007, Marina del Rey station units responded to 1,669 calls for service in Marina del Rey in the area specific to Marquesas Way, Tahiti Way and Via Marina. Forty-six percent of calls received were for disturbances (i.e., family disputes, loud music, loud vehicles, party calls, drunken persons, etc.). Thirteen percent of calls received were for miscellaneous incidents (i.e., missing persons, deceased persons, assaults, attempted suicides, etc.). One percent of calls received were for traffic-related incidents (i.e., parking violations, racing, speeding, traffic accidents, etc.). One percent of calls received were for theft-related incidents (i.e., bike thefts, vehicle thefts, grand-theft property, burglaries, etc.). The remaining percentage were designated as routine calls (checking the welfare of persons or property and responding to panic and burglar).

Staff of the Los Angeles County Sheriff's Department (Tapia, 2007, personal communication) indicate there are no law enforcement problems specific to parks in the marina when compared with residential or commercial land uses that occur in Marina del Rey. However, there can be an increase in the number of vagrants who utilize park areas during the daytime and nighttime hours.

5.12.2.7 Sheriff's Department Operational Funding

Operational funding for the County Sheriff's Department comes from tax revenues from property and sales taxes generated and deposited in the County's general fund and the State Treasury. A portion of these revenues is then allocated to maintain staffing and equipment levels for the County Sheriff's Department, including the Marina del Rey sheriff's station, in response to related demands.

5.12.3 ENVIRONMENTAL IMPACTS

5.12.3.1 Project Improvements

Implementation of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in the development of 526 residential dwelling units, nineteen-story building with 288 hotel and timeshare suites, 174 private and between 7 and 11 public-serving boat spaces and a 1.46-acre public park including a 0.47-acre restored wetland and

⁵ Ibid.

0.99-acre upland buffer. There are 136 existing apartments and 198 boat spaces presently on site. Therefore, completion of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in a net increase of 390 apartment units, 288 hotel and timeshare suites, a net decrease of up to 17 boat spaces, a 1.46-acre public park including a 0.47-acre restored wetland, and 0.99-acre upland buffer.

5.12.3.1.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

5.12.3.2 Thresholds of Significance

Based on Appendix G of the most recent update of the *State CEQA Guidelines*, impacts related to police protection services are considered significant if the project would

- result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.

5.12.3.3 Impact Analysis

5.12.3.3.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts, if applicable.

- 5.12.3.3.1.1 Threshold: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.**

Analysis:

Construction Impacts: Construction for each project element is expected to begin as early as January 2009. Neptune Marina Parcel 10R, beginning in December 2009, would require a total of approximately 33 months to complete September 2011; Neptune Marina Parcel FF, beginning construction in April 2011, would require 18 months to complete; and the Woodfin Suite Hotel and Timeshare Resort Project, commencing construction in January 2009, would require 24 months to complete. Given this construction schedule, Neptune Marina Parcel 10R would be operational in September 2012, the Neptune Marina Parcel FF would be operational in September 2012, and the Woodfin Suite Hotel and Timeshare Resort Project would be operational in January 2011.

Site development and construction would normally not require services from the County Sheriff's Department, except in the cases of trespass, theft and/or vandalism. Such activities at a construction site are usual but do not typically place undue demands on law enforcement services. Construction activity would increase traffic both on and adjacent to the project site during working hours due to commuting construction workers, trucks and other large construction vehicles that would increase traffic volumes during the AM peak hour. Slow moving construction-related traffic along local roadways may reduce optimal traffic flows and conceivably could incrementally increase response times and incrementally increase vehicle accident potential. During construction, the County Sheriff's Department would require ample access for emergency vehicles and access for sheriff's vehicles conducting routine patrol. With adequate access, response times would not be extended and the ability of deputies to provide proactive policing and efficient crime suppression would not be diminished. Implementation of standard construction-traffic control procedures such as flagmen and signage would further reduce any potential

impact. Given the temporary nature of construction-related traffic, this potential impact is considered less than significant.

The County Sheriff's Department has indicated that of the disturbance calls they have received, 35 percent of those calls were complaints from citizens regarding construction traffic and noise from the numerous construction projects in the area. During construction, the builder and contractor will be responsible for adherence to the County of Los Angeles ordinances pertaining to construction noise (refer to Title 12, Chapters 12.08 and 12.12 Los Angeles County Code).

Construction of the anchorage (Parcel 10R) may also result in temporary impacts to boat traffic and may impact Harbor Patrol services. As described in **Section 3.0, Project Description**, during construction of the anchorages, construction barges will be in the navigation channels periodically during the construction process. However, all basins will remain open during demolition and construction and proper navigational aids would be put in place, as defined by the US Coast Guard. Navigational aids such as buoys and lights shall be installed, as required by the US Coast Guard, to ensure safe access within all channels of the small-craft harbor.

Based on the above information, construction-related impacts to the County Sheriff's Department, including Harbor Patrol services, will be less than significant.

Operation Impacts; Level of Service: During project operation, the County Sheriff's Department would have the responsibility to provide police protection services for the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site. It is anticipated that demands for sheriff's services would increase above current levels upon buildout of the project.

The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would intensify development on the parcels by adding a net increase of 390 dwelling units, with a net increase in a permanent residential population of 585 persons, as discussed in **Section 5.16, Population and Housing**. In addition, there will be a transient population associated with the hotel and timeshare resort, visitors to the wetland park, the marina portion of the Neptune Marina Parcel 10R and the public-serving boat spaces associated with Parcel 9U development. This population will include guests of the residents, visitors to the marina and boat space tenants. To accommodate this demand, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project will provide 132 apartment guest parking spaces and 131 boater parking spaces. Assuming a person per vehicle ratio of 2:1, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project could generate a transient population of up to 526 persons. The County Sheriff's Department has indicated that an adequate number of parking spaces that are appropriately located will be required so

that current parking congestion in Marina del Rey is not exacerbated. A discussion of parking impacts can be found in **Section 5.7, Traffic/Access**, of this EIR. Given all County mandated parking requirements have been satisfied, parking impacts are not considered significant.

Operational Impacts; Response Times: As discussed above, County Sheriff's Department response times in the Marina del Rey area are in conformance with County Sheriff's Department optimal response time criteria.

Increased vehicle traffic generated at buildout of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project could adversely affect the operating condition of the local roadway network. Increased traffic could slow emergency response vehicles. The County Sheriff's Department anticipates reduced response times based upon heavier traffic and a denser population in the area. However, mitigation measures are provided in **Section 5.7, Traffic/Access**, of this EIR that will maintain operation of the local roadway network at levels that are consistent with County Department of Public Works standards. As measures are provided to maintain traffic flow and access, impacts are not considered significant.

Operational Impacts; Calls for Service: The residential and marina uses proposed are not new or unique to the area. However, there would be an increase in traffic as a result of project implementation. The County Sheriff's Department anticipates reduced response times and an increase in calls for service based upon heavier traffic and a denser population in the area. The sheriff's department anticipates an increase in calls for service proportional to the increase in population. The Marina del Rey station presently assigns only two one-deputy patrol cars in the Marina del Rey area per shift. The County Sheriff's Department may need to increase personnel staffing levels in order to maintain existing service levels in Marina del Rey.

Potential significant impacts to protective services could be reduced with the incorporation of security features into the project design, such as the use of appropriate landscape materials and building orientation. As proposed, the residential portion of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would incorporate numerous security features into the project design that would potentially reduce the number of calls for police protection services. Features include parking area lighting, deadbolts at each residential entry door, private courtesy patrols, controlled access via a "smart card" system to areas such as gated parking, residential entries and elevators and pre-wiring of residential units for the installation of alarm systems.

The County Sheriff's Department would also review the site design during the planning and building plan-check process with respect to lighting, landscaping, building access and visibility, street circulation,

building design and defensible space. Incorporation of the department's recommendations would further reduce the potential law enforcement and protection impacts. With the incorporation of safety design techniques into the project design, potentially significant security impacts to persons and property and calls for service to the County Sheriff's Department would be reduced to a less than significant level.

Operational Impacts; Harbor Patrol: The Neptune Marina Parcel 10R would involve construction of 174 boat spaces and end-tie spaces (a reduction of 24 spaces compared to the exiting anchorages). Development would also add between seven and 11 public-serving boat spaces. Boating activity at the new spaces is expected to be similar to current activity. This incremental reduction in vessel density may lead to an incremental reduction in the number of calls for service to the Harbor Patrol. Furthermore, in addition to the County boating laws, individual lease agreements with the boaters will include provisions for boater conduct, vessel maintenance and restrictions regarding live-aboards. The County Sheriff's Department does not foresee an increase in the calls for service for the Harbor Patrol because of the nature of the project; that is, no public (visitor) or commercial spaces are currently proposed for the project and each anchorage will have sewage pump-out hookup for tenants only. Given the above, no significant impacts to the Harbor Patrol of the County Sheriff's Department will occur.

Operational Impacts; Sheriff's Department Funding/Fiscal Impact: As the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project is developed, it would generate ground lease rent, tax revenues from property and sales taxes that would be deposited in the County's General Fund and the State Treasury. A portion of these revenues could then be allocated to maintain staffing and equipment levels for the Marina del Rey sheriff's station in response to related demands. Although the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would increase demand for sheriff's services, these service demands can be met through the allocation of revenues collected from the project using existing sources. Therefore, impacts are considered less than significant.

Based on the above information, implementation of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.

Conclusion: Less than significant.

Mitigation Measures:

- 5.12-1. Prior to construction, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project shall install navigational aids such as buoys and lights as defined by the US Coast Guard to ensure safe access within all channels of the small-craft harbor.

- 5.12-2. As part of the building permit process, the County Sheriff's Department shall review the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site design during the planning and building plan-check process with respect to lighting, landscaping, building access and visibility, street circulation, building design and defensible space. Subsequent to Sheriff's Department review, comments regarding safety design techniques shall be incorporated into the design of the project.

- 5.12-3. During construction, the builder and contractor shall adhere to the County of Los Angeles ordinances pertaining to construction noise (refer to Title 12, Chapters 12.08 and 12.12 Los Angeles County Code).

Conclusion: Less than significant.

5.12.3.3.2 Neptune Marina Parcel 10R Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts, if applicable.

5.12.3.3.2.1 Threshold: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.

Analysis:

Construction Impacts: Construction of the Neptune Marina Parcel 10R Project is expected to be initiated in January 2009 and would require 33 months to complete. Buildout of the project is anticipated to be complete in September 2011.

Site development and construction would normally not require services from the County Sheriff's Department, except in the cases of trespass, theft and/or vandalism. Such activities at a construction site are usual, but do not typically place undue demands on law enforcement services. Construction activity would increase traffic both on and adjacent to the project site during working hours due to commuting construction workers, trucks and other large construction vehicles that would increase traffic volumes during the AM peak hour. Slow moving construction-related traffic along local roadways may reduce optimal traffic flows and could conceivably incrementally increase response times and incrementally increase vehicle accident potential. During construction, the County Sheriff's Department would require ample access for emergency vehicles and access for sheriff's vehicles conducting routine patrol. With adequate access, response times would not be extended and the ability of deputies to provide proactive policing and efficient crime suppression would not be diminished. Implementation of standard construction-traffic control procedures such as flagmen and signage would further reduce any potential impact. Given the temporary nature of construction-related traffic, this potential impact is considered less than significant.

The County Sheriff's Department has indicated that of the disturbance calls they have received, 35 percent of those calls were complaints from citizens regarding construction traffic and noise from the numerous construction projects in the area. During construction, the builder and contractor will be responsible for adherence to the County of Los Angeles ordinances pertaining to construction noise (refer to Title 12, Chapters 12.08 and 12.12 Los Angeles County Code).

Construction of the anchorage may also result in temporary impacts to boat traffic and may impact Harbor Patrol services. As described in **Section 3.0, Project Description**, during construction of the anchorages, construction barges will be in the navigation channels periodically during the construction process. However, all basins will remain open during demolition and construction and proper navigational aids would be put in place, as defined by the US Coast Guard. Navigational aids such as buoys and lights shall be installed as required by the US Coast Guard to ensure safe access within all channels of the small-craft harbor.

Based on the above information, construction-related impacts to the County Sheriff's Department, including Harbor Patrol services, will be less than significant.

Operation Impacts; Level of Service: During project operation, the County Sheriff's Department would have the responsibility to provide police protection services for the Neptune Marina Parcel 10R site. It is anticipated that demands for sheriff's services would increase above current levels upon buildout of the project.

A portion of the project would intensify development on the project site by adding a net increase of 264 dwelling units, with a net increase in population of 396 persons, as discussed in **Section 5.16, Population and Housing**. In addition, there will be a transient population associated with the marina portion of the Neptune Marina Parcel 10R. This population will include guests of the residents, visitors to the marina and boat space tenants. To accommodate this demand, the Neptune Marina Parcel 10R will provide 100 guest parking spaces and 131 boater parking spaces. No public parking spaces will be provided. Assuming a person per vehicle ratio of 2:1, the Neptune Marina Parcel 10R could generate a transient population of up to 462 persons. The County Sheriff's Department has indicated that an adequate number of parking spaces that are appropriately located will be required so that current parking congestion in Marina del Rey is not exacerbated. A discussion of parking impacts can be found in **Section 5.7, Traffic/Access**, of this EIR. Given all County mandated parking requirements have been satisfied, parking impacts are not considered significant.

Operational Impacts; Response Times: As discussed above, County Sheriff's Department response times in the Marina del Rey area are in conformance with department optimal response time criteria.

Increased vehicle traffic generated at project buildout could adversely affect the operating condition of the local roadway network. Increased traffic could slow emergency response vehicles. The County Sheriff's Department anticipates reduced response times based upon heavier traffic and a denser population in the area. However, mitigation measures are provided in **Section 5.7, Traffic/Access**, of this EIR that will maintain operation of the local roadway network at levels that are consistent with County

Department of Public Works standards. As measures are provided to maintain traffic flow and access, impacts are not considered significant.

Operational Impacts; Calls for Service: The residential and marina uses proposed are not new or unique to the area. However, there would be an increase in traffic and population density as a result of project implementation. The County Sheriff's Department anticipates reduced response times and an increase in calls for service based upon heavier traffic and a denser population in the area. The County Sheriff's Department anticipates an increase in calls for service proportional to the increase in population. The Marina del Rey station presently assigns only two one-deputy patrol cars in the Marina del Rey area per shift. The County Sheriff's Department may need to increase personnel staffing levels in order to maintain existing service levels in Marina del Rey.

Potential significant impacts to protective services could be reduced with the incorporation of security features into the project design, such as the use of appropriate landscape materials and building orientation. As proposed, the residential portion of the Neptune Marina Parcel 10R would incorporate numerous security features into the project design that would potentially reduce the number of calls for police protection services. Features include parking area lighting, deadbolts at each residential entry door, private courtesy patrols, controlled access via a smart-card system to areas such as gated parking, residential entries and elevators and pre-wiring of residential units for the installation of alarm systems.

The County Sheriff's Department would also review the site design during the planning and building plan-check process with respect to lighting, landscaping, building access and visibility, street circulation, building design and defensible space. Incorporation of the department's recommendations would further reduce the potential law enforcement and protection impacts. With the incorporation of safety design techniques into the project design, potentially significant security impacts to persons and property and calls for service to the County Sheriff's Department would be reduced to a less than significant level.

Operational Impacts; Harbor Patrol: The Neptune Marina Parcel 10R would involve construction of 174 boat spaces and end-tie spaces (a reduction of 24 spaces compared to the existing anchorage). Boating activity at the new spaces is expected to be similar to current activity. This reduction in vessel density may lead to an incremental reduction in the number of calls for service to the Harbor Patrol. Furthermore, in addition to the County boating laws, individual lease agreements with the boaters will include provisions for boater conduct, vessel maintenance and restrictions regarding live-aboards. The County Sheriff's Department does not foresee an increase in the calls for service for the Harbor Patrol because of the nature of the project; that is, no public (visitor) or commercial spaces are currently proposed for the project and each anchorage will have sewage pump-out hookup for tenants only. Given the above, no significant impacts to the Harbor Patrol of the County Sheriff's Department will occur.

Operational Impacts; Sheriff's Department Funding/Fiscal Impact: As the Neptune Marina Parcel 10R is developed, it would generate ground lease rent, tax revenues from property, and sales taxes that would be deposited in the County's General Fund and the State Treasury. A portion of these revenues could then be allocated to maintain staffing and equipment levels for the Marina del Rey sheriff's station in response to related demands. Although the Neptune Marina Parcel 10R would increase demand for sheriff's services, these service demands can be met through the allocation of revenues collected from the project using existing sources. Therefore, impacts are considered less than significant.

Based on the above information, implementation of the Neptune Marina Parcel 10R would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.

Conclusion: Less than significant.

Mitigation Measures:

- 5.12-4. Prior to construction of the Neptune Marina Parcel 10R Project, navigational aids such as buoys and lights shall be installed as required by the US Coast Guard to ensure safe access within all channels of the small-craft harbor.
- 5.12-5. As part of the approval process, the County Sheriff's Department shall review the Neptune Marina Parcel 10R site design during the planning and building plan-check process with respect to lighting, landscaping, building access and visibility, street circulation, building design and defensible space. Subsequent to Sheriff's Department review, comments regarding safety design techniques shall be incorporated into the design of the project.
- 5.12-6. During construction, the builder and contractor shall adhere to the County of Los Angeles ordinances pertaining to construction noise (refer to Title 12, Chapters 12.08 and 12.12 Los Angeles County Code).

Conclusion: Less than significant.

5.12.3.3.3 Neptune Marina Parcel FF Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts, if applicable.

5.12.3.3.3.1 Threshold: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.

Analysis:

Construction Impacts: Construction of the Neptune Marina Parcel FF is expected to be initiated in April 2010 and would require approximately 18 months to complete. Buildout of the project is anticipated to occur in September 2011.

Site development and construction would normally not require services from the County Sheriff's Department, except in the cases of trespass, theft and/or vandalism. Such activities at a construction site are usual, but do not typically place undue demands on law enforcement services. Construction activity would increase traffic both on and adjacent to the project site during working hours due to commuting construction workers, trucks and other large construction vehicles that would increase traffic volumes during the AM peak hour. Slow moving construction-related traffic along local roadways may reduce optimal traffic flows and could conceivably incrementally increase response times and incrementally increase vehicle accident potential. During construction, the County Sheriff's Department would require ample access for emergency vehicles and access for sheriff's vehicles conducting routine patrol. With adequate access, response times would not be extended and the ability of deputies to provide proactive policing and efficient crime suppression would not be diminished. Implementation of standard construction-traffic control procedures such as flagmen and signage would further reduce any potential impact. Given the temporary nature of construction related traffic, this potential impact is considered less than significant.

The County Sheriff's Department has indicated that of the disturbance calls they have received, 35 percent of those calls were complaints from citizens regarding construction traffic and noise from the numerous construction projects in the area. During construction, the builder and contractor will be responsible for adherence to the County of Los Angeles ordinances pertaining to construction noise (refer to Title 12, Chapters 12.08 and 12.12 Los Angeles County Code).

Based on the above information, construction-related impacts to the County Sheriff's Department would be less than significant.

Operation Impacts; Level of Service: During project operation, the County Sheriff's Department would have the responsibility to provide police protection services for the Neptune Marina Parcel FF site. It is anticipated that demands for sheriff's services in the project area would increase above current levels upon buildout of the project.

A portion of the project would intensify development on the project site by adding an increase of 126 dwelling units, with a net increase in population of 189 persons, as discussed in **Section 5.16, Population and Housing**. At this intensity, there would be a total of 32 apartment guest parking spaces required by the County parking requirements. The County Sheriff's Department has indicated that an adequate number of parking spaces that are appropriately located will be required so that current parking congestion in Marina del Rey is not exacerbated. A discussion of parking impacts can be found in **Section 5.7, Traffic/Access**, of this EIR. As this project meets all required parking standards, parking impacts are not considered significant.

Operational Impacts; Response Times: As discussed above, County Sheriff's Department response times in the Marina del Rey area are in conformance with County Sheriff's Department optimal response time criteria.

Increased vehicle traffic generated at project buildout could adversely affect the operating condition of the local roadway network. Increased traffic could slow emergency response vehicles. The County Sheriff's Department anticipates reduced response times based upon heavier traffic and a denser population in the area. However, mitigation measures are provided in **Section 5.7, Traffic/Access**, of this EIR that will maintain operation of the local roadway network at levels that are consistent with County Department of Public Works standards. As measures are provided to maintain traffic flow and access, impacts are not considered significant.

Operational Impacts; Calls for Service: The residential uses proposed are not new or unique to the area. However, there would be an increase in traffic and population density as a result of Neptune Marina Parcel FF implementation. The County Sheriff's Department anticipates reduced response times and an increase in calls for service based upon heavier traffic and a denser population in the area. The County Sheriff's Department anticipates an increase in calls for service proportional to the increase in population. The Marina del Rey station presently assigns only two, one-deputy patrol cars in the Marina del Rey area per shift. The County Sheriff's Department may need to increase personnel staffing levels in order to maintain existing service levels in Marina del Rey.

Potential significant impacts to protective services could be reduced with the incorporation of security features into project design, such as the use of appropriate landscape materials and building orientation. As proposed, the residential portion of the Neptune Marina Parcel FF would incorporate numerous security features into the project design that would potentially reduce the number of calls for police protection services. Features include parking area lighting, deadbolts at each residential entry door, private courtesy patrols, controlled access via a smart card system to areas such as gated parking, residential entries and elevators and pre-wiring of residential units for the installation of alarm systems.

The County Sheriff's Department would also review the site design during the planning and building plan-check process with respect to lighting, landscaping, building access and visibility, street circulation, building design and defensible space. Incorporation of the department's recommendations would further reduce the potential law enforcement and protection impacts. With the incorporation of safety design techniques into the project design, potentially significant security impacts to persons and property and calls for service to the County Sheriff's Department would be reduced to a less than significant level.

Operational Impacts; Harbor Patrol: The Neptune Marina Parcel FF does not have a water-related component that would result in impacts on the Harbor Patrol.

Operational Impacts; Sheriff's Department Funding/Fiscal Impact: As the Neptune Marina Parcel FF is developed, it would generate tax revenues from property and sales taxes that would be deposited in the County's General Fund and the State Treasury. A portion of these revenues could then be allocated to maintain staffing and equipment levels for the Marina del Rey sheriff's station in response to related demands. Although the Neptune Marina Parcel FF would increase demands for sheriff's services, these service demands can be met through the allocation of revenues collected from the project using existing sources. Therefore, impacts are considered less than significant.

Based on the above information, implementation of the Neptune Marina Parcel FF would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.

Conclusion: Less than significant.

Mitigation Measures:

5.12-7. As part of the approval process, the County Sheriff's Department shall review the Neptune Marina Parcel FF site design during the planning and building plan-check

process with respect to lighting, landscaping, building access and visibility, street circulation, building design and defensible space. Subsequent to Sheriff's Department review, comments regarding safety design techniques shall be incorporated into the design of the project.

- 5.12-8. During construction, the builder and contractor shall adhere to the County of Los Angeles ordinances pertaining to construction noise (refer to Title 12, Chapters 12.08 and 12.12 Los Angeles County Code).

Conclusion: Less than significant.

5.12.3.3.4 Woodfin Suite Hotel and Timeshare Resort Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts, if applicable.

5.12.3.3.4.1 Threshold: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.

Analysis:

Construction Impacts: Construction of the Woodfin Suite Hotel and Timeshare Resort is expected to be initiated in January 2009 and would require 21 months to complete. Buildout of the project is anticipated to occur in October 2010.

Site development and construction would normally not require services from the County Sheriff's Department, except in the cases of trespass, theft and/or vandalism. Such activities at a construction site are usual, but do not typically place undue demands on law enforcement services. Construction activity would increase traffic both on and adjacent to the project site during working hours due to commuting construction workers, trucks and other large construction vehicles that would increase traffic volumes during the AM peak hour. Slow moving construction-related traffic along local roadways may reduce optimal traffic flows and could conceivably incrementally increase response times and incrementally increase vehicle accident potential. During construction, the County Sheriff's Department would require ample access for emergency vehicles and access for sheriff's vehicles conducting routine patrol. With adequate access, response times would not be extended and the ability of deputies to provide proactive policing and efficient crime suppression would not be diminished. Implementation of standard construction-traffic control procedures such as flagmen and signage would further reduce any potential impact. Given the temporary nature of construction-related traffic, this potential impact is considered less than significant.

The County Sheriff's Department has indicated that of the disturbance calls they have received, 35 percent of those calls were complaints from citizens regarding construction traffic and noise from the numerous construction projects in the area. During construction, the builder and contractor will be responsible for adherence to the County of Los Angeles ordinances pertaining to construction noise (refer to Title 12, Chapters 12.08 and 12.12 Los Angeles County Code).

Based on the above information, construction-related impacts to the County Sheriff's Department, including Harbor Patrol services, will be less than significant.

Operation Impacts; Level of Service: During project operation, the County Sheriff's Department would have the responsibility to provide police protection services for the Woodfin Suite Hotel and Timeshare Resort Project site. It is anticipated that demands for sheriff's services would increase above current levels upon buildout of the project.

The project would involve a transient population of hotel guests as well as hotel employees. To accommodate this demand, the Woodfin Suite Hotel and Timeshare Resort Project would provide 360 parking spaces, 21 of which would be fee-based self-parking spaces open to the public. The County Sheriff's Department has indicated that an adequate number of parking spaces that are appropriately located shall be required so that current parking congestion in Marina del Rey is not exacerbated. A discussion of parking impacts can be found in **Section 5.7, Traffic/Access**, of this EIR. The project will accommodate the peak parking demand. Thus, no parking spillover onto area streets or into the nearby neighborhood is anticipated, and parking impacts are not considered significant.

Operational Impacts; Response Times: As discussed above, County Sheriff's Department response times in the Marina del Rey area are in conformance with County Sheriff's Department optimal response time criteria.

Increased vehicle traffic generated at buildout of the Woodfin Suite Hotel and Timeshare Resort Project could adversely affect the operating condition of the local roadway network. Increased traffic could slow emergency response vehicles. The County Sheriff's Department anticipates reduced response times based upon heavier traffic and a denser population in the area. However, mitigation measures are provided in **Section 5.7, Traffic/Access**, of this EIR that will maintain operation of the local roadway network at levels that are consistent with County Department of Public Works standards. As measures are provided to maintain traffic flow and access, impacts are not considered significant.

Operational Impacts; Calls for Service: The hotel uses proposed are not new or unique to the area. However, there would be an increase in traffic and population density as a result of project implementation. The County Sheriff's Department anticipates reduced response times and an increase in calls for service based upon heavier traffic and a denser population in the area. The sheriff's department anticipates an increase in calls for service proportional to the increase in population. The Marina del Rey station presently assigns only two one-deputy patrol cars in the Marina del Rey area per shift. The County Sheriff's Department may need to increase personnel staffing levels in order to maintain existing service levels in Marina del Rey.

Associated with construction and operation of the Woodfin Suite Hotel and Timeshare Resort Project is funding for a 1.46-acre park located in the southern portion of Parcel 9U adjacent to the hotel. As defined above, staff of the Los Angeles County Sheriff's Department (Tapia, 2007, personal communication) indicate there are no law enforcement problems specific to parks in the marina when compared with residential or commercial land uses that occur in Marina del Rey.

Potential significant impacts to protective services could be reduced with the incorporation of security features into the project design, such as the use of appropriate landscape materials and building orientation. As proposed, Woodfin Suite Hotel and Timeshare Resort Project would incorporate numerous security features into the project design that would potentially reduce the number of calls for police protection services. Features include parking area lighting and private courtesy patrols.

The County Sheriff's Department would also review the site design during the planning and building plan-check process with respect to lighting, landscaping, building access and visibility, street circulation, building design and defensible space. Incorporation of the department's recommendations would further reduce the potential law enforcement and protection impacts. With the incorporation of safety design techniques into the project design, potentially significant security impacts to persons and property and calls for service to the County Sheriff's Department would be reduced to a less than significant level.

Operational Impacts; Harbor Patrol: The Woodfin Suite Hotel and Timeshare Resort Project does not have a water-related component that would result in impacts on the Harbor Patrol.

Operational Impacts; Sheriff's Department Funding/Fiscal Impact: As the Woodfin Suite Hotel and Timeshare Resort Project is developed, it would generate ground lease payments, tax revenues from property and sales taxes that would be deposited in the County's General Fund and the State Treasury. A portion of these revenues could then be allocated to maintain staffing and equipment levels for the Marina del Rey sheriff's station in response to related demands. Although the Woodfin Suite Hotel and Timeshare Resort Project would increase demand for sheriff's services, these service demands can be met through the allocation of revenues collected from the project using existing sources. Therefore, impacts are considered less than significant.

Based on the above information, implementation of the Woodfin Suite Hotel and Timeshare Resort Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.

Conclusion: Less than significant.

Mitigation Measures:

5.12-9 As part of the approval process, the County Sheriff's Department shall review the Woodfin Suite Hotel and Timeshare Resort Project site design during the planning and building plan-check process with respect to lighting, landscaping, building access and visibility, street circulation, building design, and defensible space. Subsequent to Sheriff's Department review, comments regarding safety design techniques shall be incorporated into the design of the project.

5.12-10 During construction, the builder and contractor shall adhere to the County of Los Angeles ordinances pertaining to construction noise (refer to Title 12, Chapters 12.08 and 12.12 Los Angeles County Code).

Conclusion: Less than significant.

Police Protection Impacts and Mitigation Measures: Woodfin Suite Hotel and Timeshare Resort Project

5.12.3.3.5 1.46-Acre Restored Wetland and Public Upland Park Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts, if applicable.

5.12.3.3.5.1 Threshold: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.

Analysis:

Construction Impacts: Construction of the 1.46-acre restored wetland and public upland park is expected to be initiated in January 2010 and would require 12 months to complete. Buildout of the project is anticipated to occur in January 2011.

Site development and construction would normally not require services from the County Sheriff's Department, except in the cases of trespass, theft and/or vandalism. Such activities at a construction site are usual but do not typically place undue demands on law enforcement services. Construction activity would increase traffic both on and adjacent to the project site during working hours due to commuting construction workers, trucks and other large construction vehicles that would increase traffic volumes during the AM peak hour. Slow moving construction-related traffic along local roadways may reduce optimal traffic flows and could conceivably incrementally increase response times and incrementally increase vehicle accident potential. During construction, the County Sheriff's Department would require ample access for emergency vehicles and access for sheriff's vehicles conducting routine patrol. With adequate access, response times would not be extended and the ability of deputies to provide proactive policing and efficient crime suppression would not be diminished. Implementation of standard construction-traffic control procedures such as flagmen and signage would further reduce any potential impact. Given the temporary nature of construction-related traffic, this potential impact is considered less than significant.

The County Sheriff's Department has indicated that of the disturbance calls they have received, 35 percent of those calls were complaints from citizens regarding construction traffic and noise from the numerous construction projects in the area. During construction, the builder and contractor will be responsible for adherence to the County of Los Angeles ordinances pertaining to construction noise (refer to Title 12, Chapters 12.08 and 12.12 Los Angeles County Code).

Based on the above information, construction-related impacts to the County Sheriff's Department, including Harbor Patrol services, will be less than significant.

Operation Impacts; Level of Service: During project operation, the County Sheriff's Department would have the responsibility to provide police protection services for the 1.46-acre public park site. The project is limited to development of a 1.46-acre restored wetland and public upland park, inclusive of a 0.47-acre restored wetland and 0.99-acre upland buffer. No resident population is directly or indirectly associated with this project element. It is anticipated that demands for sheriff's services would increase above current levels upon buildout of the project. However, this increase is expected to be minimal and impacts to levels of service would be less than significant.

Operational Impacts; Response Times: As discussed above, County Sheriff's Department response times in the Marina del Rey area are in conformance with County Sheriff's Department optimal response time criteria. The project is limited to development of a 1.46-acre restored wetland and public upland park. No resident population is directly or indirectly associated with this project element. It is anticipated that demands for sheriff's services would increase above current levels upon buildout of the project. However, this increase is expected to be minimal and impacts to response times would be less than significant.

Operational Impacts; Calls for Service: The project is limited to development of a 1.46-acre restored wetland and public upland park. No resident population is directly or indirectly associated with this project element. It is anticipated that demands for sheriff's services would increase above current levels upon buildout of the project. However, this increase is expected to be minimal and impacts related to calls for service would be less than significant.

Operational Impacts; Harbor Patrol: The restored wetland and public upland buffer does not have a water-related component that would result in impacts on the Harbor Patrol.

Operational Impacts; Sheriff's Department Funding/Fiscal Impact: The project is limited to development of a 1.46-acre wetland and upland buffer. As such, no tax revenue would be generated with project operation. No resident population is directly or indirectly associated with this project element. It is anticipated that demands for sheriff's services would increase above current levels upon buildout of the project. However, this increase is expected to be minimal and impacts related to Sheriff's Department funding would be less than significant.

Based on the above information, implementation of the restored wetland and public upland park would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.

Conclusion: Less than significant.

Mitigation Measures:

5.12-11 As part of the approval process, the County Sheriff's Department shall review the 1.46-acre public park site design during the planning and building plan-check process with respect to lighting, landscaping, access and visibility, pedestrian circulation, building design, and defensible space. Subsequent to Sheriff's Department review, comments regarding safety design techniques shall be incorporated into the design of the project.

5.12-12 During construction, the builder and contractor shall adhere to the County of Los Angeles ordinances pertaining to construction noise (refer to Title 12, Chapters 12.08 and 12.12 Los Angeles County Code).

Conclusion: Less than significant.

5.12.3.3.6 Public-Serving Boat Space Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts, if applicable.

5.12.3.3.6.1 Threshold: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.

Analysis:

Construction Impacts: Construction of the public-serving boat spaces is expected to be initiated in January 2010 and would require 12 months to complete. Buildout of the project is anticipated to occur in January 2011.

Site development and construction would normally not require services from the County Sheriff's Department, except in the cases of trespass, theft, and/or vandalism. Such activities at a construction site are usual but do not typically place undue demands on law enforcement services. Construction activity would increase traffic both on and adjacent to the project site during working hours due to commuting construction workers, trucks and other large construction vehicles that would increase traffic volumes during the AM peak hour. Slow moving construction-related traffic along local roadways may reduce optimal traffic flows and could conceivably incrementally increase response times and incrementally increase vehicle accident potential. During construction, the County Sheriff's Department would require ample access for emergency vehicles and access for sheriff's vehicles conducting routine patrol. With adequate access, response times would not be extended and the ability of deputies to provide proactive policing and efficient crime suppression would not be diminished. Implementation of standard construction-traffic control procedures such as flagmen and signage would further reduce any potential impact. Given the temporary nature of construction-related traffic, this potential impact is considered less than significant.

The County Sheriff's Department has indicated that of the disturbance calls they have received, 35 percent of those calls were complaints from citizens regarding construction traffic and noise from the numerous construction projects in the area. During construction, the builder and contractor will be responsible for adherence to the County of Los Angeles ordinances pertaining to construction noise (refer to Title 12, Chapters 12.08 and 12.12 Los Angeles County Code).

Construction of the anchorage (Parcel 10R and 9U) may also result in temporary impacts to boat traffic and may impact Harbor Patrol services. As described in **Section 3.0, Project Description**, during construction of the anchorages, construction barges will be in the navigation channels periodically during the construction process. However, all basins will remain open during demolition and construction and proper navigational aids would be put in place, as defined by the US Coast Guard. Navigational aids such as buoys and lights shall be installed, as required by the US Coast Guard, to ensure safe access within all channels of the small-craft harbor.

Based on the above information, construction-related impacts to the County Sheriff's Department, including Harbor Patrol services, will be less than significant.

Operation Impacts; Level of Service: During project operation, the County Sheriff's Department would have the responsibility to provide police protection services for the public-serving boat space project site. It is anticipated that demands for sheriff's services would increase above current levels upon buildout of the project.

The public-serving boat space project would result in a transient population associated with the proposed boat spaces. To accommodate this demand, 21 public parking spaces will be provided on Woodfin Suite Hotel and Timeshare Resort. The County Sheriff's Department has indicated that an adequate number of parking spaces that are appropriately located will be required so that current parking congestion in Marina del Rey is not exacerbated. A discussion of parking impacts can be found in **Section 5.7, Traffic/Access**, of this EIR. Given all County mandated parking requirements have been satisfied, parking impacts are not considered significant.

Operational Impacts; Response Times: As discussed above, County Sheriff's Department response times in the Marina del Rey area are in conformance with County Sheriff's Department optimal response time criteria. The project is limited to development of between 7 and 11 public-serving boat spaces. No resident population is directly or indirectly associated with this project element. It is anticipated that demands for sheriff's services would increase above current levels upon buildout of the project. However, this increase is expected to be minimal and impacts to response times would be less than significant.

Operational Impacts; Calls for Service: The project is limited to development of between 7 and 11 public-serving boat spaces. No resident population is directly or indirectly associated with this project element. It is anticipated that demands for sheriff's services would increase above current levels upon buildout of the project. However, this increase is expected to be minimal and impacts related to calls for service would be less than significant.

Operational Impacts; Harbor Patrol: The public-serving boat space project would involve construction of between 7 and 11 public-serving boat spaces. Boating activity at the new spaces is expected to be similar to current activities in the marina. This incremental increase in vessel density may lead to an incremental increase in the number of calls for service to the Harbor Patrol. Furthermore, in addition to the County boating laws, individual lease agreements with the boaters will include provisions for boater conduct and vessel maintenance. As these are public-serving spaces, live-aboards are prohibited. The County Sheriff's Department does not foresee an increase in the calls for service for the Harbor Patrol because of the nature of the project; that is, no public (visitor) or commercial spaces are currently proposed for the project and each anchorage will have sewage pump-out hookup for tenants only. Given the above, no significant impacts to the Harbor Patrol of the County Sheriff's Department will occur.

Operational Impacts; Sheriff's Department Funding/Fiscal Impact: The project is limited to development of public-serving boat spaces that would accommodate between 7 and 11 boats. As such, no tax revenue would be generated with project operation. No resident population is directly or indirectly associated with this project element. It is anticipated that demands for sheriff's services would increase above current levels upon buildout of the project. However, this increase is expected to be minimal and impacts related to Sheriff's Department funding would be less than significant.

Based on the above information, implementation of the public-serving boat space project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.

Conclusion: Less than significant.

Mitigation Measures:

5.12-13. As part of the approval process, the County Sheriff's Department shall review the plans for the public-serving boat spaces during the planning and building plan-check process with respect to lighting, landscaping, access and visibility, pedestrian circulation, building design and defensible space. Subsequent to Sheriff's Department review, comments regarding safety design techniques shall be incorporated into the design of the project.

5.12-14. During construction, the builder and contractor shall adhere to the County of Los Angeles ordinances pertaining to construction noise (refer to Title 12, Chapters 12.08 and 12.12 Los Angeles County Code).

Conclusion: Less than significant.

5.12.4 CUMULATIVE IMPACTS

5.12.4.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and Other Related Projects

Cumulative impacts on police protection from the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project in conjunction with other related projects identified in **Section 4.0, Cumulative Projects**, were analyzed. For this analysis, a cumulative development scenario is compared with existing conditions. The scenario includes the Woodfin Suite Hotel and Timeshare Resort Project, the Neptune Marina Parcel 10R, the Neptune Marina Parcel FF, and other related projects. Twelve of these projects are within the Los Angeles County Sheriff's Department service boundaries. **Table 5.12-1** provides a brief description of these 12 cumulative projects.

Table 5.12-1
Related Projects within Marina del Rey Station Service Boundaries

| Project Number from Table 4.0-1 | Description | | | Existing Uses | | |
|---------------------------------|-------------|-----|-------------------------------------|---------------|-----|---------------------|
| | Area | Use | Description | Area | Use | Description |
| 9. | 600 | du | Condominium | | | |
| 10. | 158 | du | Condominium | 48,000 | sf | Car Rental Facility |
| | 3,178 | sf | Specialty Retail | | | |
| 11. | 179 | du | Apartment | 64 | du | Apartment |
| 12. | 6,236 | sf | Retail | 5,750 | sf | Retail |
| 13. | 72 | du | Apartment | 9,180 | sf | Office |
| | 368 | sf | Restaurant | 165 | sf | Restaurant |
| | 16,352 | sf | Retail | 7,500 | sf | Drive-in Bank |
| | 7,888 | sf | Office | | | |
| 14. | 147 | rm | Hotel | | | |
| 16. | 114 | du | Congregate Care Retirement Facility | 6,000 | sf | Health Club |
| | 5,000 | sf | Retail | | | |
| | 6,000 | | Marine Commercial Office | | | |
| 18. | 544 | du | Apartment | 202 | du | Apartment |
| 19. | 940 | du | Apartment | | | |
| | 82 | du | Senior Apartment | | | |
| | 4,000 | sf | Retail | | | |
| | 6,000 | sf | Commercial | | | |
| | 439 | sl | Boat | | | |

| Project Number from Table 4.0-1 | Description | | | Existing Uses | | |
|---------------------------------|-------------|------|------------------------|---------------|----------------------------|-----------|
| 20. | 351 | du | Apartment | 1,067 | Restaurant (to be removed) | |
| | 24,300 | sf | Retail | | | |
| | 266 | seat | Restaurant (10,000 sf) | | | |
| 22. | 81 | du | Condominium 1,401 | 22 | rm | Motel |
| | 37,041 | sf | Retail | 7,525 | sf | Retail |
| | | | | | 8,500 | sf |
| 23. | 478 | du | Apartment | 224 | du | Apartment |
| | 500 | sf | Retail | | | |
| | 34 | sl | Boat | | | |

Source: Crain and Associates, Impact Sciences, 2007.

du = dwelling units; rm = rooms; sf = square feet; sl = slips

The applicable threshold is listed below in bold followed by an analysis of the cumulative impacts and their potential significance. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.12.4.1.1 Threshold: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, and/or the need for 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.

Cumulative Analysis: It is anticipated that demands for sheriff's services in the project area would increase above current levels upon buildout of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and other related projects. As shown in **Section 5.16, Population and Housing** implementation of the residential portion of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would intensify development on the project site by adding a net increase of 390 dwelling units, with a net increase in population of 585 persons. Cumulative projects ongoing and planned in the Marina would increase the demand for services from the Marina del Rey station. These projects may require the permanent assignment of additional patrol cars to Marina del Rey and may necessitate additional deputy staffing. A significant impact on the current level of police protection services throughout the Marina del Rey area would occur unless the staff and equipment at the County Sheriff's Department are increased proportionately. Increased revenues from ground lease rentals, property tax and special tax revenue from the related projects can be used to fund increases in staffing and equipment. Furthermore, all proposed projects are

required to submit to the County Sheriff's Department project site designs during the planning and building plan-check process. In conformance with normal County procedures, these plans shall be reviewed by the County Sheriff's Department with respect to lighting, landscaping, building access and visibility, street circulation, building design and defensible space. Incorporation of such reviews would avoid any significant cumulative impacts to governmental facilities. Therefore, there will be no significant impacts on police staffing or equipment.

5.12.5 UNAVOIDABLE SIGNIFICANT IMPACTS

With mitigation, development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would (combined, separately, and cumulative with other projects) not significantly impact police protection services for the project site during construction or operation. The County Sheriff's Department could see an increase in demand for police protection services. However, the additional revenues generated by the project and the related projects will enable the County to increase police protection as needed to reduce the potential impacts to less than significant levels.

5.13 FIRE PROTECTION

SUMMARY

Fire protection and emergency medical response services for the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site and the surrounding area are provided by the Los Angeles County Fire Department (County Fire Department). Fire Station 110, located at 4433 Admiralty Way in Marina del Rey, is the jurisdictional company for the Marina del Rey area. Current fire protection services are provided at a level that is considered to be adequate.

Fire service to the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project inclusive of Neptune Marina Parcel 10R, the Neptune Marina Parcel FF and Woodfin Suite Hotel and Timeshare Resort Parcel 9U components of the project would be funded through payment of property taxes and special tax revenues. In addition, ground lease rentals, property tax, and special tax revenues would provide for the operation and staffing of the fire stations. Each proposed project would be required to meet County codes and requirements relative to providing adequate fire protection services to the project site during both the construction and operational stages of the projects. Also, prior to project approval, the Fire Department must review and approve all project plans to ensure adequate access and compliance with all fire code requirements as defined in the Los Angeles County Code. As a result, the project would not diminish the staffing or the response times of the existing fire station in Marina del Rey and fire stations in the surrounding area, nor would the projects create a special fire protection requirement on the site that would result in a decline in existing service levels in the Marina del Rey area. Therefore, with payment of the required property taxes, special tax revenues, and review of site plans, the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would not have significant project-specific or cumulatively considerable impacts on fire protection services in the Marina del Rey area.

5.13.1 INTRODUCTION

This section presents an overview of existing fire protection services in the Marina del Rey area. It also discusses potential impacts associated with development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project on fire protection services. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project is comprised of five parts: Neptune Marina Parcel 10R, Neptune Marina Parcel FF, Woodfin Suite Hotel and Timeshare Resort Project, a restored wetland park, and between 7 to 11 public-serving boat spaces to be constructed in Marina del Rey Basin B. Impacts are discussed for the combined project, as well as for individual development proposed on Parcels 10R, FF, and 9U (in case one was to proceed separately).

Only minor ground alterations or small structures are associated with construction and operation of the proposed 1.46-acre public park or public-serving boat spaces. Further, all plans for development of the public park and public-serving boat spaces shall be reviewed and approved by the Los Angeles County Fire Department prior to project approval. As such, there is little or no potential for these project elements to result in or have the potential for, significant impacts associated with fire safety. Therefore, with the exception of brief descriptions included in **subsection 5.13.3.3** of this draft EIR, an evaluation of project impacts for these project components only is not required, and no further assessment is incorporated in this section (**Section 5.13**) of the draft EIR.

This section also includes a discussion of the cumulative impacts of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project in conjunction with other related projects. Where impacts are identified, mitigation measures are recommended to reduce such impacts to acceptable levels. The following analysis of fire protection services is based on information provided by the County Fire Department.

5.13.2 EXISTING CONDITIONS

5.13.2.1 Los Angeles County Fire Department

The County Fire Department is the commonly used name for the Consolidated Fire Protection District of Los Angeles County. The County Fire Department provides fire protection services in Marina del Rey.

The County Fire Department provides fire prevention, fire protection and emergency services to more than 4.1 million people who reside in unincorporated areas of Los Angeles County and in the 58 district cities that contract with the County Fire Department. These services are provided as outlined in the Los Angeles County Fire Code and the General Plan Safety Elements for these various cities. The County Fire Department operates 158 fire stations in three subregions of unincorporated Los Angeles County.¹

Units from the closest available fire station usually provide emergency response. Should a significant incident occur, the County Fire Department is able to dispatch units from any station in the entire County Fire Department system, not just the station(s) closest to the site. The County Fire Department is also party to an automatic aid agreement with the fire departments of nearby cities, including the Los Angeles (City) Fire Department, the Culver City Fire Department and the Santa Monica Fire Department. Pursuant to these agreements, in the event of a significant fire event, fire responders from the other jurisdictions may be called upon to respond to emergencies within the County Fire Department service area. Similarly, County Fire Department units may be called upon to assist fire personnel in other cities.

¹ Los Angeles County Fire Department Website, <http://fire.lacounty.gov/PDFs/StatSummary.pdf>.

As shown on **Figure 5.13-1, Fire Station Location**, the County Fire Department operates one station in Marina del Rey, Fire Station 110, located at 4433 Admiralty Way. This is the closest station to the project site and, therefore, is most likely to provide initial fire protection and limited paramedic response to service calls from the project sites. Fire Station 110 is located approximately 1 mile (approximately 5 minutes) from the intersection of Via Marina and Marquesas Way.² Fire Station 110 is equipped with a three-person fire assessment engine with some limited paramedic capabilities, a two-person fireboat and a four-person truck company.³ There are no planned expansions or upgrades to this station.⁴

Fire Station 58, also part of the County Fire Department system, is located at 5757 South Fairfax Avenue in Baldwin Hills and is the second closest station to the project site. Fire Station 58 is located approximately 6 miles (approximately 14 minutes) from the project site.⁵ This station is equipped with a four-person engine and a two-person paramedic squad.⁶ There are no planned expansions or upgrades to this station.⁷

Other fire stations could provide aid in the event of an emergency. Fire stations that occur within 3 miles of the project site are listed below.

City of Los Angeles Station 63; 1930 Shell Avenue, Venice
 City of Los Angeles Station 62; 3631 Centinella Avenue, Los Angeles
 City of Los Angeles Station 51, 10435 Sepulveda Blvd., Los Angeles
 City of Los Angeles, Station 5, 6621 W. Manchester, Los Angeles
 City of Los Angeles Station 80; 6911 World Way West, Los Angeles
 City of Los Angeles Station 5; 8900 South Emerson Avenue, Los Angeles
 Santa Monica Station 122; 222 Hollister Avenue, Santa Monica
 Santa Monica Station 125; 2450 Ashland Avenue, Santa Monica
 Santa Monica, Station 121, 1444 7th Street, Santa Monica
 Culver City Station 1, 9600 Culver Blvd, Culver City
 Culver City, Station 2, 11252 Washington Blvd, Culver City
 Culver City, Station 3, 11304 Segrell Way, Culver City

The County Fire Department includes a Health Hazardous Materials Division that responds to accidental releases and improper handling, storage, transportation and disposal of hazardous materials and wastes.

² Written correspondence, David R. Leininger, Chief, Forestry Division, County of Los Angeles Fire Department, October 22, 2004.

³ Ibid.

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

The nearest hazardous materials squad is in Fire Station 105, located in the Dominguez unincorporated area east of Carson, approximately 24 miles from the project site.⁸

5.13.2.1.1 Fire Codes

The Los Angeles County Fire Code establishes standards for the distribution, design, construction and location of fire protection facilities, including systems incorporated into private development projects. These standards specify fire-flow criteria, minimum distances to fire stations, public and private specifications, and the location criteria and access provisions for fire-fighting vehicles and personnel.

5.13.2.1.2 Service Standards

County Fire department service standards are associated with the County Fire Department's Capital Resources Plans. Adequacy of fire protection services for a given area are based on a combination of assessment factors including (1) fire-flow requirements, (2) response time from available fire service facilities, and (3) the County Fire Department's judgment for anticipated frequency and nature of occurrences or needs in an area.

The level of service provided for areas within the fire district is determined by the County Fire Department. The County Fire Department uses response time guidelines for urban areas of 5 minutes for an engine, 8 minutes for a paramedic squad, and 10 minutes for a truck.⁹ Response times for the Stations 110 and 58 are within these guidelines, with the exception of the two-person paramedic squad at Station 58, which when needed, has historically had response times in excess of County Fire Department Standards in the marina area.¹⁰ It is not expected that land uses in Marina del Rey would require emergency responses from the Health Hazardous Materials unit.¹¹ Fire protection service in the project area is considered adequate for existing development/land uses.¹²

⁸ Written correspondence, David R. Leininger, Chief, Forestry Division, County of Los Angeles Fire Department, October 22, 2004.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid.

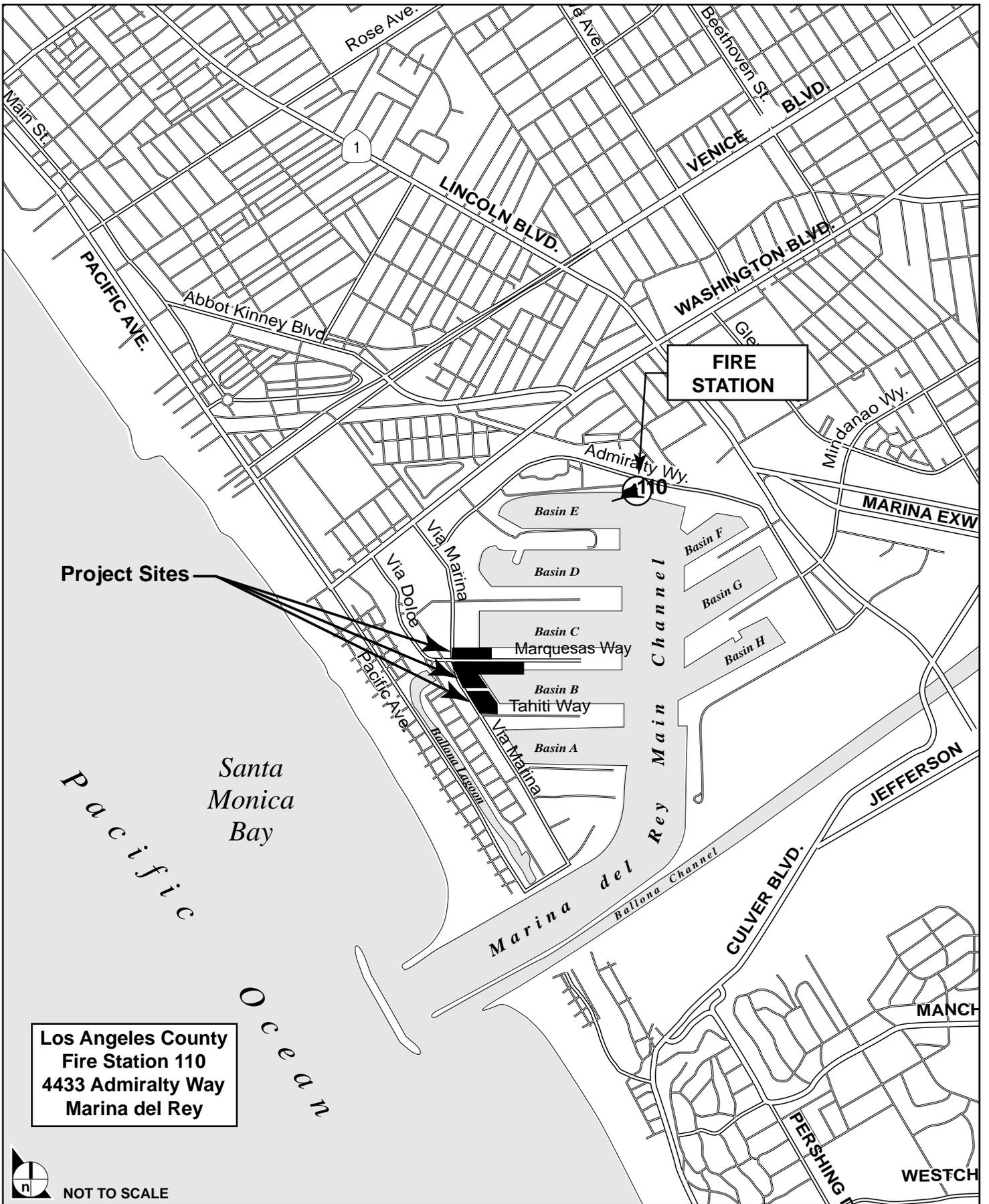


FIGURE 5.13-1

Fire Station Location

Fire Flow: The availability of sufficient on-site water pressure is a basic requirement of the County Fire Department. The County Fire Department requires sufficient capacity for fire flows of 1,250 gallons per minute (gpm) at 20 pounds per square inch (psi) residual pressure for a 2-hour duration for single-family detached homes and a minimum of 2,500 gpm at 20 psi residual pressure for a 5-hour duration for non-residential (commercial/institutional) and high-density residential uses.¹³ These rates, and rates for a proposed project, are determined based upon the size of the buildings, their relationship to other structures, property lines and type of construction. Final fire flow rates and durations for a proposed project are determined at the plan check stage.

Existing fire flows on and near the project site range from 2,400 gpm to 5,700 gpm. The existing water distribution system in Marina del Rey is operated and maintained by the Los Angeles County Department of Public Works (LACDPW) via its Waterworks and Sewer Maintenance Division. The Waterworks and Sewer Maintenance Division is currently upgrading the water distribution system for Marina del Rey. Once upgraded, fire flow and duration will be adequate to meet the fire flow capacity requirements established by the County. At present, however, fire flows are likely below the established standards for high-rise structures. Upgrades to water services are being planned but have not been scheduled and, at present, there is insufficient funding to upgrade water service in the Marina del Rey area. It is unlikely that these improvements will be accomplished within the next four years (buildout for the proposed project). It is, therefore, possible that, without improvements, fire flows will not be adequate for new development.¹⁴ An extensive discussion of fire flow capacities for the project site is also included in **Section 5.9, Water Service**.

Response Time: Response times relate directly to the time to travel the linear distance of the circulation system (i.e., mileage between a station and the location of a service site) and the County Fire Department's ability to successfully navigate access-ways within that circulation system. The County Fire Department's required maximum response times for the first arriving unit within urban areas is 5 minutes, and 8 minutes for an advance life support (paramedic) unit. Roadway congestion and intersection level of service along the response route can affect time. The County Fire Department's judgment of need is based on historic trends or comparisons from similar uses at other locations, or from past experience on the site or within the project vicinity. All these factors are interrelated and are considered together. Fire Station 110, approximately 1 mile from the project site has an engine company,

¹³ Written correspondence, David R. Leininger, Chief, Forestry Division, County of Los Angeles Fire Department, April 18, 2003.

¹⁴ Telephone conversation with Mr. Sami Kabar, Associate Civil Engineer, Los Angeles County Department of Public Works, Waterworks and Sewer Maintenance Division, March 17, 2005.

ladder truck and limited paramedic abilities. Response times are, therefore, well within County Fire Department standards.

5.13.2.2 County Fire Department Funding

The County Fire Department annually updates its five-year Capital Plan, which identifies anticipated facilities that will be needed during a five-year planning horizon. Funding for land acquisitions, facility improvements and new equipment is generated through ground lease rentals in the Marina, property taxes and special tax revenue and in part, and where applicable, through the County Fire Department's Developer Fee Program. Developer Fee Programs do not apply to projects in Marina del Rey, and as such, improvements to fire facilities in Marina del Rey are funded through the property taxes and special tax revenues (Kolker, 2005).

5.13.3 ENVIRONMENTAL IMPACTS

5.13.3.1 Project Improvements

Implementation of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in the development of 526 residential dwelling units, nineteen-story building with 288 hotel and timeshare suites, 174 private and between 7 and 11 public-serving boat spaces and a restored public wetland and upland park area. There are 136 existing apartments and 198 boat spaces presently on site. Therefore, completion of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in a net increase of 390 apartment units, 288 hotel and timeshare suites, a net decrease of up to 17 boat spaces, a 1.46-acre public park containing a restored wetland and upland buffer.

5.13.3.2 Threshold of Significance

Based on Appendix G of the most recent update of the *State California Environmental Quality Act (CEQA) Guidelines*, impacts related to fire protection services are considered significant if either project would

- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.

5.13.3.3 Impact Analysis

5.13.3.3.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

- 5.13.3.3.1.1 Threshold: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.**

Analysis:

Construction Impacts: During construction, a large amount of wood framing and other flammable construction materials would be present on the project site(s). In association with framing operations, electrical, plumbing, communications, and ventilation systems would be installed in each structure. Although rare, fires do occur at construction sites. It is expected that the electrical, plumbing and mechanical systems for the development would be properly installed during framing operations. These potentially hazardous systems would be subject to County codes and inspection by County personnel prior to installation of drywall. In addition, construction sites would incorporate fencing, private security services and would be subject to County requirements relative to water availability and accessibility to fire fighting equipment. Therefore, project mitigation and adherence to County codes and requirements during construction would reduce the potential for fire hazards at the project site during construction to below the threshold of significance.

In addition, construction traffic would occur on and near the project site during working hours due to commuting construction workers, trucks and other large construction vehicles that would increase traffic volumes during the AM peak hour. Slow-moving, construction-related traffic on local adjacent roadways may temporarily reduce optimal traffic flows on local roadways and could conceivably incrementally increase response times and increase vehicle accident potential. This impact is not considered significant given the temporary nature of any construction-related traffic. Further, with the use of flagmen and other standard construction practices such as traffic detour plans, haul routes, hours of operation, protective devices, warning signs, and access to abutting properties during construction, no significant impacts will occur.

Demolition and construction of the boat spaces (Neptune Marina Parcel 10R only) would necessitate the use of barges to transport demolition and construction materials. The County Fire Department recommends that the barge operators communicate with Fire Station 110 to apprise the County Fire Department of their intent to be in the marina, place the barges in an area least likely to disrupt vessel traffic and provide safety lighting at night so that other boaters do not hit the barge, to reduce potential impacts.¹⁵ No significant impacts will occur with implementation of the above-mentioned safety measures and given the temporary nature of the use of the barges.

Operation Impacts; Response Time: Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site is within an existing County Fire Department service area that is considered to have adequate response times, with the exception of the paramedic squad at Fire Station 58 (the second nearest County fire station). This station's paramedic squad when needed has historically had response times in excess of County standards when responding to calls in the marina. As previously mentioned, the County Fire Department's required maximum response times for urban areas are five minutes for an engine, eight minutes for a paramedic squad and 10 minutes for a truck. County Fire Station 110, equipped with a three-person fire assessment engine with some limited paramedic capabilities, a two-person boat and a four-person truck company is located approximately 1 mile (approximately 5 minutes) from the intersection of Via Maria and Marquesas Way. Paramedic Squad 58's unusually long response time to the project area is mitigated somewhat by the paramedic capabilities available at Fire Station 110.¹⁶ The project would be required to comply with all County codes and regulations regarding access requirements for high-density residential areas and design standards for fire prevention (e.g., emergency plans and evacuation routes).

Increased vehicle traffic generated at buildout of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project could adversely affect the operating condition of the local roadway network. Increased traffic could slow emergency response times. Mitigation measures for project-generated traffic are provided in **Section 5.7, Traffic/Access**, of this EIR. Given that the site is within an existing response district and measures are provided to maintain traffic flow and access, no significant impacts would occur when compared with accepted response time criteria.

¹⁵ Telephone conversation with Jim Wright, Fire Boat Engineer, Fire Station 110, County of Los Angeles Fire Department, April 21, 2005.

¹⁶ Written correspondence, David R. Leininger, Chief, Forestry Division, County of Los Angeles Fire Department, October 22, 2004.

Although there are no established response time standards for the fireboat at Fire Station 110, the station is proximal to the existing Anchorage's and project site.¹⁷ The applicant will submit Anchorage plans to the Harbor Master for design review to ensure that navigation and boat access are not impeded. Because the proposed project would not significantly alter the number of boat spaces, it is not expected that there will be significant new demands on the ability of the Fire Boat 110 to respond in an emergency situation.

Fire-Flow: Preliminary review of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project by the County Fire Department indicates that the maximum required fire flow would be 5,000 gpm at 20 psi residual pressure for a 5-hour duration from public fire hydrants and 2,500 gpm at 20 psi residual pressure for a 2-hour duration from private on-site fire hydrants at the Neptune Marina Apartment site as well as 5,000 gpm at 20 psi residual pressure for a 5-hour duration from public fire hydrants and 2,500 gpm at 20 psi residual pressure for a 2-hour duration from private on-site fire hydrants at the Woodfin Suite Hotel and Timeshare Resort Project site.¹⁸ The residential portion of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would require fire system sprinkler flows of 2,500 gpm. Existing fire flow levels are provided to the County Fire Department by the local water purveyor. Final required fire flows for the project would not be determined until the building plan check stage and could be lower, depending on the building design, the design of fire sprinkler systems and the proximity and capacity of fire hydrants on the project site.

Estimates from the LACDPW indicate that at present, fire flows at the project site might not meet County Fire Department standards.¹⁹ The completion of the proposed Marina del Rey water distribution system improvements would improve fire flows for the system and provide additional capacity to meet County Fire Department requirements. However, at this time, these improvements are not likely to be completed before anticipated buildout of the proposed project. Therefore, the following water improvement is included as part of the project design to address the potential fire flow capacity shortage.

Proposed on-site water improvements for the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project consist of a looped main connecting to the existing 10-inch water main along Marquesas Way east of the project site and the existing 12-inch water main along Via Marina west of the project site. Once the Marina del Rey Water System improvements are completed, this looped system will be able to support the fire flow needs for Buildings 1 through 4 and will meet County Fire Department Standards.

¹⁷ Ibid.

¹⁸ *Water Demand Report, Neptune Marina, Marina del Rey, CA, Fuscoe Engineering, Inc., March 2004.*

¹⁹ Telephone Conversation with Greg Even, Senior Civil Engineer III, Los Angeles County Department of Public Works, Waterworks and Sewer Maintenance Division. March 17, 2005.

The LACDPW has a system whereby an applicant can pay for water system upgrades in order to satisfy need for a new project. Under the LACDPW system, other subsequent developments made within a ten-year period of system improvements whose projects benefit from these improvements must reimburse the original applicant with fair share contributions. Although the County has devised this system and coordinates reimbursements, it does not itself directly reimburse the original applicant for the improvements.²⁰ An extended discussion of water supply capacity for fire flows is incorporated into **Section 5.9, Water Service**.

Special Fire Protection Problems: The only proposed uses that would create a unique type of fire protection requirement are the boat spaces; Fire Boat 110 is the appropriate response unit for these uses.²¹ Because the proposed project would be similar in type, and will result in a net reduction of boat spaces, it is not expected that there will be any additional demand on the ability of Fire Boat 110 to respond in an emergency situation. Boat fires are rare and are most often the result of faulty wiring on the boat or the dock; another cause could be arson.²² The County Fire Department recommends safety features, including the provision of access and turn-around room for Fire Boat 110, properly addressing the spaces for easy identification and the placement of fire safety hose cabinets mounted on the docks.²³ Implementation of the County Fire Department's recommendations would reduce impacts to less than significant levels. Uses planned within the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project are generally typical of residential and recreational projects throughout California and are not considered to be exceptional generators of calls for fire protection services. In general, the types and number of calls for service would be consistent with those presently occurring in the area, including kitchen fires, medical emergencies and structure fires. All such fires can be adequately suppressed with the types of fire equipment typically found at County fire stations (inclusive of Fire Station 110). Even so, increased development intensity associated with project buildout would incrementally increase demand for fire protection facilities, equipment and staffing.

The County Fire Department continually evaluates fire station placement and overall fire department services for the entire County, as well as specific areas. The County Fire Department, however, believes the impact created by in-fill development and redevelopment such as this project (as opposed to new development in previously undeveloped areas) can be reduced by the incorporation of required and/or

²⁰ Ibid.

²¹ Written correspondence, David R. Leininger, Chief, Forestry Division, County of Los Angeles Fire Department, October 22, 2004.

²² Telephone conversation with Jim Wright, Fire Boat Engineer, Fire Station 110, County of Los Angeles Fire Department, April 21, 2005.

²³ Ibid.

recommended fire mitigation measures into the proposed developments.²⁴ Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would incorporate these measures and meet all County codes and requirements relative to providing adequate fire protection to the site. Based on the above, no significant project impacts would occur with respect to special fire protection problems.

County Fire Department Funding/Fiscal Impact: As defined above, the County Fire Department annually updates its five-year Capital Plan, which identifies anticipated facilities that will be needed in Marina del Rey through a five-year planning horizon. Funding for land acquisitions, facility improvements and new equipment is generated through, ground lease rentals in the Marina, property taxes and special tax revenue and in part, and where applicable, through the County Fire Department's Developer Fee Program. Developer Fee Programs do not apply to projects in Marina del Rey, and as such, improvements to fire facilities in Marina del Rey are funded through the County's General Fund (Kolker, 2005).

Revenues collected through ground lease rentals in the Marina and normal taxes would adequately fund fire service to the proposed project. The project would be required to meet County codes and requirements relative to providing adequate fire protection services to the site during both the construction and operational stages of the project. As a result, operation of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would not diminish the staffing or the response times of existing fire stations in the Marina del Rey area and would not create a special fire protection problem on the site that would result in a decline of existing services levels in Marina del Rey.

Based on the above information, implementation of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would not result in substantial adverse physical or economic impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.

Mitigation Measures:

- 5.13-1.** Applicants associated with the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project shall submit and have approved by the County

²⁴ Telephone conversation, Danny Kolker, Planning Analyst, Planning Division, County of Los Angeles Fire Department, August 19, 1999.

of Los Angeles Fire Department prior to project approval, a Fire Safe Plan. The Fire Safe Plan shall include information regarding water flow and duration requirements, building sprinkler requirements, internal and external fire access. The applicant will provide a Conceptual Fire Safety Plan to be reviewed by the County Fire Department prior to issuance of building permits for each project. Typically, such plans, defined emergency evacuation plans and other information deemed necessary by the Fire Department. The Fire Safe Plan shall be reviewed by and incorporate all recommendations of the County Fire Department prior to project approval.

- 5.13-2.** During construction, security fencing will be installed surrounding the project site and private security services will be hired to reduce the potential for emergency medical or fire situations on the project site caused by illegal trespassing that could require a response by the County Fire Department.
- 5.13-3.** Consistent with the Fire Safe Plan, ingress/egress access for the circulation of traffic and for emergency response access shall be reviewed and approved by the County Fire Department prior to project approval.
- 5.13-4.** The development of this project shall comply with all applicable code and ordinance requirements for access, water mains, fire flows and fire hydrants.

Impacts after mitigation would be less than significant. Therefore, no further mitigation measures are proposed or are required.

5.13.3.3.2 Neptune Marina Parcel 10R Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.13.3.3.2.1 Threshold: Result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities and/or the need for 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.

Analysis:

Construction Impacts: Demolition activities on the Neptune Marina Parcel 10R site are expected to occur over a two-month period, beginning in January 2009. Construction of the project would require a total of approximately 33 months to complete. Anticipated buildout would occur in September 2011. During construction, a large amount of wood framing would occur on the project. In association with framing operations, electrical, plumbing, communications, and ventilation systems would be installed in each structure. Although rare, fires do occur at construction sites. It is expected that the electrical, plumbing and mechanical systems for the development would be properly installed during framing operations. These potentially hazardous systems would be subject to County codes and inspection by County personnel prior to installation of drywall. In addition, construction sites would incorporate fencing, private security services and would be subject to County requirements relative to water availability and accessibility to fire fighting equipment. Therefore, project mitigation and adherence to County codes and requirements during construction would reduce the potential for fire hazards at the project site during construction to below the threshold of significance.

In addition, construction traffic would occur on and near the project site during working hours due to commuting construction workers, trucks and other large construction vehicles that would increase traffic volumes during the AM peak hour. Slow-moving, construction-related traffic on local adjacent roadways may temporarily reduce optimal traffic flows on local roadways and could conceivably incrementally increase response times and increase vehicle accident potential. This impact is not considered significant given the temporary nature of any construction-related traffic. Further, with the use of flagmen and other standard construction practices such as traffic detour plans, haul routes, hours of operation, protective devices, warning signs and access to abutting properties during construction, no significant impacts will occur.

Demolition and construction of the boat spaces would necessitate the use of barges to transport demolition and construction materials. The County Fire Department recommends that the barge operators communicate with Fire Station 110 to apprise the County Fire Department of their intent to be in the marina, place the barges in an area least likely to disrupt vessel traffic and provide safety lighting at night so that other boaters do not hit the barge, to reduce potential impacts.²⁵ No significant impacts will occur with implementation of the above-mentioned safety measures and given the temporary nature of the use of the barges.

Operation Impacts; Response Time: The Neptune Marina Parcel 10R project site is within an existing County Fire Department service area that is considered to have adequate response times, with the exception of the paramedic squad at Fire Station 58 (the second nearest County fire station). This station's paramedic squad when needed has historically had response times in excess of County standards when responding to calls in the marina. As previously mentioned, the County Fire Department's required maximum response times for urban areas are 5 minutes for an engine, 8 minutes for a paramedic squad and 10 minutes for a truck. County Fire Department Station 110, equipped with a three-person fire assessment engine with some limited paramedic capabilities, a two-person boat and a four-person truck company is located approximately 1 mile (approximately five minutes) from the intersection of Via Marina and Marquesas Way. Paramedic Squad 58's unusually long response time to the project area is mitigated somewhat by the paramedic capabilities available at Fire Station 110.²⁶ The project would be required to comply with all County codes and regulations regarding access requirements for high-density residential areas and design standards for fire prevention (e.g., emergency plans and evacuation routes).

Increased vehicle traffic generated at buildout of the Neptune Marina Parcel 10R could adversely affect the operating condition of the local roadway network. Increased traffic could slow emergency response times. Mitigation measures for project-generated traffic are provided in **Section 5.7, Traffic/Access**, of this EIR. Given that the site is within an existing response district and measures are provided to maintain traffic flow and access, no significant impacts would occur when compared with accepted response time criteria.

Although there are no established response time standards for the fireboat at Fire Station 110, the station is proximal to the existing anchorage and project site.²⁷ The applicant will submit anchorage plans to the Harbor Master for design review to ensure that navigation and boat access are not impeded. Because the

²⁵ Telephone conversation with Jim Wright, Fire Boat Engineer, Fire Station 110, County of Los Angeles Fire Department, April 21, 2005.

²⁶ Written correspondence, David R. Leininger, Chief, Forestry Division, County of Los Angeles Fire Department, October 22, 2004.

²⁷ Ibid.

proposed project will result in a net reduction of boat spaces, it is not expected that there will be significant new demands on the ability of the Fire Station 110 to respond in an emergency situation.

Fire-Flow: Preliminary review of the Neptune Marina Parcel 10R by the County Fire Department indicates that the maximum required fire flow would be 5,000 gpm at 20 psi residual pressure for a 5-hour duration from public fire hydrants and 2,500 gpm at 20 psi residual pressure for a 2-hour duration from private on-site fire hydrants.²⁸ The residential portion of the Neptune Marina Parcel 10R would require fire system sprinkler flows of 2,500 gpm.²⁹ Existing fire flow levels are provided to the County Fire Department by the local water purveyor. Final required fire flows for the project would not be determined until the building plan check stage and could be lower, depending on the building design, the design of fire sprinkler systems and the proximity and capacity of fire hydrants on the project site.

Estimates from the LACDPW indicate that at present, fire flows at the project site might not meet County Fire Department standards.³⁰ The completion of the proposed Marina del Rey water distribution system improvements would improve fire flows for the system and provide additional capacity to meet County Fire Department requirements. However, at this time, these improvements are not likely to be completed before anticipated buildout of the proposed project. Therefore, the following water improvement is included as part of the project design to address the potential fire flow capacity shortage.

Proposed on-site water improvements for the Neptune Marina Parcel 10R project consist of a looped main connecting to the existing 10-inch water main along Marquesas Way east of the project site and the existing 12-inch water main along Via Marina west of the project site. Once the Marina del Rey Water System improvements are completed, this looped system will be able to support the fire flow needs for Buildings 1 through 4 and will meet County Fire Department standards.

The LACDPW has a system whereby an applicant can pay for water system upgrades in order to satisfy need for a new project. Under the LACDPW system, other subsequent developments made within a 10-year period of system improvements whose projects benefit from these improvements must reimburse the original applicant with fair share contributions. Although the County has devised this system and coordinates reimbursements, it does not itself directly reimburse the original applicant for the

²⁸ *Water Demand Report, Neptune Marina, Marina del Rey, CA, Fuscoe Engineering, Inc., March 2004.*

²⁹ *Ibid.*

³⁰ Telephone Conversation with Greg Even, Senior Civil Engineer III, Los Angeles County Department of Public Works, Waterworks and Sewer Maintenance Division. March 17, 2005.

improvements.³¹ An extended discussion of water supply capacity for fire flows is incorporated into **Section 5.9, Water Service**.

Special Fire Protection Problems: The only proposed uses that would create a unique type of fire protection requirement are the boat spaces; Fire Boat 110 is the appropriate response unit for these uses.³² Because the proposed project would be similar in type, and will result in a net reduction of boat spaces, it is not expected that there will be any additional demand on the ability of Fire Boat 110 to respond in an emergency situation. Boat fires are rare and are most often the result of faulty wiring on the boat or the dock; another cause could be arson.³³ The County Fire Department recommends safety features, including the provision of access and turn-around room for Fire Boat 110, properly addressing the spaces for easy identification and the placement of fire safety hose cabinets mounted on the docks.³⁴

Implementation of the County Fire Department's recommendations would reduce impacts to less than significant levels. Uses planned within the Neptune Marina Parcel 10R project are generally typical of residential and recreational projects throughout California and are not considered to be exceptional generators of calls for fire protection services. In general, the types and number of calls for service would be consistent with those presently occurring in the area, including kitchen fires, medical emergencies and structure fires. All such fires can be adequately suppressed with the types of fire equipment typically found at County fire stations (inclusive of Fire Station 110). Even so, increased development intensity associated with project buildout would incrementally increase demand for fire protection facilities, equipment and staffing.

The County Fire Department continually evaluates fire station placement and overall fire department services for the entire County, as well as specific areas. The County Fire Department, however, believes the impact created by in-fill development and redevelopment such as this project (as opposed to new development in previously undeveloped areas) can be reduced by the incorporation of required and/or recommended fire mitigation measures into the proposed developments.³⁵ The Neptune Marina Parcel 10R Project would incorporate these measures and meet all County codes and requirements relative to providing adequate fire protection to the site. Based on the above, no significant project impacts would occur with respect to special fire protection problems.

³¹ Ibid.

³² Written correspondence, David R. Leininger, Chief, Forestry Division, County of Los Angeles Fire Department, October 22, 2004.

³³ Telephone conversation with Jim Wright, Fire Boat Engineer, Fire Station 110, County of Los Angeles Fire Department, April 21, 2005.

³⁴ Ibid.

³⁵ Telephone conversation, Danny Kolker, Planning Analyst, Planning Division, County of Los Angeles Fire Department, August 19, 1999.

County Fire Department Funding/Fiscal Impact: As defined above, the County Fire Department annually updates its five-year Capital Plan, which identifies anticipated facilities that will be needed in Marina del Rey through a five-year planning horizon. Funding for land acquisitions, facility improvements and new equipment is generated through ground lease rentals, property taxes, and special tax revenue and in part, and where applicable, through the County Fire Department's Developer Fee Program. Developer Fee Programs do not apply to projects in Marina del Rey, and as such, improvements to fire facilities in Marina del Rey are funded through the County's general fund (Kolker, 2005).

Revenues collected through ground lease rentals in the Marina and normal taxes would adequately fund fire service to the proposed project. The project would be required to meet County codes and requirements relative to providing adequate fire protection services to the site during both the construction and operational stages of the project. As a result, operation of the Neptune Marina Parcel 10R would not diminish the staffing or the response times of existing fire stations in the Marina del Rey area and would not create a special fire protection problem on the site that would result in a decline of existing services levels in Marina del Rey.

Based on the above information, implementation of the Neptune Marina Parcel 10R project would not result in substantial adverse physical or economic impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.

Mitigation Measures:

- 5.13-5.** Applicants associated with the Neptune Marina Parcel 10R Project shall submit and have approved by the County of Los Angeles Fire Department prior to project approval, a Fire Safe Plan. The Fire Safe Plan shall include information regarding water flow and duration requirements, building sprinkler requirements, internal and external fire access plans, defined emergency evacuation plans and other information deemed necessary by the Fire Department. The Fire Safe Plan shall be reviewed by and incorporate all recommendations of the County Fire Department prior to project approval.
- 5.13-6.** During construction, security fencing will be installed surrounding the project site and private security services will be hired to reduce the potential for emergency medical or fire situations on the project site caused by illegal trespassing that could require a response by the County Fire Department.

5.13-7. Consistent with the Fire Safe Plan, ingress/egress access for the circulation of traffic and for emergency response access shall be reviewed and approved by the County Fire Department prior to project approval.

5.13-8. The development of this project shall comply with all applicable code and ordinance requirements for access, water mains, fire flows and fire hydrants.

Impacts after mitigation would be less than significant. Therefore, no further mitigation measures are proposed or are required.

5.13.3.3 Neptune Marina Parcel FF Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.13.3.3.1 Threshold: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.

Analysis:

Construction Impacts: Demolition activities on the Neptune Marina Parcel FF site are expected to occur over a two-week period, beginning in April 2010. Construction of the project would require a total of approximately 18 months to complete. Buildout of the project is anticipated to occur in September 2011. Buildout of the project is anticipated to occur in September 2011.

A large amount of wood framing would occur on the project site during construction. In association with the framing operations, electrical, plumbing, communications, and ventilation systems would be installed in each structure. Although rare, fires do occur at construction sites. It is expected that the electrical, plumbing and mechanical systems for the development would be properly installed during framing operations. These potentially hazardous systems would be subject to County codes and inspection by County personnel prior to installation of drywall. In addition, construction sites would incorporate perimeter fencing, private security services and would be subject to County requirements relative to water availability and accessibility to fire fighting equipment. Therefore, project mitigation and adherence to County codes and requirements during construction would reduce the potential for fire hazards at the project site during construction to below the threshold of significance.

In addition, construction traffic would occur on and near the project site during working hours due to commuting construction workers, trucks and other large construction vehicles that would increase traffic volumes during the AM peak hour. Slow-moving, construction-related traffic on local adjacent roadways may temporarily reduce optimal traffic flows on local roadways and could, conceivably, incrementally increase response times and incrementally increase vehicle accident potential. This impact is not considered significant given the temporary nature of any construction-related traffic. With the use of flagmen and other standard construction practices such as traffic detour plans, haul routes, hours of

operation, protective devices, warning signs and access to abutting properties during construction, no significant impacts will occur.

Operation Impacts; Response Time: The Neptune Marina Parcel FF site is within an existing fire department service area that is considered to have adequate response times, with the exception of the paramedic squad at Fire Station 58. This station's paramedic squad when needed has historically had response times in excess of County standards when responding to calls in the marina. As previously mentioned, the County Fire Department's required maximum response times for urban areas are 5 minutes for an engine, 8 minutes for a paramedic squad, and 10 minutes for a truck. County Fire Station 110, equipped with a three-person fire assessment engine with some limited paramedic capabilities, a two-person boat and a four-person truck company is located approximately 1 mile (approximately five minutes) from the intersection of Via Maria and Marquesas Way. Paramedic Squad 58's unusually long response time to the project area is mitigated somewhat by the paramedic capabilities available at Fire Station 110.³⁶ The project would be required to comply with all County codes and regulations regarding access requirements for high-density residential areas and design standards for fire prevention (e.g., emergency plans and evacuation routes).

Increased vehicle traffic generated at buildout of the Neptune Marina Parcel FF could adversely affect the operating condition of the local roadway network. Increased traffic could slow emergency response times. Mitigation measures for project-generated traffic are provided in **Section 5.7, Traffic/Access**, of this EIR. Given that the site is within an existing response district and measures are provided to maintain traffic flow and access, no significant impacts would occur when compared with accepted response time criteria.

Although there are no established response time standards for the fireboat at Fire Station 110, the station is adequate to respond to the existing usage of the anchorage at the project site.³⁷ The applicant will submit anchorage plans to the Harbor Master for design review to ensure that navigation and boat access are not impeded. Because the proposed project will result in a net reduction of boat spaces, it is not expected that there will be additional demands on the ability of the Fire Boat 110 to respond in an emergency situation.

Fire-Flow: Preliminary review of the Neptune Marina Parcel FF Project by the County Fire Department indicates that the maximum required fire flow would be 5,000 gpm at 20 psi residual pressure for a 5-hour duration from public fire hydrants and 2,500 gpm at 20 psi residual pressure for a 2-hour duration

³⁶ Written correspondence, David R. Leininger, Chief, Forestry Division, County of Los Angeles Fire Department, October 22, 2004.

³⁷ Ibid.

from private on-site fire hydrants.³⁸ Neptune Marina Parcel FF project would require fire system sprinkler flows of 2,500 gpm.³⁹ Existing fire flow levels are provided to the County Fire Department by the local water purveyor. Final required fire flows for the project would not be determined until the building plan check stage and could be lower, depending on the building design, the design of fire sprinkler systems and the proximity and capacity of fire hydrants on the project site.

Estimates from the LACDPW indicate that at present, fire flows at the project site might not meet County Fire Department standards.⁴⁰ The completion of the proposed Marina del Rey water distribution system improvements would enhance fire flows for the system and provide additional capacity to meet County Fire Department requirements. However, at this time, these improvements are not likely to be completed before anticipated buildout of the proposed project. Therefore, the following water improvement is included as part of the project design to address the potential fire flow capacity shortage.

Proposed on-site water improvements for the Neptune Marina Parcel FF consist of a looped main connecting to the existing 10-inch water main along Marquesas Way east of the project site and the existing 12-inch water main along Via Marina west of the project site. Once the Marina del Rey Water System improvements are completed, this looped system will be able to support the fire flow needs for the project and will meet County Fire Department Standards.

LACDPW has a system whereby an applicant can pay for water system upgrades in order to satisfy need for a new project. Under the DPW system, other subsequent developments made within a 10-year period of system improvements whose projects benefit from these improvements must reimburse the original applicant with fair share contributions. Although the County has devised this system and coordinates reimbursements, it does not itself directly reimburse the original applicant for the improvements.⁴¹ An extended discussion of water supply capacity for fire flows is incorporated into **Section 5.9, Water Service**.

Special Fire Protection Problems: There are no proposed uses that would require special fire protection. Although the property borders the waters of Basin C, it is not anticipated that Fire Boat 110 would respond to fires due to the adequacy of access for County Fire Department vehicles provided by existing roads and the proposed Waterfront Stroll Promenade. Uses planned within the Neptune Marina Parcel FF are generally typical of residential and recreational projects throughout California and are not

³⁸ *Water Demand Report, Neptune Marina, Marina del Rey, CA, Fuscoe Engineering, Inc., March 2004.*

³⁹ *Ibid.*

⁴⁰ Telephone Conversation with Greg Even, Senior Civil Engineer III, Los Angeles County Department of Public Works, Waterworks and Sewer Maintenance Division. March 17, 2005.

⁴¹ *Ibid.*

considered to be exceptional generators of calls for fire protection services. In general, the types and number of calls for service would be consistent with those presently occurring in the area, including kitchen fires, medical emergencies and structure fires. All such fires can be adequately suppressed with the types of fire equipment typically found at County fire stations (inclusive of Fire Station 110). Even so, increased development intensity associated with project buildout would increase demand for fire protection facilities, equipment and staffing.

The County Fire Department continually evaluates fire station placement and overall fire department services for the entire County, as well as specific areas. The County Fire Department, however, believes the impact created by in-fill development and redevelopment such as this project (as opposed to new development in previously undeveloped areas) can be reduced by the incorporation of required and/or recommended fire mitigation measures into the proposed developments.⁴² The Neptune Marina Parcel FF would incorporate these measures and meet all County codes and requirements relative to providing adequate fire protection to the site. Based on the above, no significant project impacts would occur with respect to special fire protection problems.

County Fire Department Funding/Fiscal Impact: As defined above, the County Fire Department annually updates its five-year Capital Plan, which identifies anticipated facilities that will be needed in Marina del Rey through a five-year planning horizon. Funding for land acquisitions, facility improvements and new equipment is generated through ground lease rentals, property taxes and special tax revenue and in part, and where applicable, through the County Fire Department's Developer Fee Program. Developer Fee Programs do not apply to projects in Marina del Rey, and as such, improvements to fire facilities in Marina del Rey are funded through the County's general fund (Kolker, 2005).

Revenues collected from ground lease rental in the Marina and normal taxes would adequately fund fire service to the proposed project. The project would be required to meet County codes and requirements relative to providing adequate fire protection services to the site during both the construction and operational stages of the project. As a result, operation of the Neptune Marina Parcel FF would not diminish the staffing or the response times of existing fire stations in the Marina del Rey area and would not create a special fire protection problem on the site that would result in a decline of existing services levels in Marina del Rey.

Based on the above information, implementation of the Neptune Marina Parcel FF would not result in substantial adverse physical or economic impacts associated with the provision of new or

⁴² Telephone conversation with Danny Kolker, Planning Analyst, Planning Division, County of Los Angeles Fire Department, August 19, 1999.

physically-altered governmental facilities and/or the need for 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.

Mitigation Measures:

- 5.13-9.** Applicants associated with the Neptune Marina Parcel FF project shall submit and have approved by the County of Los Angeles Fire Department prior to project approval, a Fire Safe Plan. The Fire Safe Plan shall include information regarding water flow and duration requirements, building sprinkler requirements, internal and external fire access plans, defined emergency evacuation plans and other information deemed necessary by the Fire Department. The Fire Safe Plan shall be reviewed by and incorporate all recommendations of the County Fire Department prior to project approval.
- 5.13-10.** During construction, security fencing will be installed surrounding the project site and private security services will be hired to reduce the potential for emergency medical or fire situations on the project site caused by illegal trespassing that could require a response by the County Fire Department.
- 5.13-11.** Consistent with the Fire Safe Plan, ingress/egress access for the circulation of traffic and for emergency response access shall be reviewed and approved by the County Fire Department prior to project approval.
- 5.13-12.** The development of this project shall comply with all applicable code and ordinance requirements for access, water mains, fire flows and fire hydrants.

Impacts after mitigation would be less than significant. Therefore, no further mitigation measures are proposed or are required.

5.13.3.3.4 Woodfin Suite Hotel and Timeshare Resort Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.13.3.3.4.1 Threshold: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.

Analysis:

Construction Impacts: Construction of the Woodfin Suite Hotel and Timeshare Resort is expected to be initiated in January 2009 and would require 24 months to complete. Buildout of the project is anticipated to occur in January 2011.

During construction, a large amount of wood and other flammable construction materials would be present on the project site(s). In association with structural steel operations, electrical, plumbing, communications and ventilation systems would be installed in the structure. Although rare, fires do occur at construction sites. It is expected that the electrical, plumbing, and mechanical systems for the development would be properly installed during framing operations. These potentially hazardous systems would be subject to County codes and inspection by County personnel prior to installation of drywall. In addition, construction sites would incorporate fencing, private security services and would be subject to County requirements relative to water availability and accessibility to fire fighting equipment. Therefore, project mitigation and adherence to County codes and requirements during construction would reduce the potential for fire hazards at the project site during construction to below the threshold of significance.

In addition, construction traffic would occur on and near the project site during working hours due to commuting construction workers, trucks and other large construction vehicles that would increase traffic volumes during the AM peak hour. Slow-moving, construction-related traffic on local adjacent roadways may temporarily reduce optimal traffic flows on local roadways and could conceivably incrementally increase response times and increase vehicle accident potential. This impact is not considered significant given the temporary nature of any construction-related traffic. Further, with the use of flagmen and other standard construction practices such as traffic detour plans, haul routes, hours of operation, protective

devices, warning signs and access to abutting properties during construction, no significant impacts will occur.

Operation Impacts; Response Time: The Woodfin Suite Hotel and Timeshare Resort Project site is within an existing County Fire Department service area that is considered to have adequate response times, with the exception of the paramedic squad at Fire Station 58 (the second nearest County fire station). This station's paramedic squad when needed has historically had response times in excess of County standards when responding to calls in the marina. As previously mentioned, the County Fire Department's required maximum response times for urban areas are 5 minutes for an engine, 8 minutes for a paramedic squad, and 10 minutes for a truck. County Fire Station 110, equipped with a three-person fire assessment engine with some limited paramedic capabilities, a two-person boat, and a four-person truck company is located approximately 1 mile (approximately five minutes) from the intersection of Via Maria and Marquesas Way. Paramedic Squad 58's unusually long response time to the project area is mitigated somewhat by the paramedic capabilities available at Fire Station 110.⁴³ The project would be required to comply with all County codes and regulations regarding access requirements for high-density residential areas and design standards for fire prevention (e.g., emergency plans and evacuation routes).

Increased vehicle traffic generated at buildout of the Woodfin Suite Hotel and Timeshare Resort Project could adversely affect the operating condition of the local roadway network. Increased traffic could slow emergency response times. Mitigation measures for project-generated traffic are provided in **Section 5.7, Traffic/Access**, of this EIR. Given that the site is within an existing response district and measures are provided to maintain traffic flow and access, no significant impacts would occur when compared with accepted response time criteria.

Fire-Flow: Preliminary review of the Woodfin Suite Hotel and Timeshare Resort Project by the County Fire Department indicates that the maximum required fire flow would be 5,000 gpm at 20 psi residual pressure for a 5-hour duration from public fire hydrants and 2,500 gpm at 20 psi residual pressure for a 2-hour duration from private on-site fire hydrants.⁴⁴ The residential portion of the Woodfin Suite Hotel and Timeshare Resort Project would require fire system sprinkler flows of 2,500 gpm.⁴⁵ Existing fire flow levels are provided to the County Fire Department by the local water purveyor. Final required fire flows for the project would not be determined until the building plan check stage and could be lower, depending on the building design, the design of fire sprinkler systems and the proximity and capacity of fire hydrants on the project site.

⁴³ Written correspondence, David R. Leininger, Chief, Forestry Division, County of Los Angeles Fire Department, October 22, 2004.

⁴⁴ *Water Demand Report, Neptune Marina, Marina del Rey, CA*, Fuscoe Engineering, Inc., March 2004.

⁴⁵ *Ibid.*

Estimates from the LACDPW indicate that at present, fire flows at the project site might not meet County Fire Department standards.⁴⁶ The completion of the proposed Marina del Rey water distribution system improvements would improve fire flows for the system and provide additional capacity to meet County Fire Department requirements. However, at this time, these improvements are not likely to be completed before anticipated buildout of the proposed project. Therefore, the following water improvement is included as part of the project design to address the potential fire flow capacity shortage.

Proposed on-site water improvements for the Woodfin Suite Hotel and Timeshare Resort Project consist of a looped main connecting to the existing 10-inch water main along Marquesas Way east of the project site and the existing 12-inch water main along Via Marina west of the project site. Once the Marina del Rey Water System improvements are completed, this looped system will be able to support the fire flow needs for Buildings 1 through 3 and will meet County Fire Department Standards.

The LACDPW has a system whereby an applicant can pay for water system upgrades in order to satisfy need for a new project. Under the LACDPW system, other subsequent developments made within a ten-year period of system improvements whose projects benefit from these improvements must reimburse the original applicant with fair share contributions. Although the County has devised this system and coordinates reimbursements, it does not itself directly reimburse the original applicant for the improvements.⁴⁷ An extended discussion of water supply capacity for fire flows is incorporated into **Section 5.9, Water Service**.

Special Fire Protection Problems: Implementation of the County Fire Department's recommendations would reduce impacts to less than significant levels. Uses planned within the Woodfin Suite Hotel and Timeshare Resort Project are generally typical of high rise residential/hotel projects throughout California and are not considered to be exceptional generators of calls for fire protection services. In general, the types and number of calls for service would be consistent with those presently occurring in the area, including kitchen fires, medical emergencies and structure fires. All such fires can be adequately suppressed with the types of fire equipment typically found at County fire stations (inclusive of Fire Station 110). Even so, increased development intensity associated with project buildout would incrementally increase demand for fire protection facilities, equipment, and staffing.

The County Fire Department continually evaluates fire station placement and overall fire department services for the entire County, as well as specific areas. The County Fire Department, however, believes the impact created by in-fill development and redevelopment such as this project (as opposed to new

⁴⁶ Telephone Conversation with Greg Even, Senior Civil Engineer III, Los Angeles County Department of Public Works, Waterworks and Sewer Maintenance Division, March 17, 2005.

⁴⁷ Ibid.

development in previously undeveloped areas) can be reduced by the incorporation of required and/or recommended fire mitigation measures into the proposed developments.⁴⁸ The Woodfin Suite Hotel and Timeshare Resort Project would incorporate these measures and meet all County codes and requirements relative to providing adequate fire protection to the site. Based on the above, no significant project impacts would occur with respect to special fire protection problems.

County Fire Department Funding/Fiscal Impact: As defined above, the County Fire Department annually updates its five-year Capital Plan, which identifies anticipated facilities that will be needed in Marina del Rey through a five-year planning horizon. Funding for land acquisitions, facility improvements and new equipment is generated through ground lease rentals, property taxes, special tax revenue, and in part, and where applicable, through the County Fire Department's Developer Fee Program. Developer Fee Programs do not apply to projects in Marina del Rey, and as such, improvements to fire facilities in Marina del Rey are funded through the County's general fund (Kolker, 2005).

Revenues collected through ground lease rentals in the Marina and normal taxes would adequately fund fire service to the proposed project. The project would be required to meet County codes and requirements relative to providing adequate fire protection services to the site during both the construction and operational stages of the project. As a result, operation of the Woodfin Suite Hotel and Timeshare Resort Project would not diminish the staffing or the response times of existing fire stations in the Marina del Rey area and would not create a special fire protection problem on the site that would result in a decline of existing services levels in Marina del Rey.

Based on the above information, implementation of the Woodfin Suite Hotel and Timeshare Resort Project would not result in substantial adverse physical or economic impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.

Mitigation Measures: See comments above

Impacts after mitigation would be less than significant. Therefore, no further mitigation measures are proposed or are required.

⁴⁸ Telephone conversation, Danny Kolker, Planning Analyst, Planning Division, County of Los Angeles Fire Department, August 19, 1999.

5.13.4 CUMULATIVE IMPACTS

5.13.4.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and Other Related Projects

The cumulative impacts on fire protection from proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project, in conjunction with other related projects identified in **Section 4.0, Cumulative Projects**, were analyzed. For this analysis, a cumulative development scenario is compared with existing conditions. The scenario includes the Neptune Marina Parcel 10R project, the Neptune Marina Parcel FF project, Woodfin Suite Hotel and Timeshare Resort project, and other related projects. Fourteen of these projects are within the Los Angeles County Fire Department service boundaries. **Table 5.13-1, Related Projects in Los Angeles County**, provides a brief description of these 12 projects.

The applicable threshold is listed in bold followed by an analysis of the cumulative impacts and their potential significance. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

**Table 5.13-1
Related Projects in Los Angeles County**

| Project Number from Figure 4.0-4 | Description | | | Existing Uses | | |
|-------------------------------------------|-------------|----|----------------------------------------|---------------|----|------------------------|
| 9. | 600 | du | Condominium | | | |
| 10. | 158 | du | Condominium | 48,000 | sf | Car Rental Facility |
| | 3,178 | sf | Specialty Retail | | | |
| 11. | 179 | du | Apartment | 64 | du | Apartment |
| 12. | 6,236 | sf | Retail | 5,750 | sf | Retail |
| 13. | 72 | du | Retail | 9,180 | sf | Office |
| | 368 | sf | Restaurant | 165 | sf | Restaurant |
| | 16,352 | sf | Retail | 7,500 | sf | Drive-in Bank |
| | 7,888 | sf | Office | | | |
| 14. | 147 | rm | Hotel | | | |
| 16. | 114 | du | Congregate Care Retirement Facility | 6,000 | sf | Health Club |
| | 5,000 | sf | Retail | | | |
| | 6,000 | sf | Marine Commercial Office | | | |

| Project Number from Figure 4.0-4 | Description | | | Existing Uses | | |
|----------------------------------|-------------|------|-----------------------------------|---------------|----|----------------------------|
| 18. | 544 | du | Apartment | 202 | du | Apartment |
| 19. | 940 | du | Apartment | | | |
| | 82 | du | Senior Apartment | | | |
| | 4,000 | sf | Retail | | | |
| | 6,000 | sf | Commercial | | | |
| | 439 | sl | Boat | | | |
| 20. | 351 | du | Apartment | 1,067 | sf | Restaurant (to be removed) |
| | 24,300 | sf | Retail | | | |
| | 266 | | seat restaurant (10,000 sf) | | | |
| 23. | 478 | du | Apartment | 224 | du | Apartment |
| | 500 | sf | Retail | | | |
| | 34 | sl | Boat | | | |
| 37. | 111 | rm | Hotel | 42 | rm | Hotel |
| 38. | 132 | rm | Hotel | 12,984 | sf | Retail/Commercial |
| | 1230 | seat | Restaurant | | | |
| | 24,250 | sf | Retail | 16,149 | sf | Restaurant |
| | 5,200 | sf | Office | 17 | sl | Boat |
| | 26 | sl | Boat | | | |
| 40. | 345 | | Vessel Dry Stack Storage Facility | | | |
| | 30 | | Vessel Mast Up Storage Space | | | |
| | 1,500 | sf | Sheriff Boatwright Facility | | | |

5.13.4.1.1 Threshold: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.

Cumulative Analysis: Implementation of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and other related projects would create

increased staffing needs for existing facilities, additional fire protection facilities and possibly, relocation of existing fire protection facilities. The LUP indicates that intensified Marina del Rey development may necessitate expansion of the existing fire department services. Based on the above, a significant impact on the current level of fire protection services throughout the Marina del Rey area could occur unless equipment and personnel resources of the County Fire Department are increased proportionately. Increased revenues from ground rental in the Marina, property tax, and special tax revenue could fund increases in staffing and equipment. As these cumulative projects are developed, the level of fire protection services could be increased to keep pace with increased demands. In addition, each project is reviewed for compliance with all applicable fire codes and regulations. Provided that increased cumulative development demands are met by increases in staffing and equipment, cumulative impacts are considered less than significant.

Increases in development in the vicinity of the projects, including the Neptune Marina and other related projects, could result in an increase in the average response time for fire protection services, particularly for non-emergency calls. There would be a cumulative impact on fire services if the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and other related projects failed to implement mitigation measures reducing impacts. However, such mitigation is required, and impacts resulting from new development would be reduced by compliance with state, City and County fire codes, standards and guidelines and incorporation of project-specific mitigation measures to reduce fire protection impacts to a less than significant level, similar to the proposed project but dependent upon each site-specific requirement. Moreover, increased cumulative development demands would be met by increases in staffing and equipment, which would be funded by lease revenues and increased taxes paid by new development. Provided that increased cumulative development demands are met by increases in staffing and equipment, cumulative impacts are considered less than significant.

Increased vehicle traffic generated at buildout of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and the related projects could adversely affect the operating condition of the local roadway network. Increased cumulative traffic could slow emergency response times. Mitigation measures for cumulative traffic impacts are provided in **Section 5.7, Traffic/Access**, of this EIR. Upon implementation of these measures, no significant impacts on fire services would occur when compared with accepted response time criteria. However, if implementation of these measures is delayed or does not occur, there could be a cumulative impact on fire services under the response time criteria, and, in such case, the project's contribution would be cumulatively considerable.

Based on the above information, implementation of the Neptune Marina and other related projects would not result in cumulatively considerable adverse physical impacts associated with the provision of new or physically altered governmental facilities and/or the need for 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.

Impacts after mitigation would be less than significant. No further mitigation measures are proposed or are required.

5.13.5 UNAVOIDABLE SIGNIFICANT IMPACTS

With mitigation, development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would (combined, separately, and cumulative with other projects) not significantly impact fire protection services for the project site during construction or operation. The County Fire Department could see an increase in the demand for fire protection services. However, implementation of the recommended mitigation measures is considered full and complete mitigation of fire protection-related impacts.

5.14 LIBRARY SERVICES

SUMMARY

Library service in Marina del Rey is provided by the County of Los Angeles Public Library system. The Lloyd Taber Marina del Rey branch, located at 4533 Admiralty Way, serves the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site. Current services provided by the Lloyd Taber Marina del Rey Library are considered adequate.

Development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in 526 residential units and a net increase of 585 residents. Based on the current services level guidelines for library planning purposes of 2.75 items (books, magazines, periodicals, etc.) and 0.50 square feet of library facilities per capita¹, demands on library services and facilities from the project's anticipated increase in residents could be accommodated by the existing library in Marina del Rey. Both the Neptune Marina Parcel 10R and the Neptune Marina Parcel FF components of the project are required to pay County adopted library mitigation impact fees at the time building permits are issued to further reduce impacts from the project to a less than significant level. Based on the current library mitigation impact fee of \$772.00 per residential unit, total fees that would be collected from the project would be \$406,072.00 ($\$772.00 \times 526 \text{ units} = \$406,072.00$). Similarly, all cumulative projects located in the library service area would be required to pay the library mitigation impact fee for residential portions of their projects, thereby mitigating cumulative impacts on library facilities. Payment of this fee would constitute full mitigation, and cumulative impacts to library services would be less than significant.

5.14.1 INTRODUCTION

This section presents an overview of the existing library services in the Marina del Rey area and discusses the potential impacts to library services associated with development of the Neptune Marina Apartments and Anchorage/Woodfin Project, Neptune Marina Parcel 10R and Neptune Marina Parcel FF. This section also includes a discussion of the cumulative impacts of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project in conjunction with other related projects. Where impacts are identified, mitigation measures are recommended to reduce such impacts to acceptable levels. Information for this section was obtained through correspondence with personnel from the Staff Services Division of the County of Los Angeles Public Library, and from the Lloyd Taber Marina del Rey branch of the Los Angeles Public Library system.

¹ Telephone communication with Robert Seal, Assistant Library Administrator, Capitol Projects Unit, County of Los Angeles Public Library, Library Headquarters, June 21, 2007.

As proposed, the only project components that would directly add permanent residents to the area include the new apartment units planned on Marina del Rey Parcel 10R and FF. No permanent population can be attributed to the hotel/timeshare project, the public park or the public-serving boat spaces. Employees of the Woodfin Suite Hotel and Timeshare Resort Project are likely to use libraries near their homes rather than those in proximity to the project site. As such, this analysis of impacts to the library system is limited to the impact potential associated with the development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project inclusive of only the Neptune Marina Parcel 10R and Neptune Marina Parcel FF project components.

5.14.2 EXISTING CONDITIONS

5.14.2.1 Library Facilities

The Los Angeles County Library operates facilities and services Countywide, in both unincorporated and incorporated areas of the County. Marina del Rey is located within unincorporated Los Angeles County and is located within the County Library's Planning Area 6.²

As shown on **Figure 5.14-1, Location of Lloyd Taber Marina del Rey Library**, the County currently operates one branch library in Marina del Rey. The Lloyd Taber Marina del Rey Library, located at 4533 Admiralty Way, is approximately 7,824 square feet in size and contains approximately 80,726 items (books, video and audio titles, periodical subscriptions, etc.).³ The Lloyd Taber Marina del Rey Library has developed a "Nautical Collection" to serve the informational needs and interest of small boaters. The Nautical Collection has 5,135 circulating and reference books, 33 periodical titles, and 830 video and audio titles.⁴ The library's operating hours are as follows: closed Sundays; Mondays 11:00 AM to 7:00 PM; Tuesdays, Wednesdays and Thursdays 11:00 AM to 8:00 PM; Fridays 12:00 PM to 6:00 PM; and Saturdays 10:00 AM to 5:00 PM.⁵ The library has adequate resources and facilities to serve the existing community.⁶

² Written correspondence from Malou Rubio, Head, Staff Services, County of Los Angeles Public Library, Library Headquarters, August 30, 2004.

³ Ibid.

⁴ Los Angeles County Library website, accessed June 22, 2007. (< <http://www.colapublib.org/libs/marina/> >).

⁵ Ibid.

⁶ Telephone communication with Robert Seal, Assistant Library Administrator, Capitol Projects Unit, County of Los Angeles Public Library, Library Headquarters, June 21, 2007.

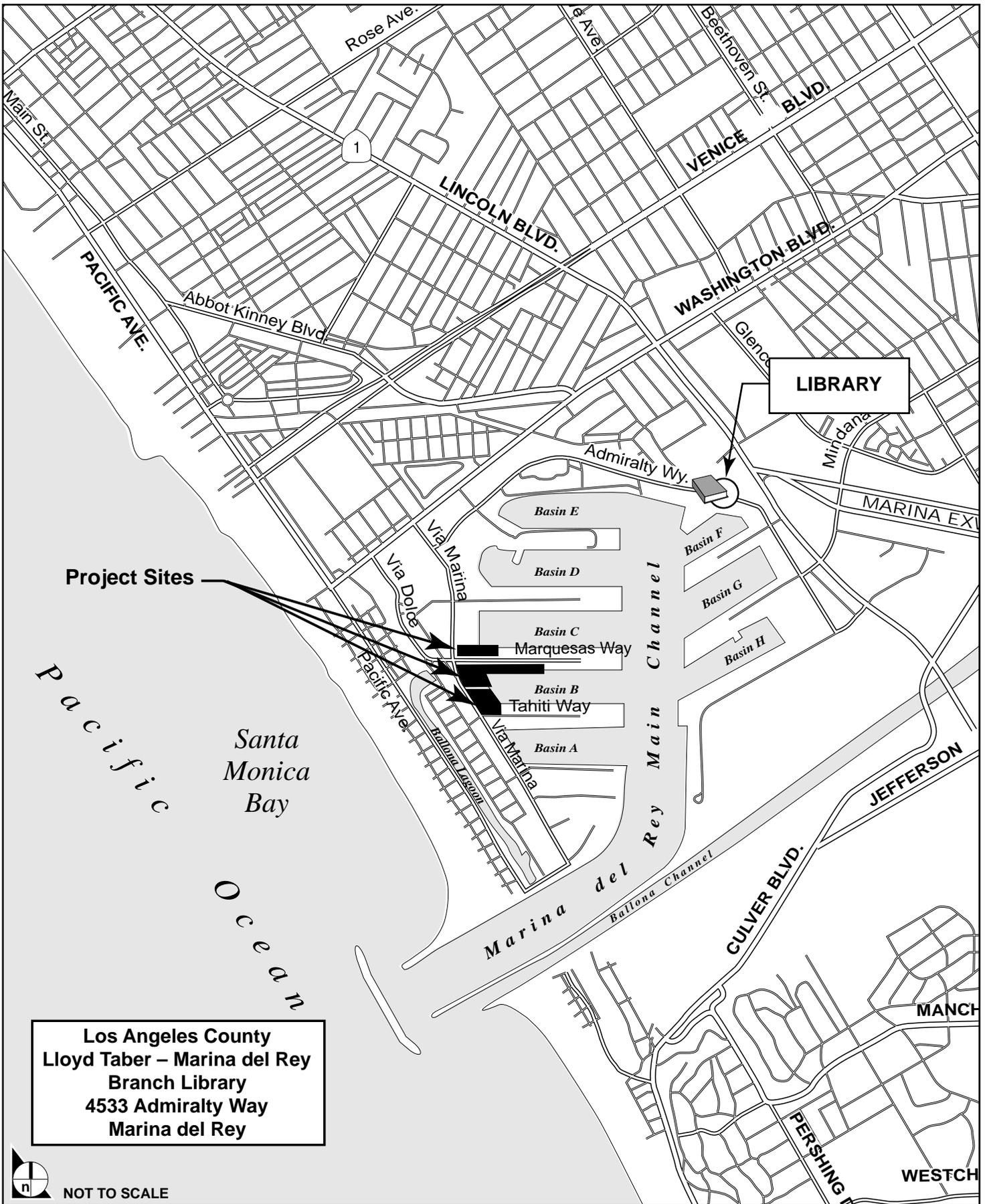


FIGURE 5.14-1

Location of Lloyd Taber - Marina del Rey Library

The population in the Marina del Rey area was estimated to be 8,309 in 2000 and is anticipated to increase by 7,747 to 16,083 in 2020.⁷ There is also a transient population associated with the Marina that may sometimes use library services. These potential users include visitors to the marina and short-term and long-term boat space users. It is unlikely that many of these visitors and boat-spaces users make use of the local library facility. The County of Los Angeles Public Library system does not have service standards for transient population, and no calculations have been included for this population in this analysis.

Other library resources may also be available to area residents, including libraries in nearby cities (i.e., Los Angeles, Santa Monica, Culver City), and libraries located at local colleges (e.g., UCLA, Loyola Marymount University, Santa Monica College), high schools and junior high schools. These library services augment County facilities by providing some residents alternative sources for library materials. It is anticipated, however, that residents of Marina del Rey would not make significant use of these alternate facilities due to the adequacy of the Lloyd Taber Marina del Rey Library and the distance to these other facilities. Additionally, many of these alternate library facilities may charge user fees or restrict use of their materials to local residents or students.

5.14.2.2 General Level of Service Standards

The Los Angeles County Library has planning guidelines for library space and items (books, periodicals, audio cassettes, videos, etc.) per capita. At the time of this writing, the guidelines are 0.50 gross square feet and 2.75 items per capita.⁸ The Lloyd Taber Marina del Rey Library currently provides 0.94 square feet and 9.72 items per capita and, therefore, has surplus capacity to accommodate additional residents without exceeding County standards.⁹

Table 5.14-1, Lloyd Taber – Marina del Rey Library Capacity, shows the capacity of the existing library to accommodate new users based on current guidelines.

⁷ Written correspondence from Malou Rubio, Head, Staff Services, County of Los Angeles Public Library, Library Headquarters, August 30, 2004.

⁸ Telephone communication with Robert Seal, Assistant Library Administrator, Capitol Projects Unit, County of Los Angeles Public Library, Library Headquarters, June 21, 2007.

⁹ Written correspondence from Malou Rubio, Head, Staff Services, County of Los Angeles Public Library, Library Headquarters, August 30, 2004.

**Table 5.14-1
Lloyd Taber – Marina del Rey Library Capacity**

| Population In 2000 | Standard per Resident | Space and Item Requirements for Existing Population | Taber - Marina Library Present Conditions | Surplus Capacity | Additional Residents Able to Accommodate |
|-----------------------|---------------------------------|--------------------------------------------------------------|-------------------------------------------------|-------------------------------|---------------------------------------------------|
| 8,309 | 0.5 gross sq. ft. 2.75 items | 4,155 sq. ft. 22,850 items | 7,824 sq. ft. 80,726 items | 3,670 sq. ft. 57,876 items | 7,339 21,046 |

Source: Impact Sciences.

5.14.2.3 Funding

Funding sources for the County Library consist of, in descending proportions, property taxes, County general fund allocation, a special tax, and revenue from fines, fees and other miscellaneous sources. The Board of Supervisors has, for several years, made an allocation to library services from the County general fund. However, there is no guarantee of ongoing funding from the County General Fund as a specific budget allocation. Decisions on funding for the County Library are made on an annual basis by the Board of Supervisors based on total available funding for all County services. Funding in the County Library’s operating budget does not provide for the replacement or the expansion of library facilities. Currently, the only funding available for the replacement or the expansion of library facilities is generated from the Developer Fee Program by payment of a library mitigation impact fee. As noted above, the Lloyd Taber Marina del Rey Library has adequate resources and facilities to serve the existing community.

In 1992, the state shifted property tax revenues from library operations to help finance education. In response to this lost revenue, in 1994 the County Board of Supervisors adopted a community facilities district for extended library services and facilities in the unincorporated areas of the County and 12 cities. On June 3, 1997, Proposition L, passed by a two-thirds majority, assesses a special yearly tax of \$22.00 per parcel for library services. As of July 1, 2004, this special tax was \$25.22 per parcel. This special tax is subject to an annual Consumer Price Index (CPI) adjustment on July 1 of each year.¹⁰

On October 27, 1998, the County Board of Supervisors established a permanent library mitigation impact fee of \$569.87 per residential unit on all new residential development to mitigate impacts to the County’s Libraries. This fee is assessed regardless of the adequacy of existing facilities. The library mitigation

¹⁰ Written correspondence from Malou Rubio, Head, Staff Services, County of Los Angeles Public Library, Library Headquarters, August 30, 2004.

impact fee in Developer Fee Area 6, which includes Marina del Rey, is \$772.00 as of July 1, 2007.¹¹ The County's library mitigation impact fee is subject to an annual CPI adjustment on July 1 of each year.¹² The library mitigation fee is assessed on all residential units built after October 27, 1998, at the time building permits are issued.

5.14.3 ENVIRONMENTAL IMPACTS

5.14.3.1 Project Improvements

5.14.3.1.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

Implementation of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in the development of 526 residential dwelling units, a 288-room hotel/timeshare resort with an assortment of patron- and visitor- serving accessory uses, 174 private and between 7 and 11 public-serving boat spaces and a 1.46-acre public park. There are 136 existing apartments and 198 boat spaces presently on site. Therefore, completion of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in a net increase of 390 apartment units, a 288-room hotel/timeshare resort with an assortment of patron- and visitor- serving accessory uses, a net decrease of up to 17 boat spaces, and a 1.46-acre public park consisting of a 0.46-acre restored wetland and 0.99-acre upland buffer.

5.14.3.2 Thresholds of Significance

Based on Appendix G of the most recent update of the *State California Environmental Quality Act (CEQA) Guidelines* and the County's service level guidelines, impacts related to libraries are considered significant if either project would

- result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, and/or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios; or
- result in less than 0.50 gross square feet of library facilities and 2.75 library material items (books, periodicals, audio cassettes, videos, etc.) per capita.

¹¹ Telephone communication with Robert Seal, Assistant Library Administrator, Capitol Projects Unit, County of Los Angeles Public Library, Library Headquarters, June 21, 2007.

¹² Ibid.

5.14.3.3 Impact Analysis

5.14.3.3.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

The applicable thresholds of significance are listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts, if applicable.

5.14.3.3.1.1 Threshold: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, and/or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios; or

Threshold: Result in less than 0.50 gross square feet of library facilities and 2.75 library material items (books, periodicals, audio cassettes, videos, etc.) per capita.

Analysis:

Construction Impacts: Construction activities associated with the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would not generate a permanent residential population. Therefore, no significant library impacts will occur as a result of project construction.

Operation Impacts; Level of Service: Implementation of the residential portion of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project (Parcels 10R and FF only) would intensify development on the project site by adding a net increase of 390 dwelling units, with a net increase in population of 585 persons, as discussed in **Section 5.16, Population and Housing**.

The County Library uses service level planning guidelines of 0.50 gross square feet and 2.75 items (books, periodicals, audio cassettes, videos, etc.) per capita.¹³ As shown above in **Table 5.14-1**, the Lloyd Taber Marina del Rey Library is large enough to accommodate an additional 7,339 residents and can, therefore, accommodate the increased residential population from the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project. No mitigation for library space is necessary.

¹³ Telephone communication with Robert Seal, Assistant Library Administrator, Capitol Projects Unit, County of Los Angeles Public Library, Library Headquarters, June 21, 2007.

Based on the current adopted library service level guidelines of 2.75 items (books, magazines, periodicals, etc.) per capita, 1,609 items would be required to serve the net increase in residents from the Neptune Marina Project. As shown in **Table 5.14-1**, the Lloyd Taber Marina del Rey library has holdings of 57,876 items in excess the holdings requirement set forth within County standards. Therefore, there are sufficient items in the library's collection to satisfy demand generated by new residents.

Operational Impacts; Funding: The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project will be responsible for payment of the library mitigation impact fee, as previously described. Based on the current library mitigation impact fee of \$772.00 per unit, estimated fees that would be collected from the project to pay for new library construction and item purchases would be \$406,072.00 ($\$772.00 \times 526 \text{ units} = \$406,072.00$) if all proposed units are constructed.¹⁴ The fee is subject to an annual CPI in effect at the time the building permits are issued.¹⁵ The library mitigation fee is assessed on all residential units built after October 27, 1998, at the time building permits are issued. As a result, all new units would be assessed the library mitigation fee at the time building permits are issued.¹⁶ Payment of this fee would constitute full mitigation, and impacts to library services would be less than significant.

Conclusion: Less than significant.

Mitigation Measure:

5.14-1. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project applicant shall pay the library mitigation impact fee in effect at the time building permits for the project are issued (\$772.00 per residential unit as of July 1, 2007). Fees are paid to Los Angeles County to offset the demand for library items and building square footage generated by the proposed project.

Conclusion: Less than significant.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Telephone communication with Malaisha Hughs, Administrative Assistant III, County of Los Angeles Public Library, Library Headquarters, August 30, 2004.

5.14.3.3.2 Neptune Marina Parcel 10R Project

The applicable thresholds of significance are listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts, if applicable.

5.14.3.3.2.1 Threshold: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, and/or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios; or

Threshold: Result in less than 0.50 gross square feet of library facilities and 2.75 library material items (books, periodicals, audio cassettes, videos, etc.) per capita.

Analysis:

Construction Impacts: Construction activities associated with the Neptune Marina Parcel 10R would not generate a permanent residential population. Therefore, no significant library impacts will occur as a result of project construction.

Operation Impacts; Level of Service: Implementation of the residential portion of the Neptune Marina Parcel 10R would intensify development on the project site by adding a net increase of 264 dwelling units, with a net increase in population of 396 persons, as discussed in **Section 5.16, Population and Housing**.

The County Library uses service level planning guidelines of 0.50 gross square feet and 2.75 items (books, periodicals, audio cassettes, videos, etc.) per capita.¹⁷ As shown above in **Table 5.14-1**, the Lloyd Taber Marina del Rey Library is large enough accommodate an additional 7,339 residents and can, therefore, accommodate the increased residential population from the Neptune Marina Parcel 10R. No mitigation for library space is necessary. Based on the current library planning guideline of 2.75 items (books, magazines, periodicals, etc.) per capita, 1,089 items would be required to serve the net increase in residents from the Neptune Marina Parcel 10R. As shown in **Table 5.14-1**, the Lloyd Taber Marina del Rey library has holdings of 57,876 items in excess of County standards. Therefore, there are sufficient items in the library's collection to satisfy demand generated by new residents.

¹⁷ Telephone communication with Robert Seal, Assistant Library Administrator, Capitol Projects Unit, County of Los Angeles Public Library, Library Headquarters, June 21, 2007.

Operational Impacts; Funding: The Neptune Marina Parcel 10R will be responsible for payment of the library mitigation impact fee, as previously described. Based on the current library mitigation impact fee of \$772.00 per unit, the estimated fees that would be collected from the project to pay for new library construction and item purchases would be \$308,800.00 ($\$772.00 \times 400 \text{ units} = \$308,800.00$) if all proposed units are constructed.¹⁸ The fee is subject to an annual CPI in effect at the time the building permits are issued.¹⁹ The library mitigation fee is assessed on all residential units built after October 27, 1998, at the time building permits are issued.²⁰ Although there are currently residential units on the Neptune Marina Parcel 10R site, these units were built prior to October 27, 1998, and, therefore, were never assessed the library mitigation fee. As a result, all new units would be assessed the library mitigation fee at the time building permits are issued.²¹ Payment of this fee would constitute full mitigation, and impacts to library services would be less than significant.

Conclusion: Less than significant.

Mitigation Measure:

5.14-2. The Neptune Marina Parcel 10R applicant shall pay the library mitigation impact fee in effect at the time building permits for the project are issued (\$772.00 per residential unit as of July 1, 2007). Fees are paid to Los Angeles County to offset the demand for library items and building square footage generated by the proposed project.

Conclusion: Less than significant.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Telephone communication with Malaisha Hughs, Administrative Assistant III, County of Los Angeles Public Library, Library Headquarters, August 30, 2004.

²¹ Ibid.

5.14.3.3.3 Neptune Marina Parcel FF Project

The applicable thresholds of significance are listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts, if applicable.

5.14.3.3.3.1 Threshold: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, and/or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios; or

Threshold: Result in less than 0.50 gross square feet of library facilities and 2.75 library material items (books, periodicals, audio cassettes, videos, etc.) per capita.

Analysis:

Construction Impacts: Construction activities associated with the Neptune Marina Parcel FF would not generate a permanent residential population. Therefore, no significant library impacts will occur as a result of project construction.

Operation Impacts; Level of Service: Implementation of the residential portion of the Neptune Marina Parcel FF would intensify development on the project site by adding a net increase of 126 dwelling units, with a net increase in population of 189 persons, as discussed in **Section 5.16, Population and Housing**.

The County Library uses service level planning guidelines of 0.50 gross square feet and 2.75 items (books, periodicals, audio cassettes, videos, etc.) per capita.²² As shown above in **Table 5.14-1**, the Lloyd Taber Marina del Rey Library is large enough accommodate an additional 7,339 residents and can, therefore, accommodate the increased residential population from the Neptune Marina Parcel FF. No mitigation for library space is necessary.

Based on the current library planning guideline of 2.75 items (books, magazines, periodicals, etc.) per capita, 520 items would be required to serve the net increase in residents from the Neptune Marina Parcel FF. As shown in **Table 5.14-1**, the Lloyd Taber Marina del Rey library has holdings of 57,876 items in excess of County standards. Therefore, there are sufficient items in the library's collection to satisfy demand generated by new residents.

²² Telephone communication with Robert Seal, Assistant Library Administrator, Capitol Projects Unit, County of Los Angeles Public Library, Library Headquarters, June 21, 2007.

Operational Impacts; Funding: The Neptune Marina Parcel FF will be responsible for payment of the library mitigation impact fee, as previously described. Based on the current library mitigation impact fee of \$772.00 per unit, the estimated fees that would be collected from the project to pay for new library construction and item purchases would be \$97,272.00 ($\$772.00 \times 126 \text{ units} = \$97,272.00$) if all proposed units are constructed.²³ The fee is subject to an annual CPI in effect at the time the building permits are issued.²⁴ The library mitigation fee is assessed on all residential units built after October 27, 1998, at the time building permits are issued. As a result, all new units would be assessed the library mitigation fee at the time building permits are issued.²⁵ Payment of this fee would constitute full mitigation, and impacts to library services would be less than significant.

Conclusion: Less than significant.

Mitigation Measure:

5.14-3. The Neptune Marina Parcel FF applicant shall pay the library mitigation impact fee in effect at the time building permits for the project are issued (\$772.00 per residential unit as of July 1, 2004). Fees are paid to Los Angeles County to offset the demand for library items and building square footage generated by the proposed project.

Conclusion: Less than significant.

²³ Ibid.

²⁴ Written correspondence from Malou Rubio, Head, Staff Services, County of Los Angeles Public Library, Library Headquarters, August 30, 2004.

²⁵ Ibid.

5.14.4 Cumulative Impacts

5.14.4.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and Other Related Projects

The cumulative impacts on library services from the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project with other related projects identified in **Section 4.0, Cumulative Projects**, were analyzed. For this analysis, a cumulative development scenario is compared with existing conditions. The scenario includes the Neptune Marina Parcel 10R, the Neptune Marina Parcel FF, and other related projects occurring in the County of Los Angeles.

The applicable threshold is listed below in bold followed by an analysis of the cumulative impacts and their potential significance. Mitigation measures are also identified which would reduce or avoid potentially significant adverse impacts.

5.14.4.1.1 Threshold: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, and/or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios; or

Threshold: Result in less than 0.50 gross square feet of library facilities and 2.75 library material items (books, periodicals, audio cassettes, videos, etc.) per capita.

Cumulative Analysis: Implementation of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would intensify development on the project site by adding a net increase of 390 dwelling units, with a net increase in population of 585 persons, as discussed in **Section 5.16, Population and Housing**. Development of the other related projects, identified in **Section 4.0, Cumulative Projects**, would introduce an additional 9,326 new residents into the library service area. The total number of new residents in the Lloyd Taber Marina del Rey service area inclusive of the proposed project would be approximately 9,911. **Table 5.14-2, New Residents from Related Projects in Los Angeles County**, provides calculations of this increase in residents.

**Table 5.14-2
New Residents from Related Projects in Los Angeles County**

| Project Number from Figure 5.7-4 | Description | Anticipated New Residents |
|-------------------------------------|-----------------------------------------------|------------------------------|
| 1. | 298 du Apartment Units (net) | 447 |
| 3. | 98 du Condominium | 147 |
| 9. | 600 du Condominium | 900 |
| 10. | 158 du Condominium | 237 |
| 11. | 115 (net) du Apartment | 173 |
| 13. | 72 du Apartment | 108 |
| 16. | 115 du Congregate Care Retirement Facility | 173 |
| 18. | 342 (net) du Apartments | 513 |
| 19. | 940 du Apartment | 1,410 |
| | 82 du Senior Apartment | 123 |
| 20. | 351 du Apartment | 527 |
| 22. | 81 du Apartment | 122 |
| 23. | 254 (net) du Apartment | 381 |
| Subtotal | | 5,261 new residents |
| Neptune Marina Project | 390 du Apartment Units (net) | 585 new residents |
| TOTAL | | 5,846 new residents |

Source: Crain and Associates, Impact Sciences, 2007.

New resident numbers are based on County average of 1.5 residents per unit as documented in the Marina del Rey LUP.

As shown in **Table 5.14-3, Lloyd Taber – Marina del Rey Library Capacity with Cumulative Projects**, demand for library items from the populations associated with the Neptune Marina Project and cumulative projects would be satisfied by the current holdings at the Lloyd Taber Marina del Rey library under current service level guidelines. The existing facility is large enough and has sufficient holdings to accommodate the additional demands on library space based on current County guidelines.

Mitigation Measure: Each related project in the library service area would be required to pay the library mitigation impact fee in effect at the time building permits are issued. These fees can be used to purchase additional volumes, computers, and to fund library improvements. This would mitigate cumulative impacts on a project-by-project basis to a level that is less than significant. As all residential projects in the library service area are required to pay the library mitigation fee in effect at the time building permits are issued, cumulative impacts would be mitigated on a project-by-project basis. No additional mitigation beyond payment of the fee is required.

**Table 5.14-3
Lloyd Taber – Marina del Rey Library Capacity with Cumulative Projects**

| Residents from Cumulative Projects | Standard per Resident | Unit | Present Surplus Capacity at Taber – MDR Library²⁶ | Space and Items Needed for New Residents | Surplus Capacity with Cumulative Projects |
|-------------------------------------------|------------------------------|---------------|---------------------------------------------------------------------|-------------------------------------------------|--------------------------------------------------|
| 5,846 | 0.5 | gross sq. ft. | 7,443 sq. ft. | 2,923 sq. ft. | 4,520 sq. ft. |
| | 2.75 | items* | 85,322 items | 27,255 items | 58,067 items |

Source: *Impact Sciences, June 2007.*

* Items include books, video and audio titles, magazine and newspaper subscriptions, and other special materials.

5.14.5 UNAVOIDABLE SIGNIFICANT IMPACTS

With mitigation, development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project (combined, separately, and cumulative with other related projects) would not significantly impact the library serving the project site during operation. The Lloyd Taber – Marina del Rey Library could see an increase in demand for services. However, payment of the County mandated developer fees described above is considered full and complete mitigation of library-related impacts.

²⁶ Information from Lloyd Taber Marina Del Rey Library Web site. <http://www.colapublib.org/libs/marina/>.

5.15 PARKS AND RECREATION

SUMMARY

The County of Los Angeles Department of Beaches and Harbors operates parks and recreational facilities within Marina del Rey. The project is located within the Marina del Rey Specific Plan area. Buildout of uses allowed by the Marina del Rey Specific Plan would create a demand for an additional 14.5 acres of parkland within the specific plan area. Based on specific plan standards, development of the proposed Neptune Marina Apartments and Anchorage and Woodfin Suite Hotel and Timeshare Resort Project would require a parkland dedication of approximately 1.77 acres. As an alternative to the parkland dedication, applicants of residential projects can make payment into the Coastal Improvement Fund for parkland dedication or provide other recreational improvements within Marina del Rey.

Parcel FF is defined in the certified Local Coastal Program (LCP) as open space. The certified LCP also contains a reference to Parcel FF being developed as a future park. However, no plans to convert Parcel FF from an underutilized surface parking lot to a park are proposed or planned by the County. In addition, and consistent with provisions of the proposed project, the Marina del Rey Land Use Plan (LUP) expressly contemplates conversion of Parcel FF for development as a residential use with a replacement park being contemplated as part of the new development. Consistent with these defined provisions, a 1.46-acre public park would be constructed on the southern portion of Parcel 9U and would include a restored 0.47-acre muted tidal wetland and 0.99-acre upland buffer area that would be accessible to the public. In addition, a public-serving boat anchorage is to be constructed proximal to Parcel 9U within Marina del Rey Basin B. This public-serving anchorage would contain approximately 2,923 square feet of dock area and would provide approximately 542 linear feet of transient boat docking space. It is estimated that the public-serving anchorage will be able to provide berthing for between 7 and 11 transient boats (depending on the size of the vessels using the anchorage at any time), inclusive of side-ties for smaller dinghy boats at the north end of this proposed public-serving anchorage.

The proposed project also includes additional recreational facilities available both to residents and the general public in the form of a pedestrian waterfront promenade that would link the hotel and residential uses with the park and the adjacent marina. On-site recreational amenities would reduce project-generated demand for County-owned parks and recreational facilities. With payment of the required fee or other defined mitigation, based on County standards, project impacts on park and recreation environment are not considered significant.

5.15.1 INTRODUCTION

This section of the EIR addresses the availability of park and recreational facilities in the project area, and the proposed project's anticipated impact on those facilities. Where impacts are identified as significant,

mitigation measures are recommended to reduce these impacts to acceptable levels. The following analysis is based on information contained in the Marina del Rey Specific Plan, as well as correspondence with personnel from the County of Los Angeles Department of Parks and Recreation, County of Los Angeles Department of Beaches and Harbors, and County of Los Angeles Department of Public Works.

5.15.2 EXISTING CONDITIONS

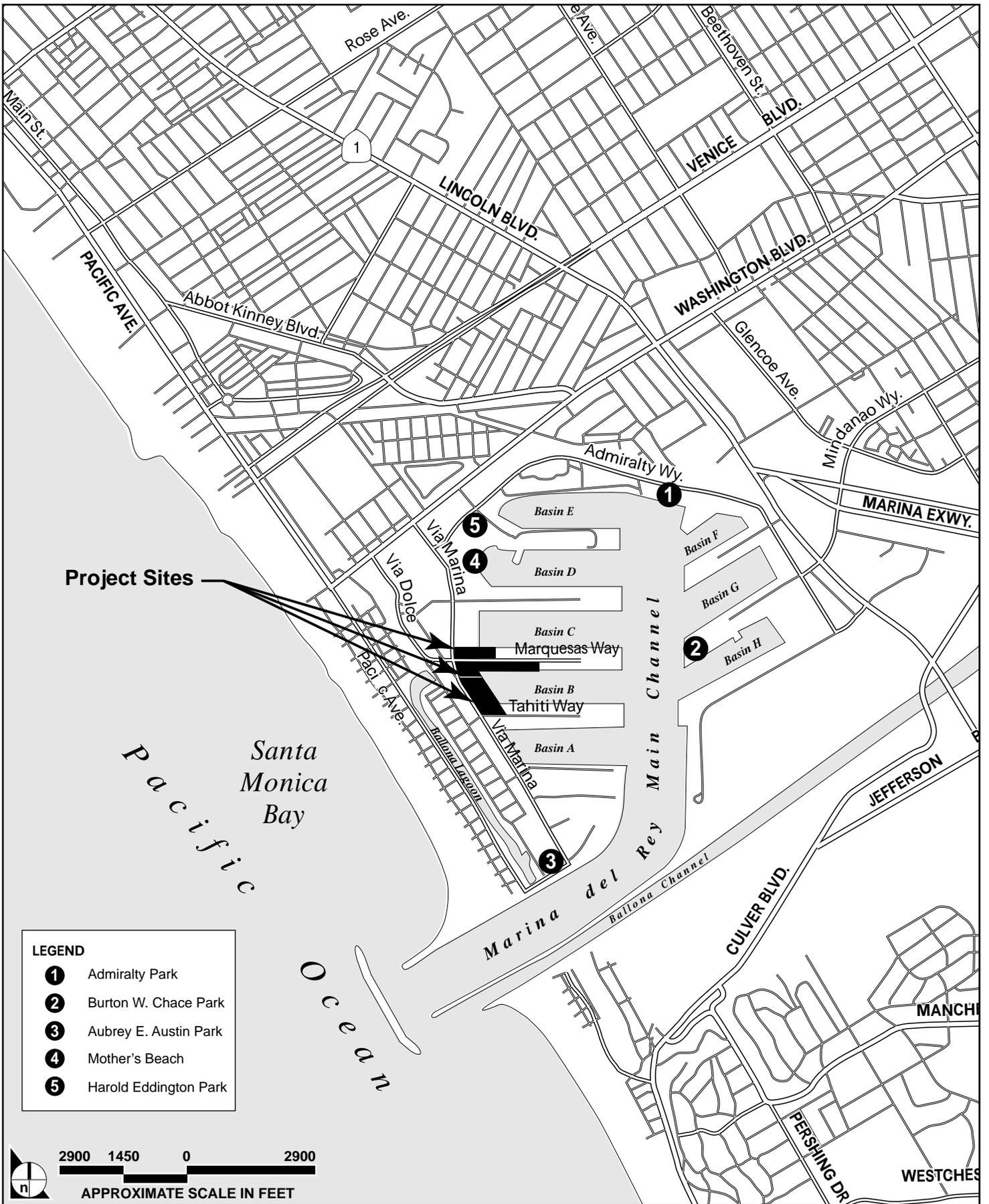
5.15.2.1 Marina del Rey Specific Plan Park and Recreation Standards

The Marina del Rey Specific Plan contains park and recreation standards for new development that are codified in Section 22.46.1060 (G) of the Los Angeles County Zoning Code. These requirements are consistent with the Los Angeles County Parkland Dedication Ordinance, which is based on the Quimby Act.¹ The specific plan requires new residential development to provide compensatory recreational facilities to offset the increased demand for park and recreational facilities associated with new development. A maximum of 3.0 acres of parkland per 1,000 new residents is the residential mitigation standard identified for Marina del Rey (see Los Angeles Conservation Corps [LACC] 22.46.1060.G.2). Alternatively, a project applicant can pay in-lieu fees to the Coastal Improvement Fund for parkland dedication or other recreational improvements within Marina del Rey. This fee presently stands at \$600.00 per residential unit as identified in Section 22.46.1950 (B) of the County Zoning Code. Credit may be obtained against the fees paid towards the Coastal Improvement Fund through construction of specific improvements identified in the specific plan.

5.15.2.1 Existing Facilities

The project site is situated in County of Los Angeles Park and Recreation Planning Area No. 28. Park Planning Area No. 28 maintains five parks totaling 24.1 acres. These facilities include Burton W. Chace Park, Admiralty Way Park, Harold Eddington Park, Aubrey E. Austin Park; and Mother's Beach. The acreage and types of facilities available at these parks are presented in **Table 5.15-1**. The location of each of these facilities is shown in **Figure 5.15-1**.

¹ The State of California passed legislation (Section 66477 of the Government Code) that allows a city or county to pass an ordinance to require, as a condition of project approval of a subdivision, the dedication of land or the payment of a fee in lieu of dedication, or some combination of both, for park or recreational purposes.



SOURCE: County of Los Angeles Department of Beaches and Harbors

FIGURE 5.15-1

Location of Existing Park Facilities

**Table 5.15-1
Parks and Recreational Facilities Located in Marina del Rey**

| Name | Facilities | Acreage |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 1. Burton W. Chace Park | Community building, picnic shelters, barbecue units, promenade path, fishing dock, benches, and lawn areas. | 8.8 |
| 2. Admiralty Way Park | Bike path, self-guiding exercise facility, jogging path, benches, and lawn areas. | 8.2 |
| 3. Harold Eddington Park | Benches, walkways, and lawn area. | 0.4 |
| 4. Aubrey E. Austin Park | Fishing jetty, view piers, benches, promenade, and lawn areas. | 0.7 |
| 5. Mother's Beach | Swimming, beach, non-motorized boating, picnic shelters, benches, and tables, bicycle rentals, volleyball (sand,) and children's play equipment. | 6.0 |
| TOTAL | | 24.1 |

Source: Julie Cook, Planner, County of Los Angeles Department of Beaches and Harbors, September 28, 1998, Impact Sciences, August 1999.

Based on 1990 census information, it has been determined that Park Planning Area No. 28 is deficient in parks and recreational facilities by 30.9 acres.² However, the project is within the Marina del Rey Specific Plan, which contains more specific standards applicable to this area. Buildout of uses allowed by the Marina del Rey Specific Plan would create a demand for an additional 14.5 acres of parkland within the specific plan area. A total of 12.7 acres of new parkland have been identified in Section 22.46.1950 of the Los Angeles County Zoning Code. These improvements include development of Parcel FF with a 2-acre park and improvement of Parcel P as a 10.7-acre open space area.

Parcel FF is zoned "Specific Plan" and has an Open Space land use designation. It is currently developed as an under-utilized parking lot. The Marina del Rey LUP indicates that no designated public parking areas, including but not limited to Lots OT, UR, or FF, shall be converted to uses other than public parking or public park uses. (Marina del Rey Land Use Plan, 2-8.) However, the Marina del Rey LUP also contemplates the potential conversion of the three parking lots to other uses. (Marina del Rey LUP, 2-5). In particular, Parcel FF is being contemplated for residential uses with a public park being incorporated as part of the new development. (Ibid.) There are currently no plans to develop Parcel FF as a park.

It is noted that the primary form of recreation within Marina del Rey is boating and marine related activity. The Marina del Rey Small Craft Harbor has eight separate boat basins, and the capacity for 6,100 boat-slips. In addition, the small craft harbor contains public swimming and beach areas,

² Larry Henseley, Los Angeles County Department of Parks and Recreation, Telephone conversation, October 10, 1998.

transient/guest boat docks and public boat ramps, a public pedestrian waterfront promenade, and a public bicycle path. Fisherman's Village is also located in Marina Del Rey, and incorporates numerous public-oriented commercial shops and restaurants, boat rental facilities, and other water-related recreational services. While these facilities do not count as developed parkland, they do serve as a source of recreational activity. The County of Los Angeles Subdivision Code defines local park space as follows:

*"Local park space may include, but shall not be limited to: publicly or privately owned playgrounds, riding and hiking trails, tennis, basketball or other similar game-court areas, swimming pools, putting greens, athletic fields, picnic areas, and other types of natural or scenic areas as recommended by the director of parks and recreation for passive or active recreation."*³

Although Park Planning Area No. 28 may be deficient in developed parkland, there are a number of other types of recreational opportunities such as the small craft harbor and related recreational uses that by definition in the Subdivision Code may be considered as parkland. Additionally, Venice Beach and other coastal recreational facilities are available within 2 miles of the project site.

5.15.3 ENVIRONMENTAL IMPACTS

5.15.3.1 Project Improvements

Implementation of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in the development of 526 residential dwelling units, 174 private and between 7 and 11 public-serving boat spaces, a hotel and timeshare resort containing 288 rooms and an assortment of visitor- and patron-serving accessory uses and a restored public wetland and upland park area. There are 136 existing apartments and 198 boat spaces presently on site. Therefore, completion of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in a net increase of 390 apartment units, a net decrease of up to 17 boat spaces, 288 new hotel/timeshare rooms and accessory visitor- and patron-serving uses, a 1.46-acre public park inclusive of a 0.47-acre public wetland and a new 0.99-acre upland buffer.

The site plan has been designed to concentrate development on the northern portion of the project site and preserve the southern portion of Parcel 9U as a restored wetland and adjacent upland buffer that can be used as a public park. All ground-floor uses of the adjacent hotel/timeshare resort would be accessible to the public. It is intended that the ground floor of the hotel, the adjacent proposed pedestrian promenade, the wetland park, and the public-serving boat spaces would combine to create a publicly accessible and interactive public node.

³ Title 21 of the Los Angeles County Subdivision Code, 21.24.340 C.

During project construction, public access to the existing sidewalk would be closed. The existing sidewalk would be closed 33 months in association with development of Parcel 10R, 21 months in association with development of Parcel FF, 24 months in association with development of Parcel 9U, and 12 months in association with development of the restored public wetland and upland park that would overlap construction of the hotel on the northern portion of Parcel 9U.

5.15.3.2 Thresholds of Significance

5.15.3.2.1 Threshold: For the purposes of this EIR, the proposed project would adversely impact the park and recreational environment if the project fails to meet the overall person-to-developed-parkland ratio of 3 acres per thousand new residents, as expressed in the Los Angeles County Code, Section 22.46.1060.G.2, and/or if the project impedes the future development of public parkland or other similar recreational facilities.

5.15.3.3 Impact Analysis

5.15.3.3.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Where necessary, mitigation measures are also identified that would reduce or avoid potential impacts.

5.15.3.3.1.1 Threshold: For the purposes of this EIR, the proposed project would adversely impact the park and recreational environment if the project fails to meet the overall person-to-developed-parkland ratio of 3 acres per thousand new residents, as expressed in the Los Angeles County Code, Section 22.46.1060.G.2, and/or if the project impedes the future development of public parkland or other similar recreational facilities.

Analysis: Buildout of the project would result in a net increase of 390 dwelling units on Parcels 10R and FF. **Section 5.16, Population and Housing**, of this EIR indicates a net increase in on-site population of 585 persons. Since there is a shortage of improved park and recreational facilities within Park Planning Area No. 28, impacts under this category would be considered significant without mitigation. However, the project is subject to the requirements of the Marina del Rey Specific Plan that call for parkland dedication, payment of fees to the Coastal Improvement Fund in lieu of land dedication, or some combination thereof. Applying the specific plan requirement of 3.0 acres of parkland per 1,000 persons, dedication of land totaling 1.77 acres or payment of fees to the Coastal Improvement Fund is required. With a net increase of 390 dwelling units, it is estimated that the Coastal Improvement Fund fee for the proposed project would be approximately \$234,000 ($\600.00×390 residential units), less any credit provided the applicant from the fee per LACC 22.46.1950.D, as described below.

A major feature of the project that would serve as a public benefit as well as unify and integrate the apartment buildings, the hotel/timeshare resort, the public park, the public-serving slips, and the marina is the Waterfront Stroll Promenade. A conceptual representation of this feature is presented in **Figure 3.0-19**. To be located along the waterside perimeter of the proposed apartments, hotel/timeshare resort and public wetland park, the 28-foot-wide public Waterfront Stroll Promenade will feature special color-patterned paving, landscaping, pedestrian seating, and marina-styled fencing and lighting and would also serve as fire access. The length of the Waterfront Stroll Promenade is approximately 2,023 feet, collectively along Parcels FF, 10R, and 9U. The apartment buildings and hotel and timeshare resort will feature landscaped planters and other features constructed immediately adjacent to the public Waterfront Stroll Promenade. Upon completion of construction, public access to the marina and the Waterfront Stroll

Promenade will be available via publicly accessible walkways between apartment buildings, as well as the property boundary between Parcel 10R and Parcel 9U. This walkway would be treated with enhanced paving and landscaping similar to that of the Waterfront Stroll Promenade. However, during project construction, the Waterfront Stroll Promenade would not be available for public use.

The project also includes a number of public and private recreational amenities available to both apartment residents and hotel guests. All indoor and outdoor amenities at the Neptune Marina Apartments would be privately accessible and available for use only by project residents. These facilities would include a resident's fitness center, media theater room, recreational lounge, game room, business center, outdoor pool between Buildings 2 and 3, and 174 boat docks. Guest and/or visitor-serving amenities within the Woodfin Suite Hotel and Timeshare Resort would include a restaurant and bar, business center, meeting rooms, sundry shop, exercise room and spa, outdoor pool, and dining terrace overlooking the Waterfront Stroll Promenade and the marina.

As noted above, the project would develop Parcel FF with apartment uses; the parcel is currently designated as Open Space under the Marina Del Rey Land Use Plan. The land use plan contemplates that Parcel FF could in the future be developed as a park. Although there are no plans for such park use, the development of Parcel FF with apartments would preclude potential development of a public park on that site. To offset the loss of Open Space-designated land on Parcel FF, Legacy Partners and Woodfin would jointly fund the development of a 1.46-acre public wetland park on the southern portion of Parcel 9U.

To further offset the foregone opportunity of potentially developing a public park on Parcel FF in the future, Legacy Partners will fund and develop a public-serving anchorage adjoining the Parcel 9U bulkhead. This anchorage would comprise approximately 49,000 square feet, or 1.12 waterside or submerged acres, in the southwestern portion of Basin B, and would contain approximately 524 lineal feet of new public dock area. Estimates show that the public-serving anchorage would provide berthing for between 7 and 11 transient vessels, depending on vessel size, inclusive of berthing for dinghies at the northern end of the anchorage. The new public-serving boat anchorage, which would be compliant with American Disabilities Act (ADA) and California Department of Boating and Waterways (DB&W) standards, would represent a significant public boater-serving amenity as no such purely public anchorage currently exists on the eastern "residential" side of Marina del Rey.

The combination of benefits to the public from these habitat and public access and recreation improvements (i.e., the restored wetland and upland park and public-serving boat anchorage and a side-tie area for smaller dingy boats) accomplish all of the County's objectives otherwise associated with the future park site on Parcel FF. Parcel 9U, the site of the new public park, is similarly situated to and in

close proximity to Parcel FF. Moreover, Parcel 9U provides a park location with greatly enhanced habitat value—a restored wetland and upland, fronts a more heavily traveled street, Via Marina, and provides for more expansive and higher-quality views of waters of Marina del Rey. The park on Parcel 9U would also better integrate with other public uses, including the public amenities associated with the hotel and timeshare resort, the waterfront public pedestrian promenade on Parcel 9U, and the public-serving anchorage adjacent to the Parcel 9U bulkhead within Basin B. Therefore, the project would facilitate, rather than prevent, the development of future public parkland.

Development of these public facilities, as well as the private and public recreational amenities afforded to future residents described above, would reduce project demand for County-owned parks and recreational facilities and would enhance public recreation in Marina del Rey and the small craft harbor (a policy consistent with the Marina del Rey LUP). For example, Section 22.46.1950.C.1 of the County Zoning Code identifies a list of improvements that fees paid to the Coastal Improvement Fund are intended to finance. Pedestrian promenades, such as that provided by the proposed project, are included on this list.

As noted above, the southern portion of Parcel 9U, which is approximately 1.46 acres in size, would be developed with a 0.47-acre muted tidal wetland (as detailed in the wetland restoration plan included as **Appendix 3.0**) and a 0.99-acre upland buffer. According to the Marina del Rey Specific Plan (LACC Section 22.46.1060.G.2), residential projects are required to permanently dedicate 3.0 acres of parkland per 1,000 new residents. With the anticipated 585 new residents associated with project implementation, 1.77 acres of dedicated parkland would be required. Therefore, with the provision of the proposed 1.46-acre public wetland and park on the southern portion of Parcel 9U, the project would technically result in parkland deficiency of only 0.31 acres (the new public anchorage notwithstanding).

While the project technically would fall 0.31 acres shy of meeting the required parkland per new resident standard, additional recreational components and features of the project would help to offset potentially unmet recreational demands of the new residents. The location of the public park immediately adjacent to the planned Waterfront Stroll Promenade, as well as the public dock accessible to between 7 and 11 transient vessels, would allow project residents, as well as hotel and timeshare guests, access to the many additional recreational features and facilities throughout the larger Marina del Rey area.

The above described 0.31-acre parkland deficiency will, however, be appropriately mitigated through Legacy Partner's payment into the Coastal Improvement Fund, less any credit from said fund the applicant may be eligible for under Section 22.46.1950 C (1) of the County Zoning Code, which provides residential developers a credit against the calculated Coastal Improvement Fund fee at the rate of \$2.30 for every square foot of improved public open space, as indicated in the specific plan (Section

22.46.1950.D). Although no park designs have been prepared, it is estimated that a public park that could have been developed on Parcel FF would cost approximately \$800,000.

Mitigation Measures

As described above, through Legacy Partners' incorporation of substantial public recreational facilities in the proposed project—including the development of a Waterfront Stroll Promenade, a public wetland and upland park (to be developed in a superior location on Parcel 9U to offset the loss of a potential future parking on Parcel FF) and a public-serving anchorage—combined with Legacy Partners' payment into the Coastal Improvement Fund (less any credit from the fund Legacy Partners' may be eligible for per LACC 22.46.1950.C.1), the project's impacts to parkland and recreational facilities would be less than significant. The project provides numerous public and private recreational amenities available to future residents, resort guests, and the public, such that impacts to parks and recreational facilities would be less than significant. As such, no mitigation is required.

Conclusion

Impacts would not be significant.

5.15.3.3.2 Neptune Marina Parcel 10R Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Where necessary, mitigation measures are also identified that would reduce or avoid potential impacts.

5.15.3.3.2.1 Threshold: For the purposes of this EIR, the proposed project would adversely impact the park and recreational environment if the project fails to meet the overall person to developed parkland ratio of 3 acres per thousand new residents, as expressed in the Los Angeles County Code, Section 22.46.1060.G.2, and/or if the project impedes the future development of public parkland or other similar recreational facilities.

Analysis: Buildout of the Neptune Marina Apartments and Anchorage (Parcel 10R) Project would result in a net increase of 264 dwelling units. **Section 5.16, Population and Housing**, of this EIR indicates a net increase in on-site population of 396 persons. Since there is a shortage of improved park and recreational facilities within Park Planning Area No. 28, impacts under this category would be considered significant without mitigation. However, the project is subject to the requirements of the Marina del Rey Specific Plan that call for parkland dedication, payment of fees to the Coastal Improvement Fund in lieu of land dedication, or some combination thereof. Applying the specific plan requirement of 3.0 acres of parkland per 1,000 persons, dedication of land totaling 1.20 acres or payment of fees to the Coastal Improvement Fund is required. With a net increase of 264 dwelling units, it is estimated that the Coastal Improvement Fund fee for this portion of the proposed project would be approximately \$158,400 (\$600.00 x 264 residential units), less any credit from said fee the applicant is eligible for per LACC 22.46.1950.D.

Mitigation Measures

As described above, in order mitigate potential significant impacts caused to park and recreational facilities within Park Planning Area No. 28 in conjunction with the Parcel 10R Project component, Legacy Partners will make payment into the Coastal Improvement Fund, as directed per LACC 22.46.1970, less any credit from said fee Legacy Partners is eligible for per LACC 22.46.1950.D. As such, impacts to parks and recreational facilities in conjunction with development of the Parcel 10R project component would be less than significant and no mitigation is required.

Conclusion

Impacts would not be significant.

5.15.3.3.3 Neptune Marina Parcel FF Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Where necessary, mitigation measures are also identified that would reduce or avoid potential impacts.

5.15.3.3.3.1 Threshold: For the purposes of this EIR, the proposed project would adversely impact the park and recreational environment if the project fails to meet the overall person to developed parkland ratio of 3 acres per thousand new residents, as expressed in the Los Angeles County Code, Section 22.46.1060.G.2, and/or if the project impedes the future development of public parkland or other similar recreational facilities.

Analysis: Buildout of the Neptune Marina Apartments and Anchorage (Parcel FF) Project would result in a net increase of 126 dwelling units (all new on this parcel). **Section 5.16, Population and Housing** (subheading 5.16.3.3.1), of this EIR indicates a net increase in on-site population of 189 persons on Parcel FF. Since there is a shortage of improved park and recreational facilities within Park Planning Area No. 28, impacts under this category would be considered significant without mitigation. However, the project is subject to the requirements of the Marina del Rey Specific Plan that call for parkland dedication, payment of fees to the Coastal Improvement Fund in lieu of land dedication, or some combination thereof. Applying the specific plan requirement of 3.0 acres of parkland per 1,000 persons, dedication of land totaling 0.57 acre or payment of fees to the Coastal Improvement Fund is required. With a net increase of 126 dwelling units, it is estimated that the Coastal Improvement Fund fee for the proposed project would be approximately \$75,600 (\$600.00 x 126 residential units), less any credit from the fee awarded the applicant per LACC 22.46.1950.D.

It should be noted that the proposed project includes or would participate in the funding of public and private recreational facilities. Accompanying the change of Open Space designated land use of Parcel FF, which would be developed with an apartment building, thereby foregoing the opportunity of potentially developing a public park on Parcel FF in the future, Legacy Partners will fund one-half the cost of a public wetland and upland park of approximately 1.46 acres within the southern portion of Parcel 9U (as noted previously, Woodfin Suite Hotels, LLC, would fund the remaining 50 percent of the park's development cost). This funding requirement would become a condition of the coastal development permit.

As part of the proposed project, the southern portion of Parcel 9U, which is approximately 1.46 acres in size, would be developed with a 0.47-acre muted tidal wetland (as detailed in the wetland restoration plan included as **Appendix 5.5**) and a 0.99-acre upland buffer. As described above, according to the Marina del Rey Specific Plan and LACC Section 22.46.1060.G.2, residential projects are required to

permanently dedicate 3.0 acres of parkland per 1,000 new residents. With the anticipated 189 new residents associated with project implementation, 0.57 acres of dedicated parkland would be required. Therefore, with the provision of the proposed 1.46-acre public wetland park and buffer area on the southern portion of Parcel 9U, the park project would result in excess parkland of approximately 0.89 acre.

Additional recreational components and features of the project would help to further offset potential recreational demands of the new residents. The location of the public wetland park and buffer area, immediately adjacent to the planned Waterfront Stroll Promenade as well as the public dock accessible to between 7 and 11 transient vessels, would allow project residents access to the many additional recreational features and facilities throughout the larger Marina del Rey area.

To further compensate for the forgone opportunity of potentially developing a public park on Parcel FF, resulting from the construction of a new apartment building on the parcel, Legacy Partners will fund 100 percent of the cost of constructing a public-serving anchorage to adjoin the Parcel 9U bulkhead. This public anchorage would comprise approximately 49,000 square feet or 1.12 waterside or submerged acres in the southwestern portion of Basin B, and would contain approximately 524 lineal feet of new public dock area. Estimates show that the public anchorage would provide berthing for between 7 and 11 transient vessels, depending on vessel size, and berthing for dinghies at the northern end of the anchorage. The new public boat anchorage, which would be compliant with ADA and DB&W standards, would represent a significant public boater-serving amenity, as no such purely public anchorage currently exists on the eastern “residential” side Marina del Rey.

The combination of benefits to the public from these habitat and public access and recreation improvements (i.e., the restored wetland and upland park and public-serving boat anchorage and a side-tie area for smaller dingy boats) accomplish all of the County’s objectives otherwise associated with the future park site on Parcel FF. Parcel 9U, the site of the new public park, is a similarly situated to and in close proximity to Parcel FF. Moreover, Parcel 9U is superior to Parcel FF in that it provides a park with greatly enhanced habitat value—a restored wetland and upland, fronts a more heavily traveled street (Via Marina), and provides for more expansive and higher-quality views of the basin. The park on Parcel 9U would also better integrate with other public uses, including the public amenities associated with the hotel and timeshare resort, the waterfront public pedestrian promenade on Parcel 9U, and the public-serving anchorage adjacent to the Parcel 9U bulkhead within Basin B. Therefore, the project would facilitate, rather than impede, the development of future public parkland.

The project also includes a number of private recreational amenities available to the apartment residents. These facilities would include a resident's fitness center, a media theater room, a recreational lounge, a game room, a business center, an outdoor pool between Buildings 2 and 3, and 174 boat docks.

An additional feature of the project that would serve as a public benefit as well as unify and integrate the apartment buildings with the adjacent proposed hotel and timeshare resort, the public park, the public-serving slips and the marina is the Waterfront Stroll Promenade. A conceptual representation of this feature is presented in **Figure 3.0-19**. To be located along the waterside perimeter of the proposed apartment buildings, the 28-foot-wide public Waterfront Stroll Promenade will feature special color-patterned paving, landscaping, pedestrian seating, and marina-styled fencing and lighting and would also serve as fire access. The length of the Waterfront Stroll Promenade is approximately 200 feet where it occurs along Parcel FF. The apartment buildings will also feature landscaped planters and other features constructed immediately adjacent to the public Waterfront Stroll Promenade. This walkway would be treated with enhanced paving and landscaping similar to that of the Waterfront Stroll Promenade. However, during project construction, the Waterfront Stroll Promenade would not be available for public use.

Development of public facilities associated with the Parcel FF project component, including the Waterfront Stroll Promenade, the public wetland park and buffer area, and the public-serving docks for transient vessels, as well as the private and public recreational amenities afforded to future residents, would reduce project demand for County-owned parks and recreational facilities and would enhance public recreation in Marina del Rey and the small craft harbor (a policy consistent with the Marina del Rey LUP). For example, Section 22.46.1950.C.1 of the County Zoning Code identifies a list of improvements that fees paid to the Coastal Improvement Fund are intended to finance. Pedestrian promenades, such as that provided by the proposed project, are included on this list. The project, therefore, may be entitled to an in-lieu credit against the calculated Coastal Improvement Fund fee of \$75,600, at the rate of \$2.30 for every square foot of improved public open space as indicated in the specific plan (Section 22.46.1950.D).

Therefore, based on the fact that the project will incorporate public recreational facilities, including the Waterfront Stroll Promenade, the public wetland park and buffer area, and the public-serving boat spaces, pay any remaining required Coastal Improvement Fund fees and develop a public park in a superior location on Parcel 9U to offset of the loss of a potential future park on Parcel FF, the Parcel FF project component's impacts to parkland and recreational facilities would be less than significant.

Mitigation Measures

As described above, the Parcel FF project component includes funding the construction of a 1.46-acre public wetland park and buffer area as well as numerous recreational amenities available to future residents. Additionally, the project includes the construction of a publicly accessible Waterfront Stroll Promenade. As such, impacts to parks and recreational facilities would be less than significant and no mitigation is required.

Conclusion

Impacts would not be significant.

Parks and Recreation Impacts and Mitigation Measures: Neptune Marina Parcel FF Project

5.15.3.3.4 Woodfin Suite Hotel and Timeshare Resort Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Where necessary, mitigation measures are also identified that would reduce or avoid potential impacts.

5.15.3.3.4.1 Threshold: For the purposes of this EIR, the proposed project would adversely impact the park and recreational environment if the project fails to meet the overall person-to-developed-parkland ratio of 3 acres per thousand new residents, as expressed in the Los Angeles County Code, Section 22.46.1060.G.2, and/or if the project impedes the future development of public parkland or other similar recreational facilities.

Analysis: New residential projects are subject to the Marina del Rey Specific Plan requirements that projects provide compensatory recreational facilities to offset the increased demand for park and recreational facilities associated with new development. However, hotel and resort projects are not subject to this requirement. Nor are hotel resort projects subject to the Quimby Act. Therefore, the Woodfin Suite Hotel and Timeshare Resort Project would not be required to dedicate parkland or pay in-lieu fees to the Coastal Improvement Fund.

To assist in the provision of parkland, the proposed Woodfin Suite Hotel and Timeshare Resort Project includes both public and private recreational facilities and would participate in the funding of additional public and private recreational facilities. Accompanying the change of Open Space designated land use of Parcel FF, Legacy Partners and Woodfin Suite Hotels will each fund one-half the cost of a public wetland and upland park of approximately 1.46 acres within the southern portion of Parcel 9U. A wetland restoration plan has been prepared and is attached in full as **Appendix 3.0**). The wetland park will consist of a newly established muted tidal wetland area in the southern portion of the park, surrounded by an upland buffer (**Figure 3.0-26**). The muted tidal wetland area shall be approximately 0.47 acre in size, while the upland buffer shall be 0.99 acre and planted in appropriate transitional vegetation.

The Waterfront Stroll Promenade is an additional feature of the project that would serve as a public benefit as well as unify and integrate the hotel and timeshare resort with the public park, the public-serving slips, and the private marina to be constructed on the waterside portion of Parcel 10R. A conceptual representation of this feature is presented in **Figure 3.0-19**. To be located along the waterside perimeter of the proposed hotel/timeshare resort, the 28-foot-wide public Waterfront Stroll Promenade will feature special color-patterned paving, landscaping, pedestrian seating, and marina-styled fencing and lighting and would also serve as fire access. The length of the Waterfront Stroll Promenade is approximately 386 feet where it occurs along Parcel 9U. Upon completion of construction, public access

to the Marina and the Waterfront Stroll Promenade will be available via publicly accessible walkways between apartment buildings, as well as the property boundary between Parcel 10R and Parcel 9U. This walkway would be treated with enhanced paving and landscaping similar to that of the Waterfront Stroll Promenade. However, during project construction, the Waterfront Stroll Promenade would not be available for public use.

Guest and/or visitor-serving amenities within the Woodfin Suite Hotel and Timeshare Resort would include a restaurant and bar, a business center, meeting rooms, a sundry shop, an exercise room and spa, an outdoor pool, and a dining terrace overlooking the Waterfront Stroll Promenade and the Marina. All ground-floor uses at the hotel/timeshare resort would be accessible to the public. It is intended that the ground floor of the hotel, the adjacent pedestrian promenade, the wetland park, and the public-serving boat spaces combine to create an interactive public node.

As described above, the Neptune Marina/Woodfin Suite Hotel and Timeshare Resort Project is not subject to requirements set forth within the Marina del Rey Specific Plan relative to parkland dedication or payment of in lieu fees to the Coastal Improvement Fund; nor is the project subject to the Quimby Act. While the project is not subject to these requirements, the project design does incorporate both public and private recreational amenities designed to serve the recreational needs of future resort guests. Additionally, the project applicant would fund 50 percent of the cost associated with implementing the 1.46-acre public wetland park and upland buffer immediately adjacent to the resort. As such, impacts to parks and recreational facilities associated with the Woodfin Suite Hotel and Timeshare Resort Project would be less than significant.

Mitigation Measures

As described above, the project design includes numerous recreational amenities available to hotel guests and the public. These improvements would provide recreational opportunities that reduce impacts to existing County facilities; as such, impacts would be less than significant and no mitigation is required.

Conclusion

Impacts would not be significant.

5.15.4 CUMULATIVE IMPACTS

Development of all approved and related projects in Marina del Rey and the surrounding areas would introduce an additional 3,028 dwelling units housing an estimated population of 4,542 persons. By applying the County's standard demand factor of 3.0 acres of parkland per 1,000 new residents, the amount of parkland needed to account for the demand created by this growth totals approximately 13.6 acres. As with the proposed project, each individual residential project being developed in the Marina would be subject to the requirements of the Marina del Rey Specific Plan that call for parkland dedication, payment of fees to the Coastal Improvement Fund in lieu of land dedication, or some combination thereof. Projects outside of the marina would be required to pay query of similar fees. Therefore, as with the proposed project, each individual cumulative residential project would be required to account for, mitigation, and/or accommodate the demand for parkland and recreational facilities. None of the related projects would displace existing or proposed public park land, and the project would relocate the potential future park on Parcel FF to a superior location on Parcel 9U. Therefore, cumulative impacts would be less than significant.

5.15.4.1 Cumulative Mitigation Measures

The Marina del Rey Specific Plan requires that for each 1,000 persons in a new development project, 3.0 acres of parkland shall be dedicated, or the equivalent value of park improvements shall be constructed, or in-lieu fees shall be paid to the County. A combination of the three actions may also be used. Each cumulative project is required to meet its parkland requirements. Therefore, cumulative projects would not have a significant impact on park space and improvements after complying with requirements set forth within the County ordinance relative to parkland dedication and/or payment of Coastal Improvement Fund fees, or with similar requirements in other jurisdictions.

5.15.5 UNAVOIDABLE SIGNIFICANT ADVERSE IMPACT

None of the related projects would displace existing or proposed public parkland, and the residential components would be required to pay query Fees and/or comply with the County ordinance relative to parkland dedication, and/or payment of Coastal Improvement Fund fees. Although Parcel FF would no longer have the potential for public park development, the loss of this potential would be accompanied by the creation of the wetland and upland park on Parcel 9U. Therefore, cumulative impacts to parks and recreation would be less than significant.

5.16 POPULATION AND HOUSING

SUMMARY

The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project consists of five parts that would occur on or adjacent to Marina del Rey Parcels 10R, FF, and 9U. The Neptune Marina Parcel 10R project component would result in the removal of a 136-unit apartment complex, 198 existing boat spaces, the redevelopment of three new apartment buildings, totaling 400 units, and a new marina with 174 new boat spaces on the waterside portion of the project site. The Neptune Marina Parcel FF project component would result in the removal of an existing underutilized parking lot and the development of one apartment building of 126 units. The Woodfin Suite Hotel and Timeshare Resort Project proposes the development of a 19-floor structure that would include 288 hotel rooms and timeshare suites and an assortment of accessory patron- and visitor-serving uses. Also proposed is the creation of a 1.46-acre restored public wetland and upland park and Legacy Partners' construction of seven to 11 public-serving boat spaces abutting the Parcel 10R and 9U bulkhead. In total, implementation of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in the development of 526 residential dwelling units, 174 new boat spaces, a 288-room hotel/timeshare project with an assortment of accessory patron- and visitor-serving uses, a restored public wetland and upland park and between seven and 11 public-serving boat spaces. There are 136 existing apartments and 198 boat spaces presently on site. Therefore, completion of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project, would result in a net increase of 390 apartment units, a 288-room hotel and timeshare resort project, a net decrease of up to 17 boat spaces, a 1.46-acre public park inclusive of a 0.47-acre restored wetland and 0.99-acre upland buffer.

The net increase in housing, population, and employment created by the project is within demographic forecasts as defined by the Southern California Association of Governments (SCAG) and Los Angeles County for the area for both 2010 and 2020. No significant project-specific impacts would occur. Based on SCAG forecasts for the Westside Cities Subregion, the project would contribute to a cumulative impact on housing. Cumulative impacts on the population and housing are considered significant, and the project's contribution cumulatively considerable.

5.16.1 INTRODUCTION

This section presents an overview of the existing population and housing characteristics in the Marina del Rey area. It also discusses the potential population and housing impacts associated with development of the Neptune Marina Project, Neptune Marina Parcel 10R, and Neptune Marina Parcel FF. Existing conditions are addressed for both projects together, while impacts are analyzed for each project separately. This section also includes a discussion of the cumulative impacts of the combined Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project in conjunction

with other related projects. Where impacts are identified, mitigation measures are recommended to reduce such impacts to acceptable levels. Information used in this population and housing impact analysis is based on the following:

- SCAG's 2004 Regional Transportation Plan (April 2004)
- SCAG's Employment Density Study (October 2001)
- Marina del Rey Land Use Plan (February 1996)

As proposed, the only project components that would directly add permanent residents and housing to the area include the new apartment units planned on Marina del Rey Parcels 10R and FF. No permanent population or housing can be attributed to the hotel/timeshare project, the public park inclusive of the restored wetland and upland buffer or the public-serving boat spaces. As such, this analysis of impacts on population and housing is limited to the impact potential associated with the development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project inclusive of only the Neptune Marina Parcel 10R and Neptune Marina Parcel FF project components.

5.16.2 EXISTING CONDITIONS

5.16.2.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

As noted above, no permanent population or housing can be attributed to the Woodfin Suite Hotel and Timeshare Resort project, the public wetland and upland park or the public-serving boat spaces. At this time, it is expected that stays in the timeshare units would be limited to no more than 4 weeks annually, and per Title 22 of the Los Angeles County Code, hotel stays would be limited to 30 consecutive days for any one stay. As such, this analysis of impacts to the Population and Housing environment is limited to the impact potential associated with the development of the Neptune Marina Project inclusive of only the Neptune Marina Parcel 10R and Neptune Marina Parcel FF components.

A total of 136 multi-family dwelling units exist on the project site (Parcel 10R only). Parcel FF is currently an underutilized paved surface parking lot, while Parcel 9U is vacant undeveloped open space. As shown in **Table 5.16-1, Existing On-Site Conditions**, these existing rental-housing units accommodate an estimated population of 204 persons. In addition, 198 existing boat spaces are present within the Neptune Marina, located on the waterside portion of Parcel 10R. Boat spaces generate both a resident and a transient population within Marina del Rey. Boats may be berthed in the spaces for periods that vary from a number of hours to a number of months or years. Boat owners may live in the existing apartments, off site or on their boats. Due to the variability of this population, no reliable estimate is available for the

number of Marina residents living on the boats but it is thought to be around 10 percent. This number is expected to be very small given that boats are primarily used for recreational purposes; therefore, no population and housing related calculations are provided to account for this group.

**Table 5.16-1
Existing On-Site Conditions**

| Land Use | Units | Quantity | Person/Unit ¹ | Population (Estimated) |
|------------|---------------|----------|--------------------------|------------------------|
| Apartments | Dwelling Unit | 136 | 1.5 | 204 persons |

¹ Marina del Rey Specific Plan, 1996.

5.16.2.2 Demographic Forecasts

5.16.2.2.1 Southern California Association of Governments (SCAG)

The project sites are located in the southwest portion of the Los Angeles Basin. The SCAG facilitates planning activities in the region for its six member counties, which represent a combined population of over 16 million people. SCAG has divided its jurisdiction into a number of subregions. The project sites are located within the Westside Cities Subregion as defined by SCAG. The Westside Cities Subregion includes portions of the City of Los Angeles, Santa Monica, Culver City, Baldwin Hills and unincorporated portions of the County of Los Angeles at and near Marina del Rey.

Demographic projections calculated by the SCAG are contained in the *2004 Regional Transportation Plan (RTP)*, adopted April 2004. The RTP forecasts the amount of population, housing, and employment growth expected to occur throughout Southern California to guide transportation improvements throughout the region. The 2004 data is used by SCAG as the socioeconomic baseline for regional planning efforts. **Table 5.16-2, SCAG Demographic Projections – Westside Cities Subregion**, provides the latest demographic projections for the Westside Cities Subregion through the year 2030.

**Table 5.16-2
SCAG Demographic Projections – Westside Cities Subregion**

| | 2000 | 2010 | 2020 | 2030 | Growth 2000–2030 (% Increase) |
|------------|---------|---------|---------|---------|-------------------------------|
| Population | 220,375 | 235,024 | 242,440 | 249,423 | 29,048 (13.2%) |
| Housing | 112,004 | 115,747 | 120,504 | 125,172 | 13,168 (11.8%) |
| Employment | 236,153 | 264,193 | 280,926 | 295,383 | 59,230 (25.1%) |

Source: 2004 Regional Transportation Plan, adopted April 2004.

As shown, this subregion is projected to undergo sustained growth through the 30-year period from 2000 to the year 2030. Population within this subregion is predicted to increase by 29,048 persons (13.2 percent increase), while the number of housing units is projected to increase by 13,168 units (an 11.8 percent increase) during the same period. Employment is also projected to undergo sustained growth through this period, with a total estimated increase of 59,230 employment opportunities (a 25.1 percent increase from 2000.)

The project site is located within Census Tract 7029.01. SCAG's demographic forecasts for this tract are provided in **Table 5.16-3, SCAG Demographic Projections – Census Tract 7029.01.**

**Table 5.16-3
SCAG Demographic Projections – Census Tract 7029.01**

| | 2000 | 2010 | 2020 | 2030 | Growth 2000–2030 (% Increase) |
|------------|--------|--------|--------|--------|----------------------------------|
| Population | 8,334 | 11,587 | 13,205 | 14,890 | 6,556 (78.7%) |
| Housing | 5,328 | 6,298 | 6,950 | 7,645 | 2,317 (43.5%) |
| Employment | 10,454 | 10,845 | 11,405 | 11,875 | 1,421 (13.6%) |

Source: 2004 Regional Transportation Plan, adopted April 2004.

As shown, population within this census tract is predicted to increase by 6,556 persons (a 78.7 percent increase) through the year 2030, while the number of housing units is projected to increase by 2,317 units (a 43.5 percent increase) during this time frame. Employment is also projected to undergo a sustained increase (13.6 percent), with a total estimated increase of 1,421 employment opportunities by 2030.

5.16.3 ENVIRONMENTAL IMPACTS

5.16.3.1 Project Improvements

5.16.3.1.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

Implementation of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in the development of 526 residential dwelling units, 174 private boat spaces, a 288-room hotel/timeshare resort project, a restored public wetland and upland park and between 7 and 11 public-serving boat spaces. There are 136 existing apartments and 198 boat spaces presently on site. Therefore, completion of the proposed Neptune Marina Apartments and

Anchorage/Woodfin Suite Hotel and Timeshare Resort Project, would result in a net increase of 390 apartment units, a 288-room hotel and timeshare resort project, a net decrease of up to 17 boat spaces, a 1.46-acre public park inclusive of a 0.47-acre restored wetland and 0.99-acre upland buffer.

As noted above, no permanent population or housing can be attributed to the 288-room Woodfin Suite Hotel and Timeshare Resort project, the restored public wetland and upland park or the boat spaces. As such, this analysis of impacts to the population and housing environment is limited to the impact potential associated with the development of the Neptune Marina Project inclusive of only the Neptune Marina Parcel 10R and Neptune Marina Parcel FF components.

5.16.3.2 Thresholds of Significance

The following thresholds for determining the significance of impacts related to population and housing are contained in the environmental checklist form contained in Appendix G of the most recent update of the *State California Environmental Quality Act (CEQA) Guidelines*. Impacts related to population and housing are considered significant if the project would

- induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through the extension of roads or other infrastructure);
- displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; or
- displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

5.16.3.3 Impact Analysis

As noted above, no permanent population or housing can be attributed to the 288-room Woodfin Suite Hotel and Timeshare Resort project, the restored public wetland and upland park or the boat spaces. As such, this analysis of impacts to the population and housing environment is limited to the impact potential associated with the development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project inclusive of only the Neptune Marina Parcel 10R and Neptune Marina Parcel FF components.

5.16.3.3.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified which would reduce or avoid potential impacts.

5.16.3.3.1.1 **Threshold: Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through the extension of roads or other infrastructure).**

Analysis: Implementation of the Neptune Marina Project (Parcels 10R and FF) would intensify development on the project site by adding a net increase of 390 dwelling units, as well as a net increase in population of 585 persons, as shown in **Table 5.16-4, Neptune Marina Project (Parcels 10R and FF), Population and Housing Unit Statistical Summary**. It is assumed for purposes of this analysis of population and housing impacts that construction would be complete by September 2011, and full occupancy of the residential components of the project will be complete by the year 2012.

**Table 5.16-4
Neptune Marina Project (Parcels 10R and FF)
Population and Housing Unit Statistical Summary**

| Use | Dwelling Units | Avg. Household Size ¹ | Population |
|----------------------------|----------------|----------------------------------|------------|
| Proposed Project | 526 | 1.5 | 789 |
| Existing Apartment Complex | 136 | 1.5 | 204 |
| Net Increase | 390 | 1.5 | 585 |

¹ *Marina del Rey Specific Plan, 1996.*

As described above, SCAG predicts that the population of the Westside Cities Subregion will increase by 12,649 persons to a total of 235,024 persons by the year 2010 and to 242,440 persons by the year 2020. A net increase of 585 persons resulting from project development when represents 4.0 percent of the projected 2000 to 2010 population increase of 14,649 persons and 7.9 percent of the projected 2010 to 2020 population increase of 7,416 persons. This total is well within SCAG demographic projections prepared for both the year 2010 and the year 2020. Therefore, no significant population impacts are expected on a subregional level.

Buildout of the project is also expected to be consistent with SCAG's housing projections. SCAG projects that a total of approximately 115,747 dwelling units would occur in the Westside Cities Subregion by the year 2010, an increase of 3,743 dwelling units; a total of approximately 120,504 dwelling units would be within the subregion by the year 2020, which represents an increase of 4,757 dwelling units. The number of units within this subregion as of 2000 totaled 112,004. Assuming a net increase of 390 dwelling units by the year 2010, a total of 112,394 units would be located within the Westside Cities Subregion by the year 2010. This project represents 10.4 percent of the planned increase in available housing stock and is within projections prepared by SCAG for year 2010. Assuming a net increase of 390 dwelling units by the year 2020, a total of 120,504 units would be located within the subregion; the project represents 8.2 percent of the planned increase in available housing stock, which is accounted for within SCAG's projections for 2020. Therefore, no significant impact would occur.

On a local level, the latest SCAG forecast predicts population within Census Tract 7029.01 will increase to 11,587 persons by the year 2010 and to 13,205 persons by the year 2020. Population of this census tract stood at 8,334 persons in 2000. As discussed above, construction of the project would result in a net increase in on-site population estimated at approximately 585 people by the year 2012. The addition of project-generated residents would increase the current population of this census tract to 8,919 persons (18.0 percent of the projected 2000 to 2010 population increase of 3,253 persons and 36 percent of the projected 2010 to 2020 population increase of 1,618 persons). This increase is also within the predicted SCAG population projections for 2010 and 2020, and no significant impact would occur.

With regard to housing, SCAG housing forecasts predict that the number of residential dwelling units within this census tract will increase to 6,298 units by the year 2010, an increase of 970 dwelling units, and to 6,950 units by the year 2020. Buildout of the project would result in a net increase of 390 units by the year 2012. The addition of 390 dwellings to the year 2000 total of 5,328 units occurring within this census tract represents 40 percent of the projected 970-unit increase by 2010 and represents 60 percent of the projected 652-unit increase between 2010 and 2020. As shown, this increase is accounted for within SCAG housing projections for both 2010 and 2020, and no significant impact would occur.

Mitigation Measures: None required.

5.16.3.3.1.2 Threshold: Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

Threshold: Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

Analysis: All relocation of on-site residents would be done in a manner consistent with the requirements in Mello Act's inclusionary and replacement housing regulations. In addition, six months prior to any demolition activity associated with construction, the property management company will prepare a notice that will be sent to all residential and boat space tenants occupying the project site informing the tenants of the project's construction schedule. The management company will, at the time of notice, provide all interested tenants lease availability information on other Marina del Rey properties they currently manage. The management company, to further assist all interested tenants, will schedule an on-site lease fair. The fair, on a best effort basis, will coordinate with other Marina del Rey property management companies in providing Marina del Rey specific rental availability information to all interested tenants. To mitigate inconveniences to resident boat owners using the existing anchorages, three months prior to any demolition activity associated with the existing anchorages, the Neptune Marina management company would prepare a notice that will be sent to all boat space tenants informing tenants of the proposed project's timing of construction. The management company will, at the time of notice, provide all boat owners space availability information, on a best effort basis, for the other up to 17 anchorages and the associated dock masters that are located in Marina del Rey. To further assist boat owners, the management company shall schedule a meeting that would provide boat owners information regarding available dock space at other marinas proximal to Marina del Rey and appropriate contact points.

These measures would reduce impacts associated with dislocation of tenants to a less than significant level.

Mitigation Measures: None required.

5.16.3.3.2 Neptune Marina Parcel 10R Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified that would reduce or avoid potential impacts.

5.16.3.3.2.1 Threshold: Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through the extension of roads or other infrastructure).

Analysis: Implementation of the 400-unit Neptune Marina Parcel 10R would intensify development on the project site by adding a net increase of 264 dwelling units, as well as a net increase in population of 396 persons, as shown in **Table 5.16-5, Neptune Marina Parcel 10R, Population and Housing Unit Statistical Summary**. It is assumed for purposes of this analysis of population and housing impacts that construction would be complete by September 2011, and full occupancy of the residential components of the project will be complete by the year 2012.

Table 5.16-5
Neptune Marina Parcel 10R
Population and Housing Unit Statistical Summary

| Use | Dwelling Units | Avg. Household Size ¹ | Population |
|----------------------------|----------------|----------------------------------|------------|
| Proposed Project | 400 | 1.5 | 600 |
| Existing Apartment Complex | 136 | 1.5 | 204 |
| Net Increase | 264 | 1.5 | 396 |

¹ *Marina del Rey Specific Plan, 1996.*

As described above, SCAG predicts that the population of the Westside Cities Subregion will increase to 235,024 persons by the year 2010 and to 242,440 persons by the year 2020. A net increase of 396 persons resulting from project development when added to the 2000 subregional population of 220,375 equates to a projected population of 220,771 residents (2.7 percent of the projected 2000 to 2010 population increase of 14,649 persons). The increase of 396 persons to the 242,440 population projection for the year 2020 represents 5.3 percent of the 7,416-person population increase. This total is within SCAG demographic projections prepared for the year 2010 and the year 2020. Therefore, no significant population impacts are expected on a subregional level.

Buildout of the project is also expected to be consistent with SCAG's housing projections. SCAG projects that a total of 115,747 dwelling units would occur in the Westside Cities Subregion by the year 2010, an

increase of 3,743 dwelling units, and a total of 120,504 dwelling units by the year 2020. The number of units within this subregion as of 2000 totaled 112,004. Assuming a net increase of 264 dwelling units by the year 2010, a total of 112,268 units would be located within the Westside Cities Subregion by the year 2010. This project represents 7.1 percent of the projected increase the available housing stock and is within projections prepared by SCAG for year 2010. The project represents a 3.5 percent contribution towards the projected available housing for year 2020. Therefore, no significant impact would occur.

On a local level, the latest SCAG forecast predicts population within Census Tract 7029.01 will increase to 11,587 persons by the year 2010. Population of this census tract stood at 8,334 persons in 2000. As discussed above, construction of the project would result in a net increase in on-site population estimated at approximately 396 people by the year 2010. The addition of project-generated residents would increase the current population of this census tract to 8,730 persons (12.2 percent of the projected 2000 to 2010 population increase of 3,253 persons). This increase is also within the predicted SCAG population projections for 2010, and no significant impact would occur.

With regard to housing, SCAG housing forecasts predict that the number of residential dwelling units within this census tract will increase to 6,298 units by the year 2010, an increase of 970 dwelling units. Buildout of the project would result in a net increase of 264 units by the year 2011. The addition of 264 dwellings to the year 2000 total of 5,328 units occurring within this census tract would increase the total number of units to 5,592 (27.3 percent of the projected housing increase). As shown, this increase is within predicted SCAG housing projections, and no significant impact would occur.

Mitigation Measures: None required.

5.16.3.3.2.2 Threshold: Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

Threshold: Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

Analysis: All relocation of on-site residents would be done in a manner consistent with Mello Act requirements. In addition, six months prior to any demolition activity associated with construction, the property management company will prepare a notice that will be sent to all residential and boat space tenants occupying the project site informing the tenants of the project's construction schedule. The management company will, at the time of notice, provide all interested tenants lease availability information on other Marina del Rey properties they currently manage. The management company, to further assist all interested tenants, will schedule an on-site lease fair. The fair, on a best effort basis, will

coordinate with other Marina del Rey property management companies in providing Marina del Rey specific rental availability information to all interested tenants.

To mitigate inconveniences to resident boat owners using the existing anchorages, three months prior to any demolition activity associated with the existing anchorages, the Neptune Marina management company would prepare a notice that will be sent to all boat space tenants informing tenants of the proposed project's timing of construction. The management company will, at the time of notice, provide all boat owners space availability information, on a best-effort basis, for the 15 other anchorages and the associated dock masters that are located in Marina del Rey. To further assist boat owners, the management company shall schedule a meeting that would provide boat owners information regarding available dock space at other marinas proximal to Marina del Rey and appropriate contact points.

These measures will reduce impacts associated with dislocation of tenants to a less than significant level.

Mitigation Measures: None required.

5.16.3.3.3 Neptune Marina Parcel FF Project

The applicable threshold of significance is listed below followed by analysis of the significance of any potential impacts. Mitigation measures are also identified that would lessen or avoid potential impacts.

5.16.3.3.3.1 **Threshold: Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through the extension of roads or other infrastructure).**

Analysis: Implementation of the Neptune Marina Parcel FF would intensify development on the project site by adding a net increase of 126 dwelling units. Using a County average of 1.5 persons per dwelling unit,¹ this increase in units would result in an increase in population of approximately 189 persons. It is assumed for purposes of this analysis that construction would be complete by September 2011, and full occupancy of the residential components of the project will be complete by the year 2012.

As described above, SCAG predicts that the population of the Westside Cities subregion will increase to 235,024 persons by the year 2010 and to 242,440 persons by the year 2020. A net increase of 189 persons resulting from project development when added to the 2000 subregional population of 220,375 equates to a projected population of 220,564 residents by the year 2010 (1.3 percent of the projected 2000 to 2010 population increase of 14,649 persons). This total is well within SCAG demographic projections prepared for year 2010. Additionally, the 189 persons account for 2.5 percent of the projected 7,416 population growth between 2010 and 2020, which falls within the SCAG's projections for 2020. Therefore, no significant population impacts are expected on a subregional level.

Buildout of the project is also expected to be consistent with SCAG's housing projections. SCAG projects that a total of approximately 115,747 dwelling units would be constructed in the Westside Cities subregion by the year 2010, an increase of 3,743 dwelling units. The number of units within this subregion as of 2000 totaled 112,004. Assuming a net increase of 126 dwelling units by the year 2012, a total of 112,130 units would be located within the Westside Cities subregion by the year 2010. The project represents 3.4 percent of the projected increase in the available housing stock and is consistent within projections prepared by SCAG for year 2010. This increase accounts for 2.6 percent of the projected housing growth between 2010 and 2020 and also falls within SCAG's projections. Therefore, no significant impact would occur.

On a local level, the latest SCAG forecast predicts population within Census Tract 7029.01 will increase to 11,587 persons by the year 2010 and to 13,205 persons by the year 2020. Population of this census tract

¹ Marina del Rey Specific Plan, 1996.

stood at 8,334 persons in 2000. As discussed above, construction of the project would result in a net increase in on-site population estimated at approximately 189 people by the year 2012. The addition of project-generated residents would increase the current population of this census tract to 8,523 persons (5.9 percent of the projected 2000 to 2010 population increase of 3,253 persons). This increase accounts for 11.7 percent of the projected population growth of 1,618 persons between 2010 and 2020. This increase is also within the predicted SCAG population projections for both 2010 and 2020, and no significant impact would occur.

With regard to housing, SCAG housing forecasts predict that the number of residential dwelling units within this census tract will increase to 6,298 units by the year 2010, an increase of 970 dwelling units. Buildout of the project would result in an increase of 126 units by the year 2012. The addition of 126 dwellings to the year 2000 total of 5,328 units occurring within this census tract would increase the total number of units to 5,454 (13.0 percent of the projected housing increase). This increase accounts for 19 percent of the projected housing growth of 652 units between 2010 and 2020. As shown, this increase is within predicted SCAG demographic projections, and no significant impact would occur.

Mitigation Measures: None required.

5.16.3.3.2 Threshold: Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

Threshold: Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

Analysis: There are no housing units or residents on the Neptune Marina Parcel FF site; therefore, no displacement of people or housing would occur.

Mitigation Measures: None required.

5.16.4 CUMULATIVE IMPACTS

5.16.4.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort and Other Related Projects

The following cumulative analysis evaluates the impact of the proposed project and related projects on population and housing in the Westside Cities Subregion. The applicable threshold is listed below in bold followed by an analysis of the cumulative impact of the project and related projects and their potential significance. Mitigation measures are also identified which would lessen or avoid potential impacts.

5.16.4.1.1 **Threshold: Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through the extension of roads or other infrastructure).**

Cumulative Analysis: For the purpose of determining cumulative population and housing impacts, all present, and reasonably foreseeable projects located within the Westside Cities subregion were identified. A list of these projects is presented in **Table 4.0-1 in Section 4.0, Cumulative Projects**, of this draft EIR. Related projects would result in the development of 11,179 net new residential dwelling units and an addition of 16,767 persons, based on the County average of 1.5 persons per dwelling unit.

According to SCAG's regional growth forecasts, population in the Westside Cities subregion is projected to increase by 14,649 persons between 2000 and 2010 and by a total of 22,065 persons between 2000 and 2020. Combined, it is projected that the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and related projects could increase the subregion's population by approximately 16,767 residents, a 14 percent increase above the projected population growth for 2010, and approximately 76 percent of the projected 2020 increase. Population growth associated with the proposed and related projects is considered significant in the short term, as the amount of growth projected for the subregion would be exceeded in the year 2010. However, in the longer term, anticipated population growth is consistent with 2020 projections. In addition, the number of housing units within the Westside Cities Subregion is projected to increase by 3,743 units between 2000 and 2010 and by 8,500 units between 2000 and 2020. Combined, it is projected that the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project and related projects could increase the number of housing units in the subregion by approximately 11,179 units. As such, the projected number of housing units for the subregion would be exceeded, and the growth of housing units associated with the project and related projects are considered substantial. While population increases would remain within SCAG projections through the year 2020, the cumulative impact on the growth of housing units is considered significant for this reason.

Mitigation Measures: There are no cumulative mitigation measures known to be available that would mitigate significant housing growth impacts to a level of insignificance.

5.16.4.1.2 Threshold: Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

Threshold: Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

Cumulative Analysis: As with the proposed project, development of related projects may result in the displacement of existing housing and/or people on a project-by-project basis. Combined with the project, this represents a potentially significant impact. However, as the proposed project will supply existing tenants with assistance locating already constructed replacement housing and will assist tenants with moving), the project's contribution to this impact is not cumulatively considerable. Therefore, the impact of the project on this cumulative impact is considered less than significant. In addition, related projects in the Coastal Zone will, like the project, be required to provide affordable units as required under the Mello Act.

Mitigation Measures: None required.

5.16.5 UNAVOIDABLE SIGNIFICANT IMPACTS

Project construction and operation would increase area population and the housing stock. While impacts associated with the project would not significantly impact population and housing in the Westside Cities subregion, development of the cumulative projects in the region has not been planned for in local and regional plans. Therefore, the project's contribution to a cumulative impact on housing growth within the Westside Cities subregion would be considerable. There are no mitigation measures known that would mitigate significant impacts to a level of insignificance.

5.17 LAND USE AND PLANNING

SUMMARY

*This section describes the existing land uses on the project site and the land uses surrounding the site. Regulations and policies affecting land development are described and compatibility of the project is analyzed. **Table 5.17-1 Relevant Plans and Consistency with Policies** presents analysis of the consistency of the project as proposed with applicable land use plans and policies including the County of Los Angeles General Plan, Local Coastal Plan, the Southern California Association of Governments (SCAG) Regional Comprehensive Plan and Guide, and the State Coastal Act. The proposed project would be consistent with the existing County of Los Angeles General Plan land use designations for the project site. More specific land use guidance is provided in the County's Marina del Rey Local Coastal Program, which is made up of the Marina Del Rey Land Use Plan and Specific Plan. The majority of the individual components of the project, including the hotel/timeshare, wetland park and public boat slips, and marina components are fully consistent with the Marina del Rey Specific Plan Land Use Plan and the Marina del Rey Specific Plan. The Neptune Marina apartments component of the project, while consistent with most of the policies, goals and requirements of the Marina Del Rey Land Use Plan and Specific Plan requires amendments to the Land Use Plan and Specific Plan. The proposed amendments to the Marina del Rey Land Use Plan and Specific Plan would be consistent with the policies of the Coastal Act. With the California Coastal Commission's certification of the requested amendments, the proposed project would be consistent with the certified Local Coastal Program (LCP). As discussed in this section, the individual components of the project would also require approval of Coastal Development Permits; Conditional Use Permits; Variances; a Tentative Map approval; and/or a Parking Permit.*

5.17.1 INTRODUCTION

This section of the EIR describes the existing land uses at the project site and its vicinity. Regulations and policies affecting land use development are also described, and the project's consistency with applicable land use regulations is evaluated in accordance with *State California Environmental Quality Act (CEQA) Guidelines* Section 15125(b). Impacts are discussed for the proposed project as a whole, as well as for each of the individual components that make up the project, to allow for each component to be considered. This section also includes a discussion of the cumulative impacts of the proposed project in conjunction with other past, present and reasonably foreseeable future projects. Where impacts are identified, mitigation measures are recommended to avoid or reduce impacts to the fullest extent feasible.

5.17.2 EXISTING CONDITIONS

5.17.2.1 Project Site and Surrounding Land Uses

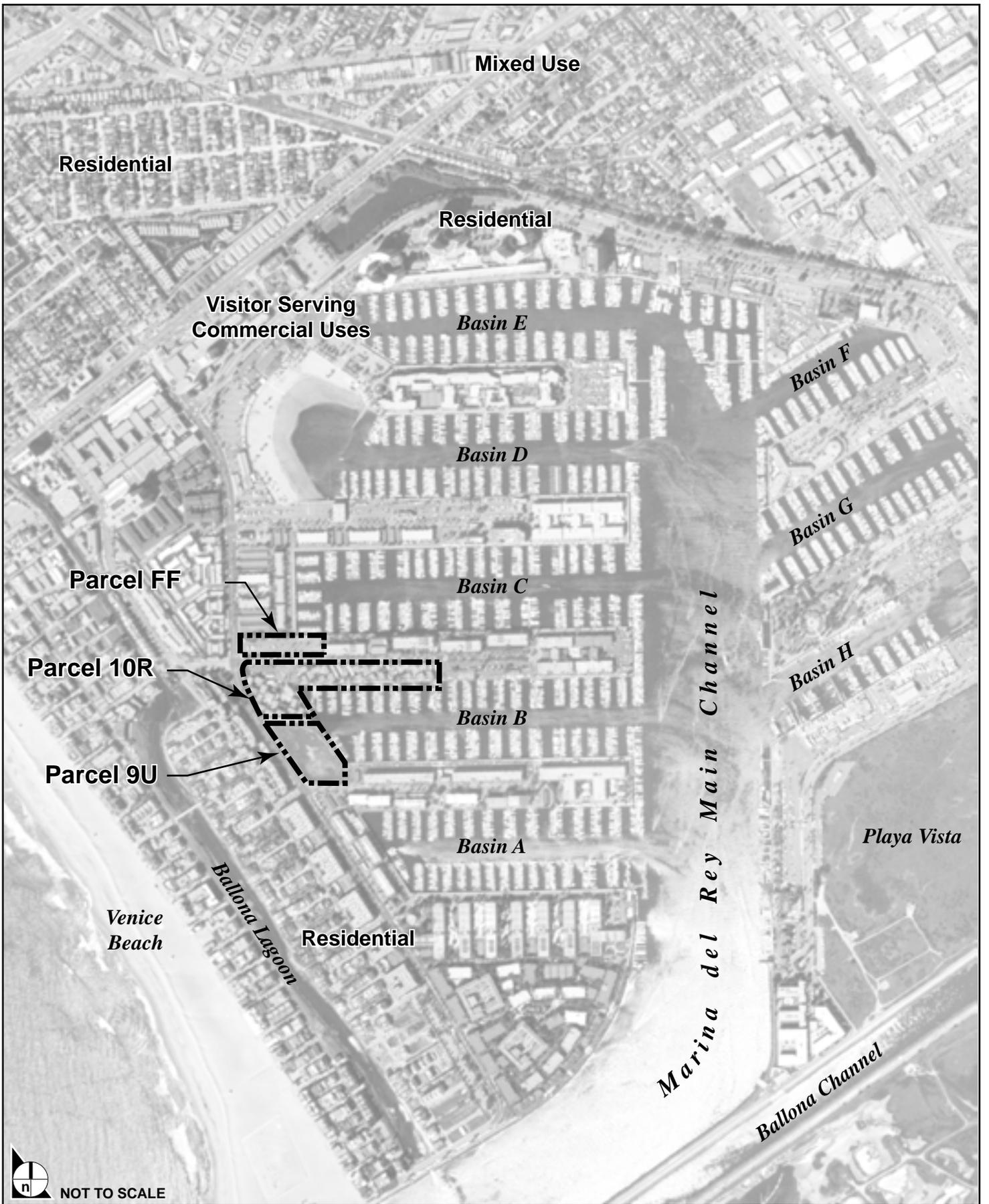
Figure 5.17-1, Project Site and Surrounding Land Uses, provides an aerial view of the project site and surrounding land uses. The project site is located in the western portion of the Marina del Rey small-craft harbor area. Portions of the project site are currently developed and consist of 13.03 landside acres and 4.68 waterside, or submerged, acres. The small-craft harbor area is divided into eight basins, “A” through “H,” on either end of a main navigation channel. The project site area occurs adjacent to the westernmost portions of Basins “B” and “C.” Basins “B” and “C” of the small-craft harbor include boat anchorages and areas for water-related recreation activities.

The proposed project would be located on three parcels of land designated as Marina del Rey Parcels 10R, FF and 9U (see **Figure 5.17-2 Marina del Rey Parcels 10R, FF, and 9U**). Parcel 10R is a rotated L-shaped site that wraps partially around Basin “B” of the Marina del Rey small craft-harbor. The parcel consists of a total of 7.32 landside acres and 4.68 waterside acres. The perimeter of the site is bordered to the west by Via Marina and to the north by Marquesas Way. Parcel 10R is currently developed with 136 rental apartment units, a marina containing 198 boat spaces and end-tie spaces, and parking, landscaping and other related site improvements.

Parcel FF is a rectangular site that occurs adjacent to the southwest corner of Basin “C” of the Marina del Rey small-craft harbor. The parcel consists of a total of 2.05 landside acres and borders the waterfront along approximately 200 linear feet of the northern boundary of the site. The perimeter of the site is bordered to the west by Via Marina and to the south by Marquesas Way. Its easternmost boundary is formed by Marina del Rey Parcel 13R. Marina del Rey Parcel 15U and the waters of Basin C comprise the northern boundary of Parcel FF. Parcel FF is currently developed with an underutilized surface parking lot containing 206 parking spaces.

Parcel 9U consists of 3.66 landside acres and is bound by Marina del Rey Parcel 10R to the north, Via Marina to the west, Basin “B” of Marina del Rey to the east and Tahiti Way to the south. This parcel is currently vacant.

As shown in **Figure 5.17-1**, the land use pattern in and around Marina del Rey is highly urbanized. High-density residential uses occur, or are under construction, to the east, west, and south of the project site. Via Marina, the main collector road for the west side of Marina del Rey, adjoins the subject parcels to the west. Property developed to the west of the project site, across Via Marina, consists of multi-family

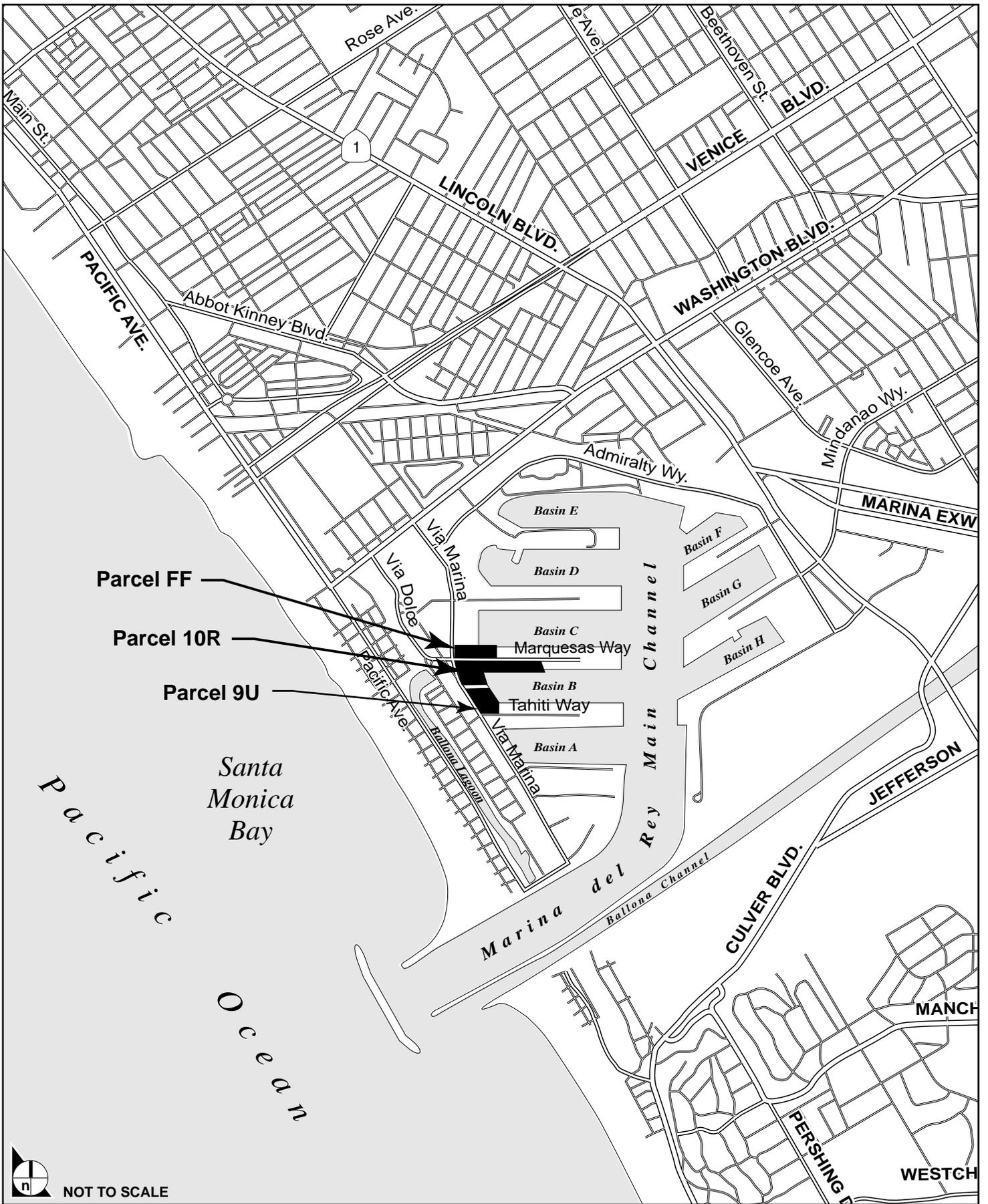


SOURCE: Eagle Aerial Photo, LA98-672, 3/11/98, Impact Sciences, Inc. – December 2005

FIGURE 5.17-1



Project Sites and Surrounding Land Uses



SOURCE: Impact Sciences, Inc. – May 2005

FIGURE 5.17-2

Marina del Rey Parcels 10R, FF, and 9U

residential use. Properties situated northerly of the project site in the vicinity are developed with higher-density residential and visitor-serving commercial use.

5.17.2.2 Relevant Planning Documents

5.17.2.2.1 County of Los Angeles General Plan

The project site is located in an unincorporated portion of Los Angeles County. Overall land use direction for the County is provided in the County of Los Angeles General Plan, which was adopted by the County Board of Supervisors in November 1980. The General Plan includes all state-mandated elements and several optional elements as well as a series of communitywide plans that set forth more detailed growth and development for specific unincorporated communities. The various elements of the General Plan provide goals, policies, and objectives to govern the location and overall pattern of development, provide for an adequate transportation network and identify areas for recreation and conservation, among many other items. The General Plan Development Policy Map of the County of Los Angeles General Plan indicates that land use decisions on and near the project site are subject to the Marina del Rey Local Coastal Program, discussed below.

5.17.2.2.2 Marina del Rey Local Coastal Program

The *California Coastal Act* (CCA) was enacted by the Legislature in 1976 to regulate development within the state's coastal zone. The CCA requires each local government lying, in whole or in part, in the coastal zone to prepare an LCP in order to implement the CCA. The primary goals of the CCA are to protect, maintain, enhance and, where feasible, restore the overall quality of the Coastal Zone environment; ensure balanced utilization of coastal zone resources; maximize public access and recreational opportunities consistent with resource conservation principles and private property rights; ensure priority for coastal-dependent development over other development; and encourage state and local efforts to coordinate planning for mutually beneficially uses. The California Coastal Commission (CCC) has certified the County of Los Angeles Marina del Rey LCP as meeting the goals and policies of the CCA, as discussed below.

The California Legislature has granted an exemption from the requirements of CEQA for certain defined activities and programs. Section 15265 of the *State CEQA Guidelines* exempts activities and approvals pursuant to the California Coastal Act from the environmental review requirements of CEQA. This exemption shifts the responsibility for environmental analysis to the CCC's certified regulatory plan for its local coastal program certification program, which allows written environmental information as the functional equivalent of an environmental impact report under the provisions of the Public Resources

Code Section 21080.5. The CCC must find that the LUP conforms to the Coastal Act, contains public access components, and is consistent with past actions.

The Countywide General Plan establishes, in a broad perspective, future land use development and conservation policies for the Marina del Rey area. The General Plan required the completion of the Marina del Rey LCP, consisting of both a Land Use Plan and Local Implementation Program. Pursuant to the CCA, LCPs are required to contain two primary components: (1) Land Use Plans (LUPs), which guide land use within the Coastal Zone; and (2) Local Implementing Programs (LIPs), which describe methods by which LUPs will be implemented. The CCC assists coastal communities in the preparation of the LCPs and reviews and certifies the LCPs once they are adopted by the local jurisdiction. To become effective, subsequent amendments to a certified LCP must be reviewed and certified by the CCC. The Marina del Rey LCP is integrated with the General Plan as a component of the Countywide Coastal Element.

5.17.2.2.3 Marina del Rey Land Use Plan (LUP)

The County of Los Angeles LUP (certified by the CCC on February 8, 1996) represents the primary regulatory document governing land use decisions within the Marina del Rey area. The LUP specifies policies regarding coastal access, recreation and visitor-serving facilities, recreational boating, marine and land resources, coastal visual resources, hazard areas, circulation, public works, diking, dredging, filling and shoreline structures, and industrial development, and energy facilities. The Plan constitutes a refinement of General Plan Policy and provides a basis for its implementation.

As indicated in the LUP, development has occurred on nearly all leasehold parcels within Marina del Rey. These existing developments, most from the 1960s, are commonly referred to as Marina del Rey “Phase 1” development. The LUP is intended to guide and encourage the recycling, intensification and conversion of Phase I Marina del Rey development. The purposes of the LUP are as follows:¹

- Implement objectives of applicable sections of the CCA;
- Encourage controlled change over the next 30 year planning period addressed by the plan, rather than face the prospect of major simultaneous change when the bulk of the leases expire after the year 2020; and
- Correct existing problems and mandate the replacement of physically obsolete structures.

¹ County of Los Angeles Department of Regional Planning, Marina del Rey Land Use Plan, February 1996. p. 8-4.

5.17.2.2.4 Marina del Rey Specific Plan

The specific plan represents the Implementation program for the Marina del Rey LCP. It is designed to implement the Marina del Rey Land Use Plan through application of site-specific development standards and guidelines. The Specific Plan, recognized as the LIP in the certification process, has been found consistent with the LUP, and is the controlling regulatory document for land use from the perspective of the LCP. The Specific Plan constitutes the most detailed interpretation of General Plan policies and is the primary implementation mechanism for the certified LUP. The objectives of the specific plan are fourfold:

- To document various development, preservation, and reconstruction strategies set forth in the LUP;
- To establish development standards and guidelines which are the regulatory basis for future development, preservation, and reconstruction efforts in Marina del Rey;
- To require design concepts to guide reconstruction on individual Marina parcels, to aid in the development of vacant land, and to help preserve significant resources; and
- To establish the governmental review process for new development proposals in Marina del Rey and to describe the long-term implementation efforts necessary to accommodate future development.

In summary, the certified Marina del Rey LCP envisions development in Marina del Rey as an evolutionary process. This process, which builds upon the success of existing uses while creating the opportunity for selective reconstruction at higher intensities, is also intended to enhance the visitor-serving, public access, and coastal view opportunities within Marina del Rey, consistent with the policies of the CCC.

5.17.2.2.5 Other Regional Plans

Over the past several years, the passage of various state and federal laws has increased emphasis on regional planning and the preparation of regional plans. Three regional planning documents that include planning policies relevant to the proposed project are discussed below.

5.17.2.2.5.1 Water Quality Control Plan (Basin Plan), Los Angeles Region (4)

The California RWQCB, Los Angeles Region, has jurisdiction over coastal drainages between Rincon Point and the eastern Los Angeles County line. Pursuant to its authority under the California Water Code, the RWQCB has developed a "basin plan." The Basin Plan is designed to preserve and enhance water quality and to protect the beneficial uses of all regional waters. Specifically, the basin plan designates beneficial uses for surface and ground waters; sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and to conform to the state's anti-degradation policy; and describes implementation programs to protect all waters in the region. For a

detailed discussion of water resources and the consistency of the proposed project with this plan, please see **Section 5.3, Hydrology and Drainage**.

5.17.2.2.5.2 Congestion Management Program for Los Angeles County

The Congestion Management Program (CMP) was enacted by the State Legislature to address traffic congestion in California's urbanized counties. Please see **Section 5.7, Traffic/Access**, for an analysis of consistency of the proposed project with the CMP. Public transit offered through the Metropolitan Transportation Authority is also discussed in **Section 5.7**.

5.17.2.2.5.3 SCAG Regional Comprehensive Plan and Guide

The County of Los Angeles is within the six-county jurisdiction of the Southern California Association of Governments (SCAG), which includes Ventura, San Bernardino, Riverside, and Imperial Counties. SCAG has divided its jurisdiction into 13 subregions to facilitate regional planning efforts. The Marina del Rey area is located in the Westside Cities Subregion.

The SCAG prepared the Regional Comprehensive Plan and Guide (RCPG) in March 1996. The RCPG consists of five core chapters: Growth Management, Regional Mobility, Air Quality, Water Quality, and Hazardous Waste Management, and provides guidance to development within the SCAG region. Under CEQA, local governments are required to discuss the consistency of projects with the RCPG.

5.17.2.3 Existing Land Use Designations

As noted above, the project site is located within the Marina del Rey Specific Plan area and is subject to the Marina del Rey Land Use Plan. The Land Use Plan portion of the Marina del Rey LUP (Section C. 8.) divides Marina del Rey into a total of 14 development zones (DZs). The LUP defines a maximum development potential in each DZ in terms of the net increase over and above existing land uses. This increase in development intensity is largely based on the ability of each zone to accommodate additional vehicle traffic. Development allocations presented in the LUP are predicated upon the implementation of mitigation measures to reduce traffic impacts from individual development projects. These measures are identified as Category 1 System-wide improvements.

The Neptune Marina Apartment and Anchorage and Woodfin Suite Hotel and Timeshare Resort Project site is located within two adjoining development zones that include the Marquesas DZ (Parcels FF and 10R) and the Tahiti DZ (Parcel 9U). The majority of land within the Marquesas DZ is designated for residential uses (Residential III, IV, and V). The Neptune Marina Parcel 10R site is subject to two separate designations of "Primary-Permitted Use." On the western, "non-mole" portion of the parcel, the

designation is Residential V (up to 75 dwelling units/acre). On the eastern, “mole” portion of the parcel, the designation is Residential III (up to 35 dwelling units/acre).

(As outlined previously in the project description (**Section 3.0** of this draft EIR) and in greater detail below, to facilitate the proposed residential developments on Parcels 10R and FF, the County of Los Angeles is proposing to amend the certified LCP to authorize the transfer of 387 “unused” residential development credits into the subject Marquesas Development Zone from the adjoining and nearby Tahiti and Bora Bora Development Zones. Although the proposed transfer of 387 excess residential development credits into the subject Marquesas Development Zone from the adjoining and nearby Tahiti and Bora Bora Development Zones may be considered as intensifying the Marquesas Development Zone, it is important to note that precedent exists in Marina del Rey for such interdevelopment zone residential development credit transfers. In certifying a similar LCP amendment in County Case No. 98-172-4 (Marina del Rey Parcel 20; developer Goldrich & Kest), the County and Coastal Commission found that the transfer of 97 unused residential development units from the Bora Bora Development Zone into the more distant Panay Development Zone on Via Marina was appropriate because the traffic impacts associated with the unit transfer were not significant. As with the Parcel 20 LCP amendment, a traffic analysis has been prepared for this project which has determined that the traffic and circulation impacts of the proposed interdevelopment zone transfer of excess development units are insignificant.

Parcel FF is designated “Open Space” in the Land Use Plan portion of the Marina del Rey LUP (Section C.8.). Permitted uses defined in the Marina del Rey Land Use Plan within the Open Space designation include open viewing areas, promenades, bikeways, beaches, parks, picnic facilities, nature/interpretive centers and surface parking and landscaping. The Land Use Plan expressly contemplates development of Parcel FF with residential uses, with a public park as part of the new development. (See page 2-5 of the Land Use Plan and Section 22.46.1820 of the County Zoning Code.)

Parcel 9U is located in the Tahiti DZ. Similar to the Marquesas DZ, the majority of land within the Tahiti DZ is designated for residential uses (Residential III, IV, and V). However, Parcel 9U is designated as “Hotel” in the Land Use Plan portion of the Marina del Rey LUP (Section C. 8). As defined in the Marina del Rey Land Use Plan, the Tahiti DZ calls for a hotel with a maximum of 288 rooms and a maximum height of 225 feet.

5.17.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

5.17.3.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project

The proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project involves the development of 526 residential dwelling units, a 19-story building with 288 hotel and timeshare suites, 174 private boat spaces, between 7 and 11 public-serving boat spaces, a public promenade, and a 1.46-acre public park inclusive of a 0.47-acre restored wetland and 0.99-acre upland buffer. There are 136 existing apartments and 198 boat spaces presently on site. Therefore, completion of the proposed project would result in a net increase of 390 apartment units, 288 hotel and timeshare suites, a net decrease of up to 17 boat spaces, and the creation of a 1.46-acre public park inclusive of a 0.47-acre restored wetland and 0.99-acre upland buffer. In addition, a total of 1,510 parking spaces would be provided throughout the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort in structured parking garages below the apartment buildings and hotel. A description of each of the land use entitlements required for each of the five projects analyzed in this EIR is provided below.

5.17.3.1.1 Neptune Marina Parcel 10R

Implementation of the proposed Neptune Marina Project on Parcel 10R would result in the development of three apartment buildings totaling 400 units, the construction of 174 boat spaces and end-tie spaces, a 1,437-foot public Waterfront Stroll Promenade and parking, landscaping and other related site improvements facilities. Development of the project will require the removal of all existing site improvements, principally consisting of 136 existing residential units and 198 boat spaces and end-tie spaces. A total of 908 parking spaces would be provided throughout the Neptune Marina Parcel 10R Project in structured parking garages below the apartments. The net increase in development that would result from the Neptune Marina Parcel 10R Project is 264 apartment units. In addition, 1,437 feet of public Waterfront Stroll Promenade would be added, and a reduction of 24 boat spaces would result.

The County of Los Angeles proposes an amendment to the Marina del Rey LUP and Specific Plan to allow the density allowed by the current Residential III and Residential V land use designations for Parcel 10R to be averaged over the entire parcel. This amendment would allow the proposed project to have an aesthetic and development profile that is consistent across the parcel and with an adjoining apartment project currently under construction on Marina Parcel 12 to the east.

Parcel 10R is located in LCP Development Zone 3 (Marquesas), which has a current residential development potential of three additional dwelling units. Therefore, to facilitate development of this

project, the County proposes an LCP amendment to authorize the transfer of 261 excess (or “unused”) dwelling unit credits from the southern abutting Development Zone 2 (Tahiti Development Zone) into Development Zone 3. With adoption of this LCP amendment, there will be sufficient available dwelling units within the subject Development Zone 3 to accommodate the planned development of 400 rental dwelling units on Parcel 10R.

Additional approvals are necessary for the Neptune Marina Parcel 10R component of the project. A Coastal Development Permit is required for all new development to ensure that individual projects conform to the certified LCP. For the Parcel 10R marina component, the County’s “Approval in Concept” is required prior to the Applicant making application to the California Coastal Commission for a separate Coastal Development Permit authorizing this proposed waterside development. A Conditional Use Permit (for site grading, export of earth and parking for boater-related uses) and a Variance (to allow for enhanced signage and a reduced yard adjacent to the waterfront pedestrian promenade) are also required in order to implement this component.

5.17.3.1.2 Neptune Marina Parcel FF

Implementation of the proposed Neptune Marina Parcel FF component of the project would result in the development of one apartment building totaling 126 units and construction of a 200-foot public Waterfront Stroll Promenade. A total of 242 parking spaces would be provided in a structured parking garage below the building. Development of the Neptune Marina Project Parcel FF will require the removal of an existing, underutilized 2-acre surface parking lot with 206 spaces.

Development of Parcel FF with residential use, as proposed, will preclude the potential future development of a public park on the parcel, which could have occurred pursuant to the parcel’s current Open Space land use designation. Although proposed for park use in the LUP (Chapter 2. Recreation and Visitor-Serving Facilities; also Section 22.46.1950.B of the Zoning Code), it should be noted there is no evidence that, absent the current development proposal, a park would, in fact, be developed on Parcel FF in the future. Parcel FF has for many years been developed with an underutilized surface parking lot. Neither the County nor the private development community has any plans to redevelop Parcel FF with park use. To the contrary, Section A.2 of the LUP (page 2–5), under the “Potential Conversion of Public Parking Lots” subsection, expressly acknowledges that Parcel FF is underutilized by the public and is thus being contemplated for conversion to residential use. Therefore, the applicant is proposing to develop a portion of the adjoining Parcel 9U with a public park to offset the loss of Open Space-designated land and potential future public park, in conjunction with the construction of a public anchorage within Marina del Rey Basin B. The applicant will also offset the loss of the existing

underutilized parking lot on Parcel FF by making a financial contribution toward the construction of replacement parking at another site in the Marina designated by the County.

As described in greater detail in **Section 5.15 Parks and Recreation**, the discretionary project approvals include an LCP amendment request by the County of Los Angeles to change the current Open Space designation of Parcel FF to Residential V (1.38-acre “non-mole” portion) and “Residential III” (0.67-acre “mole” portion). To offset the loss of designated Open Space, the applicant proposes to relocate the potential future public park space contemplated in the LCP for development on Parcel FF to the southerly portion of Parcel 9U. Legacy Partners and Woodfin Suite Hotels would split the cost of developing a 1.46-acre public park inclusive of a 0.47-acre restored wetland and 0.99-acre upland buffer on the southerly portion of Parcel 9U. Without this financial commitment from the project applicants, the park would not be developed, as the County would be unable to devote the financial resources to this environmental amenity.

Parking Policy No. 12 of Chapter 2 of the LUP (page 2-8) states that public parking spaces lost due to the conversion of parking lots to public park use (by extrapolation from the proposed construction of the restored wetland and upland park) will be replaced elsewhere in the Marina on a 0.5:1 (50 percent) basis. Although the parking lot on Parcel FF would be replaced with residential use, the County has determined Parking Policy No. 12 applies in this case. Furthermore, Specific Plan Sections 22.46.1250.D and 22.46.1330.D provide that the displaced parking spaces must be replaced within the Marina before the development which displaces it may commence (i.e., occupancy of the apartment building). For this reason, the discretionary project approvals for the Parcel FF component of the project includes a proposed amendment to the LCP amendment to modify the LUP and Specific Plan to allow deferral of construction of the 103 “replacement” parking spaces (i.e., 50 percent of the existing 206 spaces) required as a condition of the proposed development of Parcel FF with residential use until such time as construction of such replacement parking spaces can be provided for by the County at an alternate location in the Marina. This proposed LCP amendment will also request authorization to allow occupancy of the new Parcel FF apartment building prior to construction of replacement parking spaces elsewhere in the Marina. Legacy Partners will deposit funds sufficient to construct the replacement parking with the County prior to issuance of a building permit. As the current parking lot is underutilized, no short-term parking impacts are anticipated. In relation to the proposed development of Parcel FF, the County is also proposing to amend the LCP to:

- Authorize the transfer of 14 development units from abutting Development Zone-2 (Tahiti) into the subject Development Zone-3 (Marquesas) and 112 development units from the proximate Development Zone-1 (Bora Bora Development Zone) into the subject Development Zone-3 (i.e., 14 units transferred from DZ 2 + 112 units transferred from DZ 1 = 126 units on subject Parcel FF). With approval of this development unit transfer, there will be sufficient dwelling unit credits within

the subject Marquesas Development Zone to accommodate the planned development of 126 rental dwelling units on Parcel FF;

- Change the Height Category on Parcel FF from “Height Category 1” (maximum building height of 25 feet) to “Height Category 3” (which allows for 45-foot building heights when a 20 percent view corridor is provided, ranging to 75 feet maximum when a 40 percent view corridor is provided). The proposed 55-foot building height (exclusive of typical rooftop appendages) would be consistent with the proposed Height Category 3 designation because the applicant is providing a view corridor comprising 26.7 percent of the parcel’s water frontage ; and
- As for Parcel 10R, “blend” residential densities over Parcel FF without respect to the 35 dwelling units/acre and 75 dwelling units/acre density development standards prescribed in the LCP for the proposed Residential III and Residential V land use categories. Total site density will not exceed the LCP-prescribed 126 dwelling units for Parcel FF, but the units will be more evenly distributed between the R-V (non-mole portion) and R-III (mole portion) designated areas of the parcel, allowing for a more uniform and attractive building massing scheme and development.

Related discretionary approvals for the Neptune Marina Parcel FF component include a Coastal Development Permit (necessary for all new development in the coastal zone), a Conditional Use Permit (for site grading and export of earth) and a Variance (to allow for enhanced signage and a reduced yard adjacent to the waterfront pedestrian promenade) in order to implement this component.

5.17.3.1.3 Woodfin Suite Hotel/Timeshare Resort Parcel 9U Component

This project component is situated on the northern portion of Parcel 9U and consists of a 19-story hotel structure with 288 hotel and timeshare suites consisting of a minimum of 152 conventional hotel suites and 136 timeshare suites, meeting rooms, a restaurant and bar/lounge, a spa/fitness center (including an outdoor pool), and associated hotel operations space, such as the lobby, hallways, elevator shafts, mechanical rooms, offices, and laundry, maintenance and custodial facilities. The building would also feature an outdoor terrace and a large third floor deck with a pool, both of which would overlook the waters of the marina. In total, up to 21 fee-based self-park and 339 valet-managed parking spaces would be provided in a six-level parking garage, with one level below grade, for a project total of 360 parking spaces. Total square footage of the structure, inclusive of all floors and parking areas, is 608,550 square feet.

As more fully discussed in **subsection 5.17.3.4.1.1** below, the proposed visitor-serving hotel and timeshare resort is a principal permitted use in the applicable Hotel-WOZ land use designation. Therefore, the proposed hotel/timeshare resort is consistent with Hotel land use category. Pursuant to Section 22.46.1350.C of the Marina del Rey Specific Plan, the proposed restaurant, cocktail lounge, recreational services (pool and spa), sundry shop, and conference/meeting rooms are permitted land uses in conjunction with and appurtenant to the principal hotel/timeshare resort use. Moreover, development

of a public park on Parcel 9U is permitted under the parcel's Hotel-WOZ land use designation per the LCP.

The height of the hotel structure proposed on Parcel 9U is consistent with the certified LCP and LUP Phase II development standards and policies, including the findings adopted by the CCC in certifying the major amendment of the LCP in 1996; among other things, these adopted policies encourage "more flexibility in the design of structures, especially taller and narrower buildings" to accommodate enhanced public views of the harbor (LUP Section 9(d), page 9-3.) The CCC's findings for approval of the 1996 major amendment of the LCP state, in pertinent part: "The proposed LCP, as modified, would allow increased [building] heights [225 feet on Parcel 9U] based on the larger view corridors...As modified, the new height and view corridor incentive policies are consistent with the Coastal Act." (See page 13 of the CCC's adopted findings pertaining to the 1996 major amendment to the Marina del Rey LCP). At page 59 of the CCC's adopted findings for the 1996 major amendment to the LCP, the CCC continues: "The Commission finds that greater heights do not detract from the quality of the Marina as a recreation area as long as larger view corridors are provided."

LCP Height Category 5 governs Parcel 9U and allows hotels up to 225 feet, (exclusive of appurtenant, screened rooftop equipment, parapets, and architectural features), provided that an unobstructed view corridor comprising at least 40 percent of the parcel's linear water frontage is provided. This height reflects the Coastal Commission's determination that view corridors to maintain and enhance public views of the harbor are a priority of the plan (County Zoning Code Section 22.46.1040). Based on the proposed 225-foot height of the hotel (excluding appurtenant rooftop structures), the LCP requires a minimum 154-foot-wide view corridor (i.e., 40 percent of the parcel's water frontage). These development parameters further the LCP's broader goals of encouraging views of the Marina by avoiding "large, low-rise rectilinear buildings that create tunnel vision effect and inhibit the public's view of the waterfront" (LUP Section 9(d), page 9-3).

The proposed hotel meets the requirements and development concepts envisioned by the certified LCP. At 225 feet, the proposed hotel is consistent with the Coastal Commission-approved height limitation. Additionally, the Woodfin Suites Hotel and Timeshare Resort design incorporates a single major view corridor on Parcel 9U south of the hotel structure, allowing vistas of Marina del Rey Basin B from Via Marina through the Parcel 9U public wetland park. This corridor satisfies the 40 percent view corridor requirement, by providing 154 feet. Moreover, view corridors are required to be maintained so as to provide an unobstructed view of the bulkhead edge, masts and horizon for pedestrians and passing motorists ("unobstructed views" is defined in the LCP as views with no inhibition of visual access to the water), and landscaping within view corridors is required to be placed so as not to obstruct water views.

The hotel tower portion of the proposed project would be taller than other buildings on neighboring parcels, but the design is consistent with the flexible height standard character of Phase II development concepts embraced by the certified LCP provisions. The replacement of Phase I Marina development with taller Phase II development is intentionally designed to provide open view corridors to the harbor but resulting in intensifying land uses in narrower and taller residential, hotel and visitor-serving commercial developments, a decision reflected in the Coastal Commission's 1996 findings approving the LCP (as cited above).

Parcel 9U has historically been designated to support a hotel use. Prior to 1984, Phase I development consisted of three hotel projects, including a hotel proposed to be located on Parcel 9U, construction of which began (excavation and pile installation) but was not completed due to financial restraints. Phase II development authorized under the revised LCP designates Parcel 9U for hotel development with the "Height Category 5."

Public viewing of the harbor will be further enhanced through the project's development of a 28-foot-wide public pedestrian promenade along the parcel's entire water frontage (which will connect seamlessly to the waterfront pedestrian promenade being constructed by Legacy Partners as part of the Parcel 10R project component). Public access from Via Marina to the waterfront will be provided along the perimeter of the adjacent public wetland park. Moreover, the public will be able to access both the public waterfront promenade and adjacent wetland park at multiple access points to be provided within the hotel/timeshare resort facility.

Discretionary approvals required for this component of the project include a coastal development permit (required for all new development in the coastal zone), a Tentative Tract Map approval (related to the proposed timeshare units), a conditional use permit (for the proposed parking structure, project building identification signage, a rooftop helistop, and the sale of alcoholic beverages for on-site consumption at the proposed accessory hotel restaurant and outdoor terrace dining area), a Parking Permit for shared use of on-site parking and a variance (to allow a reduced yard adjacent to the waterfront pedestrian promenade). No amendments to the certified LCP are required for this project component.

5.17.3.1.4 Wetland and Upland Park and Public-Serving Anchorage

As discussed above, the potential future park site on Parcel FF would be relocated to the southerly portion of Parcel 9U and contain a 1.46-acre public park inclusive of a 0.47-acre restored wetland and 0.99-acre upland buffer constructed in conjunction with the public anchorage within Marina del Rey Basin B. The County is the property owner and will be responsible for maintaining the proposed park; therefore, the County of Los Angeles Department of Beaches and Harbors is the applicant for this park.

As depicted on the Conceptual Park Plan exhibit and as discussed in detail in the February 2006 “Conceptual Restoration Plan for Degraded Artificial Wetland Associated with Parcel 9U” (reference **Appendix 5.3**), the public park will consist of a newly established 0.47-acre muted tidal salt marsh wetland area in the center of the park, surrounded by a 0.99-acre upland buffer planted in appropriate transitional vegetation. A minimum 25-foot-wide buffer zone would be provided between the wetland’s northerly edge and the edge of the fire lane to be located just southerly of the proposed hotel/timeshare resort structure (to complement and be compatible with the nearby wetland park, the fire lane’s surface material will be composed of turf-block or equivalent, to the satisfaction of the County Fire Department). A 25-foot-wide buffer will also be provided between the wetland’s southerly edge and Tahiti Way. No structures will be permitted in the buffer, and only those plantings that are shown in the Restoration Plan are allowed. The minimum buffer, as measured from the edge of the salt marsh will be 25 feet; however, the buffer between the salt marsh and hotel landscaping will be effectively larger due to the installation of turfblock vegetated with native grasses between the native buffer plantings and the hotel. Including the turfblock area, the setback buffer ranges from approximately 53 to 82 feet, with an average of about 66 feet between the wetland and hotel.

Expanded and enhanced seasonal pond habitat with fringing riparian scrub would be planted within the enhanced wetland area. These plant species would replace the non-native species removed during site preparation. The proposed seasonal pond habitat and fringing riparian scrub would be planted in zones of appropriate wetness. Variations in microtopography within the basin will allow for establishment of mosaic of seasonal pond habitat with associated fringing riparian scrub. A protective fence will be installed in a location and manner deemed appropriate for the biological and visitor functions. In the upland buffer portion of the public park, appropriate interpretive signage will be installed to enhance the visitor experience. Turf block areas at the perimeter of the wetland park would provide a sturdy space for group lectures, seating for visitors bringing lawn chairs for bird watching, etc., and maintenance and/or emergency vehicles.

As described in greater detail in **Section 5.15; Parks and Recreation**, in addition to relocating the potential future park space on Parcel FF, Legacy Partners will fund and develop a public-serving anchorage to adjoin the Parcel 9U bulkhead. This anchorage would comprise approximately 49,000 square feet or 1.12 waterside or submerged acres in the southwestern portion of Basin B, and would contain approximately 542 linear feet of new public dock area; it is estimated that the public anchorage would provide berthing for between seven and 11 transient boats (depending on the boats’ relative sizes), inclusive of a side-tie area for smaller dingy boats at the anchorage’s northerly end. The new public boat and anchorage would be compliant with Americans with Disabilities Act (ADA) and Department of Boating and Waterways (DB&W) standards.

The combination of benefits to the public from these habitat and public access and recreation improvements (i.e., the restored wetland and upland park, and public-serving boat anchorage and a side-tie area for smaller dinghy boats) accomplish all of the County's objectives otherwise associated with the potential future park site on Parcel FF. Parcel 9U is superior to Parcel FF in that it provides a park with greatly enhanced habitat value, a restored wetland and upland, fronts a more heavily traveled street (Via Marina), and provides for more expansive and higher quality views of the basin and the water. The park on Parcel 9U would also better integrate with other public uses, including the public amenities associated with the hotel and timeshare resort, the waterfront public pedestrian promenade on Parcel 9U, and the public-serving anchorage adjacent to the Parcel 9U bulkhead within Basin B. As described above, the recreational amenities are considered visitor-serving facilities as defined in the LUP which provide services to those who reside in or visit the Marina del Rey area.

5.17.3.2 Consistency with Plans and Policies

Table 5.17-1 presents relevant policies contained in the Marina del Rey Land Use Plan and other pertinent regional planning documents. It also presents an assessment of project consistency with these policies. As the table shows, the project as proposed is not consistent with the existing LCP land use policies because of the requested change in land use on Parcel FF. However, the proposed project when including the proposed amendments to the LCP, would be consistent with all applicable land use policies.

This EIR uses this policy analysis as an indicator of the resources that might be affected by a project, and considers land use policies in determining the significance of a physical impact. Conversely, this EIR considers the potential significance of the related physical impacts when analyzing a particular policy. Inconsistency with a policy may indicate a significant physical impact, but the inconsistency is not itself an impact.

The general plan guidelines published by the State Office of Planning and Research defines consistency as follows: "An action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment." Therefore, the standard for analysis used in the EIR is based on general agreement with the policy language and furtherance of the policy intent (as determined by a review of the policy context). The project does not have to be in exact agreement with a policy for the project to be consistent with it.

**Table 5.17-1
Relevant Plans and Consistency with Policies**

| Chapter/ Section | Policy Text | Project Consistency |
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| Regional Comprehensive Plan and Guide | | |
| Growth Management | The population, housing, and jobs forecasts, which are adopted by SCAG's Regional Council and that reflect local plans and policies, shall be used by SCAG in all phases of implementation and review. | <p>The project site is located within Census Tract 7029.01. The SCAG demographic forecasts for this tract are provided in Table 5.16-3, SCAG Demographic Projections – Census Tract 7029.01.</p> <p>As shown in Table 5.16-3, implementation of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would result in a net permanent population increase of 585 persons. The Neptune Marina Parcel 10R part of the project would intensify development on Parcel 10R by adding a net increase of 264 dwelling units, resulting in a net increase in population of approximately 396 persons. Implementation of the Neptune Marina Parcel FF project would add 126 apartment units to Parcel FF and would result in an increase in population of approximately 189 persons. No residential development is proposed on Parcel 9U. It is assumed for purposes of this analysis that construction of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would be complete by the year 2011.</p> <p>SCAG predicts that the population of the Census Tract 7029.01 will increase by 3,253 persons to 11,587 persons by the year 2011. A net increase of 585 persons from implementation of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would equate to approximately 18% of this planned population increase. The 396 persons resulting of this planned population increase. This total is within SCAG demographic projections prepared for year 2011. Therefore, no significant population impacts are expected on a subregional level with buildout and full occupancy of the project.</p> <p>Conclusion: Consistent.</p> |

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| Growth Management (continued) | The timing, financing, and location of public facilities, utility systems, and transportation systems shall be used by SCAG to implement the region's growth policies. | <p>As previously indicated, the project site is presently developed, and utility mainlines (water, sewer, electrical, natural gas, communication links, etc.) exist on and adjacent to the site. The project requires no improvements that have not previously been completed or planned. Final plans for on-site utilities would require approval by the County of Los Angeles Department of Public Works prior to the issuance of building permits, and all on-site utilities would be improved during construction of the project. In addition, new residences and residents generated by the project would create revenue in the form of property taxes, sales taxes, fees, etc., which would be available to the County to fund the operation of public services on the project site, such as fire and police service, flood control, library service, street maintenance, etc. Revenues for capital improvements would also be generated by the project through various forms of development fees including, but not limited to, water connection fees, sewer connection fees and school fees. Therefore, the project is considered consistent with this policy.</p> <p>Conclusion: Consistent.</p> |
| Growth Management (continued) | SCAG shall encourage efforts of local jurisdictions in the implementation of programs that increase the supply and quality of housing and provide affordable housing as evaluated in the Regional Housing Needs Assessment. | <p>Legacy Partners, Neptune Marina LLP, the project applicant, would be conditioned by the County to provide both replacement and inclusionary affordable housing units on site in compliance with the State Mello Act and the County's Marina del Rey Mello Act Policy.</p> <p>Conclusion: Consistent.</p> |

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| <p>Growth Management (continued)</p> | <p>SCAG shall encourage patterns of urban development and land use which reduce costs on infrastructure construction and make better use of existing facilities.</p> <p>SCAG shall support local jurisdictions' efforts to minimize the cost of infrastructure and public service delivery, and efforts to seek new sources of funding for development and the provision of services.</p> <p>SCAG shall support local jurisdictions and other service providers in their efforts to develop sustainable communities and provide equally to all members of society, accessible and effective services, such as: public education, housing, health care, social services, recreational facilities, law enforcement, and fire protection.</p> | <p>As previously indicated, the project site is presently developed, except for Parcel 9U and is situated in an existing urban area. The project requires no improvements to infrastructure or services not already planned. As such, a full range of infrastructure and municipal services exist and are available to the project site. In addition to developer fees and construction-related infrastructure improvements, the project would create revenue in the form of property taxes, sales taxes, fees, etc., which would be available to the County to fund the recurring costs associated with provision of municipal services. Revenues for capital improvements would also be generated by the project directly through various forms of development fees. The project would also increase access to the coast for all members of society, consistent with the policies of the California Coastal Act, by including a 28-foot-wide Waterfront Stroll Promenade that would be open to the public and would also function as Fire Department, access, and the development of a public-serving anchorage to adjoin the Parcel 9U bulkhead. These new public boat spaces would be compliant with ADA and California Department of Boating & Waterway requirements. The project is, therefore, consistent with these RCPG policies.</p> <p>Conclusion: Consistent.</p> |

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| Growth Management (continued) | SCAG shall support provisions and incentives created by local jurisdictions to attract housing growth in job rich subregions and job growth in housing subregions. | <p>The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project site is located in an urbanized area that is proximal to a variety of employment opportunities. One purpose of this policy is to reduce vehicle trip lengths by promoting the ability of people to live near their place of employment. The proposed project site is near aerospace and manufacturing jobs located in the City of El Segundo, located approximately 3 miles southeast of the site, as well as office and professional employment opportunities found in the Marina del Rey itself, the Century City area, Westwood and along the Wilshire Corridor to the north and Playa Vista to the south. The project site is located in an area that contains a wide variety of employment opportunities and where employment growth is anticipated.</p> <p>Conclusion: Consistent.</p> |
| | SCAG shall encourage existing or proposed local jurisdictions' programs aimed at designing land uses which encourage the use of transit and thus reduce the need for roadway expansion, reduce the number of auto trips and vehicle miles traveled and create opportunities for residents to walk and bike. | <p>No new transit facilities are planned for the area near the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project. However, the project would be within an urbanized area that is already served by several mass transit providers, including the Los Angeles County MTA, the Culver City Bus lines, and the Santa Monica Municipal Bus service. Specifically, Marina del Rey is served by existing bus routes, including routes along Admiralty and Marina Way, as well as by routes on nearby (less than 0.5 mile) arterials such as Lincoln Boulevard, Venice Boulevard and the Marina Freeway. These routes would be readily accessible to residents of the proposed project. Additionally, as Marina del Rey is a fully developed, mixed-use community, a full complement of neighborhood-supporting commercial services presently exists in the vicinity of the project site. All of the above can act to reduce total vehicle miles traveled, as residents of the site have access to alternative forms of transportation and can patronize local establishments to meet daily needs.</p> <p>Conclusion: Consistent.</p> |

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| Growth Management (continued) | SCAG shall encourage the implementation of measures aimed at the preservation and protection of recorded and unrecorded cultural sites and archaeological sites. | <p>The project site is situated on hydraulic fill generated during marina construction. According to archaeological research conducted on the project site and adjacent parcels, no known cultural or archaeological resources exist on or near the project site. Therefore, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project is not anticipated to directly or indirectly impact cultural resources.</p> <p>Conclusion: Consistent.</p> |
| Growth Management (continued) | SCAG shall discourage development, or encourage the use of special design requirements, in areas with steep slopes, high fire, flood, and seismic hazards. | <p>The site is neither subject to flood hazards and wildland fire hazards nor does the site have any steep slopes. Like most locations in southern California, the site would be subject to seismic hazards common to the region.</p> <p>The project site has the potential to be impacted by tsunamis and seiches. Tsunamis are long-period waves generated primarily from distant and local offshore earthquakes, landslides, or volcanic eruptions. The magnitude of the potential hazard is a function of the coastline configuration, sea floor topography, individual wave characteristics and distance and direction from the source. Two tsunamis, one the result of the 1960 Chile Earthquake and the other the result of the 1964 Alaska Earthquake, caused damage in the Los Angeles and Long Beach Harbors. Waves up to the 5 feet in height occurred in the Cerritos Channel, and currents up to 12 knots were reported. Both the 1960 and 1964 tsunamis occurred during periods of low tide. These tsunamis could have been more damaging had they</p> |

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| Growth Management (continued) | | <p>coincided with high tide. In general, using recorded tsunami heights, tsunami waves on the order of 3 and 7 feet are estimated for the southern California coastal region for 50-year and 100-year recurrence intervals, respectively. Extreme tide levels in the marina are about elevation 7.5 feet mean lower low water (MLLW), corresponding to 4.8 above mean sea level (msl), but for most periods, high tide is below elevation 6.0 feet MLLW or 3.3 msl. The top of existing sea wall is an elevation +7 msl, and the site elevation varies from about +17 to +26 msl. Tsunami run-up and flooding of the site under maximum tide condition is likely, but the probability of maximum high tide coinciding with the 50-year or 100-year tsunami is small. As stated in the LUP, according to J.H. Wiggins' <i>Seismic Safety Analysis</i>, City of Los Angeles, Tsunami's generated from local earthquakes (faults in the Santa Monica for example) may be larger than from distant earthquakes but are less likely to occur. However, finished pad and street elevations will be above mean sea level, thereby minimizing any potential damage.</p> <p>Seiches or "sloshing" of captive bodies of water such as the Marina del Rey Small Craft and Harbor due to seismic activity usually occur in moderate to great earthquakes (magnitude 5.0 and above). Seiches may rise and lower a water surface from a few inches to several feet, and may occur several thousand miles away from the earthquake epicenter. The possibility of seiches occurring in the marina is considered remote because the height of a seiche is a function of the size of the body of water, and the harbor is relatively narrow with relatively limited surface area.</p> <p>Through compliance with Los Angeles County Building Code, as required, hazards to the project associated with seismic events would be reduced to less than significant levels making the project consistent with this SCAG policy. For additional information geological hazards, please refer to Section 5.1, Geotechnical and Soil Resources.</p> <p>Conclusion: Consistent.</p> |

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| Growth Management (continued) | SCAG shall encourage measures that reduce noise in certain locations, measures aimed at preservation of biological and ecological resources, measures that would reduce exposure to seismic hazards, minimize earthquake damage and to develop emergency response and recovery plans. | <p>A detailed discussion of project consistency with noise reduction can be found in Section 5.2, Noise.</p> <p>The site does not provide habitat for special status plant or animal species. However, wetland resources occur on Parcel 9U. As part of project plans, within a portion of Parcel 9U, a 1.46-acre public park will be developed inclusive of a 0.47-acre restored wetland and 0.99-acre upland buffer planted in appropriate transitional vegetation. A protective fence will be installed in a location and manner deemed appropriate for the biological and visitor functions. In the upland buffer, appropriate interpretive signage will be installed to enhance the visitor experience. Turf block areas would provide a sturdy space for group lectures, seating for visitors bringing lawn chairs for bird watching etc., and maintenance and/or emergency vehicles.</p> <p>Expanded and enhanced seasonal pond habitat with fringing riparian scrub would be planted within the enhanced wetland area. These plant species would replace the native and non-native species removed during site preparation. The proposed seasonal pond habitat and fringing riparian scrub would be planted in zones of appropriate wetness. Variations in microtopography within the basin will allow for establishment of mosaic of seasonal pond habitat with associated fringing riparian scrub. Further information is provided in Section 5.5, Biota.</p> <p>Seismic hazards and earthquake protection are addressed in Section 5.1, Geotechnical and Soil Resources, Section 5.12, Police Protection, and Section 5.13, Fire Protection, provide detailed discussions of project consistency with emergency response capacity. With respect to these issues, significant project or cumulative impacts were not identified in Section 5.0 of this Draft EIR provided County-required mitigation measures are implemented.</p> <p>Conclusion: Consistent.</p> |

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| Regional Mobility | <p>Support the coordination of land use and transportation decisions with land use and transportation capacity, taking into account the potential for demand management strategies to mitigate travel demand if provided for as a part of the entire package.</p> <p>Public transportation programs shall be considered an essential public service because of their social, economic, and environmental benefits.</p> | <p>As previously discussed, the project would accommodate projected regional growth in a location that is adjacent to existing and planned infrastructure, urban services, transportation corridors and major employment centers. Moreover, the project is located in an area that is served by a number of mass transit providers. The Marina del Rey Specific Plan Transportation Improvement Plan (TIP) identifies a series of traffic improvements to mitigate the direct and cumulative impacts of Phase 2 Marina del Rey development. The project will pay a TIP fees that will be used to implement these improvements, or will implement the improvements directly if determined necessary by the County to mitigate direct project traffic impacts prior to project occupancy.</p> <p>Conclusion: Consistent.</p> |
| Regional Mobility (continued) | <p>Potential downstream congestion impacts from capacity enhancing projects will be studied.</p> | <p>A comprehensive traffic study has been prepared for the project and is discussed fully in Section 5.7, Traffic/Access. The study evaluates project-related on the local and regional transportation network. As indicated in this section, within the County of Los Angeles, direct traffic-related impacts associated with this project can be mitigated to levels that are not considered significant. When combined with cumulative projects, traffic generation by the project would significantly impact 12 of the 17 study intersections prior to mitigation. Section 5.7 identifies measures that would reduce these cumulative impacts to less than significant levels.</p> <p>Conclusion: Consistent.</p> |
| Air Quality | <p>Through the environmental documentation review process, ensure that plans at all levels of government (regional, air basin, county, subregional and local) consider air quality, land use, transportation and economic relationships to ensure consistency and minimize conflicts.</p> | <p>A comprehensive air quality study has been prepared for the project and is discussed fully in Section 5.4, Air Quality. The study evaluates project-related, as well as long-term, cumulative traffic impacts on the local and regional air quality. The project's consistency with the requirements of the South Coast Air Quality Management Plan (AQMP) are discussed in Section 5.4.</p> <p>Conclusion: Consistent.</p> |

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| Water Quality | Encourage “watershed management” programs and strategies, recognizing the primary role of local governments in such efforts. | <p>It is beyond the scope of the proposed project and this EIR to provide watershed management programs and strategies. However, the project does incorporate County of Los Angeles measures that would minimize water quality impacts, including measures associated with the demolition and reconstruction of the boat spaces. The project would also comply with County of Los Angeles requirements for development projects under the County’s National Pollution Discharge Elimination System (NPDES) Permit and would obtain all necessary permits for both the construction and ultimate development stages. See Section 5.3, Hydrology and Drainage, for further discussion of on-site water quality issues and Best Management Practices (BMPs) to be implemented by the proposed project.</p> <p>Conclusion: Consistent.</p> |
| Marina del Rey Land Use Plan | | |
| Shoreline Access | <p>Maximum public access to and along the shoreline within the LCP area shall be a priority of this Plan, balanced with the need for public safety, and protection of private property rights and sensitive habitat resources. This goal shall be achieved through the coordination and enhancement of the following components of a public access system: pedestrian access, public transit, water transit, parking, bikeways, circulation network, public views and directional signs and promotional information.</p> <ol style="list-style-type: none"> 1. Existing public access to the shoreline or waterfront shall be protected and maintained. All development shall be required to provide public shoreline access consistent with Policy; 2. All development in the existing Marina shall be designed to improve access to and along the shoreline. All development adjacent to the bulkhead in the existing Marina shall provide pedestrian access ways, benches and rest areas along the bulkhead. | <p>Project development will substantially improve public shoreline access opportunities over existing conditions on the subject Parcels 10R, FF and 9U. Provision of the Waterfront Stroll Promenade along all portions of the Parcels 10R, FF and 9U bulkheads will ensure that the project will provide public pedestrian access and passive recreational opportunities along the key waterfront portion of each parcel, in conformance with Sections 30210-30212 of the California Coastal Act and Chapter 1 (Shoreline Access) of the Marina del Rey Land Use Plan. The 28-foot-wide public Waterfront Stroll Promenade would feature special color-patterned paving, landscaping, fencing and lighting. This waterfront walkway will allow residents and the public an ability to enjoy unimpeded pedestrian access to, and vistas of, the small-craft harbor. Additionally, the project will provide enhanced public access to the shoreline through provision of public views to the water from streets fronting Parcels 10R, FF and 9U, consistent with LCP view corridor requirements.</p> |

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| Shoreline Access (continued) | | <p>Public access to the shoreline will be further enhanced through development of a 1.46-acre wetland park in the southern portion of Parcel 9U. This public park will consist of a newly established wetland area in the center of the park, surrounded by an upland buffer. The wetland area will be approximately 0.47 acre in size. The upland buffer surrounding the wetland will be 0.99 acre and planted in appropriate transitional vegetation. Controlled public access will be encouraged in this area. A protective fence will be installed in a location and manner deemed appropriate for the biological and visitor functions. In the upland buffer, which will be connected to the Waterfront Pedestrian Promenade, appropriate interpretive signage will be installed to enhance the visitor experience. Turf block areas will provide a sturdy space for group lectures, seating for visitors bringing lawn chairs for bird watching, etc., and maintenance and/or emergency vehicles. Expanded and enhanced seasonal pond habitat with fringing riparian scrub would be planted within the enhanced wetland area. These plant species would replace the non-native species removed during site preparation. The proposed seasonal pond habitat and fringing riparian scrub would be planted in zones of appropriate wetness. Variations in microtopography within the basin will allow for establishment of mosaic of seasonal pond habitat with associated fringing riparian scrub.</p> <p>As part of this project, Legacy Partners will also fund and develop a public-serving anchorage to adjoin the Parcel 9U bulkhead. This anchorage would contain approximately 524 linear feet of new public dock area. As planned, this project component would result in the construction of public dock space accommodating between 7 and 11 boats, plus dinghy moorage.</p> <p>Conclusion: Consistent.</p> |

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| Shoreline Access (continued) | <p>All development projects, including hotel, office, commercial and residential redevelopment in the Marina, that contain more than 75 parking spaces shall be designed to incorporate turn out area(s) for future shuttle stops and/or transit stops.</p> <p>To further ensure improved coastal access, a shuttle bus system shall be established to serve the Marina with connecting service to nearby park-and-ride lots, parks and local beaches in Venice and Playa del Rey. All new visitor-serving commercial, hotels and residential development in the Marina shall, as a condition of development, agree to participate in their proportionate share of the cost of running the shuttle system.</p> <p>Funds to assist in the establishment of a public shuttle service in the Marina may be obtained as part of Category 3 developer mitigation fees.</p> | <p>At this time, there is no public shuttle system in the Marina. However, the Fourth Supervisorial District and Playa Vista provide a courtesy summer beach shuttle on Fridays, Saturdays, Sundays and holidays from late May until early September. Public buses travel along Lincoln, Washington and Venice Boulevards but do not extend into the Marina beyond these roads. The applicant will be conditioned to pay required "Category 3" traffic fees per the LCP, which may be applied by the County at the County's discretion toward establishment of a public shuttle service in the Marina.</p> <p>In the event a shuttle service is instituted in the Marina in the future, residents and guests of the Neptune Marina FF and guests of the Woodfin Suite Hotel and Timeshare Resort would be able to use sidewalks to conveniently access the turnout space provided on the Neptune Marina Parcel 10R project site.</p> <p>Conclusion: Consistent.</p> |
| Shoreline Access (continued) | <p>Public awareness of shoreline access ways and public areas shall be promoted by the provision of appropriate signs, outdoor exhibits and brochures. All development in the Marina shall be required to incorporate the following informational features to improve the public's awareness of access opportunities and the coastal environment:</p> <ol style="list-style-type: none"> 1. Outdoor maps indicating the location and type of public access ways and parks; 2. Identifying and directional signs; and 3. As appropriate, facilities for brochures and other informational aids. | <p>The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project will include directional signage (as approved by the Design Control Board [DCB]) regarding the project's public waterfront promenade and nearby public wetland park (to be located on southerly portion of Parcel 9U). In furtherance of these important shoreline access policies, the applicants will be conditioned to provide signage at the project's Marquesas Way, Via Marina and Tahiti Way entrances and at each bulkhead entrance of each public vertical access way identifying these as public access ways. The applicants will also provide signage at conspicuous locations along the length of the bulkhead public access ways (public promenade) identifying the access ways as public.</p> <p>Conclusion: Consistent.</p> |

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| <p>Shoreline Access (continued)</p> | <p>Public opportunities for viewing the Marina scenic elements, particularly the small-craft harbor water areas, shall be enhanced and preserved.</p> <ol style="list-style-type: none"> 1. All development on the waterfront side of Via Marina, Admiralty Way and Fiji Way shall provide windows to the water, wherever possible, while, at the same time, screening unsightly elements such as parking areas and trash receptacles with landscaping. 2. All development, particularly visitor-serving commercial uses, proposed adjacent to the main channel shall provide additional opportunities and vantage points for public viewing of boating activity. 3. All development, redevelopment or intensification on waterfront parcels shall provide an unobstructed view corridor of no less than 20% of the parcel's waterfront providing public views of the small-craft harbor. | <p>Existing uses on the Neptune Marina Parcel 10R site consist of low-level, rectangular structures that block views of the water from adjoining public streets. In contrast, proposed structures on Parcel 10R would be taller but would be designed in such a manner as to create a number of view corridors from adjacent streets, in full compliance with LCP requirements. Please refer to Section 5.6, Visual Quality, for more information.</p> <p>The existing parking lot on the Neptune Marina Parcel FF site and vacant land on Parcel 9U do not visually obstruct views of the marina. Therefore, development of the proposed apartment building on Parcel FF and the hotel/timeshare resort structure on the northern portion of Parcel 9U would reduce the marina scenic viewing opportunities along the length of the project site from a portion of Marquesas Way and Via Marina. However, each project element would provide view corridors compliant with LCP requirements; as such, the Neptune Marina Parcel FF and Woodfin Suite Hotel and Timeshare Resort projects comply with this coastal visual resources policy. The hotel/timeshare resort structure has been oriented on the site to maximize public views to the water from Via Marina. The structure would front on Via Marina over the northerly portion of the parcel. Consistent with the LCP height standards allowing for a building with a maximum height of 225-feet on this parcel, the project has been designed with an unobstructed view corridor comprising at least 40% of the parcel's frontage on Via Marina; this large public view corridor will provided over the public wetland park to be developed on the southerly approximately 1.46 acres of the parcel.</p> |

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| Shoreline Access (continued) | | <p>The project would provide view corridors to the water from all public streets fronting the parcel, at or in excess of LCP requirements. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project incorporates six view corridors. Of the six view corridors, three corridors allow vistas of Marina del Rey Basin B from Marquesas Way (southerly), one corridor allows vistas of Marina del Rey Basin C from Marquesas Way (northerly) and the fifth and sixth view corridor allows vistas of Marina del Rey Basin B from Via Marina (easterly).</p> <p>Provisions of the LUP tabulate the area of required view corridor based on the length of the parcel's water frontage and the proposed building height. With respect to Parcels 10R and FF, based on the length of the parcels' water frontage and a proposed building height of 55 feet for Buildings 1 and 2, a building height of 60 feet for Building 3 on Parcel 10R, and 55 feet for Building 4 on Parcel FF, the LUP requires 420 linear feet of view corridor. As proposed, the project would provide 443 linear feet.</p> <p>The Woodfin Suite Hotel and Timeshare Resort Project incorporates one view corridor on Parcel 9U, south of the hotel. The primary view corridor allows vistas of Marina del Rey Basin B from Via Marina through the Parcel 9U public park/wetland. Per the LCP, based on the proposed 225-foot height of the hotel/timeshare resort structure (excluding appurtenant rooftop structures), a view corridor totaling 40% of the length of the site is required. For the 386-foot-long site, a minimum 154-foot-wide view corridor is required. The project plans for 154 linear feet of view corridor through the Parcel 9U public park/wetland situated south of the hotel/timeshare resort structure.</p> |

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| Shoreline Access (continued) | | <p>As such, the proposed project is consistent with view corridor provisions of the Marina del Rey Land Use Plan that call for public and private views of the marina from perimeter roadways. Development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would provide views, consistent with LUP requirements, of the small-craft harbor as observed by motorists and pedestrians traveling along either Via Marina or Marquesas Way.</p> <p>The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would also include opportunities for public viewing of the Marina's boating activities along the entire waterfront portion of the site from the Waterfront Stroll Promenade. Visual analysis is discussed in greater detail in Section 5.6, Visual Quality.</p> <p>Conclusion: Consistent.</p> |
| Recreation and Visitor-Serving Facility System | <p>Visitor-serving uses may be provided in the study area in accordance with the Existing/Proposed Visitor-Serving Facilities, as depicted on Map 5 of the LUP. Typical visitor-serving uses may include public or private recreation, cultural and educational facilities, gift and specialty shops, service concessions (i.e., boat, bicycle or skate rentals), food and drink establishments, overnight lodgings and related parking areas. Specific improvements proposed by this LUP include the conversion of Parcel FF from a parking lot to a public park and improvements to Parcel P (the Oxford flood control basin) to accommodate public recreation use of the site. The creation of a Coastal Improvement Fund is recommended as a means for funding public use of facilities.</p> | <p>Redevelopment of the site as proposed would significantly improve the public's coastal recreational opportunities. A new 28-foot-wide Waterfront Stroll Promenade would be provided along the entire waterfront on Parcels 10R, FF and 9U, allowing public access to the waterfront with opportunities to observe boating activity within the small-craft harbor. Moreover, the Woodfin Suite Hotel and Timeshare Resort will offer an assortment of visitor-serving uses, including a waterfront restaurant, cocktail lounge and spa. As noted, a public wetland park will be developed on the southerly portion of Parcel 9U, with connections to the public waterfront pedestrian promenade and adjacent hotel/timeshare resort to be developed as part of the project. The new wetland park will provide the public enhanced recreational and educational opportunities. (Of note, Parcel 9U is currently fenced off and the public is thus prohibited from any use-recreational or otherwise-of the site.)</p> |

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| <p>Recreation and Visitor-Serving Facility System (continued)</p> | <p>As defined by the Coastal Act and specified in the specific design guidelines for each parcel in the Local Implementation Program, new development shall provide additional recreational opportunities including trails, bikeways (additions and/or extensions of existing bike path), open space/park areas and viewing areas, as appropriate. Adequate support facilities (bike storage lockers, drinking fountains, etc.) shall also be provided.</p> <p>Existing and proposed recreation and visitor-serving uses in the Marina, as shown on Map 5, Existing/Proposed Visitor-Serving Facilities, shall be protected.</p> <p>Lower cost visitor-serving facilities shall be protected and, to the extent feasible, new lower cost visitor-serving uses shall be encouraged and provided within the Marina.</p> <p>Any new proposal for construction of facilities in the existing Marina that is non-coastal priority or non-marine-related use shall require offsetting mitigation. Mitigation shall be accomplished by contribution to a Coastal Improvement Fund. This Fund is primarily intended to finance construction of local park facilities. Uses exempt from this policy requirement include hotels, visitor-serving commercial and marine commercial uses.</p> | <p>Legacy Partners proposes to further enhance the public’s recreational use of the site by developing a public anchorage adjacent to the Parcel 9U bulkhead. This new anchorage will provide the boating public a significant new recreational amenity on the western side of the Marina, where no such purely public anchorage and area for dinghy berthing now exists.</p> <p>As discussed above, the Land Use Plan chapter of the Marina del Rey LUP (Section C. 8.) designates Parcel FF as Open Space. Further, the Recreation and Visitor-Serving Facilities chapter of the Marina del Rey LUP (Section A. 2.) and Section 22.46.1950 of the Los Angeles County Code indicate the potential future development of at least a portion of Parcel FF with a public park. However, there are no current plans for such a park. The applicants are proposing to shift the potential future park on Parcel FF to a superior location on the southern portion of Marina del Rey Parcel that fronts a more heavily traveled street (Via Marina) and provides for more expansive and higher quality views of the basin and the water. 9U.</p> <p>The applicants would fund the restoration and enhancement of an existing the degraded wetland to create a 1.46-acre public park site as well as construction of a public anchorage within adjoining Marina del Rey Basin B. The combination of benefits to the public from these habitat and public recreation improvements, accomplish the County’s objectives otherwise associated with the future park site on Parcel FF.</p> <p>Moreover, in order to further augment lower-cost public serving uses on the westerly side of the Marina, and should adequate parking be identified, an opportunity exists for two to three of the transient slips at the public-serving anchorage proposed for development adjacent to the site to be used for charter and excursion boats. These excursion opportunities could constitute an important new public/visitor-serving feature on this side of the marina, as no such services are provided in this primarily residential portion of the marina.</p> |

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| Recreation and Visitor-Serving Facility System (continued) | | <p>In summary, the project is consistent with these policies in that the proposed public park on Parcel 9U would be in a superior location to a potential future park on Parcel FF and would be a park with greatly enhanced habitat value. For additional information, see Section 5.15, Parks and Recreation, and Section 5.17, Land Use and Planning.</p> <p>The Neptune Marina Parcel 10R and FF project components will also be subject to applicable development fees per the Coastal Improvement Fund for off-site mitigation of impacts to recreation facilities. Please refer to Section 5.15, Parks and Recreation, for a detailed discussion of the project's consistency with the provision of recreational opportunities.</p> <p>Conclusion: Consistent.</p> |
| Recreation and Visitor-Serving Facility System (continued) | <p>All development, including redevelopment, expansion projects or new construction, shall be subject to the applicable parking requirements set forth in Los Angeles County Code, Title 22 (Zoning), as certified by the Commission in Appendix B of the LIP Specific Plan. In addition, public recreation areas shall be supported with visible public parking, consistent with the standards of Title 22, except that boat launch, boat storage and marina parking and design shall be provided as specified in the Department of Beaches and Harbor's Specifications and Minimum Standards of Architectural Treatment and Construction, adopted in 1989.</p> <p>Parking facilities shall be integrated into the overall design of all development and landscaped to soften their visual appearance. All parking shall be located either below grade, or within multi-story structures, or, if on level grade, shall be attractively designed with a buffer of landscaping, berms, or other screening materials.</p> | <p>As discussed in Section 3.0, Project Description, of this EIR, a total of 908 parking spaces are provided in the Neptune Marina Parcel 10R. One hundred of these spaces would be set aside for apartment tenant guests and 131 would be designated for boaters.</p> <p>Consistent with the policies of the LUP, parking areas in the Neptune Marina Project (Parcels 10R and FF) have been designed in a manner that would limit visibility from surrounding vantage points. The lower level of parking in each building is subterranean and the upper level is situated one-half floor below grade. The remaining half floor of the project's parking would be screened from view by landscaping and architectural elements.</p> <p>Parking spaces are segregated by user type. The number of parking spaces provided by the proposed project for each user type is consistent with County parking standards.</p> <p>Signage directing visitors to public parking areas would be clearly posted, consistent with County parking and DCB standards.</p> |

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| Recreation and Visitor-Serving Facility System (continued) | <p>Public parking lots shall be provided in locations convenient to key visitor attractions in the Marina. The lots shall feature adequate locational signage and publicity. If parking fees are charged, parking fees shall be kept low so that the general public may use the Marina facilities for free or at nominal rates.</p> <p>Public parking lots shall not be assigned to, nor allocated for use by, private leasehold uses for the purposes of satisfying parking requirements for such private uses. All private uses shall satisfy their parking requirements on site. Parking agreements that predate the CCA or which have been incorporated into a coastal development permit vested prior to LCP certification shall be exempt from this requirement.</p> <p>No designated public parking areas, including, but not limited to Lots OT, UR, or FF shall be converted to uses other than public parking or public park purposes. Parking spaces lost as a result of conversion of public parking areas to public park uses, shall be replaced on a 0.5:1.0 basis, either on site or elsewhere in the Marina.</p> <p>All new development shall provide visitor, public access and guest parking on site. Park and access areas shall be served by convenient and appropriate public parking.</p> | <p>As noted, Parcel FF is currently developed with a parking lot containing 206 parking spaces. Parking Policy No. 12 of Chapter 2 of the LUP requires that public parking spaces lost due to the conversion of parking lots to public park use (shall be replaced elsewhere in the Marina on a 0.5:1 (50%) basis. The discretionary project approvals thus include an LCP amendment request by the County of Los Angeles and applicant to modify the LUP and Specific Plan to allow deferral of construction of the 103 “replacement” parking spaces required as a condition of the proposed development of Parcel FF with residential use until such time as construction of such replacement parking spaces can be provided for by the County in an alternate Marina location more convenient to key visitor attractions (e.g., Burton Chace Park).</p> <p>This LCP amendment will also request authorization to allow Legacy Partners to occupy the new Parcel FF apartment building prior to construction of replacement parking spaces elsewhere in the Marina. Legacy Partners will deposit funds within the County-administered Coastal Improvement Fund sufficient to construct the replacement parking with the County prior to issuance of a building permit. (As set forth in Section A.2 of the LUP, and as confirmed by a parking use survey conducted by a licensed traffic engineering firm for Parcel FF, attached as Appendix 5.7 to this EIR, the existing Parcel FF parking lot is highly underutilized by the public, so deferring the construction of the replacement spaces is not anticipated to result in a shortage of parking in the area. As evidence of this, over one-half of the Parcel FF parking lot has, for the last six months, been fenced-off from public use and utilized as a construction staging area for a nearby apartment development. During this time, the County has not received any complaints from the public indicating that the use of the parking lot for construction staging purposes has created a deficiency of public parking at the site or in the local area.</p> |

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| Recreation and Visitor-Serving Facility System (continued) | | <p>The Neptune Marina Parcel FF provides on-site parking consistent with County parking standards. As discussed in Section 3.0, Project Description, of this EIR, a total of 242 parking spaces are provided in the Neptune Marina Parcel FF. Thirty-two of these spaces would be designated as guest parking.</p> <p>Parking for the Woodfin Suite Hotel and Timeshare Resort would be provided in a six-level parking structure connected to the northern site of the hotel building. Five floors would be above and one floor would be below finished grade. The first three floors of the garage would connect with the ground, second and third floors of the hotel building. The garage would house a minimum of 360 parking spaces, 21 of which would be fee-based self-park spaces and the balance of which would be managed by a professional valet service. The project applicant's traffic engineer, Crain & Associates of Southern California, has prepared a detailed shared-parking analysis substantiating that the proposed 360 parking spaces will be sufficient to service the resort at peak demand/use periods.</p> <p>Conclusion: Consistent.</p> |
| Recreational Boating | <p>Recreational boating shall be emphasized as a priority use throughout the planning and operation of the Marina. To help achieve this goal, the Plan shall strive to ensure that adequate support facilities and services are provided including, but not limited to, the following: boat spaces, fueling stations, boat repair yards, boat dry-storage yards, launch ramps, boat charters, day-use rentals, equipment rentals and ongoing maintenance of the marina harbor and entrance channel, bulkhead repair, pollution control, safety and rescue operations and sufficient parking for boaters. Emphasis shall be given to providing water access for the small boat owner through provision of public ramp facilities.</p> <p>Additional public boating facilities in the Marina may be provided in accordance with the Funnel Concept Boat Space Expansion Plan,</p> | <p>As discussed in Section 3.0, Project Description, implementation of the Neptune Marina Parcel 10R would result in a net decrease of 24 boat spaces. However, this 24-boat space reduction is necessary in order for the new Parcel 10R anchorage to be developed in compliance with today's ADA and CA DB&W standards.</p> <p>As noted, as part of the compensatory mitigation package for converting Parcel FF to residential use, Legacy Partners proposes to develop an approximately 49,000 square foot (1.12 acres) public-serving anchorage in the southwestern portion of Basin B. As planned, the project would result in the construction of between seven and 11 boat spaces (depending on the vessels' relative sizes) and additional dinghy moorage area dedicated for public use. The proposed public-serving anchorage constitutes an unprecedented</p> |

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| Recreational Boating (continued) | as depicted on Map 6 of the LUP, Lease holders may construct additional spaces according to the “funnel concept” and realign existing spaces where possible provided that land side facilities fulfill lease and specific plan requirements, including provision of adequate parking to meet applicable Zoning Ordinance requirements. The specific design and location of new boat spaces shall be subject to navigational safety review by the Harbor Master. | public boater-serving use on the western, residentially developed side of Marina del Rey, where no such purely public anchorage facilities currently exist. The new public-serving anchorage would be compliant with ADA and CA DB&W requirements. The combination of the two project elements (i.e., the private marina construction on the waterside portion of Parcel 10R and the public marina construction at the southwestern corner of Marina Basin B) would result in a net decrease of up to 17 spaces. Existing anchorages, which have aged beyond repair, were originally constructed to accommodate the boating community of the 1950s–1960s. These anchorages lack contemporary design features and amenities consistent with a modern marina, such as: wider space berths, sewage pump-out facilities and state-of-the-art wiring for high-speed telecommunications and electronics. |
| Recreational Boating (continued) | At a minimum, the existing level of boating-related support facilities and services shall be maintained for the boating public. These facilities shall include, but are not limited to, the fuel docks on parcels 1 and 55, boat repair yards on parcels 53 and 54, the mast up storage and hoist on parcel 77, the county launch ramp and support parking on parcel 49 and small launch ramps and rental facilities on other parcels. With the exception of the facilities located on parcels 1, 54, 55 and 56, which shall not be displaced, boating facilities may be relocated in conjunction with development so long as the same or larger boating facility is replaced within the Marina. Any project which relocates an existing coastal dependent boating use, including but not limited to boat launching, boat storage, boater parking and access, shall be phased so that said use is replaced within the Marina before the development which displaces it may commence. | <p>Additionally, none of the existing anchorages are ADA compliant. The project’s new anchorages have been designed to allow for more modern boat styles and include five ADA compliant spaces. The proposed Neptune Marina Parcel 10R anchorage and the public anchorage proposed adjacent to Parcel 9U would contain sewage pump-out facilities. Proposed improvements are consistent with policies of the LUP that place a strong emphasis on the preservation and enhancement of recreational boating opportunities. Such improvements are thus “adequate support facilities” consistent with the LUP thereby enhancing boater-related support facilities and providing opportunities to all users.</p> <p>The configuration of the spaces within the anchorages would be subject to the review and approval of the Harbor Master in order to ensure navigational safety. Parking for boating-related activities is addressed in detail in Section 5.7, Traffic/Access.</p> <p>Conclusion: Consistent.</p> |

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| Marine Resource | <p>The existing wetlands, including the flood control channel in Parcel PP, the Marina waters and the Ballona Creek flood control channel are the marine resources which shall be maintained and, where feasible, enhanced and restored. Uses permitted in or adjacent to these areas shall be carried out in a manner to protect the biological productivity of these marine resources and maintain healthy populations of marine organisms.</p> <p>All development shall include measures consistent with the Santa Monica Bay Restoration Plan and the Programs of the Department of Public Works to reduce contaminated runoff into bay and Ballona Creek waters, including filtration of low flows, control and filtration of runoff from parking lots and roofs, reduction of impervious surfaces and provision of pump-out facilities and other necessary measures to reduce harmful pollutants from storm drain waters prior to these waters entering the marina.</p> <p>Boat operations in the Marina shall follow the regulations of Part 7 (Sanitation), Part 8 (Safety and Maintenance) and Part 9 (Marina del Rey) of Chapter 19.12 of the Los Angeles County Code, Title 19 (Airports and Harbors), to minimize introduction of pollutants into Marina waters. This language is found in Appendix B of the Local Implementation Plan.</p> | <p>The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would be subject to Section 402(p) of the Federal Clean Water Act that regulates marine construction and storm water discharges under the NPDES program. If required by the County Department of Public Works prior to final drainage and grading plan approvals, post-development project runoff would be directed to the existing storm drain system and/or channeled through catchment areas that would filter out sediments and pollutants consistent with the Santa Monica Bay Restoration Plan and to water quality levels prescribed by current law for discharge water.</p> <p>Specific measures included in the design of the Neptune Marina Parcel 10R anchorage and the public-serving boat spaces proposed adjacent to Parcel 9U include the use of screens to limit turbidity and use of debris booms to capture and control floating debris. Finally, individual lease agreements for the spaces include prohibitions against engine maintenance and boat painting or scraping activities while on the premises. As noted, the function and value of the park would be greatly enhanced through the restoration of a degraded wetland and creation of a wetland/upland park within Parcel 9U, in conjunction with the construction of a public anchorage within Basin B. The restoration of the degraded wetland would help minimize pollutants into Marina water.</p> <p>Conclusion: Consistent.</p> |

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| Cultural Heritage Resources | <p>Proposed projects shall be reviewed for potential cultural resource impacts through the County environmental review process. Appropriate environmental documentation and reasonable mitigation measures shall be required as determined by the Department of Regional Planning and the State Historic Preservation Office. These mitigation measures shall be incorporated into any development approved pursuant to the certified local coastal program.</p> <p>As defined by Section 30116(d) of the Coastal Act, any cultural resource found in the portion of the LCP study area planned for development shall be collected and maintained at the Los Angeles County Museum of Natural History, or other appropriate location as otherwise provided by state law.</p> <p>To ensure proper surface and site recordation, the State Historic Preservation Office shall be notified, along with Regional Planning, if any resource is discovered during any phase of development construction. A professional archaeologist shall be retained to monitor any earthmoving operations in the study area. A halt-work condition shall be in place in the event of cultural resource discovery during construction.</p> <p>As part of the application for any coastal development permit involving disturbance of native soils or vegetation, including but not limited to excavation, pile driving or grading, the applicant shall provide evidence that they have notified the Office of State Historic Preservation and the Native American Heritage Commission of the location of the proposed grading, the proposed extent of the grading and the dates on which the work is expected to take place.</p> | <p>According to the LUP, any cultural resources on marina land already altered or designated for development have been already impacted. The existing land mass within the marina facility has been covered with fill material from channel construction and developed with residential and commercial buildings, thereby burying or impacting any resources in the area. For this reason, the redevelopment of existing developed areas is not likely to result in any impacts to cultural resources. Therefore, redevelopment of the project site as proposed is not expected to disturb any cultural resource. In the unlikely event that a cultural resource is uncovered during the construction activity, a condition should be included which requires that construction activity cease until such resources can be evaluated by a qualified archeologist. In that event, the requirements of the Cultural Heritage Resource Policy shall be adhered to.</p> <p>Conclusion: Consistent.</p> |

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| Land Use Plan | <p>The primary purpose of the Land Use Plan shall be to maintain the Marina as a small-craft harbor for recreational purposes. A secondary purpose shall be to promote and provide visitor-serving facilities.</p> <p>Development shall not detract from, nor interfere with the use of existing or planned boating facilities, nor the ancillary uses that support these facilities.</p> <p>Maintenance of the physical and economic viability of the marina is a priority. Lessees shall be encouraged to replace structures and facilities that are physically or economically obsolete.</p> | <p>During construction of the Neptune Marina Parcel 10R, the 198 existing boat spaces and end-tie spaces would be removed and would thus be unavailable for use. After project completion, 24 fewer boat spaces would be available for use; however, the modest reduction in boat spaces at Parcel 10R is necessary in order for the new marina to comply with ADA and CA DB&W standards as well as provide for larger slip spaces. Moreover, as noted, a public anchorage will be developed by Legacy Partners in southwestern portion of Basin B. As planned, the public anchorage would result in the construction of between seven and 11 public boat spaces plus dinghy moorage areas dedicated for public use. This new public anchorage will provide the boating public an unprecedented new recreational amenity on the western, residential side of the Marina, where no such purely public anchorage now exists. Both new anchorages would be compliant with ADA and CA DB&W requirements. The combination of the two project elements would result in a net decrease of up to 17 boat spaces.</p> <p>As with the analysis above of the Recreational Boating section of the LUP, these changes are necessary to achieve other policy objectives. The existing anchorages on the project site are aged and of an outdated design. The Land Use Plan policy encourages the replacement of physically and economically obsolete structures. Replacement of the existing anchorages would thus be consistent with this policy.</p> |

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| Land Use Plan (continued) | | <p>The Woodfin Suite Hotel and Timeshare Resort will offer an assortment of visitor-serving uses, including a waterfront restaurant, cocktail lounge and spa. Moreover, a public wetland park will be developed over the southerly portion of Parcel 9U, with connections to the public waterfront pedestrian promenade and adjacent hotel/timeshare resort to be developed as part of the project. The new wetland park will provide the public enhanced recreational and educational opportunities. (Of note, Parcel 9U is currently fenced off and the public is thus prohibited from any use—recreational or otherwise—of the site.) Finally, the project’s Waterfront Stroll Promenade will substantially enhance the public’s recreational opportunities along the extensive waterfront portions of Parcels 9U, 10R and FF. As defined above, all ground floor uses would be accessible to the public. The ground floor of the hotel, the adjacent pedestrian promenade, the wetland park and the public-serving boat spaces are designed to create an interactive public node in this part of the marina. When taken as a whole, the proposed project is consistent with the policy objectives defined in the LUP for the continued economic and physical viability of the Marina and to maintain the popularity of the Marina.</p> <p>Conclusion: Consistent.</p> |
| Land Use Plan (continued) | <p>The DCB, appointed by the Board of Supervisors, shall review all new development proposals, including renovations, for consistency with the Manual for Specifications and Minimum Standards of Architectural Treatment and Construction and the certified LCP, including the identification and accessibility of the Marina as a public boating and recreational facility, and shall recommend such modifications to the design as they deem appropriate.</p> <p>Such review shall be completed prior to any application for development being submitted to the Department of Regional Planning for case processing.</p> | <p>As required by this Land Use Policy and regulations of the County, the applicant appeared before the DCB on June 29, 2006, to present the conceptual development proposal for review and comment; such conceptual approval was granted by the DCB to the project on June 29, 2006.</p> <p>Conclusion: Consistent.</p> |

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| Land Use Plan (continued) | <p>All applications for development on a specific parcel shall provide evidence of consistency with all of the following: (1) the access and recreation policies of the Coastal Act and this LCP; and (2) all policies and development standards in the certified LCP, including the amount of development potential allocated to the Development Zone in which the parcel is located, and the principle permitted land use assigned to that parcel, permitted in the Waterfront Overlay Zone, or identified in the LCP as compatible uses that may be allowed, subject to a grant of a Conditional Use Permit.</p> <p>Actual entitlement to develop a new use, or to change or expand an existing use on a given parcel shall be determined by the coastal development permit process as contained in Part 17 of Chapter 56 of Title 22 (Planning & Zoning) of the Los Angeles County Code which may culminate in either granting, denying or conditional approval of a Coastal Development Permit. This process shall analyze all applicable policies of this LUP, the Countywide general plan, and Title 22 (Planning & Zoning) of the Los Angeles County Code, in determining the design, location and intensity of development on a specific parcel. This process also shall determine the extent of offsetting mitigation measures that shall be required of an applicant.</p> | <p>Evaluation of the project’s consistency with the policies and land use standards contained in the Marina del Rey LUP is found in this section of the draft EIR. Discussions of consistency with access and recreation policies are found under the Shoreline Access heading and the Recreation and Visitor-Serving Facility heading, respectively.</p> <p>This section also provides analysis of the project parcels’ shortfall of allocated development potential and discusses the applicant’s and County’s intention to seek an amendment to the certified LCP to authorize interdevelopment zone transfer of development allocations (into the subject Marquesas DZ) of a sufficient number of “excess” residential development credits from the adjoining Tahiti and Bora Bora DZs. These development allocation transfers would allow for development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project.</p> <p>A precedent exists for such interdevelopment unit transfers on the westerly side of the Marina as evidenced by the CCC’s previous certification of an LCP amendment to allow a similar transfer of 97 residential development credits from the Bora Bora DZ to the more-distant Panay DZ, to facilitate the development of an apartment building within Marina Parcel 20. As with the Parcel 20 LCP amendment, a traffic analysis has been prepared, which has determined that the traffic and circulation impacts of the proposed inter-DZ transfer of excess development units are insignificant. The proposed project’s development of new housing units and the intended transfer of development credits are, therefore, both consistent with the Marina del Rey Land Use Plan and the policy objectives above.</p> <p>The project as proposed includes requests for the approval of CDPs and CUPs as required under the County Code.</p> |

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| Land Use Plan (continued) | | <p>Proposed uses within the site are consistent with the permitted uses for the Waterfront Overlay Zone. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project, as with all development in Marina del Rey, is subject to the coastal development permit process, the policies of the LUP, the Countywide general plan, and the County Code. The Coastal Development Permit process shall determine the extent of any offsetting mitigation measures.</p> <p>Similar to the Marquesas DZ, the majority of land within the Tahiti DZ is designated for residential uses (Residential III, IV and V). However, Parcel 9U is designated as Hotel in the Land Use Plan portion of the Marina del Rey LUP (Section C. 8.). As defined in the Marina del Rey Land Use Plan, the Tahiti DZ calls for a hotel with a maximum of 288 rooms and a maximum height of 225 feet. Consistent with the LUP, a 19-floor hotel and timeshare resort is proposed for the northern portion of Parcel 9U.</p> <p>Conclusion: Consistent.</p> |
| Land Use Plan (continued) | <p>Although construction of housing is not a priority use in the Coastal Zone, additional opportunities for coastal housing may be provided, where appropriate.</p> <p>All development of coastal housing shall be contingent upon meeting all applicable policies and development standards of the LCP, including but not limited to adequate parking, view corridors, public access to the shoreline, provision of new usable public recreation and open space and visitor-serving recreational uses in the plan segment, provision of adequate traffic capacity, and any provisions for low- and moderate-income and senior housing subsequently certified by the CCC.</p> <p>New or expanded development of office commercial uses shall be discouraged and, where permitted, confined to sites outside of the Waterfront Overlay Zone</p> | <p>Consistent with the objective of the Marina del Rey LUP, the Neptune Marina Parcels 10R and FF would redevelop land now developed with older residential uses, parking and boating facilities. The proposed project is appropriate and consistent with the LUP given that project implementation would result in the upgrading of existing housing (Parcel 10R) and provision of additional housing on a site (Parcel FF) developed with a surface parking lot which for years has only experienced limited use by the public. Similar uses exist near the subject property, such as the residential land uses across Via Marina, and similar residential, recreational and boating uses in the Marina.</p> |

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| Land Use Plan (continued) | | <p>As noted, Parcel FF is currently improved with a surface parking lot, which, due to its relatively distant location from recreational uses or visitor attractions in the Marina, has been and continues to be highly underutilized by the public. This fact was confirmed by the California Coastal Commission staff recently in its Marina del Rey Periodic Review Staff Recommendation, dated July 20, 2006, in which staff writes (at page 128):</p> <p>“[T]here are a few public parking lots that the County provides that are not located adjacent to key visitor attractions and may be underutilized due to their location. Parcels FF and OT are examples of such parking lots...The nearest key visitor-serving or recreational facilities [to Parcel FF] are Marina Beach and the North Jetty, both located over 1,000 feet from the parking lot. The closest recreational facility is the promenade, which runs along a portion of the parking lot. Although the promenade is a significant recreational facility, people generally access the promenade in other areas and do not rely on this parking lot.”</p> <p>In addition to providing needed housing, development of Parcel FF with residential use will provide multiple Coastal-oriented public benefits, including: provision of a new 28-foot-wide public pedestrian promenade along the Parcel FF bulkhead; development of a public boat anchorage adjoining the Parcel 9U bulkhead; and providing 50% of the funding for the development of a public wetland park on the southerly portion of Parcel 9U. Consistent with Policy 10 of the LUP’s “Land Use Plan” Chapter, the project will also provide the additional public benefit of affordable housing, in conformance with the Mello Act and the County’s adopted affordable housing policy for the Marina.</p> |

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| Land Use Plan (continued) | | <p>Development as proposed by the applicant is consistent with the policies of the LUP, the Asset Management Plan pertaining to the recycling of Phase I Marina del Rey development and applicable policies and development standards. Discussions on consistency with recreation, parking, views, housing and LCP standards are addressed in sections of this table above.</p> <p>The project mitigates direct project-related traffic impacts through a combination of intersection improvements, and the payment of required fees thus providing adequate traffic capacity to promote circulation patterns within Marina del Rey.</p> <p>The mitigation measures for cumulative traffic impacts include measures specifically identified in the TIP, including funding for larger long-term improvements such as widening the Lincoln Boulevard Corridor and the planned Marina Expressway (SR-90) extension to Admiralty Way that will increase area wide traffic capacity and help alleviate existing and future congestion in the study. The project will also contribute its “fair share” toward implementation of these cumulative improvements through payment of the \$1,297,320 trip fee, plus the pro-rata share for the new traffic signal and roadway improvement at Washington Boulevard and Palawan Way.</p> <p>Please see Section 5.7, Traffic/Access, for a more detailed discussion of circulation and parking consistency.</p> <p>In summary, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project meets all applicable policies and development standards of the certified LCP, including, but not limited to, adequate parking, view corridors, public access to the shoreline, provision of new usable public recreation and open space (waterfront public pedestrian promenade), provision of adequate traffic capacity and provisions for affordable housing consistent with the County’s Marina del Rey Mello Act Policy and Government Code Section 66590, et seq. (Mello Act).</p> <p>Conclusion: Consistent.</p> |

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| Land Use Plan (continued) | <p>Affordable and senior-citizen housing projects shall be encouraged as part of Phase II development consistent with the policies and development standards of the certified LCP.</p> <p>a) The following General Plan policies shall be applicable to the review and approval of housing projects within the existing Marina:</p> <ol style="list-style-type: none"> 1. Encourage private sector participation in the development of low- and moderate-income housing. 2. Support and facilitate the development of housing affordable to lower-income households, and encourage the dispersal of new lower-income housing throughout the unincorporated areas of the County. 3. Support the design and construction of rental housing to meet the needs of lower-income households, particularly large families, senior citizens and people with disabilities. <p>b) To the extent feasible, new housing developments shall comply with Government Code Section 65590 relating to the provision of low- and moderate-income housing within the Coastal Zone.</p> <p>c) The conversion or demolition of existing residential dwelling units occupied by persons of low and moderate income shall be replaced consistent with the provisions of Government Code Section 65590.</p> | <p>California Government Code Section 65590(b; c) requires the replacement of housing for low- and moderate-income families that is removed or converted in the Coastal Zone.</p> <p>Section 65590 also requires new housing developments constructed within the Coastal Zone to provide housing units for persons and families of low or moderate income. Where it is not feasible to provide these housing units in a proposed new housing development, the local government requires developers to provide such housing, if feasible to do so, at another location within the same city or county, either within the Coastal Zone or within 3 miles thereof. Legacy Partners, project developer of Parcels 10R and FF, will be required by the County to fully comply with the replacement and inclusionary housing requirements of California Government Code Section 65590 and the County’s Marina del Rey Mello Act Policy.</p> <p>Conclusion: Consistent.</p> |

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| Coastal Visual Resources | Maintaining and enhancing views of the Marina shall be a priority goal of this Plan. Enhancing the ability of the public to experience and view the Marina waters shall be a prime consideration in the design of all new, modified or expanded development. This goal shall be achieved by placing conditions on permits for new development to enhance public viewing, to allow for greater public access, and to create new view corridors of the waterfront. | Consistency with public view corridors and coastal access policy objectives are addressed under the Shore Access, as well as under the Recreation and Visitor-Serving Facility Section above. The Neptune Marina Apartments and Anchorage Project would provide view corridors to the water from all public streets fronting the parcels, in excess of LCP requirements pertaining to view corridors. Provisions of the LUP tabulate the area of required view corridor based on the length of the parcel's water frontage and the proposed building height. Based on the length of the parcel's water frontage and a proposed building height of 55 feet for Buildings 1 and 2, a building height of 60 feet for Building 3 on Parcel 10R, and a building height of 55 feet for Building 4 on Parcel FF, the LUP requires 420 linear feet of view corridor. As proposed, the project would provide 443 linear feet. As such, the project is consistent with view corridor provisions of the Marina del Rey Land Use Plan that call for public and private views of the marina from perimeter roadways. Therefore, development of the Neptune Marina Parcels 10R and FF would provide views, consistent with LUP requirements, of the small-craft harbor as observed by motorists and pedestrians traveling along either Via Marina or Marquesas Way. Moreover, the project would incorporate additional public viewing opportunities to the Marina's boating activities (e.g., from the Waterfront Stroll Promenade along the entire waterfront portions of the development parcels). |

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| Coastal Visual Resources (continued) | | <p>The Woodfin Suite Hotel and Timeshare Resort Project incorporates one view corridor on Parcel 9U, south of the hotel. The primary view corridor allows vistas of Marina del Rey Basin B from Via Marina through the Parcel 9U public park/wetland. Per the LCP, based on the proposed 225-foot height of the hotel/timeshare resort structure (excluding appurtenant rooftop structures), a view corridor totaling 40% of the length of the site is required. For the 386-foot-long site, a minimum 154-foot-wide view corridor is required. The project plans for 154 linear feet of view corridor through the Parcel 9U public park/wetland situated south of the hotel/timeshare resort structure. Because the project provides the required 154 feet of public view corridor on Parcel 9U (the minimum required in this instance to achieve the proposed hotel structure height), the hotel/timeshare resort is consistent with provisions of the LCP that call for public and private views of the Marina from perimeter roadways.</p> <p>Conclusion: Consistent.</p> |
| Coastal Visual Resources (continued) | No billboards or off-premise commercial signs shall be permitted in the LCP study area. On-premise signs shall be restrained in size and color and subordinate to the setting. | <p>The project is subject to the requirements identified by the DCB with respect to signing; building design, site planning and facade design. Compliance with all recommendations made by the DCB would ensure that any commercial signs located within the project are tasteful and in keeping with the Marina del Rey setting.</p> <p>No billboards or off-premises commercial signs are proposed. On-premise signs would be approved by the DCB and would be consistent with design guidelines dictated by the DCB.</p> <p>Conclusion: Consistent.</p> |

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| Coastal Visual Resources (continued) | <p>Signing, building design, site planning and facade design in the existing Marina shall continue to be controlled by the Marina del Rey DCB. The DCB shall review all new development proposals, including renovations, for consistency with the policies and objectives of this LCP and shall recommend such modifications to the design as they deem necessary. Such review and a report of the Board's deliberations shall be completed prior to any application for development being submitted to the Department of Regional Planning for case processing. In reviewing signs, the DCB may refer to the Permanent Sign Controls and Regulations of September 16, 1971, as amended on July 19, 1973, and the Specifications and Minimum Standards of Architectural Treatment and Construction of this certified LCP. All approvable development shall include modifications to ensure consistency with all policies and development standards of the certified LCP.</p> | <p>The applicant appeared before the DCB June 29, 2006, to present the conceptual development proposal for review and comment. The DCB granted conceptual approval to the project on June 29, 2006.</p> <p>Conclusion: Consistent.</p> |
| Coastal Visual Resources (continued) | <p>The Marina del Rey Local Coastal Plan defines "particularly significant vantage points" within the Marina. The following existing views within the existing Marina shall not be significantly disturbed:</p> <ol style="list-style-type: none"> 1. All views from north jetty and south jetty (west of UCLA boathouse) as well as the bike path along the northern boundary of the flood control channel; 2. Harbor views from Burton Chace Park, Fisherman's Village and the parking lot just northwest of the County Fire Station; 3. Harbor views from Admiralty Way; and 4. The ends of the moles and adjacent lands. | <p>Development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would not interfere with views from any of the "particularly significant vantage points" identified above. Significant vantage points as defined in the LUP are located along the southern and eastern perimeter of the marina. The project site is located on the western side of Marina del Rey (opposite from the particularly significant vantage points). Further, the distance between the project site and these vantage points is such that existing uses on the site are seen as one element of the larger visual landscape as viewed from these locations. The size and architectural design of the proposed uses would not substantially differ from existing uses located adjacent to the property, and the distance between the observation point and the project site are such that the new structures would not impede or obstruct views. Thus, existing views from these locations would remain substantially intact with site development.</p> <p>Conclusion: Consistent.</p> |

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| Coastal Visual Resources (continued) | All development shall incorporate harbor views from streets and pedestrian access ways consistent with security and safety considerations. All development, redevelopment, or intensification on waterfront parcels shall provide an unobstructed view corridor of no less than 20% of the parcel's waterfront providing public views of the Marina boat basins and/or channels. | <p>As discussed in this table in the Shore Access section, the Neptune Marina Apartments and Anchorage Project would provide view corridors to the water from all public streets fronting the parcels, consistent with LCP requirements. Provisions of the LUP tabulate the area of required view corridor based on the length of the parcel's water frontage and the proposed building height. Based on the length of the parcel's water frontage and a proposed building height of 55 feet for Buildings 1 and 2 on Parcel 10R, a building height of 60 feet for Building 3 on Parcel 10R, and a building height of 60 feet for Building 4 on Parcel FF, the LUP requires 420 linear feet of view corridor. As proposed, the project would provide 443 linear feet. As such, the project, as planned, is consistent with view corridor provisions of the Marina del Rey Land Use Plan that call for public and private views of the marina from perimeter roadways. Therefore, development of the Neptune Marina Parcels 10R and FF would provide views, consistent with LUP requirements, of the small-craft harbor as observed by motorists and pedestrians traveling along either Via Marina or Marquesas Way. Moreover, the project would incorporate additional public viewing opportunities to the Marina's boating activities from the public Waterfront Stroll Promenade.</p> <p>The Woodfin Suite Hotel and Timeshare Resort Project incorporates one view corridor on Parcel 9U, south of the hotel. The primary view corridor allows vistas of Marina del Rey Basin B from Via Marina through the Parcel 9U public park/wetland. Per the LCP, based on the proposed 225-foot height of the hotel/timeshare resort structure (excluding appurtenant rooftop structures), a view corridor totaling 40% of the length of the site is required.</p> <p>For the 386-foot-long site, a minimum 154-foot-wide view corridor is required. The project plans for 154 linear feet of view corridor through the Parcel 9U public park/wetland situated south of the hotel/timeshare resort structure. Because the project provides the required 154 feet of public view corridor on Parcel 9U (the minimum required in this instance to achieve the proposed hotel structure</p> |

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| Coastal Visual Resources (continued) | | <p>height), the hotel/timeshare resort is consistent with provisions of the LCP that call for public and private views of the Marina from perimeter roadways.</p> <p>As set forth above, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project is consistent with this coastal visual resource policy.</p> <p>Conclusion: Consistent.</p> |
| Coastal Visual Resources (continued) | <p>The height of new structures within the existing Marina shall be governed by height standards established by the applicable Land Use Category, and by the following general height standards as applied to various similarly situated parcels in the existing Marina:</p> <p>25-Foot Standard – Applies to accessory structures on the Marina Beach area, public open space, some public parking lots, the fueling docks, the public boat ramp site and ancillary commercial structures in the Boat Storage land use category.</p> <p>45-Foot Standard – Applies to moles, including all parcels adjacent to mole roads and mole ends, and to office uses seaward of the loop roads, public parking lots and public facilities (with the exception of theme towers on public facilities).</p> <p>140-Foot Standard – Except as noted above, applies to parcels adjacent to and seaward of Via Marina and Admiralty Way (excluding the Marina City Towers and parcels 112 and 113, which are allowed a 225-foot standard), the Marina shopping center and frontage along Washington Blvd.</p> <p>225-Foot Standard – Except as noted above, applies to parcels landward of Via Marina and Admiralty Way, and includes parcel 112 and 113, and the westerly portion of parcel 125.</p> | <p>The Height Design Concept may be modified where a valid public benefit is achieved, such as increased views of the waterfront. For parcels adjacent to mole roads and seaward of Admiralty Way and Via Marina, flexible height standards may apply in exchange for increased view corridors, as provided for in Policy No. 8 of the Coastal Visual Resources chapter of the LUP.</p> |

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| Coastal Visual Resources (continued) | <p>Any project design for any parcel on the seaward side of a public access road may apply for flexible height standards above the maximum allowable height in exchange for providing increased view corridors in excess of the minimum requirement of 20%, as provided for below:</p> <p>a. Mole Roads Optional Height Areas. Structures proposed on parcels where a 45-foot standard applies and located between a mole road and the bulkhead may be allowed up to a maximum height of 75 feet when a 40% view corridor is provided. Height above 45 feet shall be permitted at the ratio of 1.5 feet of additional height for every additional 1% of view corridor provided in excess of the 20% minimum standard. This policy is applicable on the following mole roads: Panay Way, Marquesas Way, Tahiti Way, Bali Way, Mindanao Way, Fiji Way and the mole portion of Parcel 132. This policy shall not apply to that portion of the mole seaward of the cul-de-sac where a 45-foot maximum height standard applies.</p> <p>b. Via Marina and Admiralty Way Optional Height Areas. Except as noted in Policy No. 7, above, structures proposed on parcels where a 140-foot standard applies and located adjacent to and seaward of Via Marina and Admiralty Way may be allowed up to a maximum height of 225 feet when a 40% view corridor is provided. Height above 140 feet shall be permitted at the ratio of 4.25 feet of additional height for every additional 1% of view corridor provided in excess of the 20% minimum standard.</p> | <p>For the Neptune Marina Parcel 10R, allowable building height per the LCP varies for the R-III-designated portion of Parcel 10R (which is that portion of Parcel 10R located on the Marquesas Way mole road), from a base of 45 feet with provision of a 20% view corridor, up to 75 feet with an expanded 40% view corridor (i.e., a view corridor comprising at least 40% of the parcel's water frontage is required if one is to construct a 75-foot-tall building on the mole portion of the parcel). The applicant proposes development of two 55-foot-tall apartment buildings on the R-III portion of the parcel, which requires provision of a 30% view corridor along the mole portion of the parcel frontage; the required 30% view corridor has been provided along the Marquesas Way street frontage, in conformance with LCP view corridor requirements.</p> <p>Allowable building height also varies for the R-V-designated portion of Parcel 10R (which is that non-mole portion of Parcel 10R fronting Via Marina), from a base of 140 feet with provision of a 20% view corridor, up to 225 feet with a 40% view corridor. The Neptune Marina Parcel 10R applicant proposes development of one 60-foot-tall apartment structure on the R-V-designated portion of the parcel, well under the basic 140-foot height limitation. As noted, the LCP requires provision of a minimum 20% view corridor along the parcel's Via Marina street frontage, which the project provides.</p> |

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| Coastal Visual Resources (continued) | c. The open area may allow public amenities such as benches and landscaping, and parking lots provided the parking area is at least 2 feet below grade to allow views of the harbor from the mole road. Projects not meeting the minimum “open viewing area” requirement shall be restricted to 45 feet in height. Such projects shall be required to meet the mandatory 20% “open viewing area” requirement for all projects on the seaward side of any roadway within the LCP study area. | <p>For the Neptune Marina Parcel FF, allowable building heights and view corridor requirements are not currently established for the applicant’s proposed multi-residential use because of the parcel’s current designation as Open Space in the LCP. As noted, the County and the applicant are jointly seeking an amendment to the LCP to designate Parcel FF as a residential land use category and to concurrently amend the height category for the parcel, thereby allowing for development on this parcel with a 55-foot-tall apartment building (as noted, as compensatory mitigation for converting Parcel FF from Open Space to Residential III and V, Legacy Partners is proposing development of a public anchorage in Basin B in conjunction with its providing 50% of the funding to develop a public wetland park on the southerly portion of Parcel 9U).</p> <p>The Woodfin Suite Hotel and Timeshare Resort Project, incorporates one view corridor on Parcel 9U, south of the hotel. The primary view corridor allows vistas of Marina del Rey Basin B from Via Marina through the Parcel 9U public park/wetland. Per the LCP, based on the proposed 225-foot height of the hotel/timeshare resort structure (excluding appurtenant rooftop structures), a view corridor totaling 40% of the length of the site is required. For the 386-foot-long site, a minimum 154-foot-wide view corridor is required. The project plans for 154 linear feet of view corridor through the Parcel 9U public park/wetland situated south of the hotel/timeshare resort structure. Because the project provides the required 154 feet of public view corridor on Parcel 9U (the minimum required in this instance to achieve the proposed hotel structure height), the hotel/timeshare resort is consistent with provisions of the LCP that call for public and private views of the Marina from perimeter roadways.</p> <p>For more information on view corridors provided by the project, please refer to Section 5.6, Visual Quality, of this EIR.</p> <p>Conclusion: Consistent.</p> |

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| Coastal Visual Resources (continued) | Development shall not significantly increase infringements of wind access for boats in their berths, in the fairways or in the Main Channel. Wind studies shall be required to determine the significant adverse impact of taller buildings on wind currents and sailing by small boats within the Marina. All structures proposed at heights greater than 45 feet shall determine the cumulative impact of taller buildings on wind currents within the Marina. Development shall only be approved if all identified significant adverse impacts, including cumulative impacts of a pattern of higher buildings, are fully mitigated. | Consistent with LCP requirements for each project element associated with the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project. Rowan Williams Davies & Irwin, Inc. (RWDI) prepared a wind study to assess the direct and cumulative impacts on wind patterns within the small-craft harbor, the loss of surface winds used by birds and sailboats and general air circulation. The report concluded that no significant impacts on wind currents and sailing by small boats would occur. Please refer to Section 5.4, Air Quality , of the draft EIR as well as Appendix 5.4 for the complete analysis. Conclusion: Consistent. |
| Coastal Visual Resources (continued) | Landscaping and plant materials may be used to screen and soften visually obtrusive elements in the study area (e.g., utilities, service areas, bulkheads, fencing, etc.). | Final landscape plans would be submitted for approval to the DCB for review as part of the development process, which would ensure that the project is consistent with this policy. For the wetland park to be developed on the southern 1.46 acres of Parcel 9U, plant materials will be native and fully compatible with a natural marine wetland setting, consistent with the "Conceptual Restoration Plan for Degrades Artificial Wetland Associated with Parcel 9U Marina del Rey" prepared Glen Lukos Associates, Inc. Conclusion: Consistent. |
| Coastal Visual Resources (continued) | A landscaped pedestrian viewing area shall be provided along the bulkhead in conjunction with all new development. Such area shall include benches, shade structures and other amenities, and shall be the equivalent of an 8-foot-wide corridor seaward of the fire access road. | Located along the waterside perimeter of marina Basins B and C, the 28-foot-wide Waterfront Promenade would feature color-pattern paving, landscaping, pedestrian seating and marina styled fencing and lighting. The entire length of the Waterfront Stroll Promenade would be open to the public and is connected to the existing unimproved marina walkway system. The length of the feature adjacent to the southern and northern portions of the project site is approximately 1,437 linear feet. The proposed project would feature landscaped planters and other features constructed adjacent to the public Promenade and would also function as a fire lane. Conclusion: Consistent. |

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| Hazards Areas | As a prerequisite to all development approval of a flood control, runoff and storm drain plan by the Department of Public Works consistent with the Santa Monica Bay Recovery Plan shall be required. | The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would satisfy this policy, as discussed in Section 5.3, Hydrology and Drainage . All improvements would be designed and constructed in accordance with the policies and standards of the County of Los Angeles Department of Public Works, Flood Control Division. Conclusion: Consistent. |
| | <p>Future development shall be based on thorough site-specific geologic and soils studies, including specific geotechnical studies related to mitigation of liquefaction and lateral spreading.</p> <p>All development shall utilize earthquake-resistant construction and engineering practices, particularly those intended for high density of human occupancy. All development shall be designed to withstand a seismic event. All earthquake studies shall comply with the latest recommendations of the California Division of Mines and Geology and the Seismic Safety Board for seismic safety, especially for projects on unconsolidated sediments with high groundwater.</p> <p>Preliminary engineering mitigation and structural setbacks shall be designed for a bedrock acceleration of no less than 0.5g and high potential for liquefaction. Applicants and their engineers are responsible for following all current requirements and recommendations of the Los Angeles County Department of Public Works, the California Division of Mines and Geology and the</p> | <p>Site-specific geologic and soils studies that comply fully with this policy are attached as Appendix 5.1. According to the Marina del Rey Land Use Plan, the closest known fault is the Newport-Inglewood fault, located approximately 4 miles east of the project site. Based on probability maps produced by the US Geological Survey and the California Division of Mines and Geology, the site has an expected ground motion of 0.5 to 0.6g for a probability of 10% exceedance in 50 years. Wave actions induced by a seismic event could adversely impact development in Marina del Rey. However, the maximum expected run-up of a tsunami wave in the area is 9.6 feet in a 100-year interval and 15 feet in a 500-year interval. Finished pad/floor elevations and street elevations are 10 to 20 feet above sea level, which minimizes potential damage created by a seismic event.</p> <p>Based on the nature of the soils directly underlying the project site (i.e., hydraulic fill), there is the potential for secondary geotechnical hazards such as liquefaction and lateral spreading to take place</p> |

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| Hazards Areas (continued) | <p>California Seismic Safety Board. Accordingly, all development applications shall include a detailed geotechnical report completed by a certified engineering geologist and a registered civil engineer experienced in the field of soil mechanics and approved by Public Works. A copy of the report, and its approval, shall be submitted. The report must include, but not be limited to:</p> <ol style="list-style-type: none"> 1. A comprehensive geologic/soils analysis showing underlying geology, soil type and structure; 2. Delineation and evaluation of areas prone to fault rupture, secondary effects of seismic shaking, such as lateral spreading, settlement, liquefaction, etc., and excessive ground motion, due to seismic wave amplification; 3. Delineation of low-lying areas which ay be inundated by tsunamis, floods or unusually high tides or may be damaged by excessive wave action; 4. Recommendations for development in geologically stable areas and restrictions of development in unstable or unmitigated areas; 5. Channels constructed in areas of liquefiable soils shall be engineered to preclude or mitigate the impacts of liquefaction; and 6. No development in which the hazard to life and property cannot be fully mitigated shall be approved. 7. Require the marina and harbor facilities continue to be designed and constructed so as to reduce the potential impacts of tsunamis. | <p>during a seismic event. Mitigation has been identified for incorporation into the site preparation, preliminary design and construction of the project to address the potential geotechnical hazards posed by development on this property. With implementation of the mitigation, no significant geotechnical hazards would be posed by construction of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project. Please refer to Section 5.1, Geotechnical and Soil Resources, of this Draft EIR for additional information.</p> <p>Conclusion: Consistent.</p> |

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| Circulation | <p>Development shall not be approved that will exceed the capacity of the internal Marina del Rey street system. The total potential for additional units and amount of commercial and residential development allocated under this Local Coastal Program will generate a traffic impact within Marina del Rey that can be mitigated within the Marina by the improvements listed in Policy 2 below. Pursuant to this policy, the improvements listed in Policy 2 shall be allocated proportionately among the development approved within the LCP area such that each approvable development constructs or contributes its fair share of the improvements which are expected to fully mitigate the direct impact the development is expected to have on traffic within Marina del Rey.</p> <p>To improve access to the LCP study area, the following improvements to the circulation system are proposed in conjunction with development allowed under this LCP. The following circulation system improvements are shown on Map 26 (of the LCP), located at the end of this chapter.</p> | <p>Comprehensive traffic studies were prepared by Crain & Associates for the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project. These studies, which were reviewed and approved by County Staff, evaluate potential impacts to the circulation network on both a local and regional level. They are summarized in Section 5.7, Traffic/Access, and the accompanying traffic reports are contained in their entirety in Appendix 5.7. The traffic analyses use a scenario of buildout of all projects in 2011. All affected regional and local roadway segments and intersections studied (as defined by the Los Angeles County Public Works Department) were considered in the analyses, as well as the larger regional highway system. The studies indicate that for both the “Without Project” and “With Project” development scenarios, intersection traffic conditions will primarily range between LOS A and LOS D at the most congested study intersections during both the AM and PM peak hours.</p> |

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| Circulation (continued) | <p>1. Intersections. Make the following intersection improvements:</p> <p>a) Via Marina at Admiralty – widen the south side of Admiralty to accommodate a triple westbound left-turn movement and two lanes eastbound on Admiralty with a right-turn merge lane from northbound Via Marina.</p> <p>b) Palawan Way northbound at Admiralty – restripe to provide a separate right-turn approach lane to Admiralty.</p> <p>c) Palawan Way southbound at Admiralty – restripe to convert one through southbound lane into a second left-turn approach lane to Admiralty.</p> <p>d) Lincoln southbound at Bali – widen west side north of Bali Way to provide a right-turn approach lane with a 90-foot transition at Bali.</p> <p>e) Lincoln northbound at Mindanao – widen west side both north and south of Mindanao Way, relocate and narrow the median island, to provide for right-turn lane at Mindanao.</p> <p>f) Admiralty northbound at Mindanao – widen east side south from Mindanao Way to provide a right-turn approach lane with a 90-foot transition at Mindanao.</p> <p>g) Admiralty southbound at Fiji – widen west side north from Fiji Way to provide for three through lanes.</p> <p>h) Fiji Way eastbound at Lincoln – widen the south side of Fiji Way to accommodate an additional eastbound left turn lane.</p> <p>2. Traffic Signal Synchronization. Traffic signals at high volume intersections shall be modified to operate as part of an interconnected system of regulated signals. The synchronized system shall be designed to automatically adjust lighting cycles based upon traffic volumes.</p> | <p>The cumulative analyses included in the traffic reports demonstrate significant impacts at these twelve of the seventeen study intersections. Mitigation measures (inclusive of forecast traffic improvements) have been identified in the traffic reports that would reduce all vehicular circulation impacts of the project to a level considered less than significant.</p> <p>With regard to the intersections within the County’s Marina del Rey planning area, the project’s contribution to significant cumulative traffic impacts are rendered less than cumulatively considerable because the project is required to pay the MDR traffic fees. However, as to intersections in the area not under the County’s jurisdiction and those intersections where the County shares jurisdiction with the City of Los Angeles or Caltrans, implementation of the improvements needed to mitigate impacts is not considered feasible, as there are no reasonable, enforceable plans or programs in place to improve these intersections. Therefore, if the necessary improvements are not completed, cumulative impacts may remain significant at some intersections outside the County’s jurisdiction.</p> <p>Mitigation measures include a combination of physical roadway improvements, and contribution of funds and payment of the County’s traffic impact fee (the costs of implementing the project-specific mitigation measures may be credited against the total fee amount). Given that traffic generated by the project would not exceed the capacity of the Marina del Rey circulation system with implementation of recommended mitigation, the project is consistent with these policies. For additional information, reference Section 5.7, Traffic/Access, of the draft EIR.</p> <p>Project-generated vehicle trips forecast to use the Marina Freeway are not sufficient in number to result in a significant impact to this facility under the Congestion Management Plan significance criteria for regional transportation routes.</p> <p>Conclusion: Consistent.</p> |

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| Circulation (continued) | <p>3. Transportation System Management. Transportation System Management (TSM) and Transportation Demand Management (TDM) programs shall be required as a condition of approval for all development which has a significant adverse effect on Phasing of Internal Marina del Rey Improvements. The following circulation improvements represent the priority of mitigation measures which were identified in the DKS study of 1991 to be necessary to mitigate internal traffic impacts of redevelopment with Marina del Rey. These improvements may be used to mitigate the increase in PM peak-hour trips generated by otherwise approvable development. The estimated Level of Service (LOS) if all Phase II development and Category I traffic impact improvements are completed is shown as Figure 13 (of the LUP).</p> <p>Category I Improvements – System-Wide</p> <p>Improve existing Admiralty Way from Via Marina to Fiji Way to provide three through lanes in the north/west direction and two lanes in the south/east direction. This improvement shall be accomplished within the existing right-of-way by shifting the median island.</p> | |

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| Circulation (continued) | <p><i>Intersections</i></p> <p>Improve the intersection of Admiralty Way and Palawan Way including provision of left-turn pockets at northbound and southbound approaches on Palawan Way at Admiralty Way.</p> <p>Improve the following Lincoln Blvd. intersections: Bali Way, Fiji Way and Mindanao Way.</p> <p>Improve the following Admiralty Way intersections: Mindanao Way and Fiji Way.</p> <p><i>Signals</i></p> <p>Implement Automated Traffic Surveillance and Control (ATSAC [or other modern signal synchronization system]) at the following Admiralty Way intersections: Via Marina, Palawan Way, Bali Way and Mindanao Way; and at the following Lincoln Blvd. intersections: Bali Way, Mindanao Way and Fiji Way.</p> | |
| Circulation (continued) | <p>Development shall not be approved that will significantly exceed the capacity of the subregional street system. Traffic impacts, generated by development in the LCP study area, upon the circulation system outside the unincorporated area of Marina del Rey, shall be mitigated by the developer prior to receiving final discretionary permits.</p> <p>Category 3 consists of improvements which may be employed to mitigate the cumulative impacts of development in the LCP study area on the regional transportation system serving the Marina del Rey. Ninety-three percent of all trips originate or end outside Marina del Rey. All development shall contribute a calculated fair share toward construction of improvements necessary to mitigate all of the development's significant adverse cumulative traffic impacts. The traffic studies prepared as part of each project's environmental documentation, shall address the project's impacts</p> | <p>The comprehensive traffic studies prepared for the project utilize methodology approved by the County of Los Angeles Department of Public Works. Information and analysis provided within the study are consistent with the requirements outlined in this policy.</p> <p>Through the implementation of area traffic improvement measures recommended in the adopted Marina del Rey Specific Plan Transportation Improvement Program (TIP) project (i.e., existing + ambient growth + project) traffic related impacts would be reduced to a less than significant level. The TIP includes specific detailed transportation and circulation improvements designed to fully mitigate the traffic generation of the Phase II development in Marina del Rey. In order to fund the recommended TIP roadway improvements, all projects developed within the Marina, including the proposed project, are required to pay a traffic mitigation fee imposed by the County of Los Angeles pursuant to the Marina del</p> |

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| Circulation (continued) | <p>on adjacent State Highways and other regional collector streets and shall be the basis for determining the amount of cumulative impacts which the project has on regional traffic due to the increase in the number of trips that the project generates that begin or end outside of the Plan area. Studies prepared in compliance with this requirement shall show: (1) the number of daily and peak-hour trips generated by project development; (2) the number and percentage of those trips originating and terminating outside Marina del Rey; and (3) the direction of the trips upon departing the existing Marina. Based on this documentation, all development shall contribute its proportionate fair share of the Category 3 improvements that will fully mitigate the level of impact such development will have on the regional system serving the Plan area. The study shall be provided at the time of the permit application.</p> <p>Category 3 Improvements are discussed in greater detail in the Transportation Improvement Program. The improvements include, but are not limited to, the following:</p> <ol style="list-style-type: none"> 1) Installation of ATSAC or other modern signal synchronization at intersections along Admiralty Way and Culver Blvd. 2) Redesign of the Admiralty Way/Via Marina intersection. 3) Establishment of a Shuttle Bus Service to enhance coastal access. 4) Acquisition and development of periphery parking lots to provide additional peak period parking. 5) If agreed to by the Board of Supervisors, the City of Los Angeles and Caltrans, connect Route 90 to Admiralty Way via a fly-over over Lincoln Boulevard, widen Admiralty Way by an additional westbound lane to parcel OT, thence connect Admiralty Way with | <p>Key Specific Plan Transportation Improvement Program. This fee is intended to fund the Category 1 (local Marina) and Category 3 (regional) roadway improvements described in the TIP, by providing “fair share” contributions toward the improvements, based on the amount of project PM peak hour trips. (Category 2 roadway improvements are reserved for Area A, which is DZ 15 and is part of the Playa Vista Development on the Marina.) These improvements address local traffic generated in and confined to the Marina, as well as trips which leave or pass through the Marina (regional trips). As necessary, the project will be required to implement certain measures in lieu of paying fees if the County determines that such implementation is necessary to assure that the measures are necessary to mitigate direct project impacts prior to project occupancy. Please refer to Section 5.7, Traffic/Access, of this draft EIR for additional information.</p> <p>Conclusion: Consistent.</p> |

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| Circulation (continued) | <p>Washington Boulevard through parcel OT. This improvement shall go forward only with the agreement of all three agencies.</p> <p>6) Provision of other coastal access or public transportation improvements affected by development within the Marina LCP study area including but not limited to improvements to affected intersections on Washington and Lincoln Boulevards or Route 90.</p> <p>7) Construction of a Lincoln Blvd. people-mover system between Westchester and Santa Monica.</p> <p>8) Construction of a light rail line from Westchester/Los Angeles International Airport to Venice.</p> | |
| Circulation (continued) | <p>Funding of circulation improvements shall be undertaken in the following manner:</p> <p>a) Developer Agreement Required.</p> <p>Category 1 Improvements. All lessees within the existing Marina, which may propose new development pursuant to the LCP, shall enter into uniform agreements with the County upon mutually agreeable terms to complete the roadway improvements specified in Category 1 at their joint expense.</p> <p>Category 3 Improvements. All lessees within the existing Marina, which may propose new development pursuant to the LCP, shall enter into uniform agreements with the County and applicable agencies upon mutually agreeable terms to complete the subregional improvements specified in Category 3 at their joint expense. If the fair and proportional share of the cost of such Category 3 improvements is insufficient to complete the improvement, the applicant may mitigate the impacts of the development by payment of its proportional fair share of such improvement.</p> | <p>These policies outline a process which developers within Marina del Rey must follow to ensure that necessary circulation improvements identified in the required traffic study are adequately funded and designed in accordance with County standards. It specifies timing for the funding and construction of necessary improvements, identifies performance standards for the circulation improvements and outlines a review process with the Department of Public Works to ensure the feasibility of the improvements, the timing of their construction and adequacy of their design.</p> <p>As described above, comprehensive traffic studies prepared for the project have identified mitigation measures that reduce project-specific and cumulative impacts to less than significant levels, and these measures would become conditions of approval for the proposed project. The applicant would be conditioned to follow the process described above to ensure that the timing and funding of these improvements coincide with the development of the project, and that these improvements meet all County standards. In this manner, improvements needed to mitigate circulation impacts generated by the project would be constructed concurrently with occupation of the project.</p> <p>Conclusion: Consistent.</p> |

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| Circulation (continued) | <p>All agreements shall provide that all cumulative and direct impacts of the development on traffic shall be fully mitigated as provided in Policies 1 and 3 above.</p> <p>b) Agreement Prior to Coastal Development Permit Issuance. This agreement regarding new development in the existing Marina shall be in effect, and all required contributions shall be made to mitigate both internal and subregional improvements before issuance of any coastal development permit.</p> <p>c) Improvement Costs Fairly Apportioned. The requirement of this policy shall not require any lessee or developer to contribute more than its fair share of the cost of the required road improvements specified in Category 1 and 3.</p> <p>d) Improvements Phasing Schedule for Internal Marina del Rey Category 1 Improvements. The uniform agreement required by this section shall prescribe a phasing schedule so that the road improvements specified in Category 1 occur in phases coinciding with new development in the existing Marina so that no development is occupied before construction of improvements which would fully mitigate the same amount of impact such development has on traffic within Marina del Rey. Before incorporating this schedule as a condition of the coastal development permit, the applicant shall obtain concurrence from the Director of Public Works concerning the feasibility of the schedule and its adequacy. Development shall not be permitted to exceed the corresponding phase of road improvements.</p> | <p>In order to fund the recommended TIP roadway improvements, all projects developed within the Marina, including the proposed project, are required to pay a traffic mitigation fee imposed by the County of Los Angeles pursuant to the Marina del Rey Specific Plan Transportation Improvement Program. This fee is intended to fund the Category 1 (local Marina) and Category 3 (regional) roadway improvements described in the TIP, by providing “fair share” contributions toward the improvements, based on the amount of project PM peak hour trips. (Category 2 roadway improvements are reserved for Area A, which is DZ 15 and is part of the Playa Vista Development on the Marina.) As necessary, the project will be required to implement certain measures in lieu of paying fees if the County determines that such implementation is necessary to assure that the measures are necessary to mitigate direct project impacts prior to project occupancy. Please refer to Section 5.7, Traffic/Access, of this draft EIR for additional information.</p> <p>Conclusion: Consistent.</p> |

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| Circulation (continued) | <p>e) Improvement Phasing Schedule For Subregional Traffic Category 3 Improvements. The uniform agreement required by this section shall prescribe a phasing schedule so that the road improvements specified in Category 3 occur in phases coinciding with new development in the existing Marina. Before adopting this schedule as a condition of the coastal development permit, the applicant shall obtain concurrence from the Director of Public Works concerning the feasibility and adequacy of the schedule. Where any significant adverse cumulative traffic impacts on subregional traffic routes will occur, the applicant shall: (1) pay a proportional fair share of necessary subregional traffic improvements; and (2) provide information concerning the timing and capacity of planned traffic improvements which will accommodate local growth including that attributed to the development. However, if the trips generated by the development along with other previously approved development will exceed 50% of the total anticipated additional external trips to be generated by new or intensified Marina development, additional development that generates external trips shall not occur until a traffic improvement on the approach roads that will mitigate those trips has been approved and funded by the appropriate agencies.</p> <p>f) Independent Agreements to Complete Internal Improvements</p> | |

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| Circulation (continued) | <p>1) Phasing. Subsequent to the approval of the agreements specified in this policy, individual lessees or developers may also agree as part of a coastal development permit, to perform road improvements in advance of the phasing schedule to endure timely construction of individual development proposals.</p> <p>2) Funding and Phasing. Development in the existing Marina may proceed independently upon agreement with the County, without benefit of other agreements, contingent on completion of the road improvements determined necessary by the County to mitigate the development consistent with the provisions of the certified LCP. Development projects proceeding in this fashion shall be responsible for establishing reimbursement contracts with subsequent developers for road improvements which are found to mitigate other developments.</p> <p>g) Independent Agreements to Complete Subregional Improvements</p> <p>Funding and Phasing. Development in the existing Marina may proceed independently upon agreement with the County, without benefit of other agreements, contingent on completion of the road improvements determined necessary by the County, in consultation with appropriate agencies, to mitigate the development consistent with the provisions of the certified LCP. Development projects proceeding in this fashion shall be responsible for establishing reimbursement contracts with subsequent developers for road improvements which are found to mitigate other development.</p> | |

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| Circulation (continued) | <p>CIRCULATION POLICY – DESIGN AND STANDARDS OF IMPROVEMENTS:</p> <p>a) Internal Improvements. The Director of Public Works shall approve the final design, alignment, standards and specifications for all circulation improvements proposed in this LUP.</p> <p>b) Subregional Improvements. Improvements required by this plan to be accomplished outside of the County area shall be coordinated with the appropriate transportation agencies having jurisdiction over the improvement.</p> | <p>The Director on Public Works shall approve the final design, alignment, standards, and specifications for all circulation improvements proposed in this LUP. Improvements to be accomplished outside of the County area shall be coordinated with the appropriate transportation agencies having jurisdiction over the improvement.</p> <p>Conclusion: Consistent.</p> |
| Public Works | <p>Public works improvements in the study area shall be assigned to accommodate new developments permitted in the area and provide for future public access needs. This Land Use Plan includes a phasing program. Necessary public works facilities shall be provided at the same time as the development creating the need for the public facility occurs. Public improvements required in this Land Use Plan shall be completed consistent with the phasing program as described in Chapter 8, Land Use, (on pages 8-6 and 8-7 of the text, in policies 4 and 7, and outlined in the “development potential by zone” section beginning on page 8-13 [Figure 5]), and further described in Section 22.46.1090 of the Specific Plan. Phasing of development and internal traffic improvements shall take place as indicated in policies 1, 2, 3 and 4 of Chapter 11, Circulation, of this LUP, and Section 22.46.1090 of the Specific Plan, which require necessary public improvements to be constructed in a timely and orderly manner, to minimize possible adverse impacts of new development on coastal resources (such as sensitive habitat resources or recreation areas) and to protect the ability of the public to travel to coastal attractions.</p> | <p>The policies identified above are intended to ensure that all necessary municipal services can be provided for a project concurrent with the need for such services. It is important to note that the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project occurs in a highly urbanized area and that a full array of services is currently provided to the existing apartments on the site. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project is subject to review by the County of Los Angeles Department of Public Works and Department of Regional Planning, which would make recommendations on the project’s design and condition the project to mitigate the demands placed on supporting infrastructure. Please refer to the impact analysis contained in this draft EIR for a summary of potential project impacts to public works and site-specific and regional mitigation measures.</p> <p>Conclusion: Consistent.</p> |

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| Public Works (continued) | <p>Permission to build new and/or intensified development in the LCP area shall be contingent upon the ability to provide proof of availability of adequate water and sewerage facilities.</p> <p>In cases where existing unused capacity cannot meet increased demand, developer-financed improvement of existing water and/or sewerage facilities shall be required before new development and/or intensification can proceed.</p> <p>Installation of new sewer and water lines shall be accomplished via the least environmentally damaging method.</p> | <p>Water, drainage and wastewater infrastructure reports have been prepared in support of the proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project. The reports outline the alignment and capacities of existing facilities and identify improvements intended to address the demands placed on the facilities as a result of the proposed project. The project would be conditioned to make the improvements necessary to support site development as proposed. The applicant would also pay connection fees as currently required that provide funds to upgrade infrastructure to accommodate additional demand for service within both the County and City of Los Angeles. Please refer to Section 5.9, Water Service, of this draft EIR for additional information.</p> <p>Conclusion: Consistent.</p> |
| Public Works (continued) | <p>Water conservation technology shall be employed in all development, including landscaping and irrigation, that increases water use of the parcel. Design of new development requiring the installation and operation of additional water service shall be reviewed for water conservation.</p> | <p>The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project is required to comply with numerous state and County regulations governing water conservation measures for development projects. Specific measures include (1) Section 17921.3 of the Health and Safety Code, which requires low-flush toilets and urinals in all new construction; (2) Title 24 of the California Administrative Code (Sections 2-5352 (i) and (j) which require insulation of water-heating systems and pipe insulation to reduce water used before hot water reaches equipment or fixtures; and (3) Government Code Section 7800 which specifies that lavatories in all public facilities be equipped with self-closing faucets. Further, landscape and irrigation plans for the project, if greater than 2,500 square feet in size, are required to comply with the Los Angeles County Efficient Landscape Ordinance. Compliance with all of the above would ensure that the project meets the intent of this policy.</p> <p>Conclusion: Consistent.</p> |

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| Public Works (continued) | A new fire station may be required as part of Phase II Marina del Rey development. The size, location and timing of the new station shall be determined after appropriate study by the LACFD and shall be submitted as an amendment to this LUP. The new fire facility shall be funded and constructed as its need is determined in the environmental studies. The new fire station shall not displace parks, coastal recreation support or coastal-dependent uses. | Communication with the LACFD indicates that the existing level of fire protection service within Marina del Rey is considered adequate. However, intensification of development within Marina del Rey consistent with the policies of the LUP would increase the demand for fire protection and emergency services. This is especially the case where taller structures are constructed at the end of moles. The LUP indicates that a new fire station may be required as part of Phase II Marina del Rey development, and it would be funded and constructed as determined by need. The proposed project would contribute funds toward the construction of this facility through increased revenue in the form of property taxes due to the increased assessed valuation of the site. The project would also be constructed consistent with Los Angeles County Building Code standards and would comply with all applicable LACFD requirements. Conclusion: Consistent. |
| Public Works (continued) | On property fronting on mole roads, the developers shall provide fire clear zones on the water side of the buildings. These fire access roads shall be reached by fire access roads no less than 28 feet in width and shall be a minimum of 20 feet wide. All fire access routes shall be constructed and maintained clear to the sky, with no benches, planters or fixed objects. The LACFD access roads shall maintain unimpeded access to both pedestrians and emergency vehicles on no less than 20 feet of all promenades at all times. | The proposed Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project have been designed to be consistent with this policy. The site plan incorporates a public Waterfront Stroll Promenade consisting of a 20-foot-wide clear path and an 8-foot-wide native landscaped strip located along the perimeter of the seawall. This feature is intended to serve both as a walkway for pedestrians and as the required fire access lane. The project's site plan is subject to review and approval of the LACFD, and the applicant will be required to comply with all recommendations and conditions placed on the project by the LACFD. Conclusion: Consistent. |

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| Public Works (continued) | <p>All projects located on shoreline parcels shall provide public pedestrian promenades adjacent to bulkheads no less than 20 feet wide that also provide benches, trash containers, shade structures and other pedestrian amenities along the seaward edge of the bulkhead. If these promenades are combined with a 20-foot-wide fire access road, they may be constructed in one of two configurations that allow for both unimpeded fire access and pedestrian amenities:</p> <p>a) A 20-foot-wide accessible fire road in addition to an 8-foot-wide landscaped strip, resulting in a total dedicated access area no less than 28 feet wide. The 8-foot-wide landscaped strip adjacent to the bulkhead shall be landscaped and provided with benches and shade structures. The 8-foot-wide landscaped strip shall be provided in addition to required fire access roads and shall be located, seaward of the access road; or</p> <p>b) A series of 10 by 10-foot-wide improved viewpoints no less than 10 feet apart, also adjacent to the bulkhead and integrated with vertical access ways.</p> <p>In either configuration, turn radii shall be approved by the LACFD.</p> | <p>The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project is consistent with this policy. The site plan incorporates a public Waterfront Stroll Promenade consisting of a 20-foot-wide clear path and an 8-foot-wide native landscaped strip located along the perimeter of the seawall. This feature is intended to serve both as a walkway for pedestrians and as the required fire access lane. The site plan is subject to review and approval of the LACFD, and the project applicant will be required to comply with all recommendations and conditions placed on the projects by the LACFD.</p> <p>Conclusion: Consistent.</p> |
| Public Works (continued) | <p>All new development shall be required to provide fire sprinklers consistent with the specifications of the LACFD. Remodeling or expansion projects involving 50% or more of the existing floor area of the structure shall be subject to review by the LACFD for sprinkler requirements.</p> <p>Multi-Story Buildings. Where a new building exceeds three stories or 35 feet in height, the following standards shall apply:</p> <p>a) The maximum height of a proposed multi-story building shall be subject for review of the LACFD;</p> <p>b) All multi-story buildings shall have an emergency evacuation plan and, on mole roads, a safe refuge area shall be designated for multi-story occupants on the dock area;</p> | <p>The project shall comply with all LACFD standards and will be subject to review by the LACFD to ensure compliance with these standards/requirements. Moreover, the project's site plan has incorporated fire access roads around the perimeter of the bulkheads to provide unimpeded access to waterside portions of the project.</p> <p>Conclusion: Consistent.</p> |

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| Public Works (continued) | <p>c) Emergency access (or clear zones) along the sides of all multi-story buildings shall be required to be a width of 28 feet. A lesser width may be granted where the LACFD finds such width provides sufficient emergency access; a greater width may be mandated where the LACFD finds such width to be necessary for the provision of adequate emergency access. This requirement may apply to the adjacent pedestrian promenades except for the viewing areas described in policy 9 above. Where a building is not more than 10 feet from the edge of a road, the zones provided on the sides of a building may count toward any linear view-corridor requirements for buildings located between the first public road and the sea; and</p> <p>d) Applicants for multi-story buildings shall submit documentation in the form of a Fire Safety Plan, verifying that LACFD requirements relative to access, fire flow, sprinklers and evacuation plans have been satisfied.</p> | |
| Diking, Dredging, Filling and Shoreline Structures | <p>As part of any grading or dredging project within the Marina del Rey LCP area, the County shall require a turbidity management plan. That plan shall provide for monitoring water quality impacts of any dredging, grading or other development adjacent to the water. To the extent that the project could impact the waters of the state, the plan should commit to the use of silt curtains and also provide for monitoring water quality impacts at the excavation site and the identification of turbidity levels that would trigger additional mitigation measures. The plan should identify these additional mitigation measures.</p> | <p>The applicant would be required to prepare Storm Water Pollution Prevention Plans for the project pursuant to NPDES requirements that would identify the various BMPs that would be implemented on the site during demolition and construction. The applicant is responsible for obtaining the necessary NPDES construction permit from the RWQCB, Wastewater Division. In addition, specific measures have been identified during waterside demolition and construction, including the use of silt curtains and debris booms to limit turbidity and debris. Please refer to Section 3.0, Project Description, and 5.3, Hydrology and Drainage, of this EIR for details</p> <p>Conclusion: Consistent.</p> |
| Industrial Development and Energy Facilities | <p>Land Use decisions shall not interfere with the Gas Company's ability to continue operation of its gas storage facility. Land use decisions shall be protective of the Company's existing and future needs for gas storage facilities and operations.</p> <p>Development in the Marina del Rey LCP area shall not interfere with access to gas or oil wells, to observation wells associated with gas storage, nor to other facilities associated with the gas storage</p> | <p>The SCGC storage facility is located in the Del Rey Hills area, across the Ballona Channel and approximately 2 miles east of Marina del Rey and the project site. As proposed, site development would have no impact on this storage facility given the distance between the site and this facility and the presence of the small-craft harbor channel separating the uses. Research at the California Division of Oil, Gas and Geothermal Resources Division indicates that there are no</p> |

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| | <p>field operation by service personnel and servicing equipment.</p> <p>In areas where new development occurs, the developer shall provide landscaping (trees, shrubbery) to visually buffer existing or relocated gas or oil wells.</p> <p>The Department of Regional Planning and the Gas Company shall jointly determine appropriate gas well setbacks from streets and new development for existing wells associated with the gas storage project. The Los Angeles County Code, Title 22 (Planning & Zoning), regulations regarding siting and operation of oil wells shall remain in force.</p> <p>Prior to new development over old, unused or previously abandoned wells, the California Division of Oil and Gas shall be asked to determine that the wells have been abandoned in accordance with current standards. Development over wells shall not be allowed to take place until this determination has been made.</p> | <p>records of any oil or gas wells found on the project site. Thus, development as proposed would in no way interfere with access to any gas or oil wells, nor would development be subject to review by the Division of Oil, Gas, Geothermal Resources Division. Soil vapor sampling conducted on Parcels 100 and 101, adjacent to the project site, did not detect hazardous levels of methane gas in the soils. The source of the gas that was found is likely decaying organic matter. The detected concentrations were less than 10% of the volume considered to represent the lower explosive limit for this substance.</p> <p>Conclusion: Consistent.</p> |

5.17.3.3 Thresholds of Significance

The County of Los Angeles Department of Regional Planning has adopted as planning standards significance thresholds identified in Appendix G of the *State California Environmental Quality Act Guidelines*. Based on Appendix G of the most recent update of the *State CEQA Guidelines*, impacts related to land use and planning are considered significant if the project would

- physically divide a community;
- conflict with applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to general plan specific plan, Local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating environmental effect; or
- conflict with applicable habitat conservation plan or natural community conservation plan ;

This EIR uses these thresholds as a means of defining the significance of potential project impacts.

5.17.3.4 Impact Analysis

For the proposed project as well as each project element, applicable thresholds of significance are listed below followed by analysis of the significance of potential impacts. Mitigation measures are also identified which would avoid or reduce potentially significant adverse impacts, if applicable.

5.17.3.4.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort

5.17.3.4.1.1 Threshold: Would the project physically divide a community?

Analysis: Development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would not physically divide the community of Marina del Rey. As noted earlier, the project site is located in the western portion of the Marina del Rey small-craft harbor area and is currently developed with some housing, boat anchorage, and surface parking. Parcel 9U is an undeveloped vacant lot. High-density residential uses occur or are being constructed to the east, west, and south of the project site. West of the project site is the main collector road for the west side of Marina del Rey, Via Marina. Across this road, high-density residential land uses also occur. Further north of the site, high-density visitor-serving commercial land uses are present. The project would continue the development of residential and commercial uses that currently border the site. The existing roadway infrastructure in the Marina del Rey would provide access to the project site. The hotel proposed on Parcel 9U would be 225-feet tall (exclusive of appurtenant, screened rooftop equipment, parapets and architectural features) and considerably taller than nearby structures. Although this height is consistent with the height provisions for this parcel in the LCP, this relative height difference, while not physically dividing the existing community, would create a conspicuous contrast to the surrounding lower residential structures. Based on this, the project does not have the potential to divide the existing community.

Mitigation Measure: No mitigation required.

Conclusion: Less than significant.

5.17.3.4.1.2 Threshold: Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Analysis: The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would consist of 526 residential dwelling units, 174 private and 7 to 11 public-serving boat spaces and a restored wetland and upland park area. There are 136 existing apartments, 198 boat spaces, and 206 surface public parking spaces presently on site. Therefore, completion of the proposed project would result in a net increase of 390 apartment units and development of a 1.46-acre public park inclusive of a 0.47-acre restored wetland and 0.99-acre upland buffer. The proposed project would also ultimately result in a net decrease of up to 17 boat spaces and 103 public parking spaces.

As stated above, Parking Policy No. 12 of Chapter 2 of the LUP (page 2-8) states that public parking spaces lost due to the conversion of parking lots to public park use (by extrapolation from the proposed construction of the restored wetland and upland park) shall be replaced elsewhere in the Marina on a 0.5:1 (50 percent) basis. It should be noted that although the parking lot on Parcel FF would be replaced with residential use, the County has determined Parking Policy No. 12 applies in this case. Furthermore, Specific Plan Sections 22.46.1250.D and 22.46.1330.D provide that the displaced parking spaces must be replaced within the Marina before the development which displaces it may commence (i.e., occupancy of the apartment building). The County is proposing an amendment to the LCP, consisting of modifications to the LUP and Specific Plan to allow deferral of construction of the 103 “replacement” parking spaces (i.e., 50 percent of the existing 206 spaces) until these replacement parking spaces can be provided for by the County at an alternate location in the Marina. This LCP amendment will also request authorization to allow Legacy Partners to occupy the new Parcel FF apartment building prior to construction of replacement parking spaces elsewhere in the Marina. Legacy Partners will deposit funds sufficient to construct the replacement parking with the County prior to issuance of a building permit. As the current parking lot is underutilized, no short-term parking impacts would result from this proposed modification.

Parcel 10R, located within the Marquesas DZ, is presently developed with 136 apartment units and a marina containing 198 boat spaces and end-tie spaces. The applicant is applying for a net increase of 264 dwelling units (400 total units). The existing boat spaces would be removed and replaced by 174 more contemporary boat spaces (a net decrease of 24 boat spaces). **Table 5.17-2**, below, compares existing land use allocations identified in the LUP for this DZ versus the proposed project.

**Table 5.17-2
Comparison of Development Potential (Beyond Existing) Within the Marquesas DZ**

| Marina del Rey Land Use Plan Permitted Uses [Remaining Allocated Increase] | | Proposed Project (net increase) | Net Remainder Available |
|-------------------------------------------------------------------------------------------|-----------------|--------------------------------------------|------------------------------------|
| Residential – Neptune Marina-Parcel 10R | 3 du | 264 du | -261 du |
| Residential – Neptune Marina-Parcel FF | 0 du | 126 du | -126 du |
| Boat Spaces | 76 | -24 | 100 |
| Open Space (Parcel FF) | 2 acres planned | None proposed | 2 acres |

*Source: Impact Sciences; June 2005.
du = dwelling units*

As shown, the Neptune Marina Parcel 10R development would exceed the Marquesas DZ's residential allotment by 261 dwelling units. However, the adjoining Tahiti DZ and nearby Bora Bora DZ (located generally at the terminus of Via Marina southerly of the project site) contain sufficient excess residential development allotment credits to accommodate the Neptune Marina Parcel 10R shortfall of 261 units. Therefore, the County of Los Angeles will be seeking an amendment to the LCP to authorize an interdevelopment zone transfer of 261 residential development credits from the Tahiti DZ and/or Bora Bora DZ to Parcel 10R within the Marquesas DZ.

The proposed Neptune Marina Parcel FF residential development would also exceed available development credits in the Marquesas Development Zone by 126 units. However, as noted above, the adjoining Tahiti DZ and proximate Bora Bora DZ contain sufficient excess residential development allotment credits to accommodate the Neptune Marina Parcel FF project shortfall of 126 units. Therefore, the County of Los Angeles is proposing to amend the LCP to authorize an interdevelopment zone transfer of 126 residential development credits from the Tahiti DZ and/or the Bora Bora DZ to Parcel FF within the Marquesas DZ. With approval of this development unit transfer, there will be sufficient dwelling unit credits within the subject Marquesas Development Zone to accommodate the planned development of 126 rental dwelling units on Parcel FF. As stated earlier, total site density will not exceed the amended LCP-prescribed 126 dwelling units for Parcel FF, but the units will be more evenly distributed between the R-V (non-mole portion) and R-III (mole portion) designated areas of the parcel, allowing for a more uniform and attractive building massing scheme and development.

In total, the Neptune Marina Apartments and Anchorage/Woodfin Suites Hotel and Timeshare Resort Project would require the transfer of 387 total development allotment credits from the neighboring Tahiti and Bora Bora DZs into the Marquesas DZ to accommodate the proposed residential development on

Parcels 10R and FF. There is a clear precedent for such interdevelopment zone transfers on the western side of Marina del Rey (reference Goldrich & Kest Industries' LCP amendment approval at Marina Parcel 20, certified by the CCC, which authorized the transfer of 97 development units from the Bora Bora DZ into the Panay DZ). Redevelopment of the project site as proposed would improve the public's coastal recreational opportunities, consistent with the relevant policies of the CCA, with the creation of the wetland and upland park.

As with the Parcel 20 LCP amendment, a traffic analysis has been prepared which has determined that the traffic and circulation impacts of the proposed inter-DZ transfer of excess development units are insignificant. The proposed project's development of new housing units, after approval of the transfer of development credits, are consistent with the Marina del Rey Land Use Plan and the policy objectives above.

As designated in the Marina del Rey LUP, Parcel FF is designated as Open Space. As discussed above, an amendment to the Marina del Rey LUP is proposed to construct and operate the 126 apartment units on Parcel FF. As discussed above, as an offset for precluding the future development of a park on Parcel FF, Legacy Partners will assist in funding the development of a public wetland park on the southerly 1.46 acres of Parcel 9U. The development of a public park on Parcel 9U is superior to Parcel FF in that it provides a park with greatly enhanced habitat value (a restored wetland park), fronts a more heavily traveled street (Via Marina), and provides for more expansive and higher quality views of the basin and the water. The park on Parcel 9U would also better integrate with other public uses than would a park on Parcel FF, including the public amenities associated with the proposed hotel and timeshare resort, the waterfront public pedestrian promenade on Parcel 9U, and the public-serving anchorage adjacent to the Parcel 9U bulkhead within Basin B.

As a further complement to assisting in the development of a public wetland park on the southerly portion of Parcel 9U, Legacy Partners will fund and develop a public-serving anchorage to adjoin the Parcel 9U bulkhead. This anchorage would comprise approximately 49,000 square feet or 1.12 waterside or submerged acres in the southwestern portion of Basin B, and would contain approximately 542 linear feet of new public dock area. It is estimated that the public anchorage would provide berthing for between 7 and 11 transient boats (depending on the boats' relative sizes), inclusive of a side-tie area for smaller dingy boats at the anchorage's northerly end. The new public boat and anchorage would be compliant with ADA and DB&W standards.

The combination of benefits to the public from these habitat and public access and recreation improvements (i.e., the restored wetland park and public-serving boat anchorage and a side-tie area for smaller dingy boats) accomplish all of the County's objectives otherwise associated with the future park

site on Parcel FF. As noted, Parcel 9U represents a superior location for a public park than Parcel FF because it allows for the enhancement of a public wetland resource; the parcel fronts a more heavily traveled street (Via Marina), and provides better public access and recreational opportunities than would a park on Parcel FF. The park on Parcel 9U would better integrate with other public uses, including the public amenities associated with the hotel and timeshare resort, the waterfront public pedestrian promenade on Parcel 9U, and the public-serving anchorage adjacent to the Parcel 9U bulkhead within Basin B. As noted above, there is no evidence that, minus this proposal, a park would be developed on Parcel FF in the future. Parcel FF has for many years been developed with an underutilized surface parking lot. Neither the County nor the private development community has any plans to redevelop Parcel FF with park use. To the contrary, Section A.2 of the LUP (page 2-5), under the "Potential Conversion of Public Parking Lots" subsection, expressly acknowledges that Parcel FF is underutilized by the public and is thus being contemplated for conversion to residential use. The subject proposal allows Parcel FF to be converted to residential use, thereby fulfilling the County's housing needs, while simultaneously providing the public a combination of high-value park space, view corridors, and a public anchorage at the nearby Parcel 9U.

Development proposed for Parcel 9U is consistent with provisions of the certified LCP. As defined in the Marina del Rey Land Use Plan, the Tahiti DZ calls for a hotel with a maximum of 288 rooms and a maximum height of 225 feet. The Woodfin Suites Hotel and Timeshare Resort project is proposed on the northerly 2.2 acres of Parcel 9U, and consists of a 19-story hotel structure with 288 hotel and timeshare suites (a minimum of 152 conventional hotel suites and 136 timeshare suites) and a waterfront public pedestrian promenade. This structure is planned on the northern portion of Parcel 9U, fronts on Via Marina, and is limited to a building height of 225 feet. Moreover, as noted, the development of a public park on Parcel 9U is in conformance with the parcel's "Hotel-Waterfront Overlay Zone" land use designation per the LCP (inasmuch as parks are a permitted land use in the Hotel land use category). LUP Section C.8 Land Use Plan lists hotel as a permissible land use category and designates overnight accommodations and attendant visitor-serving uses including dining and entertainment areas as uses that are complementary to a hotel.

The Woodfin Suite Hotel and Timeshare Resort will enhance visitor-serving uses by providing additional overnight accommodations through both the hotel and timeshare component, both of which are consistent with the LCP, as set forth below.

The project is comprised of 288 hotel suites, of which 136 are timeshare suites. All of these units are intended or designed to be used on a temporary basis by guests. More importantly, the Woodfin Suite Hotel and Timeshare Resort will be a full-service facility, with a single set of support facilities (check-in desk, reception, restaurants, cocktail lounge, etc.) for both timeshare and hotel users. Therefore, there will

be no distinction in terms of services between hotel patrons and timeshare patrons. Key points regarding the operational aspects of the proposed timeshare use are the following:

- The timeshare suites will not be in a separate tower from the hotel suites; rather, both the hotel and timeshare suites will be on same floors (4 through 19).
- Rental of both the timeshare suites and hotel suites will be handled in a similar manner by on-site management (electronic keys issued by the front desk, concierge services, housekeeping, and front desk check-in/out).
- Timeshares will be made available to the general public through the hotel reservation system when not used by timeshare vacationers.
- Timeshare vacationers may make their unused timeshare suites available to the general public.
- Timeshare suites will be marketed through an exchange program and through the hotel, and will be rented at comparable rates to equivalent hotel suites.
- Timeshare suites will be sold in one-week intervals.
- Stays in the timeshare suites would be limited to no more than a total of four weeks annually.
- The Woodfin timeshare component will remain a commercial use and will comply with the timeshare laws governed by the California Department of Real Estate.

The timeshare portion of the proposed development on Parcel 9U is consistent with the LCP, which recognizes overnight lodgings as a primary visitor-serving use in accord with Section 30213 of the CCA. There is no discernible difference in intensity of use or impacts to the physical environment between units that are used as timeshares and those that are used as traditional hotel rooms. Here, all project impacts have been fully analyzed and the Woodfin Suite Hotel and Timeshare Resort will not result in any impacts to the physical environment based on timeshare or hotel units.

Several sections of the LCP discuss hotel use. As set forth below, an analysis of these LCP sections demonstrates that the proposed timeshare component is tantamount to this type of approved and encouraged visitor-serving use. First, subsection (e) (Policies and Actions) of section A.2 (Recreation & Visitor-Serving Facilities) in the LUP lists overnight lodgings as a qualifying visitor-serving use in accord with related Coastal Act provisions. The timeshare portion of the Woodfin component, which, as noted, will be operated similarly to a conventional hotel, is a type of overnight lodging that is consistent with the overnight lodging policies of the LUP's Recreational & Visitor-Serving Facilities chapter. Second, LUP section C.8., Land Use Plan, subsection (e) (Policies and Actions, Part 2 – Mapped Policy for the Land Use Plan), lists "hotel" as a permissible land use category, and designates overnight accommodations and attendant visitor-serving uses including dining and entertainment areas as uses that may occur attendant

to a hotel. The proposed timeshare component would be limited to a maximum annual and consecutive use of four weeks, in an integrated tower with other hotel suites, all of which would provide overnight accommodations and which would be contained in a structure providing dining and ancillary services.

Finally, the LCP section addressing the Land Use Plan (LUP section C.8.e.7.) incorporates by reference language from the Countywide general plan and Title 22, Planning and Zoning, Los Angeles County Code. Specifically, the Marina del Rey Specific Plan portion of the Zoning Code, section 22.46.1030.A (Relationship to the Los Angeles County Land Use Regulations), states: "For matters on which this Specific Plan is silent, other applicable provisions of Title 22 shall control." Therefore, because the LCP does not expressly define overnight lodgings or hotel (i.e., the LCP is "silent" on the issue), Title 22 provisions apply to this use. Title 22 defines hotel as "Any building containing six or more guest rooms or suites of guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied, or which are occupied on a temporary basis by guests." The project proposed hotel and timeshare use is consistent with this definition and is therefore an allowed use on Parcel 9U.

The characterization of the Woodfin Suite Hotel and Timeshare Resort project (including the timeshare component) as a hotel is supported in the County's tax treatment of such facilities. The Los Angeles County Code defines "hotel" in Title 4, Section 4.72.020, Transient Occupancy Tax, as: "Hotel" means any structure in the unincorporated territory of the county, or any portion of any such structure, which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, and includes any hotel, inn, tourist home or house, motel, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobile home or house trailer at a fixed location, or other similar structure or portion thereof." Again, the proposed project squarely fits within this definition – the timeshare units will offer short-term accommodations for visitors in a setting that is indistinguishable from typical hotel operations, including electronic keys issued by the front desk, concierge services, housekeeping, and front desk check-in/out, and shared floor space with traditional hotel suites.

In addition to overnight accommodations, the hotel/timeshare resort component of the project will develop other visitor-serving uses to enhance the public's use and enjoyment of the Marina and coastal resources. In addition to the development of a public wetland park on the southerly portion of Parcel 9U, these visitor-serving uses include a restaurant, cocktail lounge, pool, spa, conference facilities, and new waterfront promenade, all of which will be accessible to the public. The new promenade and wetland park will offer no-cost visitor recreation to the public. In recognition of the delineated priorities of the Marina del Rey LCP, the project will not detract from, nor interfere with existing boating activities or ancillary boating support facilities. The project's visitor-serving opportunities support the economic viability of the marina by encouraging increased public access.

Moreover, in order to further augment lower-cost public serving uses on the westerly side of the Marina, and should adequate parking be identified, an opportunity exists for two to three of the transient slips at the public-serving anchorage proposed for development adjacent to the site to be used for charter and excursion boats. These excursion opportunities could constitute an important new public/visitor-serving feature on this side of the marina, as no such services are provided in this primarily residential portion of the marina. Therefore, the proponent of the proposed hotel/timeshare resort project (Woodfin Suite Hotels, LLC), which would administer any potential future charter use at the adjoining public anchorage, may make application for the charter boat use at a future date after occupancy of the hotel/timeshare resort, when the actual performance of the resort may be evaluated to determine that sufficient parking can be provided in the resort or in another location to service the charter use.

Finally, enhanced coastal access and harbor view opportunities are priorities indicated in the New Development section of the LCP. The Woodfin Suite Hotel and Timeshare Resort provides enhanced coastal access and harbor view opportunities. As noted, the project includes a 28-foot-wide public pedestrian promenade along the waterfront. Moreover, a view corridor of no less than 40 percent will be provided over the southerly portion of the parcel, consistent with LCP standards allowing a building with a maximum height of 225 feet on Parcel 9U.

In summary, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project meets all applicable policies and development standards of the certified LCP, including, but not limited to, adequate parking, view corridors, public access to the shoreline, provision of new usable public recreation and open space (waterfront public pedestrian promenade), provision of adequate traffic capacity and provisions for affordable housing consistent with the County's Affordable Housing Policy for Marina del Rey and Government Code Section 66590, et seq. (Mello Act). The project applicant would be conditioned by the County to provide both replacement and inclusionary affordable housing units on site in compliance with the State Mello Act and the County's Marina del Rey Mello Act Policy.

As stated above, in addition to overnight accommodations, the project will develop other visitor-serving uses to significantly enhance use and enjoyment of the Marina and coastal resources. Upon approval of the requested LCP amendments for the Neptune Marina Apartment portions of the project, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort project would not conflict with any applicable land use plan, policy, or regulation as discussed in **Table 5.17.1** which provides detailed analysis of the consistency with specific policies in applicable land use plans.

Mitigation Measure: No mitigation required.

Conclusion: Less than significant.

5.17.3.4.1.2 Threshold: Would the project conflict with a habitat conservation plan or natural community conservation plan?

Analysis: Development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would not conflict with any habitat conservation plan or natural community conservation plan because no such plans are applicable to the project site or its vicinity.

Mitigation Measure: No mitigation is required.

Conclusion: Less than significant.

5.17.3.4.2 Neptune Marina Parcel 10R Project

5.17.3.4.2.1 Threshold: Would the project physically divide a community?

Analysis: Development of the proposed Neptune Marina Parcel 10R would not physically divide the community of Marina del Rey. This project component would redevelop an existing residential development. The existing roadway infrastructure in the Marina del Rey would provide access to the project site. New roadways would not be constructed and therefore the project component would not divide the existing community. As such, development of Neptune Marina Parcel 10R would not divide an existing community. With the construction of the taller structures along Via Marina, an increased massing of buildings would occur concomitantly with the provision of wider view corridors to the harbor, consistent with the provisions of the certified LCP.

Mitigation Measure: No mitigation required.

Conclusion: Less than significant.

5.17.3.4.2.2 Threshold: Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Analysis: Implementation of the proposed Neptune Marina Parcel 10R project component would result in the development of three apartment buildings totaling 400 units, the construction of 174 boat spaces and end-tie spaces, and a 1,437-foot public Waterfront Stroll Promenade. Development of these improvements will require the removal of 136 existing residential units and 198 boat spaces and end-tie spaces. A total of 908 parking spaces would be provided throughout the Neptune Marina Parcel 10R in structured parking garages below the apartments. The net increase associated with development of the Neptune Marina Project 10R is 264 apartment units, 1,437 feet of public Waterfront Stroll Promenade, and a reduction of 24 boat spaces.

As discussed above, the proposed development would exceed the Marquesas DZ residential allotment by 261 units and an amendment of the LCP would be required in order to authorize the transfer of the required residential development credits from the adjacent DZs to the Marquesas DZ. As the analysis of traffic impacts shows (see **Section 5.7 Traffic/Access**), this transfer of residential credits would not result in significant environmental impacts. Therefore, the project component would not be in conflict with applicable land use policies and would not result in a physical impact to the land as a result of the consistency.

With approval of the requested LCP amendments, the Neptune Marina Parcel 10R project would not conflict with any applicable land use plan, policy, or regulation as detailed in **Table 5.17.1**, which evaluates the consistency of the project with applicable land uses plans and policies.

Conclusion: Less than significant.

Mitigation Measure: No mitigation required.

5.17.3.4.2.3 Threshold: Would the project conflict with applicable habitat conservation plan or natural community conservation plan?

Analysis: Development of the proposed Neptune Marina Parcel 10R project would not conflict with any habitat conservation plan or natural community conservation plan as no such plans are applicable to the project site or its vicinity.

Mitigation Measure: No mitigation is required.

Conclusion: Less than significant.

5.17.3.4.3 Neptune Marina Parcel FF Project

5.17.3.4.3.1 Threshold: Would the project physically divide a community?

Analysis: Development of the proposed Neptune Marina Parcel FF project would not physically divide the community of Marina del Rey. This project component would develop an existing underutilized surface parking lot. The existing roadway infrastructure in the Marina del Rey would provide access to the project site and new roadways would not be constructed. As defined above, the project component would not divide the existing community.

Mitigation Measure: No mitigation required.

Conclusion: Less than significant.

5.17.3.4.3.2 Threshold: Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Analysis: Implementation of the proposed Neptune Marina Project Parcel FF would result in the development of one apartment building totaling 126 units and construction of a 200-foot public Waterfront Stroll Promenade. A total of 242 parking spaces would be provided in a structured parking garage below the building. Development of the Neptune Marina Parcel FF will require the removal of an existing 2-acre surface parking lot.

As discussed earlier, the residential development proposed for this parcel would exceed the Marquesas DZ residential allotment by 126 units and an amendment of the LCP would be required in order to authorize the transfer of the required residential development credits from the adjacent DZs to the Marquesas DZ. As the analysis of traffic impacts shows, this transfer of residential credits would not result in significant environmental impacts. Therefore, the transfer of density pursuant to the LCP amendment would not result in a physical impact to the environment. Upon approval of the requested LCP amendment, this project component would not be in conflict with any applicable land use policies.

The Marina del Rey LUP currently designates Parcel FF as Open Space. The Recreation and Visitor-Serving Facilities portion of the Marina del Rey LUP (Section A. 2.) currently contemplates development of Parcel FF with residential uses, with a public park contemplated as part of the new development. To address the project component's loss of Open Space-designated land and potential future public park, the applicant has proposed to relocate the potential future public park space

contemplated in the LCP on Parcel FF to the southerly portion of Parcel 9U. As noted, the function and value of the park would be greatly enhanced through the restoration of a degraded wetland and creation of a wetland/upland park within Parcel 9U, in conjunction with the construction of a public anchorage within Basin B.

The combination of benefits to the public from these improvements (i.e., the restored wetland, upland park and boat anchorage devoted to public use) accomplish all of the County's objectives otherwise associated with the future park site on Parcel FF. The proposed relocation of the public park to a similarly situated parcel in close proximity to Parcel FF. Moreover, Parcel 9U is superior to Parcel FF in that it provides a park with greatly enhanced habitat value—a restored wetland and upland, fronts a more heavily traveled street, Via Marina, and provides for more expansive and higher quality views of the basin. The park on Parcel 9U would also better integrate with other public uses, including the public amenities associated with the hotel and timeshare resort, the waterfront public pedestrian promenade on Parcel 9U, and the public-serving anchorage adjacent to the Parcel 9U bulkhead within Basin B.

Because the park and anchorage are already included in the proposed project and provide a superior park use to that currently contemplated on Parcel FF, the proposed project component would not be in conflict with all applicable land use policies and would not result in a physical impact to the land as a result of the consistency. As described above, the proposed benefits to the public from the improvements meets the intent and spirit of the LUP. Therefore, there is no conflict with applicable plans, policies, or regulations and this impact is considered less than significant.

Mitigation Measure: No mitigation required.

Conclusion: Less than significant.

5.17.3.4.3.3 **Threshold: Would the project conflict with applicable habitat conservation plan or natural community conservation plan?**

Analysis: Development of the Neptune Marina Parcel FF would not conflict with any habitat conservation plan or natural community, as no such plans are applicable to the project site or its vicinity.

Conclusion: Less than significant.

Mitigation Measure: No mitigation required.

5.17.3.4.4 Woodfin Suite Hotel/Timeshare Resort Project

5.17.3.4.4.1 Threshold: Would the project physically divide a community?

Analysis: The Woodfin Suites Hotel and Timeshare Resort (Parcel 9U North) **Parcel 9U** consists of 3.66 vacant landside acres. The Woodfin Suite Hotel and Timeshare Resort Project would be confined to the northernmost 2.20 acres of Parcel 9U. The proposed restored public wetland and upland park would be confined to the approximately 1.46 southernmost acres of Parcel 9U. The proposed public-serving boat anchorage would adjoin a portion of the Parcel 9U bulkhead within Marina del Rey Basin B. The hotel proposed on Parcel 9U would be 225 feet tall (exclusive of appurtenant, screened rooftop equipment, parapets and architectural features) and considerably taller than nearby structures. Although this height is consistent with the height provisions for this parcel in the LCP, this relative height difference, while not physically dividing the existing community, would create a conspicuous contrast to the surrounding lower residential structures, in particular with residential structures near or adjacent to Parcel 9U.

The three project components that would be built on Parcel 9U would complement the surrounding residential and commercial uses that currently border the site. The existing roadway infrastructure in the Marina del Rey would provide access to the project site. The project would include development of a 28 foot-wide public pedestrian promenade along the parcel's entire water frontage (which will connect seamlessly to the waterfront pedestrian promenade being constructed by Legacy Partners as part of the Parcel 10R project component). Public access from Via Marina to the waterfront will be provided along the perimeter of the adjacent public wetland park. Moreover, the public will be able to access both the public waterfront promenade and adjacent wetland park at multiple access points to be provided within the hotel/timeshare resort facility.

New roadways would not be constructed, and therefore the Woodfin Suites Hotel and Timeshare Resort project would not divide the existing community.

Mitigation Measure: No mitigation required.

Conclusion: Less than significant.

5.17.3.4.4.2 Threshold: Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Analysis: Development proposed for Parcel 9U is consistent with provisions of the LUP. As defined in the Marina del Rey Land Use Plan, the Tahiti DZ calls for a hotel with a maximum of 288 rooms and a maximum height of 225 feet. As currently proposed, the Woodfin Suite Hotel and Timeshare Resort is proposed on the northerly 2.20 acres of Parcel 9U and consists of a 19-story hotel structure with 288-room hotel and timeshare suites and a waterfront public pedestrian promenade. Consistent with the Marina del Rey LUP the hotel structure is limited to a building height of 225 feet. As noted, a public park is a permitted use pursuant to Parcel 9U's "Hotel-WOZ" land use designation per the LCP.

Of note, all of the hotel/timeshare resort's proposed 136 timeshare suites are intended to or are designed to be used on a temporary basis by guests. Moreover, the Woodfin Suite Hotel and Timeshare Resort will be a full-service facility, with a single set of support facilities (check-in desk, reception, restaurants, cocktail lounge, etc.) for both timeshare and hotel guests. Therefore, there will be no distinction in terms of services between hotel and timeshare guests as both will be short-term visitors. LUP Section C.8. Land Use Plan, lists hotel as a permissible land use category and designates overnight accommodations and attendant visitor-serving uses including dining and entertainment areas as uses that are complementary to a hotel.

The Woodfin Suite Hotel and Timeshare Resort will enhance visitor-serving uses by providing additional overnight accommodations through both the hotel and timeshare component, both of which are consistent with the LCP, as set forth below.

The project is comprised of 288 hotel suites, of which 136 are timeshare suites. All of these units are intended or designed to be used on a temporary basis by guests. More importantly, the Woodfin Suite Hotel and Timeshare Resort will be a full-service facility, with a single set of support facilities (check-in desk, reception, restaurants, cocktail lounge, etc.) for both timeshare and hotel users. Therefore, there will be no distinction in terms of services between hotel patrons and timeshare patrons. Key points regarding the operational aspects of the proposed timeshare use are:

- The timeshare suites will not be in a separate tower from the hotel suites; rather, both the hotel and timeshare suites will be on same floors (4 through 19).
- Rental of both the timeshare suites and hotel suites will be handled in a similar manner by on-site management (electronic keys issued by the front desk, concierge services, housekeeping, and front desk check-in/out).

- Timeshares will be made available to the general public through the hotel reservation system when not used by timeshare vacationers.
- Timeshare vacationers may make their unused timeshare suites available to the general public.
- Timeshare suites will be marketed through an exchange program and through the hotel, and will be rented at comparable rates to equivalent hotel suites.
- Timeshare suites will be sold in one-week intervals.
- Stays in the timeshare suites would be limited to no more than a total of four weeks annually.
- The Woodfin timeshare component will remain a commercial use and will comply with the timeshare laws governed by the California Department of Real Estate.

The timeshare portion of the proposed development on Parcel 9U is consistent with the LCP, which recognizes overnight lodgings as a primary visitor-serving use in accord with Section 30213 of the California Coastal Act. There is no discernible difference in intensity of use or impacts to the physical environment between units that are used as timeshares and those that are used as traditional hotel rooms. Here, all project impacts have been fully analyzed and the Woodfin Suite Hotel and Timeshare Resort will not result in any impacts to the physical environment based on timeshare or hotel units.

Several sections of the LCP discuss hotel use. As set forth below, an analysis of these LCP sections demonstrates that the proposed timeshare component is tantamount to this type of approved (and encouraged) visitor-serving use. First, subsection (e) (Policies and Actions) of section A.2 (Recreation & Visitor-Serving Facilities) in the LUP lists overnight lodgings as a qualifying visitor-serving use in accord with related Coastal Act provisions. The timeshare portion of the Woodfin component, which, as noted, will be operated similarly to a conventional hotel, is a type of “overnight lodging” that is consistent with the overnight lodging policies of the LUP’s Recreational & Visitor-Serving Facilities chapter. Second, LUP section C.8., Land Use Plan, subsection (e) (Policies and Actions, Part 2 – Mapped Policy for the Land Use Plan), lists “hotel” as a permissible land use category, and designates overnight accommodations and attendant visitor-serving uses including dining and entertainment areas as uses that may occur attendant to a hotel. The proposed timeshare component would be limited to a maximum annual and consecutive use of four weeks, in an integrated tower with other hotel suites, all of which would provide overnight accommodations and which would be contained in a structure providing dining and ancillary services.

Finally, the LCP section addressing the Land Use Plan (LUP section C.8.e.7.) incorporates by reference language from the countywide general plan and Title 22, Planning and Zoning, Los Angeles County Code. Specifically, the Marina del Rey Specific Plan portion of the Zoning Code, section 22.46.1030.A (Relationship to the Los Angeles County Land Use Regulations), states: “For matters on which this Specific Plan is silent, other applicable provisions of Title 22 shall control.” Therefore, because the LCP

does not expressly define overnight lodgings or hotel (i.e., the LCP is “silent” on the issue), Title 22 provisions apply to this use. Title 22 defines hotel as “Any building containing six or more guest rooms or suites of guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied, or which are occupied on a temporary basis by guests.” The project proposed hotel and timeshare use is consistent with this definition and is therefore an allowed use on Parcel 9U.

The characterization of the Woodfin Suite Hotel and Timeshare Resort project (including the timeshare component) as a hotel is supported in the County’s tax treatment of such facilities. The Los Angeles County Code defines “hotel” in Title 4, Section 4.72.020, Transient Occupancy Tax, as: “‘Hotel’ means any structure in the unincorporated territory of the county, or any portion of any such structure, which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, and includes any hotel, inn, tourist home or house, motel, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobile home or house trailer at a fixed location, or other similar structure or portion thereof.” Again, the proposed project squarely fits within this definition – the timeshare units will offer short-term accommodations for visitors in a setting that is indistinguishable from typical hotel operations, including electronic keys issued by the front desk, concierge services, housekeeping, and front desk check-in/out, and shared floor space with traditional hotel suites.

In addition to overnight accommodations, the hotel/timeshare resort component of the project will develop other visitor-serving uses to enhance the public’s use and enjoyment of the Marina and coastal resources. In addition to the development of a public wetland park on the southerly portion of Parcel 9U, these visitor-serving uses include a restaurant, cocktail lounge, pool, spa, conference facilities, and new waterfront promenade, all of which will be accessible to the public. The new promenade and wetland park will offer no-cost visitor recreation to the public. In recognition of the delineated priorities of the Marina del Rey LCP, the project will not detract from, nor interfere with existing boating activities or ancillary boating support facilities. The project’s visitor-serving opportunities support the economic viability of the marina by encouraging increased public access.

Moreover, in order to further augment lower-cost public serving uses on the westerly side of the Marina, and should adequate parking be identified, an opportunity exists for two to three of the transient slips at the public-serving anchorage proposed for development adjacent to the site to be used for charter and excursion boats. These excursion opportunities could constitute an important new public/visitor-serving feature on this side of the marina, as no such services are provided in this primarily residential portion of the marina. Therefore, the proponent of the proposed hotel/timeshare resort project (Woodfin Suite Hotels, LLC), which would administer any potential future charter use at the adjoining public anchorage, may make application for the charter boat use at a future date after occupancy of the hotel/timeshare

resort, when the actual performance of the resort may be evaluated to determine that sufficient parking can be provided in the resort or in another location to service the charter use.

Finally, enhanced coastal access and harbor view opportunities are priorities indicated in the New Development section of the LCP. The Woodfin Suite Hotel and Timeshare Resort provides enhanced coastal access and harbor view opportunities. As noted, the project includes a 28-foot-wide public pedestrian promenade along the waterfront. Moreover, a view corridor of no less than 40 percent will be provided over the southerly portion of the parcel, consistent with LCP standards allowing a building with a maximum height of 225 feet on Parcel 9U.

Development of the proposed park and public anchorage on Parcel 9U would also be consistent with the provisions of the LUP. The land use section of the LUP contains several provisions that encourage the development of open space and water-related recreational uses along the waterfront. The policy states that "All development of coastal housing shall be contingent upon meeting all applicable policies and development standards of the LCP, including but not limited to adequate parking, view corridors, public access to the shoreline, provision of adequate traffic capacity, and any provisions for low- and moderate-income and senior housing subsequently certified by the CCC."

As stated above, in addition to overnight accommodations, the project will develop other visitor-serving uses to significantly enhance use and enjoyment of the Marina and coastal resources. The Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort project does not conflict with any applicable land use plan, policy, or regulation, as discussed in **Table 5.17.1** which provides detailed analysis of the consistency the project with applicable land use plans and policies. Therefore, the proposed project would not be in conflict with all applicable land use policies and would not result in physical impacts as a result.

Mitigation Measure: No mitigation required.

Conclusion: Less than significant.

5.17.3.4.3 Threshold: Would the project conflict with applicable habitat conservation plan or natural community conservation plan?

Analysis: Development of the Woodfin Suite Hotel and Timeshare Resort would not conflict with any habitat conservation plan or natural community conservation plan as no such plans are applicable to the project site or its vicinity.

Mitigation Measure: None are required.

Conclusion: Less than significant.

5.17.4 CUMULATIVE IMPACTS

5.17.4.1 Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort and Other Related Projects

Cumulative impacts on land use from the proposed project in conjunction with other reasonably foreseeable projects identified in **Section 4.0, Cumulative Impacts**, were analyzed. The applicable threshold is listed in bold followed by an analysis of the cumulative impacts and their potential significance.

5.17.4.1.1 **Threshold: Would the proposed projects in conjunction with other reasonable foreseeable development result in substantial adverse physical impacts associated with the increased development density?**

Cumulative Analysis:

The primary potential physical impact associated with the intensity of development in the Marina del Rey area results from traffic generated by development in Marina del Rey. A traffic analysis has been prepared which indicates that the proposed project would generate approximately 3,104 net new vehicle trips. Analysis in the Draft EIR indicates that with mitigation, project related traffic impacts can be mitigated and are not considered significant. However, when combined with cumulative projects, traffic would significantly impact 12 of the 17 study intersections. However, as stated in **Section 5.7, Traffic/Access**, no long-term cumulative significant traffic impacts would occur with implementation of the identified mitigation measures for cumulative traffic impacts. The cumulative mitigation measures include measures specifically identified in the TIP, such as funding for larger long-term improvements such as widening the Lincoln Boulevard Corridor and the planned Marina Expressway (SR-90) extension to Admiralty Way that will increase area wide traffic capacity and help alleviate existing and future congestion in the study. The project will contribute its "fair share" toward implementation of these cumulative improvements through payment of the \$1,297,320 trip fee (\$716,940 attributable to Legacy Partners and \$580,380 attributable to Woodfin), plus the pro-rata share for the new traffic signal and roadway improvement at Washington Boulevard and Palawan Way.

With regard to the intersections within the County's Marina del Rey planning area, the project's contribution to significant cumulative traffic impacts are rendered less than cumulatively considerable because the project is required to pay the MDR traffic fees. However, as to intersections in the area not under the County's jurisdiction and those intersections where the County shares jurisdiction with the City of Los Angeles or Caltrans, implementation of the improvements needed to mitigate impacts is not

considered feasible, as there are no reasonable, enforceable plans or programs in place to improve these intersections. Therefore, if the necessary improvements are not completed, cumulative impacts may remain significant at some intersections outside the County's jurisdiction.

There will be no cumulative impacts due to the loss of open space/potential park due to the creation of wetland park on Parcel 9U. Moreover, there will be no cumulative parking impact due to the monetary contribution being made by Legacy Partners into the County-administered Coastal Improvement Fund, which funds will be utilized by the County to assist in the development of public parking facilities in a recreational area of the Marina that is more heavily utilized by the public, such as in the proximity of Buton Chace Park.

Implementation of the proposed project in conjunction with the related projects listed in **Section 5.11, Education, Table 5.11.2**, would increase the demand for school services. As with the proposed project, the applicants of the related projects would be required to pay state-mandated developer fees to the LAUSD. According to Section 65995 of the Government Code, payment of developer fees is deemed to be "full and complete mitigation" for school facility impacts. Payment of such fees by the proposed project and related projects would ensure that the cumulative impacts on school services would be less than significant.

The project and cumulative projects could contribute to a decline in landfill capacity, resulting in a significant impact unless additional landfill space or other disposal alternatives are approved. There are no known mitigation measures that would mitigate these potentially cumulative significant impacts to a less than significant level.

Conclusion: Significant

Mitigation Measure: None other than proposed mitigation measures for project's contribution to traffic, education, and solid waste impacts.

5.17.5 UNAVOIDABLE SIGNIFICANT IMPACTS

Development of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort (combined, separately, and cumulative with other related projects) would significantly impact the traffic and solid waste environment.

Analysis included in this section indicates development on Parcels 10R and FF would require amendments to the Marina del Rey LUP. An amendment would be required to permit a transfer of

development credits from the neighboring Tahiti and Bora Bora DZ into the Marquesas DZ to accommodate development proposed on Parcels 10R and FF. There is clear precedent for such interdevelopment transfers on the western side of Marina del Rey. Development on Parcel FF would also require a change in land use designation from Open Space to Residential III. The development of the public park on Parcel 9U will offset the loss of Open Space-designated land and potential future park on Parcel FF.

The discretionary approval for Parcel FF component thus include an LCP amendment request by the County of Los Angeles to modify the LUP and Specific Plan to allow deferral of construction of the 103 “replacement” parking spaces required as a condition of the proposed development of Parcel FF with residential use until such time as construction of such replacement parking spaces can be provided for the County at an alternate location in the Marina. This LCP amendment will also request authorization to allow Legacy Partners to occupy the new Parcel FF apartment building prior to construction of replacement parking spaces elsewhere in the Marina. Prior to issuance of a building permit, Legacy Partners will deposit funds into the County-administered Coastal Improvement Fund (established in Section 22.46.1950 of the Marina del Rey Specific Plan) sufficient to fund development of 103 replacement parking spaces in another Marina location that is more heavily utilized by the public, such as in proximity to Burton Chace Park. As the current Parcel FF parking lot is underutilized, no short-term parking impacts are anticipated.

An LCP amendment is required to change the Height Category on Parcel FF from “Height Category 1” (maximum building height of 25 feet) to “Height Category 3” (which allows for 45-foot building heights when a 20 percent view corridor is provided, ranging to 75 feet maximum when a 40 percent view corridor is provided). The proposed 55-foot building height (exclusive of typical rooftop appendages) would be consistent with the proposed Height Category 3 designation because the applicant is providing a view corridor comprising 26.7 percent of the parcel’s water frontage. An LCP amendment is also required to change the land use designation on Parcel FF from its current “Open Space” designation to “Residential V-WOZ” (1.38-acre “non-mole” portion) and “Residential III-WOZ” (0.67-acre “mole” portion).

Legacy Partners is also requesting an LCP amendment to “blend” residential densities over Parcel 10R and Parcel FF without respect to the 35 dwelling units/acre and 75 dwelling units/acre density development standards prescribed in the LCP for the proposed Residential III and Residential V land use categories. Total site density will not exceed the LCP-prescribed 400 dwelling units for Parcel 10R or 126 dwelling units for Parcel FF (as proposed for amendment), but the units will be more evenly distributed between the R-V (non-mole portion) and R-III (mole portion) designated areas of the parcels, allowing for a more uniform and attractive building massing scheme and development.

As indicated in this section, The Neptune Marina Apartments and Anchorage/Woodfin Suites Hotel and Timeshare Resort project is consistent with the proposed LCP amendments and with land use policies defined in the Marina del Rey LUP. Therefore, project impacts on the land use environment are not considered significant.

6.0 PROJECT ALTERNATIVES

PURPOSE

State California Environmental Quality Act (CEQA) Guidelines Section 15126.6 provides that the purpose of the alternatives section of an environmental impact report (EIR) is to assess a range of reasonable alternatives to the proposed project, or to the location of the 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. The EIR must also include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. The discussion of alternatives should be governed by the “rule of reason.” Generally, significant effects of an alternative shall be discussed, but in less detail than the proposed project.

6.1 INTRODUCTION

As stated above, the principal purpose of the alternatives analysis is to assess a range of project alternatives that would reduce the magnitude of, or eliminate potential project-related significant impacts. However, the *State CEQA Guidelines* place some restrictions on the range of alternatives an EIR must address. First, an EIR need only examine those alternatives that meet most basic objectives of the project (reference **Section 3.1.2, Project Objectives**). Second, the *State CEQA Guidelines* stipulate that alternatives addressed in an EIR should be feasible and should not be considered remote or speculative. When addressing feasibility, the *State CEQA Guidelines* state that “...among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, jurisdictional boundaries, and whether the applicant can reasonably acquire, control or otherwise have access to the alternative site.”

Based on these CEQA-driven directives, alternatives to the project that would reduce significant adverse impacts pertaining to short-term construction related noise impacts; short-term construction related air quality impacts; cumulative traffic impacts; cumulative solid waste impacts; project-specific visual quality impacts associated with the height of proposed development occurring on Parcel 9U (the Woodfin Suite Hotel and Timeshare Resort); and cumulative housing impacts, without undermining basic project objectives were selected for analysis in this section.

6.2 ALTERNATIVES CONSIDERED BUT NOT EVALUATED

Section 15126.6(c) of the *State CEQA Guidelines* indicates that the EIR should identify alternatives that were considered by the lead agency but were rejected. Among the factors that may be used for rejection of project alternatives are (1) failure to meet most of the basic project objectives, (2) infeasibility, and

(3) inability to avoid significant project impacts. Therefore, two project alternatives, as described below, were considered but dismissed from further detailed analysis.

6.2.1 Density Bonus of 35 Percent at the Neptune Marina Apartments on Parcels FF and 10R

This alternative focuses on increasing affordable housing associated with residential development proposed on Parcels 10R and FF.

In 1982, the state legislature enacted Government Code Section 65590, "Low and Moderate Income Housing within the Coastal Zone."

That code section provides, in part, as follows:

d) New housing developments constructed within the coastal zone shall where feasible, provide housing units for persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety Code. Where it is not feasible to provide these housing units in a proposed new housing development, the local government shall require the developer to provide such housing if feasible to do so, at another location within the same city or county, either within the coastal zone or within three miles thereof. In order to assist in providing new housing units, each local government shall offer density bonuses or other incentives, including, but not limited to, modification of zoning and subdivision requirements, accelerated processing of required applications, and the waiver of appropriate fees. (Emphasis added)

The density bonus units referred to above are defined in Government Code Section 65915 (f), which reads, in part, as follows:

For the purpose of this chapter, "density bonus" means a density increase of at least 25 percent over the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan as of the date of application by the developer to the city, county, or city and county. (Emphasis added)

The code section goes on to state that in order to accommodate the economics of this affordable housing, the County shall offer the applicant a density bonus. As allowed under Senate Bill 1818, effective January 1, 2005, projects are permitted to incorporate up to a 35 percent density bonus when a specified amount affordable housing is included in the project.

Given this Government Code framework, a provision for affordable housing within Parcels 10R and FF would allow for an increase in the number of residential units that are currently proposed. Assuming a 35 percent density bonus, development intensity on Parcels 10R and FF could be increased from 526 to 710 residential units and on-site population would be increased from 789 to 1,065 persons.

This alternative was eliminated from further evaluation because impacts associated with the provision of 35 percent more units would in general be substantially greater than impacts associated with the provision of 25 percent more units, especially with respect to traffic, air quality, noise, recreation, population and housing, public services and utilities. Thus, the evaluation of a Density Bonus Alternative using a 25 percent increase is considered and discussed as Alternative 4 below.

6.2.2 Alternative Sites

The California Environmental Quality Act (CEQA) does not expressly require that an EIR discuss alternative locations. The *State CEQA Guidelines* (Section 15126.6(a)) state that an EIR must include a reasonable range of alternatives to the project or to the location of the project. Nonetheless, the County as lead agency considered a number of possible alternative sites and found them to be infeasible for the reasons summarized below.

6.2.2.1 Alternative Sites for Woodfin Suite Hotel and Timeshare Project

The County lacks the authority to approve projects on sites outside of the County's jurisdictional boundaries (i.e., sites in the City of Los Angeles or Santa Monica). Furthermore, neither the County nor the project proponent own or control any such sites. Therefore, any such alternative site would be infeasible.

The LCP establishes a comprehensive and integrated land use regulatory framework governing development of Marina del Rey. The LCP designates a limited number of parcels in Marina del Rey as appropriate for hotel development:

Parcels 27, 42, and 145 are currently developed with hotel uses. Of these parcels, only parcel 145 is zoned with a maximum height limitation consistent with the proposed project. All of these sites are planned for expansion and/or rehabilitation by the lessee of the parcels, Pacifica Hotel Investors. The lessee is under option for a 39-year lease extension for its approved expansion of the Jamaica Bay Inn Hotel at Parcel 27, and is in the final stages of negotiating long-term lease extensions with the County for its planned major renovations of the Marina Del Rey Hotel and Marina International Hotel on Parcels 42 and 145. The respective existing lease terms for Parcels 42 and 145 are 14 years and 21 years, respectively

Parcel 125 and 141 have been previously developed with the Ritz-Carlton Hotel and MDR Marriott Hotel, respectively. The lessees of these parcels have been granted long-term lease extensions.

Parcel 22 is currently developed with the Foghorn Hotel, the Cheesecake Factory restaurant and a convenience market. While potential exists for redevelopment of a portion of the site with a new hotel,

entitlements are limited to only approximately 79 new hotel rooms. The County has leased this parcel to a third party lessee whose lease will last another 14 years.

Parcel 75 is currently developed with a medical office building. Potential exists for redevelopment of a new hotel on this site as entitlements do exist in the zone (up to 382 hotel rooms); however, the County has leased this parcel to a third party lessee whose lease will last another 18 years. Moreover, this site is not located on the water and thus would not meet the project objective of providing a visitor-serving hotel uses proximate to the water.

Parcel 132 is currently developed with visitor-serving commercial uses but allows for hotel development (with the potential for up to 200 hotel rooms); however, the County has leased this parcel to a third party lessee whose lease will last at least another 12 years.

As noted above, those sites within the County's jurisdiction that are designated for hotel use are all subject to existing leases with third parties with remaining lease terms of at least 14 years. The hotel project proponent, Woodfin Suite Hotels, has no possessory interest or control in any of these parcels. Further, none of these parcels will be available within a reasonable time. Moreover, the County cannot unilaterally abrogate its obligations under the existing leases. The lead agency accordingly rejected these alternative sites as infeasible. Moreover, as a project objective is the development of this specific parcel in conformity with the LCP, which anticipates a hotel use, the failure to develop this parcel with a hotel would result in the land continuing to be under-utilized. Consequently, if Parcel 9U were not developed with a hotel, a project objective would not be realized.

6.2.2.2 Alternative Sites for the Neptune Marina Apartments Project.

For the same reasons as set forth above, the lead agency rejected sites outside of the County's jurisdiction and also rejected parcels within its Marina del Rey jurisdiction that are not designated for residential use in the certified LCP. With respect to potential alternative apartment sites of sufficient size to accommodate the project within unincorporated Marina del Rey (i.e., those parcels designated for residential use in the LCP), all such sites have been previously developed with apartments and many have recently been approved for redevelopment subject to long-term lease extensions (such as the Capri Apartments at Parcel 20, the Admiralty Apartments at Parcel 140, the Esprit Apartments at Parcel 12, the Bar Harbor Apartments at Parcel 15, the Marina Harbor Apartments at Parcel 112, and the Shores Apartments at Parcels 100/101). Other potential apartment sites, such as Parcel 95 (Marina West Shopping Center on Washington Boulevard), are not located on the water and would therefore not meet the project objectives of providing improved pedestrian access to the waterfront and providing increased coastal

residential opportunities with designs that emphasize coastal views, consistent with the framework specified in the LCP.

In any event, all of the potential alternative sites are subject to existing leases with third parties with years remaining on their leases. The apartment project proponent, Legacy Partners, has no possessory interest or control in any of these parcels. Further, none of these parcels will be available within a reasonable time. Moreover, the County cannot unilaterally abrogate its obligations under the existing leases. The lead agency accordingly rejected these alternative sites as infeasible.

6.2.3 Parcel 9U as a Public Park

This alternative focuses on increasing the amount of recreation and visitor-serving facilities through the provision of additional public park space on all of Parcel 9U. However, while this alternative would result in additional park space above and beyond that included under the proposed project, implementation of this alternative would not provide additional visitor-serving facilities considered a high priority in the Marina del Rey LCP. Use of Parcel 9U only for park space would require the breach of lease agreement on Parcel 9U with Woodfin Suite Hotel, LLC. Therefore, this alternative is contractually infeasible. Additionally, development of Parcel 9U as a public park would not meet the basic project objectives. As such, this alternative was dismissed from further analysis.

6.3 PROJECT ALTERNATIVES

Section 5.0, Environmental Impact Analysis, determined that project implementation would result in five significant unavoidable impacts: short-term construction related noise; short-term construction related air quality impacts; cumulative traffic impacts; cumulative housing, cumulative solid waste impacts; and project-specific visual quality impacts associated with the height of proposed development occurring on Parcel 9U (the Woodfin Suite Hotel and Timeshare Resort) in relation to existing uses. Several other potentially significant impacts prior to mitigation were also defined.

Based on considerations of avoiding or substantially reducing significant impacts associated with the proposed project, as well as consideration of the basic objectives of the project, public comments received in response to the Notice of Preparation (NOP), discussions with County staff, the public, and other public agencies, the following nine alternatives to the proposed project were selected for analysis:

- Alternative 1: No Development Alternative (development pursuant to existing LUP standards)
- Alternative 2: No Amendment Alternative
- Alternative 3: Increased Structure Height (applicable only to Parcels 10R and FF)

- Alternative 4: Density Bonus (associated with Mello Act requirements, applicable only to Parcels 10R and FF)
- Alternative 5: Reduced (i.e., 30 percent) Density Alternative (applicable to Parcels 10R, FF, and 9U)
- Alternative 6: Residential-Sized Building Height (55 feet)/Same Building Footprint (applicable only to Parcel 9U)
- Alternative 7: Marine Oriented Commercial (applicable only to Parcel 9U)
- Alternative 8: Low Cost Visitor Serving RV Park Use (applicable to Parcels 10R, FF, and 9U)
- Alternative 9: Marina Plaza Alternative

6.3.1 Alternative 1: No Project/No Development Alternative

Under *State CEQA Guidelines* Section 15126.6(e)(3)(B), if disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, then this “no project” consequence (i.e., No Project/Future Development scenario) should be discussed. As defined in this EIR, this development scenario would be the continuation of the status quo on Parcels FF, 10R, and 9U.

6.3.1.1 Visual Resources

Under the No Project/No Development Alternative, the Parcel FF would continue to operate as a public parking lot, Parcel 10R would remain developed with the existing Neptune Marina Apartments and Anchorages, and Parcel 9U would remain as undeveloped open space with the existing wetland. The visual quality of the sites would remain as is, views of, from and through the parcels would remain unaffected, and no new shading or shadow impacts would result. As such, impacts to visual resources would be less than those associated with implementation of the proposed project.

6.3.1.2 Air Quality

Under the No Project/No Development Alternative, no construction activities would occur; therefore, no significant construction air quality impacts would result. Operational impacts to air quality would not result, as the existing uses and operations would remain unchanged. As such, air quality impacts would be less than those associated with implementation of the proposed project would.

6.3.1.3 Biota

Under the No Project/No Development Alternative, the existing sites would remain unchanged. All vegetation on Parcels FF, 10R, and 9U would remain in place; the existing wetland on Parcel 9U would

remain as is; and the anchorages within the marina itself would remain in their current condition. As such, no impacts to biological resources would result with implementation of the No Project/No Development Alternative. However, the existing degraded wetland would not be restored. From the perspective of biological resources, the proposed project is considered superior to the No Project/No Build Alternative.

6.3.1.4 Geotechnical and Soil Resources

Under the No Project/No Development Alternative, the existing uses on Parcels FF, 10R, and 9U would remain in their existing conditions. As such, no disturbances would occur to geotechnical and soil resources on the three parcels.

6.3.1.5 Hydrology and Drainage

Under the No Project/No Development Alternative, the existing uses on Parcels FF, 10R, and 9U would remain in their existing conditions. As such, the hydrologic and drainage conditions at each of the three parcels would remain unchanged and no potential for construction-related runoff impacts would occur.

6.3.1.6 Noise

Under the No Project/No Development Alternative, the existing uses on Parcels FF, 10R, and 9U would remain in their existing conditions. No construction activities would occur; therefore, no construction-related noise impacts would result from this alternative. Additionally, operational noise levels would remain the same as existing noise levels.

6.3.1.7 Population and Housing

Under the No Project/No Development Alternative, the existing uses on Parcels FF, 10R, and 9U would remain in their existing conditions. No temporary or permanent displacement of residential units or residences would occur, and no new housing would be constructed. Additionally, no new population increases would result from implementation of this project alternative. However, the beneficial impact of including affordable housing within the proposed project would be reduced under this project alternative no new units would be constructed; therefore, no new affordable housing units would be available.

6.3.1.8 Public Services (Fire Protection, Police Protection, Education, Library Services)

Under the No Project/No Development Alternative, the existing uses on Parcels FF, 10R, and 9U would continue to be serviced by the existing fire, police, education, and library service providers. No

population increases would result from implementation of this project alternative; as such, no increase in demand for these public services would occur from the No Project/No Development Alternative.

6.3.1.9 Public Utilities (Water Service, Sewer Service and Solid Waste Service)

Under the No Project/No Development Alternative, the existing uses on Parcels FF, 10R, and 9U would continue to be serviced by the existing water, sewer, and solid waste service providers. No population increases would result from implementation of this project alternative; as such, no increase in demand for these public utility services would occur from the No Project/No Development Alternative.

6.3.1.10 Traffic/Access

Under the No Project/No Development Alternative, the existing uses on Parcels FF, 10R, and 9U would remain. No population increases or decreases would result from implementation of this project alternative; as such, no increase or decrease in traffic levels and parking demand would occur. Additionally, no new construction would occur as a result of this project alternative; as such, access to each parcel would remain unchanged.

6.3.1.11 Parks and Recreation

Under the No Project/No Development Alternative, all existing uses on Parcels FF, 10R, and 9U would remain. Parcel FF would continue to be used as a public parking lot, Parcel 10R would continue to be occupied by the Neptune Marina Apartments and Anchorages, and Parcel 9U would remain undeveloped. As such, no additional public parkland or public recreational facilities would be provided by this alternative. From the perspective of parks and recreation, the proposed project is considered superior to the No Project/No Build Alternative.

6.3.1.12 Land Use

Under the No Project/No Development Alternative, all existing uses on Parcel FF, 10R, and 9U would remain unchanged. All land uses are consistent with designations in the Marina del Rey LUP, no neighborhood disruption would result due to construction activities, the existing buildings would continue to remain consistent with zoning codes, and no replacement public parking would be required. As such, no land use impacts would result, and impacts associated with this alternative would be less than those associated with implementation of the proposed project.

6.3.2 Alternative 2: No Project/No Amendment Alternative

Under *State CEQA Guidelines* Section 15126.6(2), the no project analysis shall discuss what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. As defined in this EIR, this development scenario would be a project that is consistent with existing provisions of the Marina del Rey LUP.

Under the No Project/No Amendment Alternative, the project site would be developed within the provisions defined as part of the Marina del Rey Land Use Plan (LUP). Parcel 10R, located within the Marquesas DZ, is presently developed with 136 apartment units and a marina containing 198 boat spaces, while Parcel FF is developed as an underutilized surface parking lot with approximately 200 parking spaces. Parcel 9U is a vacant and undeveloped lot.

The Neptune Marina Project (Parcel 10R) site is subject to two separate designations of “Primary Permitted Use.” On the western, non-mole portion of the parcel, the designation is Residential V (up to 75 dwelling units/acre). On the eastern, mole portion of the parcel, the designation is Residential III (up to 35 dwelling units/acre). Parcel FF is designated Open Space in the Land Use Plan portion of the Marina del Rey LUP (Section C.8). Permitted uses defined in the Marina del Rey LUP within the Open Space designation include open viewing areas, promenades, bikeways, beaches, parks, picnic facilities, nature/interpretive centers, and surface parking and landscaping. While the Land Use portion of the LUP designates Parcel FF as Open Space, the Recreation and Visitor Serving Facilities portion of the LUP (Section A.2) contemplates Parcel FF for development as a public park. This section also contemplates residential development on a portion of Parcel FF. Parcel 9U is designated for Hotel land uses. On Parcel 9U, a maximum building height of 225 feet is permitted and 360 parking spaces are required.

The LUP defines a maximum residential development potential (as a net increase over and above existing land uses) in each DZ. This increase in residential development intensity is largely based on each zone’s ability to accommodate additional vehicle traffic. Development allocations presented in the LUP are predicated upon the introduction of mitigation measures to reduce project impacts. These measures are identified as Category 1 System Wide improvements.

Table 6.0-1, below, defines the remaining development allocations identified in the LUP for this DZ as it pertains to Parcels 10R and FF.

**Table 6.0-1
Remaining Allocated Increase within the Marquesas DZ**

| Marina del Rey Land Use Plan Remaining Allocated Increase Parcels 10R and FF | |
|-----------------------------------------------------------------------------------------|---------|
| Residential – Neptune Marina-Parcel 10R | 3 du |
| Residential – Neptune Marina-Parcel FF | 0 du |
| Boat Spaces | 76 |
| Open Space (Parcel FF) | 2 acres |

*Source: Impact Sciences, June 2005.
du = dwelling units*

As defined above, there are 136 existing apartments and 198 boat spaces presently on Parcel 10R. Without an amendment to the LUP, the maximum permitted development that could occur on Parcel 10R would be 139 apartment units and 274 boat spaces. However, to accommodate current building standards within the waterside portion of Parcel 10R, the maximum number of slips that can be constructed is approximately 174 boat spaces, inclusive of a combination of slips and end-tie spaces.

Based on the information provided above, without an amendment to the LUP, development permitted on the Parcel 10R would include 139 apartment units and 174 boat spaces. Parcel FF would be retained as an existing surface parking lot with approximately 200 parking spaces and Parcel 9U would be developed as a hotel inclusive of 288 hotel and timeshare units, 360 parking spaces and a maximum building height of 225 feet. This alternative would not require and does not include a provision for a wetland park and public-serving boat spaces.

6.3.2.1 Visual Resources

Analysis in **Section 5.6** indicates that the size and mass of the Woodfin Suite Hotel and Timeshare Resort structure proposed on the northern portion of Parcel 9U are consistent with height standards defined in the Marina del Rey LUP. However, this project element would not be in character with existing, approved, or recently constructed structures in the western portion of Marina del Rey. For this reason, impacts associated with construction and operation of the Woodfin Suite Hotel and Timeshare Resort project element were considered adverse and significant. Apartment structures proposed on Parcels 10R and FF are also consistent with defined height standards, do not exceed 60 feet (the height limit on Parcel FF is currently 25 feet without the proposed plan amendment), and are consistent with recently approved and constructed structures adjacent to and near the project site. For these reasons, impacts

associated with development on Parcels 10R and FF on the visual resources environment were not considered significant.

Although the No Project/No Amendment Alternative would eliminate development on Parcel FF and potentially reduce the scale of development on Parcel 10R, development of a hotel structure with a height of 225 feet would be permitted on Parcel 9U. As such, this alternative would incrementally reduce building mass on Parcel 10R and would result in no development on Parcel FF but would not reduce the significant massing effects that could occur on Parcel 9U. For these reasons, this alternative would incrementally reduce visual resource impacts when compared with the proposed project, but not to a less than significant level.

6.3.2.2 Air Quality

Air quality impacts associated with the proposed project indicate that short-term impacts associated with site grading and construction would exceed defined South Coast Air Quality Management District (SCAQMD) thresholds. For these reasons, short-term impacts associated with grading and building construction were considered adverse and significant. Impacts on the air quality environment associated with project operation did not exceed defined SCAQMD standards and were not considered significant.

The No Project/No Amendment Alternative would preserve Parcel FF as an existing surface parking lot and reduce building mass and density on Parcel 10R, in comparison to the proposed project. Further, development on Parcel 10R that would occur as part of the No Project/No Amendment Alternative would not require below ground parking and would further reduce the need for heavy equipment and truck trips necessary to transport earth material off the project site. Development associated with Parcel 9U would not be significantly altered and development of the wetland park and public-serving boat spaces would not occur.

Based on the reduced intensity of project-related construction activities associated with this alternative, the No Project/No Amendment Alternative would incrementally reduce construction related emissions. However, construction emissions would continue to exceed standards defined by the SCAQMD. As such, the No Project/No Amendment Alternative would reduce, but not eliminate, this construction related significant effect. Operationally, the No Project/No Amendment Alternative would generate fewer trips (2,089 versus 3,104 net daily trips) than the proposed project. Calculations included in **Section 5.4** of the draft EIR indicate that operational emissions do not exceed SCAQMD standards for the proposed project, and the No Project/No Amendment alternative would incrementally reduce these adverse, but not significant, project impacts; therefore, impacts would remain less than significant.

6.3.2.3 Biota

The project site is located in an existing urban environment with limited areas of natural open space. As defined in **Section 5.5** of the draft EIR, no special status species or wildlife movement corridors occur on the project site. Further, the project is consistent with all regional and local plans that pertain to the protection of natural and biological resources. With respect to these resource criteria, impacts associated with the proposed project with mitigation are not considered significant. A small area (0.47 acre) of jurisdictional wetlands, which occurred as a result of past grading activities, is present in the central portion of Parcel 9U; this wetland is considered degraded. As proposed, the project would improve this wetland via creation of a muted tidal wetland of a similar size as well a surrounding natural and managed upland buffer. This action is considered beneficial by resource agencies and the County of Los Angeles Department of Beaches and Harbors. Under the No Project/No Amendment alternative, the existing wetland would not be disturbed, but development of the restored wetland park would not occur and as such, benefits to the biological resources environment would not occur. From the perspective of biological resources, the proposed project is considered superior to the No Project/No Amendment Alternative.

6.3.2.4 Geotechnical and Soil Resources

Implementation of this alternative would require only surficial grading on Parcel 10R, no grading would occur on Parcel FF, and grading associated with Parcel 9U would be the same as the proposed project. As such, this alternative would result in less grading because there would be no grading on Parcel FF and no requirement for below ground garages on Parcel 10R.

As defined in the draft EIR, the proposed project's impacts with respect to geotechnical and soil resources were not significant with mitigation. During project operation, all improvements constructed on the site would be subject to the forces of ground movement during seismic events, similar to the proposed project, and also would be subject to the same construction requirements as the proposed project. Because there would be less development under this alternative than under the proposed project, geotechnical hazards would be reduced and, therefore, the No Project/No Amendment Alternative would result in fewer impacts than the proposed project with respect to geology and soils.

6.3.2.5 Hydrology and Drainage

Implementation of the No Project/No Amendment Alternative would result in development similar to the proposed project on Parcel 9U, less intensive development on Parcel 10R (but covering the same development area), and retention of the existing surface parking lot on Parcel FF. The draft EIR concluded that the proposed project would not result in a substantial increase in total site runoff during a 25-year

storm event and hydrology and drainage impacts are less than significant with required mitigation. Like the proposed project, the No Project/No Amendment Alternative would not result in any significant change in surface water hydrology or impacts to water quality, and impacts are not considered significant.

The No Project/No Amendment Alternative would also remove and replace the 198 existing boat spaces adjacent to Parcel 10R. With mitigation as defined in the draft EIR (**Section 5.3**), water quality impacts associated with the No Project/No Amendment Alternative are comparable to those of the proposed project and are not considered significant.

6.3.2.6 Noise

Noise impacts associated with the proposed project indicate that short-term impacts associated with site grading and construction would exceed defined County noise standards. For these reasons, short-term impacts associated with grading and building construction were considered adverse and significant. Impacts on the noise environment associated with project operation would not exceed defined County standards and are not considered significant.

The No Project/No Amendment Alternative would preserve Parcel FF as an existing surface parking lot and reduce building mass and density on Parcel 10R. Further, development on Parcel 10R that would occur as part of the No Project/No Amendment Alternative would not require below ground parking and would reduce the need for heavy equipment and truck trips necessary to transport earth material off the project site. Development associated with Parcel 9U would not be significantly altered and development of the wetland park and public-serving boat spaces would not occur.

Due to the fact that less intensive construction would be required for the No Project/No Amendment Alternative, implementation of this alternative would incrementally reduce principally the duration of construction related noise due to a reduction in site grading, the use of heavy equipment and a reduced demand for pile driving as compared to the proposed project. However, because grading and construction would still be required within close proximity of sensitive receptors, noise associated with grading and construction of this alternative would likely still exceed standards defined by the County of Los Angeles Department of Environmental Health. As such, the No Project/No Amendment Alternative would reduce but not eliminate construction related significant effects. During project operation, the No Project/No Amendment Alternative would also result in an incremental reduction in vehicle trips (2,089 versus 3,104 net daily trips) and their associated noise generating potential. Calculations included in **Section 5.2** of the draft EIR indicate that County noise standards would not be exceeded for the

proposed project, and the No Project/No Amendment Alternative would incrementally reduce these adverse but not significant project effects.

6.3.2.7 Population and Housing

Section 5.16 of the draft EIR indicates that the proposed project would not exceed population and housing standards defined by the Southern California Association of Governments (SCAG). As such, this project's impact on the population and housing environment is consistent with defined growth patterns and is not considered significant.

The No Project/No Amendment Alternative would preserve Parcel FF as an existing surface parking lot. Further, development on Parcel 10R would be limited to 139 units. Given these assumptions, residential development would be reduced from 526 to 139 residential units and the permanent on-site population would be reduced from 789 to 208 persons. Development associated with Parcel 9U would not be significantly altered and development of the wetland park and public-serving boat spaces would not occur.

Given the reduction in development intensity associated with the No Project/No Amendment Alternative, impacts on the population and housing environment would be reduced and are not considered significant. However, the beneficial impact of including affordable housing within the proposed project would be reduced under this project alternative given that fewer units would be constructed; therefore, fewer affordable housing units would be available.

6.3.2.8 Public Services (Fire Protection, Police Protection, Education, Library Services)

Sections 5.11, 5.12, 5.13, and 5.14 of the draft EIR indicate that with mitigation, the proposed project would not exceed available capacity or defined County standards with respect to public services. As such, this project's impact on the public service environment was not considered significant and is consistent with defined growth patterns.

The No Project/No Amendment Alternative would preserve Parcel FF as an existing surface parking lot. Further, development on Parcel 10R would be limited to 139 units. Given these assumptions, residential development would be reduced from 526 to 139 residential units and the permanent on-site population would be reduced from 789 to 209 persons. Development associated with Parcel 9U would not be significantly altered and development of the wetland park and public-serving boat spaces would not occur.

Given the reduction in development intensity associated with the No Project/No Amendment Alternative, impacts on the public service environment would be less than the Proposed Project's less than significant impacts.

6.3.2.9 Public Utilities (Water Service, Sewer Service and Solid Waste Service)

Sections 5.8, 5.9, and 5.10 of the draft EIR indicate that the proposed project would not exceed available capacity or defined County or City standards. As such, the proposed project's individual impact on the public service environment is not considered significant. However, Section 5.10 of the draft EIR indicates that given the unknown nature of future landfill capacity, the project's incremental impact on the cumulative waste stream is considered significant.

The No Project/No Amendment Alternative would preserve Parcel FF as an existing surface parking lot. Further, development on Parcel 10R would be limited to 139 units. Given these assumptions, residential development would be reduced from 526 to 139 residential units and the permanent on-site population would be reduced from 789 to 209 persons. Development associated with Parcel 9U would not be significantly altered and development of the wetland park and public-serving boat spaces would not occur.

Given the reduction in development intensity associated with the No Project/No Amendment Alternative as compared to the proposed project, this alternative's impacts on public utilities would be less than that of the proposed project, whose impacts on public utilities are less than significant. However, as with the proposed project, solid waste generated by this alternative would contribute incrementally to the cumulative waste stream and this alternative's solid waste impacts would be cumulatively considerable.

6.3.2.10 Traffic/Access

Section 5.7 of the draft EIR indicates that the traffic analysis evaluated 17 study intersections. Calculations indicate that the proposed project would generate approximately 3,104 net new daily vehicle trips. Analysis in the draft EIR indicates that with mitigation, direct project related traffic impacts can be mitigated and are not considered significant. When combined with cumulative projects, traffic generated by the proposed project would significantly impact 12 of the 17 study intersections even after mitigation. Parking provided by the project is consistent with defined County standards and parking is not considered significant.

The No Project/No Amendment Alternative would preserve Parcel FF as an existing surface parking lot. Further, development on Parcel 10R would be limited to 139 units. Given these assumptions, residential development would be reduced from 526 to 139 residential units. Development associated with Parcel 9U

would not be significantly altered and development of the wetland park and public-serving boat spaces would not occur. Given this data, trip generation associated with the No Project/No Amendment Alternative would be reduced, as compared to the proposed project, from 3,104 to 2,089 net new daily trips.

Estimates indicate a reduction in 1,015 trips would occur with implementation of the No Project/No Amendment Alternative instead of the proposed project. This would reduce traffic related impacts at each study intersection. However, a reduction of 1,015 vehicle trips would not significantly alter project or cumulative traffic impacts, such that all significant impacts would be avoided. As such, the No Project/No Amendment Alternative would result in reduced traffic impacts when compared with the proposed project, but the alternative's traffic impacts would be cumulatively considerable, as in the case of the proposed Project's impacts.

6.3.2.11 Parks and Recreation

Section 5.15 of the draft EIR indicates that the proposed project would result in beneficial impacts to the parks and recreation environment. The proposed project would result in the creation of a 1.46-acre public park inclusive of a 0.47-acre restored wetland and a 0.99-acre upland buffer that would be available for public use. The No Project/No Amendment Alternative would preserve a 2.05-acre surface parking lot for a potential future park use. Although the LCP contains a Coastal Improvement Fund provision to collect fees for creation of new public park land uses, the No Project/No Amendment Alternative does not include provisions for development of such a park on Parcel FF, nor would this alternative include the development of the proposed wetland park. As such, implementation of a public park under this alternative is not guaranteed. Additionally, because no wetland or upland park would be developed under this alternative, this alternative would result in the loss of a proposed beneficial use, as well as other public amenities. From the perspective of parks and recreation, the proposed project is considered superior to the No Project/No Amendment Alternative.

6.3.2.12 Land Use

Section 5.17 of the draft EIR discusses the proposed project's impacts relative to land use. Implementation of the No Project/No Amendment Alternative would result in the construction of uses on each of the three parcels that are consistent with the existing Marina del Rey Land Use Plan (LUP). Parcel FF would remain as a public surface parking lot and at a later date could potentially be developed as a public park. Parcel 10R would be developed with residential units consistent with the Residential III and Residential V zoning designations. Parcel 9U would be developed with a hotel/timeshare resort, consistent with land uses included in the Marina del Rey LUP. No wetland park would be developed on

Parcel 9U. As such, the No Project/No Amendment Alternative would result in less than significant land use impacts.

6.3.3 Alternative 3: Increased Structure Height (applicable only to Parcels 10R and FF)

As defined in **Section 5.0, Existing Conditions, Project Impacts, and Mitigation Measures**, construction and operation of the proposed project would result in significant impacts associated with short-term construction related air emissions and noise. Contributing to these significant impacts is the potential noise and air emissions associated with excavation of the below ground garages associated with development on Parcels 10R and FF.

A reduction in on-site grading would result in a reduction in NO_x and particulates that occur as a result of the use of heavy equipment and noise associated with the use of heavy equipment on site, as well as the transport of earth material off site where it occurs adjacent or proximal to sensitive noise receptors. To reduce or eliminate these short-term but significant impacts, this alternative is considered for Parcels 10R and FF. This alternative would place the proposed two levels of garage parking at grade and construct four floors of apartment uses over the at-grade parking structure.

Development intensity as defined in this alternative would not be modified. Landside development would consist of a proposed 526-unit, residential apartment community consisting of four structures and a waterfront public pedestrian promenade.

The waterside portion of Parcel 10R in Basin B of this alternative would be the same as the proposed project. Similarly, the development proposal for the Woodfin Suite Hotel and Timeshare Resort, wetland park and public-serving boat spaces would not be altered.

Construction of parking below the apartment structures at grade would increase structure height. As proposed, the height of three of the four buildings, Buildings 1, 2, and 4, which front on the Marquesas Way mole road, would not exceed 55 feet, while Building 3, which fronts on Via Marina, would not exceed 60 feet (exclusive of appurtenant, screened roof-top equipment, parapets and architectural features) when measured from finished grade elevations along Marquesas Way and Via Marina, respectively. Given provisions of this alternative, structure height would be increased to a maximum of 75 feet for each building. A structure height of 75 feet is consistent with height provisions defined in the LUP, the recently approved The Shores project on the adjacent Parcels 100 and 101, and the recently constructed apartments on the adjacent Parcel 12.

6.3.3.1 Visual Resources

Analysis in **Section 5.6** indicates that the size and mass of the Woodfin Suite Hotel and Timeshare Resort structure proposed on the northern portion of Parcel 9U is consistent with height standards defined in the Marina del Rey LUP. However, as discussed in **Section 5.6**, this project element would not be in character with existing, approved, or recently constructed structures in the western portion of Marina del Rey. For this reason, impacts associated with construction and operation of the Woodfin Suite Hotel and Timeshare Resort project element were considered adverse and significant. Apartment structures proposed on Parcels 10R and FF are also consistent with defined height standards, do not exceed 60 feet, and are consistent with recently approved and constructed structures proposed adjacent to the project site. For these reasons, visual resources impacts associated with proposed development on Parcels 10R and FF were not considered significant.

Alternative 3 would incrementally increase the height of structures proposed on Parcels 10R and FF, in combination with development of a hotel structure with a height of 225 feet on Parcel 9U. As such, this alternative would incrementally increase building height, mass and shading on adjacent land areas as compared to the proposed project, for Parcels 10R and FF. However, this alternative would incrementally increase already significant visual resource impacts when compared with the proposed project.

6.3.3.2 Air Quality

Air quality impacts associated with the proposed project indicate that short-term impacts associated with site grading and construction would exceed defined SCAQMD thresholds. For these reasons, short-term impacts associated with grading and building construction were considered adverse and significant. Impacts on the air quality environment associated with building operation did not exceed defined SCAQMD standards and were not considered significant.

Alternative 3 would not affect development intensity. However, Alternative 3 would eliminate below ground parking, resulting in a reduction in on-site grading, the associated use of heavy equipment, as well as heavy trucks necessary to remove earth material from the project site. Development associated with Parcel 9U would not be significantly altered and development of the wetland park and public-serving boat spaces would occur.

Due to the reduction in on-site grading and excavation activities associated with this alternative, construction-related emissions would be incrementally reduced. However, as discussed in **Section 5.2**, calculations indicate that construction emissions associated with the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort project would continue to exceed standards defined by the SCAQMD, as the daily emissions would be similar during most phases of construction. As

such, Alternative 3 would reduce but not entirely eliminate construction related significant effects. During project operation, Alternative 3 would not alter vehicle trip generation. Calculations included in **Section 5.4** of the draft EIR indicate that SCAQMD standards during project operation would not be exceeded for the proposed project and operation impacts associated with Alternative 3 are not considered significant.

6.3.3.3 Biota

The project site is located in an existing urban environment with limited areas of natural open space. As defined in **Section 5.5** of the draft EIR, no special status species or wildlife movement corridors occur on the project site. Further, the project is consistent with all regional and local plans that pertain to the protection of natural and biological resources. With respect to these resource criteria, impacts associated with the proposed project with mitigation are not considered significant. A small area (0.47 acre) of jurisdictional wetlands, which occurred as a result of past grading activities, is present in the central portion of Parcel 9U; this wetland is considered degraded. Consistent with the proposed project, Alternative 3 would improve this wetland via creation of a muted tidal wetland of a similar size as well a surrounding natural and managed upland buffer. This action is considered beneficial by resource agencies and the County of Los Angeles Department of Beaches and Harbors. As defined above, under Alternative 3, development of the 1.46-acre wetland park would occur and as such, like benefits to the biological resources environment would occur.

6.3.3.4 Geotechnical and Soil Resources

Alternative 3 would not include subterranean garages on Parcels 10R and FF; therefore, only surficial grading would be required. Grading associated with Parcel 9U would be similar to the proposed project. As such, this alternative would require less grading than the proposed project, and with mitigation this alternative's grading impacts would be less than the proposed project's less than significant impacts. As defined in **Section 5.1** of the draft EIR, the proposed project's geotechnical and soil resource impacts were not considered significant with the incorporation of mitigation. During project operation, all improvements constructed on the site would be subjected to the forces of ground movement during seismic events, similar to the proposed project, and would also be subject to the same construction requirements as the proposed project. Because there would be no alteration of development intensity under this alternative and because all Uniform Building Codes would be met for the constructed structures, geotechnical hazards would be similar to those described for the proposed project and are not considered significant.

6.3.3.5 Hydrology and Drainage

Implementation of Alternative 3 would result in development similar to the proposed project. The draft EIR concluded that the proposed project would not result in a substantial increase in total site runoff during a 25-year storm event and impacts on the Hydrology and Drainage environment are not considered significant with required mitigation. As such, with respect to landside development, Alternative 3 proposes a similar development envelope and would not result in any significant change in surface water hydrology or impacts on water quality.

Alternative 3 would also remove and replace the 198 existing boat spaces adjacent to Parcel 10R. With mitigation as defined in the draft EIR (**Section 5.3**), impacts associated with Alternative 3 are comparable to those associated with the proposed project and are not considered significant.

6.3.3.6 Noise

Noise impacts associated with the proposed project indicate that short-term impacts associated with site grading and construction would exceed defined County noise standards. For these reasons, short-term impacts associated with site grading and building construction were considered adverse and significant. During project operation, impacts on the noise environment associated with the proposed project did not exceed defined County standards and were not considered significant.

Alternative 3 would reduce grading on Parcels 10R and FF. Alternative 3 does not require below ground parking and would therefore partially reduce the need for heavy equipment and truck trips necessary to transport earth material off the project site. Development associated with Parcel 9U, the 1.46-acre wetland park and public-serving boat spaces would not be altered.

Based on the fact that less grading and excavation would be required, Alternative 3 would incrementally reduce construction related noise due to a reduction in the duration of site grading, the use of heavy equipment. However, due to the increased building height, more pile driving activities would be required. As such, this alternative is not likely to reduce noise associated with project grading and construction to such a degree that noise levels would not exceed standards defined by the County of Los Angeles Department of Environmental Health. Therefore, Alternative 3 would result in comparable, if not greater impacts, from construction related noise effects. During project operation, Alternative 3 would not result in a reduction in vehicle trips over the number of trips generated by the proposed project. As such, noise calculations included in **Section 5.2** of the draft EIR indicate that for project operation, and thus for Alternative 3, County noise standards would not be exceeded.

6.3.3.7 Population and Housing

Section 5.16 of the draft EIR indicates that the proposed project would not exceed population and housing standards defined by the Southern California Association of Governments (SCAG). As such, project impacts on the population and housing environment were not considered significant and are consistent with defined growth patterns. Alternative 3 would result in no change in development intensity or the number of affordable housing units constructed; therefore, implementation of this project alternative would result in comparable population and housing impacts to the proposed project and would result in the provision of the same number of affordable housing units. Given this, impacts on population and housing are not considered significant.

6.3.3.8 Public Services (Fire Protection, Police Protection, Education, Library Services)

Sections 5.11, 5.12, 5.13, and 5.14 of the draft EIR indicate that with mitigation, the proposed project would not exceed available capacity or defined County standards. As such, the project's impact on the public service environment was not considered significant and is consistent with defined growth patterns. Alternative 3 results in no change in development intensity; therefore, implementation of this project alternative would result in comparable impacts to public services as the proposed project. Given this, impacts on the public services are similar to the proposed project and are not considered significant.

6.3.3.9 Public Utilities (Water Service, Sewer Service and Solid Waste Service)

Sections 5.8, 5.9, and 5.10 of the draft EIR indicate that with mitigation, the proposed project would not exceed available capacity or defined County or City standards. As such, the project's individual impact on public services is not considered significant. However, **Section 5.10** of the draft EIR indicates that given the unknown nature of future landfill capacity, the project's incremental impact on the cumulative waste stream is considered significant. Alternative 3 would result in no change in development intensity; therefore, implementation of this project alternative would result in comparable impacts to public utility services as the proposed project. Given this, as with the proposed project, impacts associated with Alternative 3 on public utilities are similar to the proposed project are not considered significant, with the exception of incremental impacts on the cumulative solid waste stream.

6.3.3.10 Traffic/Access

Section 5.7 of the draft EIR indicates that the traffic analysis evaluated 17 study intersections. Calculations indicate that the proposed project would generate approximately 3,104 vehicle trips. Analysis in the draft EIR indicates that with mitigation, project related traffic impacts are not considered significant. However, when combined with cumulative projects, traffic generated by the project would

significantly impact 12 of the 17 study intersections. Parking provided by the project is consistent with defined County standards and impacts on parking are not considered significant. Alternative 3 results in the same development intensity as the proposed project; consequently, the same number of vehicle trips would be generated by this project alternative and traffic impacts would be the same as those discussed within **Section 5.7**. Given this, impacts on the traffic environment are considered the same as described for the proposed project.

6.3.3.11 Parks and Recreation

Section 5.15 of the draft EIR indicates that the proposed project would result in beneficial impacts to the parks and recreation environment. The proposed project would result in the creation of a 1.46-acre wetland park that would be available for public use. Alternative 3 also provides for development of the 1.46-acre wetland park. Given this, impacts on the parks and recreation environment are similar to the proposed project and are considered beneficial.

6.3.3.12 Land Use

As discussed in **Section 5.17**, the proposed project would be consistent with the existing County of Los Angeles General Plan land use designations for the project site. More specific land use guidance is provided in the County's Marina del Rey Local Coastal Program, which is made up of the Marina del Rey Land Use Plan and Specific Plan. The majority of the individual components of the project, including the hotel/timeshare, wetland park and public boat slips, and marina components are fully consistent with the Marina del Rey Land Use Plan and the Marina del Rey Specific Plan. The Neptune Marina Apartments component of the project, while consistent with most of the policies, goals, and requirements of the Marina del Rey Land Use Plan and Specific Plan requires an amendment to the Land Use Plan and Specific Plan. The proposed amendment to the Marina del Rey Land Use Plan and Specific Plan would be consistent with the policies of the Coastal Act. With the California Coastal Commission's certification of the requested amendments, the proposed project would be consistent with the certified LCP.

Alternative 3 would not alter the proposed development intensity of the proposed project, and as such, would result in comparable land use impacts as the proposed project. Alternative 3 would be consistent with the existing County of Los Angeles General Plan land use designations and would be generally consistent with the Marina del Rey Land Use Plan and the Marina del Rey Specific Plan, with the approval of amendments to the Land Use Plan and Specific Plan for the Neptune Marina Apartments component of the alternative. As such, land use impacts associated with Alternative 3 would be comparable to those of the proposed project and would be less than significant.

6.3.4 Alternative 4: Density Bonus Associated with Affordable Housing Requirements

This alternative focuses on increasing affordable housing associated with residential development proposed on Parcels 10R and FF. Density bonus requirements are set forth in both state law and the County and Coastal Commission plans. In 1982, the state legislature enacted Government Code Section 65590, "Low and Moderate Income Housing Within the Coastal Zone."

That code section provides, in part, as follows:

d) New housing developments constructed within the coastal zone shall where feasible, provide housing units for persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety Code. Where it is not feasible to provide these housing units in a proposed new housing development, the local government shall require the developer to provide such housing if feasible to do so, at another location within the same city or county, either within the coastal zone or within three miles thereof. In order to assist in providing new housing units, each local government shall offer density bonuses or other incentives, including, but not limited to, modification of zoning and subdivision requirements, accelerated processing of required applications, and the waiver of appropriate fees. (Emphasis added)

The density bonus units referred to above are defined in Government Code Section 65915 (f), which reads, in part, as follows:

For the purpose of this chapter, "density bonus" means a density increase of at least 25 percent over the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan as of the date of application by the developer to the city, county, or city and county. (Emphasis added)

The code section goes on to state that in order to accommodate the economics of this affordable housing, the County shall offer the applicant bonus density. The bonus densities which they refer to are bonus densities of at least 25 percent, which is the focus of this alternative.

Given these Government Code mandates, a provision for affordable housing within Parcels 10R and FF would allow for an increase in the number of residential units that are currently proposed. Assuming a 25 percent density bonus, development intensity on Parcels 10R and FF could be increased from 526 to 657 residential units and on-site population would be increased from 789 to 986 persons.

Development at the proposed intensity would require one additional level of parking and one additional floor devoted to residential uses. Although this action would not affect the size of the development footprint, on-site grading requirements, or the duration of grading and construction, maximum structure height would be increased from 55 and 60 feet to 70 and 75 feet, respectively.

This alternative proposes no change to the Woodfin Suite Hotel and Timeshare Resort project, the proposed wetland park, or the public-serving boat spaces.

6.3.4.1 Visual Resources

Analysis in **Section 5.1** indicates that the size and mass of the Woodfin Suite Hotel and Timeshare Resort structure proposed on the northern portion of Parcel 9U is consistent with height standards defined in the Marina del Rey LUP. However, this project element would not be in character with existing, approved, or recently constructed structures in the western portion of Marina del Rey. For this reason, impacts associated with construction and operation of the Woodfin Suite Hotel and Timeshare Resort project element were considered adverse and significant. For the proposed project, apartment structures proposed on Parcels 10R and FF are also consistent with defined height standards, do not exceed 60 feet, and are consistent with recently approved and constructed structures proposed adjacent to the project site. For these reasons, impacts associated with residential development on Parcels 10R and FF on the visual resources environment were not considered significant.

Alternative 4 would increase the height of structures proposed on Parcels 10R and FF, in combination with development of a hotel structure with a height of 225 on Parcel 9U. As such, Alternative 4 would increase building height, mass and shading on adjacent land areas as compared to the proposed project. Under this alternative, building heights on Parcels 10R, FF, and 9U would be consistent with height limits defined in the Marina del Rey LUP and development of Parcel 10R and FF would be generally consistent with recently approved and constructed projects on the adjacent or nearby Parcels 12, 100, and 101. However, due to the increased height on those parcels, this alternative would incrementally increase already significant visual resource impacts when compared with the proposed project.

6.3.4.2 Air Quality

Air quality impacts associated with the proposed project indicate that short-term impacts associated with site grading and construction would exceed defined SCAQMD thresholds. For these reasons, short-term impacts associated with grading and building construction were considered adverse and significant. Air quality impacts associated with building operation would not exceed defined SCAQMD standards and are not considered significant.

Alternative 4 would require one additional parking level and therefore incrementally more grading and excavation would be required than the proposed project. This alternative would also increase development intensity on Parcels 10R and FF. Based on the fact that more intensive construction activities would be required, Alternative 4 would incrementally increase construction related emissions. The additional grading would generate additional CO, NO_x, and PM₁₀. Due to the larger structures, volatile

organic compound (VOC) emissions that are associated with paints and other architectural coatings would be increased. As such, Alternative 4 would incrementally increase construction-related significant effects as compared to the proposed project, and short-term impacts would be significant. During project operation, Alternative 4 would also increase vehicle trips from 3,104 to 4,692 net new daily trips. The additional trips would therefore result in incremental increases in operational emissions; however, these increases are not anticipated to exceed any defined SCAQMD standard. Therefore, operational impacts associated with Alternative 4 are not considered significant; however, these impacts are greater than those associated with the proposed project.

6.3.4.3 Biota

The project site is located in an existing urban environment with limited areas of natural open space. As defined in **Section 5.5** of the draft EIR, no special-status species or wildlife movement corridors occur on the project site. Further, the project is consistent with all regional and local plans that pertain to the protection of natural and biological resources. With respect to these resource criteria, impacts associated with the proposed project with mitigation are not considered significant. A small area (0.47 acre) of jurisdictional wetlands, which occurred as a result of past grading activities, is present in the central portion of Parcel 9U; this wetland is considered degraded. Consistent with the proposed project, Alternative 4 would improve this wetland via creation of a muted tidal wetland of a similar size as well as surrounding natural and managed upland buffer. This action is considered beneficial by resource agencies and the County of Los Angeles Department of Beaches and Harbors. Development of the wetland park would occur and, as such, like benefits to the biological resources environment would occur.

6.3.4.4 Geotechnical and Soil Resources

Implementation of Alternative 4 would require incrementally more grading than the proposed project in order to accommodate the additional level of subterranean parking. **Section 5.1** of the draft EIR indicates that with mitigation, impacts associated with site grading and construction are not considered significant. With mitigation, the Alternative 4's grading impacts would be incrementally greater than the proposed project but still less than significant.

As defined in **Section 5.1** of the draft EIR, construction related geotechnical and soil resources impacts were not considered significant with mitigation. During project operation, all improvements constructed on the site would be subject to the forces of ground movement during seismic events, similar to the proposed project, and would also be subject to similar construction requirements as the proposed project. Although development intensity would be increased in association with Alternative 4, geotechnical

hazards would be similar to those described for the proposed project and impacts with mitigation are not considered significant.

6.3.4.5 Hydrology and Drainage

The draft EIR concluded that the proposed project would not result in a substantial increase in total site runoff during a 25-year storm event and impacts on the Hydrology and Drainage environment are not considered significant with required mitigation. Implementation of Alternative 4 would result in an increase in development intensity on Parcels 10R and FF but result in the same amount of impervious surface on each development site as the proposed project. As such, surface water hydrology impacts associated with Alternative 4 would be similar to the proposed project. With respect to landside development, Alternative 4 would not result in any significant change in surface water hydrology or impacts on water quality, and impacts are not considered significant.

Alternative 4 would also remove and replace the 198 existing boat spaces adjacent to Parcel 10R. With mitigation as defined in the draft EIR (**Section 5.3**), impacts associated with Alternative 4 are comparable to those of the proposed project and are not considered significant.

6.3.4.6 Noise

Section 5.2 of the draft EIR indicates that noise impacts associated with site grading and construction would exceed defined County noise standards. For these reasons, short-term noise impacts associated with grading and building construction were considered adverse and significant. Noise impacts associated with building operation would not exceed defined County standards and are not considered significant.

Alternative 4 would require incrementally more site grading and would increase development intensity on Parcels 10R and FF as compared to the proposed project. The duration of construction would also be incrementally increased. Due to the fact that more intensive site grading would be required, Alternative 4 would incrementally increase construction related noise due to an increase in the duration of construction activities and the associated use of heavy equipment. Construction noise under this alternative would exceed standards defined by the County for short-term construction-related noise. As such, short-term construction noise impacts under Alternative 4 would be incrementally greater than those under the proposed project and also significant.

During project operation, Alternative 4 would increase vehicle trips from 3,104 to 4,692 net new daily trips. With the increase in daily vehicle trips under this alternative, operational noise would also incrementally increase, however not to such an extent that noise would exceed any defined County noise

standard. Therefore, operational impacts associated with Alternative 4, although greater than the impacts associated with the proposed project, are not considered significant.

6.3.4.7 Population and Housing

Section 5.16 of the draft EIR indicates that the proposed project would not exceed population and housing standards defined by the Southern California Association of Governments (SCAG). As such, project impacts on the population and housing environment associated with implementation of the proposed project were not considered significant and are consistent with defined growth patterns. Alternative 4 would increase building intensity from 526 to 657 residential units and would increase the on-site residential population from 789 to 986 persons. This increase in housing and the associated increase in residential population are consistent with SCAG population and housing projections as defined in **Section 5.16** of the draft EIR. Therefore, impacts that would occur as a result of implementation of Alternative 4 on the population and housing environment are not considered significant. Additionally, by providing additional affordable housing, this alternative would provide a greater benefit than the proposed project.

6.3.4.8 Public Services (Fire Protection, Police Protection, Education, Library Services)

Sections 5.11, 5.12, 5.13, and 5.14 of the draft EIR indicate that with mitigation, the proposed project would not exceed available capacity or defined County standards with respect to public services. As such, the project's impacts on the public service environment were not considered significant and are consistent with defined growth patterns. Alternative 4 would increase residential development intensity on Parcels 10R and FF from 526 to 657 residential units and on-site population would be increased from 789 to 986 persons. Conversations with County Sheriff, Fire Department, and library staff indicate that this incremental increase, with mitigation, would not alter project impact potential and impacts are not considered significant. An increase in housing on Parcel 10R and FF would increase on-site student generation from 124 to 154 students. Calculations indicate this increase in potential enrollment would not exceed school capacity at Marina del Rey Middle School and Venice Senior High School; however, this increase in student enrollment would exceed capacity at Coeur d'Alene Elementary School. Mitigation, through the payment of school fees, would be required to reduce this impact to a level of less than significant.

6.3.4.9 Public Utilities (Water Service, Sewer Service and Solid Waste Service)

Sections 5.8, 5.9, and 5.10 of the draft EIR indicate that with mitigation, the proposed project would not exceed available capacity or defined County or City standards. However, **Section 5.10** of the draft EIR

indicates that given the unknown nature of future landfill capacity, this project's incremental impact on the cumulative waste stream is considered significant.

Alternative 4 would increase residential development intensity on Parcels 10R and FF from 526 to 657 residential units and on-site population would be increased from 789 to 986 persons. An increase in housing on Parcel 10R and FF would increase on-site water and domestic sewage disposal requirements. This increase, with mitigation, as defined in **Sections 5.9** and **5.10** of the draft EIR, would not exceed available capacities for water or domestic sewage treatment and disposal. As such, impacts associated with Alternative 4 are not considered significant.

Alternative 4 would also increase on-site solid waste generation. Landfill capacity is available and can accommodate this increased project demand. However, Alternative 4 would add incrementally to the cumulative waste stream. Due to the unknown ability of the County to guarantee future landfill capacity and similar to the proposed project, cumulative impacts associated with Alternative 4 on the cumulative solid waste environment would be adverse and significant and greater than the proposed project.

6.3.4.10 Traffic/Access

Section 5.7 of the draft EIR indicates that the traffic analysis evaluated 17 study intersections. Calculations indicate that the proposed project would generate approximately 3,104 vehicle trips. Analysis in the draft EIR indicates that with mitigation, project related traffic is not considered significant. When combined with cumulative projects, traffic generated by the project would significantly impact 12 of the 17 study intersections. Parking provided by the project is consistent with defined County standards and impacts on the parking environment are not considered significant.

Alternative 4 would increase residential development intensity on Parcels 10R and FF from 526 to 657 residential units and would increase average net new daily vehicle trips from 3,104 to 4,692. Due to the increased number of daily vehicle trips associated with this alternative, this increase in project related traffic, with mitigation, has the potential to significantly impact the same 17 study intersections. This increase in traffic would add incrementally to significant cumulative project impacts that are projected to occur at 12 of the 17 study intersections. These cumulative traffic impacts are considered adverse and significant.

6.3.4.11 Parks and Recreation

Section 5.15 of the draft EIR indicates that the proposed project would result in beneficial impacts to the parks and recreation environment. The proposed project would result in the creation of a 1.46-acre wetland park that would be available for public use. Alternative 4 also provides for development of this

1.46-acre wetland park. Given this, impacts on the parks and recreation environment are similar to the proposed project and are considered beneficial.

6.3.4.12 Land Use

As discussed in **Section 5.17**, the proposed project would be consistent with the existing County of Los Angeles General Plan land use designations for the project site. More specific land use guidance is provided in the County's Marina del Rey Local Coastal Program, which is made up of the Marina del Rey LUP and Specific Plan. The majority of the individual components of the project, including the hotel/timeshare, wetland park and public boat slips, and marina components are fully consistent with the Marina del Rey LUP and the Marina del Rey Specific Plan. The Neptune Marina Apartments component of the project, while consistent with most of the policies, goals, and requirements of the Marina del Rey LUP and Specific Plan requires an amendment to the LUP and Specific Plan. The proposed amendment to the Marina del Rey LUP and Specific Plan would be consistent with the policies of the Coastal Act. With California Coastal Commission's certification of the requested amendments, the proposed project would be consistent with the certified LCP.

Alternative 4 would result in the construction of a similar project; however, more units would be developed on Parcels 10R and FF than under the proposed project. The incremental increase in development intensity would result in the provision of additional affordable units and as such, would result in comparable land use impacts as the proposed project. Alternative 4 would be consistent with the existing County of Los Angeles General Plan land use designations and would be generally consistent with the Marina del Rey LUP and the Marina del Rey Specific Plan, with the approval of amendments to the LUP and Specific Plan for the Neptune Marina Apartments component of the alternative. As such, land use impacts associated with Alternative 4 would be comparable to those of the proposed project and would be less than significant.

6.3.5 Alternative 5: Reduced Density; Parcels 10R, FF, and 9U

As defined in **Section 5.0, Existing Conditions, Project Impacts, and Mitigation Measures**, construction and operation of the proposed project would result in significant impacts associated with cumulative traffic, population and housing and solid waste impacts. To reduce these cumulative impacts, as well as operational effects on the associated municipal and public service infrastructure, a 30 percent reduction in the landside project intensity is proposed. For the purposes of this analysis, it is not assumed that structure massing would be altered for the apartment and hotel/timeshare buildings; rather unit sizes would be increased within the same building envelope as the proposed project. However, for both the apartment and hotel/timeshare developments, less parking would be provided and subterranean garage

levels are not proposed. Thus, less grading associated with the provision of subterranean parking, would be required.

Table 6.0-2 compares development intensity associated with projects proposed on Parcels 10R, FF, and 9U. When compared with the proposed project, under this Alternative the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project would consist of 368 versus 526 residential dwelling units, 201 versus 288 hotel/timeshare suites with an assortment of accessory patron- and visitor-serving uses, 174 private and between 7 and 11 public-serving boat spaces inclusive of dinghy moorage area, a publicly accessible Waterfront Pedestrian Promenade, and a 1.46-acre restored wetland and upland buffer. As there are 136 existing apartments and 198 boat spaces presently on-site, implementation of the proposed project would result in a net increase of 232 versus 390 apartment units as currently proposed, 201 versus 288 hotel and timeshare suites with accessory patron- and visitor-serving uses, a net decrease of up to 17 boat spaces, a 0.47-acre wetland and 0.99-acre public upland buffer area.

As proposed, this alternative would only slightly modify construction timing and grading requirements, the building footprint, building height or on-site grading requirements. One less level of parking would be constructed thereby reducing construction timing and the amount of time required for grading. As defined above, the intent of this alternative is to incrementally reduce traffic by limiting development intensity.

Table 6.0-2
Project Comparison:
Proposed Project Versus a 30 Percent Reduction in Development Intensity

| | | Proposed | 30 Percent Reduction |
|-------------|-----------------------|-----------------|-----------------------------|
| Parcel 10 R | Residential Units | 400 units | 280 units |
| | Parking | 909 spaces | 637 spaces |
| | Boat Spaces (private) | 174 boat spaces | 174 boat spaces |
| Parcel FF | Residential Units | 126 units | 88 units |
| | Parking | 243 spaces | 170 spaces |
| Parcel 9U | Hotel/Timeshare Units | 288 units | 201 units |
| | Parking | 269 spaces | 215 spaces |

6.3.5.1 Visual Resources

Analysis in **Section 5.6** indicates that the size and mass of the Woodfin Suite Hotel and Timeshare Resort structure proposed on the northern portion of Parcel 9U is consistent with height standards defined in the

Marina del Rey LUP. However, this project element would not be in character with existing, approved, or recently constructed structures in the western portion of Marina del Rey. For this reason, impacts associated with construction and operation of the Woodfin Suite Hotel and Timeshare Resort project element were considered adverse and significant. Apartment structures proposed on Parcels 10R and FF are also consistent with defined height standards, do not exceed 60 feet, and are consistent with recently approved and constructed structures proposed adjacent to the project site. For these reasons impacts associated with development on Parcels 10R and FF on the visual resources environment were not considered significant.

Alternative 5 proposes no change in building height or mass; as such all structure heights would be the same as those under the proposed project. Therefore, impacts on the visual resources environment are similar to those defined in **Section 5.6** of the draft EIR and would remain significant and unavoidable.

6.3.5.2 Air Quality

The air quality analysis in **Section 5.4** shows that short-term emissions generated during construction of the proposed project would exceed defined SCAQMD thresholds. For these reasons, short-term impacts associated with grading and building construction were considered adverse and significant. Emissions associated with project operation would not exceed defined SCAQMD thresholds and are not considered significant.

Alternative 5 would incrementally reduce the amount of required on-site grading and excavation; however, construction timing would remain the same. With the exception of incremental reductions in the amount of on-site grading and excavation, construction activities associated with buildout of this project alternative would be comparable to those associated with the proposed project. Although the duration of the grading would be less, peak daily emissions associated with all construction phases would be similar. As such, Alternative 5 would result in comparable construction related emissions and therefore, this alternative's emissions would continue to exceed standards defined by the SCAQMD. Alternative 5 would not eliminate construction related significant effects, and impacts would continue to be significant. During project operation, Alternative 5 would result in a reduction in trips associated with project operation (2,015 versus 3,104 net daily trips). Calculations included in **Section 5.4** of the draft EIR indicate that operational emissions for the proposed project do not exceed SCAQMD standards; as such, since Alternative 5 would result in fewer daily vehicle trips, emissions associated with this project would be less and Alternative 5 would incrementally reduce these adverse but not significant air quality impacts.

6.3.5.3 Biota

The project site occurs in an existing urban environment with limited areas of natural open space. As defined in **Section 5.5** of the draft EIR, no special status species or wildlife movement corridors occur on the project site. Further, the project is consistent with all regional and local plans that pertain to the protection of natural and biological resources. With respect to these resource criteria, impacts associated with the proposed project and required mitigation are not considered significant. A small area (0.47 acre) of jurisdictional wetlands, which occurred as a result of past grading activities, is present in the central portion of Parcel 9U; this wetland is considered degraded. As proposed, the project would improve this wetland via creation of a muted tidal wetland of a similar size as well a surrounding natural and managed upland buffer. This action is considered beneficial by resource agencies and the County of Los Angeles Department of Beaches and Harbors. Under Alternative 5, development of the wetland park is planned and as such, similar benefits to the biological resources environment would occur.

6.3.5.4 Geotechnical and Soil Resources

Implementation of this alternative would require incrementally less grading and excavation on Parcels 10R, FF, and 9U than that described for the proposed project. As described in **Section 5.1** of the draft EIR, with mitigation, impacts associated with site grading and construction are not considered significant.

As defined in the draft EIR, impacts associated with site grading and construction on the Geotechnical and Soil Resources environment were not considered significant with the incorporation of mitigation. During project operation, all site improvements constructed on the site would be subject to the forces of ground movement during seismic events, similar to the proposed project, and would also be subject to the same construction requirements as the proposed project. Because development under this alternative would require incrementally less grading and excavation than that described for the proposed project, impacts would be incrementally less than the less than significant impacts described in **Section 5.1** of the draft EIR for geotechnical and soil resources.

6.3.5.5 Hydrology and Drainage

Alternative 5 would result in incrementally less grading and excavation but concentrate site development in an area similar to that described for the proposed project. **Section 5.3** of the draft EIR concluded that the proposed project would not result in a substantial increase in total site runoff during a 25-year storm event, and the proposed project's hydrology and drainage impacts would not be significant with the incorporation of required mitigation. Additionally, this project alternative reduces the needs for dewatering activities on the project site. As such, with respect to landside development, Alternative 5

proposes a similar area of impervious surface and would not result in any significant change in surface water hydrology or impacts on water quality as described for the proposed project.

As with the proposed project, Alternative 5 would remove and replace the 198 existing boat spaces adjacent to Parcel 10R. With mitigation as defined in the draft EIR (**Section 5.3**), impacts associated with Alternative 5 are comparable to those associated with the proposed project and are not considered significant.

6.3.5.6 Noise

The noise analysis in **Section 5.2** indicates that short-term impacts associated with site grading and construction of the proposed project would exceed defined County noise standards. For this reason, short-term impacts associated with grading and building construction were considered significant. Noise with project operation would not exceed defined County standards and the project's operational noise impacts are not considered significant.

Alternative 5 would result in less on-site grading and excavation but would result in comparable construction activities as the proposed project. Although the duration of the grading phase would be less, daily and peak noise levels would be comparable. Therefore, Alternative 5 would result in less grading and construction noise impacts as the proposed project; however, construction related noise impacts would still exceed established County thresholds. Alternative 5 would result in an incremental reduction in vehicle trips (2,015 versus 3,104 net daily trips) associated with the reduced density of the project during operation. This reduction in vehicle trips would incrementally reduce operational noise impacts. Calculations included in **Section 5.2** of the draft EIR indicate that during project operation County noise standards would not be exceeded for the proposed project. Alternative 5 would incrementally reduce these adverse but not significant project effects.

6.3.5.7 Population and Housing

Section 5.16 of the draft EIR indicates that the proposed project would not exceed population and housing standards defined by the SCAG. As such, project impacts on the population and housing environment were not considered significant and are consistent with defined growth patterns. Alternative 5 results in a reduction in the proposed number of housing units. Given this, impacts on the population and housing environment are not considered significant. However, the beneficial impact of including affordable housing within the proposed project would be reduced under this project alternative given that fewer units would be constructed; therefore, fewer affordable housing units would be available.

6.3.5.8 Public Services (Fire Protection, Police Protection, Education, Library Services)

Sections 5.11, 5.12, 5.13, and 5.14 of the draft EIR indicate that with mitigation, the proposed project would not exceed available capacity or defined County standards with respect to public services and project demand on public services are consistent with defined growth patterns. As such, the projects impacts on public services would be less than significant.

Alternative 5 would result in a reduction in project development intensity. Given this, impacts on the public services environment would be reduced as compared to the proposed project and are not considered significant with required mitigation.

6.3.5.9 Public Utilities (Water Service, Sewer Service and Solid Waste Service)

Sections 5.8, 5.9, and 5.10 of the draft EIR indicate that the proposed project would not exceed available capacity or defined County or City standards. As such, the project's individual impact on the public service environment is not considered significant. However, Section 5.10 of the draft EIR indicates that given the unknown nature of future landfill capacity, the project's incremental impact on the cumulative waste stream would be cumulatively considerable. Alternative 5 would result in a reduction in project development intensity. Given this, the alternative's direct public utilities impacts would be less than the proposed project's and also less than significant with required mitigation. This alternative's solid waste impacts would be less than the proposed project's but still cumulatively considerable

6.3.5.10 Traffic/Access

Section 5.7 of the draft EIR indicates that the traffic analysis evaluated 17 study intersections. Calculations included in the traffic analysis indicate that the proposed project would generate approximately 3,104 new net vehicle trips. Analysis in the draft EIR indicates that with mitigation, direct project related traffic impacts can be mitigated and are not considered significant. When combined with cumulative projects, traffic generated by the project would significantly impact 12 of the 17 study intersections. Parking provided by the project is consistent with defined County standards and parking impacts are not considered significant.

Alternative 5 would reduce operation trip generation from 3,104 to 2,015 net new daily vehicle trips. With the reduction in 1,089 net new daily vehicle trips, traffic related impacts would be proportionately reduced at each of the study intersections. However, a reduction of 1,089 net new vehicle trips would not substantially alter project or cumulative traffic impacts. As such, impacts associated with Alternative 5 would reduce but not eliminate significant effects associated with cumulative project traffic.

6.3.5.11 Parks and Recreation

Section 5.15 of the draft EIR indicates that the proposed project would result in beneficial impacts to the parks and recreation environment. The proposed project would result in the creation of a 1.46-acre wetland park and upland buffer that would be available for public use. Under Alternative 5, development of the wetland park is planned and as such, similar benefits to the biological resources environment would occur.

6.3.5.12 Land Use

As discussed in **Section 5.17**, the proposed project would be consistent with the existing County of Los Angeles General Plan land use designations for the project site. More specific land use guidance is provided in the County's Marina del Rey Local Coastal Program, which is made up of the Marina del Rey LUP and Specific Plan. The majority of the individual components of the project, including the hotel/timeshare, wetland park and public boat slips, and marina components are fully consistent with the Marina del Rey LUP and the Marina del Rey Specific Plan. The Neptune Marina Apartments component of the project, while consistent with most of the policies, goals, and requirements of the Marina del Rey LUP and Specific Plan requires an amendment to the LUP and Specific Plan. The proposed amendment to the Marina del Rey LUP and Specific Plan would be consistent with the policies of the Coastal Act. With the California Coastal Commission's certification of the requested amendments, the proposed project would be consistent with the certified LCP.

Alternative 5 would only slightly alter the proposed development intensity of the proposed project, and as such, would result in comparable land use impacts as the proposed project. Alternative 5 would be consistent with the existing County of Los Angeles General Plan land use designations and would be generally consistent with the Marina del Rey LUP and the Marina del Rey Specific Plan, with the approval of amendments to the LUP and Specific Plan for the Neptune Marina Apartments component of the alternative. As such, land use impacts associated with Alternative 5 would be comparable to those of the proposed project and would be less than significant.

6.3.6 Alternative 6: Residential-Sized Building Height Parcel 9U

As proposed, the Woodfin Suite Hotel and Timeshare Resort proposes a 19-story hotel structure that would be limited to a building height of 225 feet (exclusive of appurtenant screened rooftop mechanical equipment, helipad, and elevator machine room). Given provisions of the certified local coastal program (LCP), a structure of this height is permissible on Parcel 9U and as such, the project is consistent with stated building height requirements of the certified LCP for the subject parcel. However, as defined in **Section 5.6** of the draft EIR, from the perspective of structure height, the hotel would not be typical of

other existing, recently constructed, or recently approved structures in the western portion of Marina del Rey. The other known structures of similar height in the western portion of Marina del Rey are the 15-story Archstone apartment structure and the 10-story Marina Beach Marriott hotel that are situated to the northwest. For these reasons, the draft EIR concluded that height of the proposed structure would stand out in contrast to other existing, recently constructed, or recently approved structures in the western portion of Marina del Rey. For this reason, project impacts on the visual resources environment were considered adverse and significant.

To address the potentially significant impact on visual qualities, an alternative is considered that would reduce the hotel structure height by 14 floors to a total of just 5 floors. This action would result in a reduction in structure height from 225 to approximately 55 feet and a reduction in available rooms from 288 to 75, with 37 of these proposed as timeshare units. Public and visitor-serving hotel amenities such as the public restaurant, meeting rooms, and ballroom/banquet room all would be eliminated because there would be insufficient space for these features given the compressed size of such a short hotel, and the need of the space for visitor-serving units. As a consequence of these designs changes, the intended market would change to longer staying customers. It is expected that a structure of this height would be more consistent with other existing, recently constructed, or recently approved residential structures in the western portion of Marina del Rey such as Esprit on Parcel 12 and The Shores on Parcels 100 and 101. Therefore, this reduction in structure height would reduce the visual quality impacts resulting from the height contrast. For the purposes of this analysis, this alternative assumes no change in the building footprint or grading or construction requirements on Parcel 9U, although a smaller view corridor of 26.7 percent would be required with a lower building. This alternative proposes no change to the Neptune Marina Apartments and Anchorage project proposed on Parcels 10R or FF, the proposed wetland park or the public-serving boat spaces.

6.3.6.1 Visual Resources

Analysis in **Section 5.6** indicates that the size and mass of the Woodfin Suite Hotel and Timeshare Resort structure proposed on the northern portion of Parcel 9U is consistent with height standards defined in the Marina del Rey LUP. However, this project element would not be in character with existing, approved, or recently constructed structures in the western portion of Marina del Rey. For this reason, impacts associated with construction and operation of the Woodfin Suite Hotel and Timeshare Resort project element were considered adverse and significant. Apartment structures proposed on Parcels 10R and FF are also consistent with defined height standards, do not exceed 60 feet, and are consistent with recently approved and constructed structures proposed adjacent to the project site. For these reasons impacts associated with development on Parcels 10R and FF on the visual resources environment were not considered significant.

As described above, Alternative 6 reduces the height and density of the Woodfin Suite Hotel and Timeshare Resort project element. Hotel structure height would be reduced by 14 stories to a total of 5 stories, and from a height of 225 feet to approximately 55 feet. Using the reduced height, a 55-foot-tall hotel would not contrast with other existing, recently constructed, or recently approved structures in the western portion of Marina del Rey, which generally range from 55 to 100 feet in height except for the 15-story Archstone Apartment building and 10-story Marina Beach Marriott hotel situated to the northwest. Therefore, Alternative 6 would reduce the contrast associated with building height, and impacts would be considered less than significant because, unlike the proposed project, (which, as noted, is fully compliant with the “special development considerations” regarding height for Parcel 9U in the Marina del Rey Specific Plan—see LACC 22.46.1810), the alternative would be similar in height to existing and approved and proposed structures in the area.

With a substantially lower building height, a smaller view corridor of only 26.7 percent (103 feet, as determined using a Building Height of Category 3) is necessary for a building height of 55 feet, consistent with the certified LCP,

6.3.6.2 Air Quality

The air quality analysis in **Section 5.4** shows that short-term emissions generated during construction of the proposed project would exceed defined SCAQMD thresholds. For this reason, short-term impacts associated with grading and building construction were considered adverse and significant. Impacts on the air quality environment associated with project operation did not exceed defined SCAQMD standards and were not considered significant.

Alternative 6 would not substantially alter on-site grading requirements or construction timing. Based on the fact that similar construction activities would occur with implementation of this project alternative, Alternative 6 would result in comparable construction related emissions would continue to exceed standards defined by the SCAQMD. However, due to the reduced structure height proposed on Parcel 9U, a reduction in VOC emissions, associated with the reduced need for architectural coatings, would occur under this alternative. As such, Alternative 6 would reduce but not eliminate construction related significant effects. During project operation, Alternative 6 would also result in a reduction in 1138 net new daily trips associated with project operation (1966 versus 3,104 net new daily trips). Calculations included in **Section 5.4** of the draft EIR indicate that operational emissions for the proposed project do not exceed SCAQMD standards; consequently, with fewer net new daily trips Alternative 6 would reduce these adverse but not significant air quality impacts.

6.3.6.3 Biota

The project site occurs in an existing urban environment with limited areas of natural open space. As defined in **Section 5.5** of the draft EIR, no special status species or wildlife movement corridors occur on the project site. Further, the project is consistent with all regional and local plans that pertain to the protection natural and biological resources. With respect to these resource criteria, impacts associated with the proposed project with mitigation are not considered significant. A small area (0.47 acre) of jurisdictional wetland, which occurred as a result of past grading activities, is present in the central portion of Parcel 9U. This wetland is considered degraded. As proposed, the project, and Alternative 6, would improve this wetland via creation of a muted tidal wetland of a similar size as well a surrounding natural and managed upland buffer. This action is considered beneficial by resource agencies and the County of Los Angeles Department of Beaches and Harbors.

6.3.6.4 Geotechnical and Soil Resources

Implementation of this alternative would require grading on Parcels 10R, FF, and 9U similar to that described for the proposed project. As described in **Section 5.1** of the draft EIR, with mitigation, impacts associated with site grading and construction were not considered significant.

As defined in the draft EIR, impacts associated with operation of the Geotechnical and Soil Resources environment were not considered significant with mitigation. All site improvements would be subject to the forces of ground movement during seismic events, similar to the proposed project, and would also be subject to similar construction requirements and mitigation. Because development under this alternative is similar to that described for the proposed project, impacts are similar to those described in **Section 5.1** of the draft EIR and are not considered significant.

6.3.6.5 Hydrology and Drainage

Alternative 6 would result in similar grading requirements and a similar development envelope to that described for the proposed project. **Section 5.3** of the draft EIR concluded that the proposed project would not result in a substantial increase in total site runoff during a 25-year storm event, and hydrology and drainage impacts are not considered significant with required mitigation. As such, with respect to landside development, Alternative 6 would not result in any significant change in impact potential described in **Section 5.3** of the draft EIR, and impacts are not considered significant.

Alternative 6 would also remove and replace the 198 existing boat spaces adjacent to Parcel 10R. With mitigation as defined in the draft EIR (**Section 5.3**), water quality impacts on the marine environment

associated with Alternative 6 would be comparable to those associated with the proposed project and are not considered significant.

6.3.6.6 Noise

Noise impacts associated with the proposed project indicate that short-term impacts associated with site grading and construction would exceed defined County noise standards. For this reason, short-term impacts associated with grading and building construction were considered adverse and significant. Impacts on the noise environment associated with project operation did not exceed defined County standards and were not considered significant.

Alternative 6 may reduce the duration of construction on Parcel 9U but would not significantly alter on-site grading or construction requirements. Therefore, Alternative 6 would incrementally reduce the duration of construction related noise impacts but would not significantly alter the significant noise impacts associated with project grading and construction.

During project operation, Alternative 6 would result in a reduction in 1138 vehicle trips (1966 versus 3,104 net new daily trips). This reduction in vehicle trips would reduce operational noise impacts. Calculations included in **Section 5.2** of the draft EIR indicate that County noise standards would not be exceeded during project operation for the proposed project. Because Alternative 6 would generate fewer net new daily trips, implementation of this alternative would incrementally reduce these adverse but not significant project effects.

6.3.6.7 Population and Housing

Section 5.7 of the draft EIR indicates that the proposed project would not exceed population and housing standards defined by the SCAG. As such, project impacts on the population and housing environment were not considered significant and are consistent with defined growth patterns. Alternative 6 would not change the number of new residential units or permanent on-site residents; nor would Alternative 6 change the number of affordable housing units provided. Given this, impacts associated with Alternative 6 on population and housing are not considered significant.

6.3.6.8 Public Services (Fire Protection, Police Protection, Education, Library Services)

Sections 5.11, 5.12, 5.13, and 5.14 of the draft EIR indicate that the proposed project would not exceed available capacity or defined County standards. As such, project impacts on the public service environment were not considered significant with the incorporation of mitigation, and are consistent with defined growth patterns. Alternative 6 would result in an incremental reduction in development intensity

on Parcel 9U. Given this, impacts on public services that are associated with Alternative 6 would not exceed any defined standard and are not considered significant.

6.3.6.9 Public Utilities (Water Service, Sewer Service and Solid Waste Service)

Sections 5.8, 5.9, and 5.10 of the draft EIR indicate that with mitigation the proposed project would not exceed available capacity or defined County or City standards. However, Section 5.10 of the draft EIR indicates that given the unknown nature of future landfill capacity, the project's incremental impact on the cumulative waste stream is considered significant.

Alternative 6 would reduce development intensity and impacts on the public utilities would be less than the proposed project and also less than significant. Given that Alternative 6 would also generate solid waste that would contribute to the cumulative waste stream, cumulative solid waste impacts associated with Alternative 6 are also considered cumulatively considerable.

6.3.6.10 Traffic/Access

Section 5.7 of the draft EIR indicates that the traffic analysis evaluated 17 study intersections. Calculations indicate that the proposed project would generate approximately 3,104 net new daily vehicle trips. Analysis in the draft EIR indicates that with mitigation, project related traffic impacts can be mitigated and are not considered significant. When combined with cumulative projects, traffic generated by the project would significantly impact 12 of the 17 study intersections. Parking provided by the project is consistent with defined County standards and impacts on the parking environment are not considered significant.

Alternative 6 would reduce operation trip generation from 3,104 to 1966 net new daily vehicle trips. With the estimated reduction in 1138 net new daily trips as compared to the proposed project, implementation of this alternative would reduce traffic-related impacts at each of the study intersections. However, a reduction of 1138 vehicle trips would not substantially alter project or cumulative traffic impact potential. As such, impacts associated with Alternative 6 would reduce but not alter the significant effects associated with cumulative traffic impacts.

Parking provided under this alternative would also be reduced; however, the parking provided would remain consistent with defined County standards. As such, as with the proposed project, parking impacts under this alternative would be less than significant.

6.3.6.11 Parks and Recreation

Section 5.15 of the draft EIR indicates that the proposed project would result in beneficial impacts to the parks and recreation environment. The proposed project would result in the creation of a 1.46-acre wetland park and upland buffer that would be available for public use. Alternative 6 proposes no change in parkland creation and the 1.46-acre wetland park remains a project requirement. Impacts are considered beneficial.

6.3.6.12 Land Use

As discussed in **Section 5.17**, the proposed project would be consistent with the existing County of Los Angeles General Plan land use designations for the project site. More specific land use guidance is provided in the County's Marina del Rey LCP, which is principally comprised of the Marina del Rey LUP and Specific Plan. The majority of the individual components of the project, including the hotel/timeshare, wetland park and public and private anchorage components are fully consistent with the Marina del Rey LUP and the Marina del Rey Specific Plan. The Neptune Marina Apartments component of the project, while consistent with most of the policies, goals, and requirements of the Marina del Rey LUP and Specific Plan requires several amendments to the land use plan and specific plan. These proposed amendments to the Marina del Rey LUP and Specific Plan would be consistent with the policies of the Coastal Act. With the California Coastal Commission's certification of the requested amendments, the proposed project would be consistent with the certified LCP.

Under Alternative 6, the proposed development intensity on Parcels 10R and FF would not be altered and the Neptune Marina Apartment development would be constructed in the same manner as the proposed project; as such, amendments to the specific plan and land use plan would still be required for this portion of the project. Hotel development intensity on Parcel 9U would be reduced under this project alternative in comparison to the proposed project. With the reduction in proposed development, fewer hotel rooms would be provided, and as such, Alternative 6 would be less consistent with the LUP policy favoring visitor-serving uses.

A hotel structure at this 55-foot height with a building footprint the same size as the proposed Woodfin Suite Hotel and Timeshare Resort component would not allow more than 75 hotel units, including 37 timeshare units. At this scale, the high-value visitor-serving uses as emphasized in the Marina del Rey LCP and allowed within this development zone (288 hotel units are approved in the certified LCP) would not be possible as the hotel would be more of a low-key product, with minimal services. A hotel at a more modest scale would not achieve the goals of the LCP to encourage broader public visitation to this side of the marina, which is primarily a residential area. Although the County has considered such lower

amenity hotels in other portions of the Marina, it has been in areas where the amenities are already present in sufficient volume. Absent the highly amenitized features, the public would have little reason to patronize the hotel, and it would probably become more of a business traveler venture.

In addition to providing a reduced amount of LCP priority visitor-serving uses through fewer hotel units and fewer amenities than the proposed project, the Residential-Sized Building Height Parcel 9U Alternative would tacitly provide greater emphasis to non-priority residential uses in Marina del Rey. There are relatively few sites within Marina del Rey that have been authorized for such visitor-serving hotel uses and even fewer locations for visitor-serving overnight accommodations in this portion of the Marina. The 1996 Certified LCP specifically intended to provide the opportunity to substantially increase the number of hotel units (up to 288 within this Development Zone) by balancing the increased building height of 225 feet with a broadened view corridor of 40 percent. A limited service hotel that could be accommodated with the Residential-Sized Building Height Parcel 9U Alternative would not supply the local community with the amenities (e.g., public restaurant, meeting rooms, and ballroom/banquet room) that the proposed project provides. Finally, with fewer hotel units, less revenue would be generated and made available to the County.

Additionally, a hotel at this reduced residential-sized building height but designed with a larger building footprint would allow more than 75 hotel/timeshare units but at the expense of the required view corridor and the elimination of the wetlands park. Because project objectives for Parcel 9U to develop additional visitor-serving uses and to create a wetland park would not be realized with a structure restricted to 55 feet, this substantially reduced-height alternative would not fulfill the needs of the County.

6.3.7 ALTERNATIVE 7: MARINE ORIENTED COMMERCIAL (PARCEL 9U ONLY)

This alternative would construct and operate four levels of marine oriented commercial over two levels of parking, one of which would be below grade. No hotel would be constructed on Parcel 9U. Development would be limited to the northern 2.20 acres of Parcel 9U and structure height would be limited to 100 feet. This alternative would not alter the currently proposed wetland park, the public and public-serving boat spaces or residential development planned on Parcels 10R and FF.

For the purposes of this analysis, a maximum floor area ratio (FAR) of 0.50 is assumed. Given this FAR, commercial area proposed as part of this alternative would total 191,664 square feet. Commercial uses would include areas for boat sales, fishing tackle and chandlery shops, but could also include (as permitted by the LUP) restaurants, theaters, and other commercial establishments that meet existing code requirements.

On Parcel 9U, this alternative would require construction of a below-grade parking garage, resulting in the export of approximately 85,000 cubic yards of material that would be trucked off site to a defined disposal area. Grading would require approximately eight months to complete while building construction would require approximately 16 months, as compared with the proposed project, where grading would require three months to complete and building construction would take 21 months on Parcel 9U.

6.3.7.1 Visual Resources

Analysis in **Section 5.6** indicates that the size and mass of the Woodfin Suite Hotel and Timeshare Resort structure proposed on the northern portion of Parcel 9U is consistent with height standards defined in the Marina del Rey LUP. However, this project element would not be in character with existing, approved, or recently constructed structures in the western portion of Marina del Rey. For this reason, impacts associated with construction and operation of the Woodfin Suite Hotel and Timeshare Resort project element were considered adverse and significant.

Apartment structures proposed on Parcels 10R and FF are also consistent with defined height standards, do not exceed 60 feet, and are consistent with recently approved and constructed structures proposed adjacent to the project site. For these reasons, impacts associated with development on Parcels 10R and FF on the visual resources environment were not considered significant.

Alternative 7 would not alter development proposed on Parcels 10R and FF. Alternative 7 would replace the proposed 19-story, 225-foot-high Woodfin Suite Hotel and Timeshare Resort project with a four-level, marine-oriented retail commercial center over two levels of parking, one of which would be below grade. Structure height would not exceed 100 feet. As such, Alternative 7 would result in a substantial reduction in structure height and building mass. The height of structures proposed as part of Alternative 7 would be generally consistent with structure height for buildings recently completed or that have been approved in the western portion of Marina del Rey. As such, impacts associated with Alternative 7 as it pertains to structure height and its effect on visual resources are less than the proposed project and are not considered significant.

6.3.7.2 Air Quality

The air quality analysis in **Section 5.4** shows that short-term emissions generated during construction of the proposed project would exceed defined SCAQMD thresholds. For this reason, short-term impacts associated with grading and building construction were considered adverse and significant. Impacts on the air quality environment associated with project operation did not exceed defined SCAQMD standards and were not considered significant.

Alternative 7 would not alter development proposed on Parcels 10R and FF. Alternative 7 would replace the proposed Woodfin Suite Hotel and Timeshare Resort project with a four level retail commercial center. Development on Parcels 10R, FF and the northern portion of Parcel 9U would require below ground parking and would, as proposed, require the need for heavy equipment and truck trips necessary to transport earth material off the project site. Development of the wetland park and public-serving boat spaces would occur.

Based on the similar construction methods and intensity associated with this project alternative, Alternative 7 would not substantially alter construction related emissions and would continue to exceed standards defined by the SCAQMD, thus still resulting in significant, adverse short-term impacts. During project operation, Alternative 7 would result in a substantial increase in vehicle trips (10,061 versus 3,104 net daily trips). With the resulting increase in daily vehicle trips associated with Alternative 7, the potential exists for substantial increases in operational emissions such that new significant air quality impacts may occur. As such, operational emissions from Alternative 7 could potentially exceed SCAQMD standards, while operational emissions associated with the proposed project would not exceed defined standards. Therefore, this alternative could potentially result in new significant impacts during operation.

6.3.7.3 Biota

The project site occurs in an existing urban environment with limited areas of natural open space. As defined in **Section 5.5** of the draft EIR, no special-status species or wildlife movement corridors occur on the project site. Further, the project is consistent with all regional and local plans that pertain to the protection natural and biological resources. With respect to these resource criteria, impacts associated with the proposed project with mitigation are not considered significant. A small area (0.47 acre) of jurisdictional wetlands, which occurred as a result of past grading activities, is present in the central portion of Parcel 9U; this wetland is considered degraded. As proposed, the project would improve this wetland via creation of a muted tidal wetland of a similar size as well a surrounding natural and managed upland buffer. This action is considered beneficial by resource agencies and the County of Los Angeles Department of Beaches and Harbors. Under Alternative 7, development of the 1.46-acre public wetland park and upland buffer would also occur and as such benefits to the biological resources environment would not be altered.

6.3.7.4 Geotechnical and Soil Resources

Implementation of this alternative would require grading similar to the proposed project. As defined in the draft EIR, grading and construction impacts associated with the Geotechnical and Soil Resources environment were not considered significant with mitigation. During project operation, all site

improvements would be subject to the forces of ground movement during seismic events, similar to the proposed project, and would be subject to similar construction requirements and mitigation. Because there would be incrementally less development under this alternative than under the proposed project, geotechnical hazards would be reduced during project operation and impacts associated with project operation are not considered significant.

6.3.7.5 Hydrology and Drainage

With respect to impervious surface created, implementation of Alternative 7 would result in development similar to the proposed project. The draft EIR concluded that the proposed project would not result in a substantial increase in total site runoff during a 25-year storm event, and impacts on the Hydrology and Drainage environment were not considered significant with required mitigation. As such, with respect to landside development, Alternative 7 would not result in any significant change in surface water hydrology or impacts on water quality when compared with the proposed project.

Alternative 7 would also remove and replace the 198 existing boat spaces adjacent to Parcel 10R. With mitigation as defined in the draft EIR (**Section 5.3**), hydrology and drainage impacts associated with Alternative 7 are not considered significant.

6.3.7.6 Noise

Noise impacts associated with the proposed project indicate that short-term impacts related to site grading and construction would exceed defined County noise standards. For this reason, short-term impacts associated with grading and building construction were considered adverse and significant. Impacts to the noise environment associated with project operation did not exceed defined County standards and were not considered significant.

Alternative 7 would not alter development proposed on Parcels 10R and FF. Alternative 7 would replace the proposed Woodfin Suite Hotel and Timeshare Resort project with a four level retail commercial center. Grading and construction requirements would not be substantially altered and development of the wetland park and public-serving boat spaces would be retained.

Construction intensity and activities for this project alternative would be similar to those required for the proposed project. As such, construction noise impacts would be similar for Alternative 6 due to the use of heavy equipment and a requirement for pile driving. Calculations in **Section 4.2** indicate that noise associated with project grading and construction would continue to exceed standards defined by the County of Los Angeles Department of Environmental Health.

During project operation, Alternative 7 would result in a substantial increase in vehicle trips (10,061 versus 3,104 net new daily trips) and their associated noise generating potential. With the increase in net new daily trips under implementation of this project alternative, an increase in traffic on Via Marina in the vicinity of Parcel 9U would exceed defined County standards, and operational noise impacts would be considered adverse and significant. As such, Alternative 7 would significantly increase operational noise impacts when compared with the proposed project.

6.3.7.7 Population and Housing

Section 5.16 of the draft EIR indicates that the proposed project would not exceed population and housing standards defined by the SCAG. As such, project impacts on the population and housing environment are consistent with defined growth patterns and are not considered significant.

Alternative 7 would not alter the number of new housing units proposed or the on-site residential population, nor would Alternative 7 alter the number of affordable housing units provided. Therefore, impacts on the population and housing environment would not be altered and are not considered significant.

6.3.7.8 Public Services (Fire Protection, Police Protection, Education, Library Services)

Sections 5.11, 5.12, 5.13, and 5.14 of the draft EIR indicate that with mitigation, the proposed project would not exceed available capacity or defined County standards. As such, project impacts on the public service environment were not considered significant and are consistent with defined growth patterns.

Alternative 7 would not alter development proposed on Parcels 10R and FF. Alternative 7 would replace the proposed Woodfin Suite Hotel and Timeshare Resort project with a four level retail commercial center that totals approximately 191,664 square feet. Grading and construction requirements would not be substantially altered. Given these assumptions, residential development and the permanent on-site population would not change.

Given the similar development intensity of development on Parcels 10R and FF and the comparable intensity of development, with different uses, on Parcel 9U associated with Alternative 7, impacts on the public service environment are not considered significant. This alternative may result in a slightly increased demand for police protection given the number of visitors to the site and the increased intensity of commercial uses; however, this increase is not expected to result in significant impacts. As such, Alternative 7 impacts on public services would be less than significant and comparable to those associated with the proposed project.

6.3.7.9 Public Utilities (Water Service, Sewer Service and Solid Waste Service)

Sections 5.8, 5.9, and 5.10 of the draft EIR indicate that with mitigation, the proposed project would not exceed available capacity or defined County or City standards. As such, project impacts on the public service environment are not considered significant. However, Section 5.10 of the draft EIR indicates that given the unknown nature of future landfill capacity, this project's incremental impact on the cumulative solid waste stream is considered significant.

Alternative 7 would not alter development proposed on Parcels 10R and FF. Alternative 7 would replace the proposed Woodfin Suite Hotel and Timeshare Resort project with a four level retail commercial center of approximately 191,664 square feet. Grading and construction requirements would not be substantially altered and development of the wetland park and public-serving boat spaces would be retained.

While the commercial uses on Parcel 9U would result in less dense construction, the anticipated use of the site and the number of visitors to the site would result in comparable impacts to public utilities in comparison to the proposed project. As such, impacts associated with Alternative 7 on public utilities would be comparable to the project and would not be significant.

6.3.7.10 Traffic/Access

Section 5.7 of the draft EIR indicates that the traffic analysis evaluated 17 study intersections. Calculations indicate that the proposed project would generate approximately 3,104 net new daily vehicle trips. Analysis in the draft EIR indicates that with mitigation, project related traffic impacts can be mitigated and are not considered significant. When combined with cumulative projects, traffic would significantly impact 12 of the 17 study intersections. Parking provided by the project is consistent with defined County standards and impacts on the parking environment are not considered significant.

Alternative 7 would not alter development proposed on Parcels 10R and FF. Alternative 7 would replace the proposed Woodfin Suite Hotel and Timeshare Resort project with a four level marine-oriented commercial center. Grading and construction requirements would not be substantially altered and development the wetland park and public-serving boat spaces would be retained.

Given this, trip generation associated with Alternative 7 would increase from 3,104 to 10,061 net new daily vehicle trips. An increase of 6,957 net new daily trips would substantially increase traffic related impacts at each of the study intersections. Analysis indicates that with mitigation, project related traffic impacts within the County of Los Angeles can be mitigated and are not considered significant. When

combined with cumulative projects, traffic generated by the project would significantly impact 12 of the 17 study intersections and would increase cumulative traffic impacts.

6.3.7.11 Parks and Recreation

Section 5.15 of the draft EIR indicates that the proposed project would result in beneficial impacts to the parks and recreation environment. The proposed project would result in the creation of a 1.46-acre wetland park that would be available for public use. Alternative 7 proposes no change in parkland creation, so the 1.46-acre wetland park remains a project requirement. Impacts on the parks and recreation environment are considered beneficial.

6.3.7.12 Land Use

As discussed in **Section 5.17**, the proposed project would be consistent with the existing County of Los Angeles General Plan land use designations for the project site. More specific land use guidance is provided in the County's Marina del Rey Local Coastal Program, which is made up of the Marina del Rey LUP and Specific Plan. The majority of the individual components of the project, including the hotel/timeshare, wetland park and public boat slips, and marina components are fully consistent with the Marina del Rey LUP and the Marina del Rey Specific Plan. The Neptune Marina Apartments component of the project, while consistent with most of the policies, goals, and requirements of the Marina del Rey LUP and Specific Plan requires an amendment to the land use plan and specific plan. The proposed amendment to the Marina del Rey LUP and Specific Plan would be consistent with the policies of the Coastal Act. With the California Coastal Commission's certification of the requested amendments, the proposed project would be consistent with the certified LCP.

Under Alternative 7, the proposed development intensity on Parcels 10R and FF would not be altered and the Neptune Marina Apartment development would be constructed in the same manner as the proposed project; as such, amendments to the Specific Plan and LUP would still be required for this portion of the project. The proposed Woodfin Suite Hotel and Timeshare Resort project on Parcel 9U would be replaced by a four-level commercial project, thereby reducing the available number of visitor-serving hotel rooms. As such, Alternative 7 would be less consistent with the LUP policy favoring visitor-serving uses, but would be more consistent with other policies within the LUP. Through the reduction in the number of hotel rooms, this alternative would result in a reduction in visitor-serving uses; however, different visitor-serving uses would be provided instead. As such, impacts would be comparable to those associated with the proposed project.

6.3.8 Alternative 8: RV Resort (Parcels 10R, FF, and 9U)

This alternative would construct and operate a public RV Resort on Parcels 10R, FF, and 9U. This alternative would involve demolition of the existing Neptune Marina Apartments, include redevelopment of the boat spaces adjacent to Parcel 10R but would eliminate the proposed wetland park and the public and public-serving boat spaces.

Review indicates that a full service RV Resort inclusive of amenities such as bathroom and shower facilities, reception areas, landscaping, a small area for tent camping, guest parking and spaces with full-service hook-ups can achieve a density of approximately 10 RV spaces per acre. Given a total of 13.03 landside acres, approximately 130 RV spaces could be accommodated on the project site.

It is assumed that construction and operation of a full-service RV Resort would require only minimal site grading and the construction period would not exceed 12 months. Permanent structures on the project site would not exceed one story. Under this alternative, the existing boat spaces associated with Parcel 10R, the wetland park, and public-serving boat spaces would not be developed.

6.3.8.1 Visual Resources

Analysis in **Section 5.6** indicates that the size and mass of the Woodfin Suite Hotel and Timeshare Resort structure proposed on the northern portion of Parcel 9U is consistent with height standards defined in the Marina del Rey LUP. However, this project element would not be in character with existing, approved, or recently constructed structures in the western portion of Marina del Rey. For this reason, impacts associated with construction and operation of the Woodfin Suite Hotel and Timeshare Resort project element were considered adverse and significant. Apartment structures proposed on Parcels 10R and FF are also consistent with defined height standards, do not exceed 60 feet, and are consistent with recently approved and constructed structures proposed adjacent to the project site. For these reasons, impacts on the visual resources environment associated with development on Parcels 10R and FF were not considered significant.

Alternative 8 would eliminate any development that would exceed one story. As such, this alternative would eliminate urban massing and eliminate potential adverse impacts associated with re-use of the project site(s). For these reasons, this alternative would reduce or eliminate significant visual resource impacts when compared with the proposed project.

6.3.8.2 Air Quality

The air quality analysis in **Section 5.4** shows that short-term emissions generated during construction of the proposed project would exceed defined SCAQMD thresholds. For this reason, short-term impacts associated with grading and building construction were considered adverse and significant. Impacts on the air quality environment associated with project operation did not exceed defined SCAQMD standards and were not considered significant.

Calculations indicate that Alternative 8 would substantially reduce construction related emissions as compared to the project. However, due to demolition and site grading requirements, emissions associated with construction would likely continue to exceed standards defined by the SCAQMD and short-term construction air quality impacts would be significant. Alternative 8 would also result in a substantial reduction in trips during project operation (231 versus 3,104 net new daily trips). Calculations included in **Section 5.4** of the draft EIR indicate that operational emissions do not exceed SCAQMD standards, and Alternative 8 would substantially reduce these adverse but not significant project impacts.

6.3.8.3 Biota

The project site occurs in an existing urban environment with limited areas of natural open space. As defined in **Section 5.5** of the draft EIR, no special status species or wildlife movement corridors occur on the project site. Further, the project is consistent with all regional and local plans that pertain to the protection of natural and biological resources. With respect to these resource criteria, impacts associated with the proposed project with mitigation are not considered significant. A small area (0.47 acre) of jurisdictional wetlands, which occurred as a result of past grading activities, is located in the central portion of Parcel 9U; this wetland is considered degraded. As proposed, the project would improve this wetland via creation of a muted tidal wetland of a similar size as well a surrounding natural and managed upland buffer. This action is considered beneficial by resource agencies and the County of Los Angeles Department of Beaches and Harbors. Under Alternative 8, the existing wetland would be eliminated and development of the wetland park would not occur. Without mitigation, these impacts are considered significant. Further, benefits to the biological resources environment as defined for the proposed project would not occur. From the perspective of biological resources, the proposed project is considered superior to Alternative 8.

6.3.8.4 Geotechnical and Soil Resources

Implementation of Alternative 8 would require only surficial grading. As such, this alternative would result in less grading because there would be no requirement for below ground garages on Parcels 10R or FF.

As defined in the draft EIR, impacts associated with site grading and construction as defined in the Geotechnical and Soil Resources environment were not considered significant with mitigation. During project operation, all site improvements constructed on the site would be subject to the forces of ground movement during seismic events, similar to the proposed project, and would also be subject to the same construction requirements as the proposed project. Because the magnitude of development associated with Alternative 8 would be substantially reduced, Alternative 8 would result in substantially less potential impacts than the proposed project with respect to geology and soils.

6.3.8.5 Hydrology and Drainage

Implementation of Alternative 8 would result in incrementally less impervious surface when compared with the proposed project and would incrementally reduce on-site runoff. The draft EIR concluded that the proposed project would not result in a substantial increase in total site runoff during a 25-year storm event and impacts on the Hydrology and Drainage environment are not considered significant with required mitigation. Alternative 8 would reduce impacts associated with surface water hydrology and water quality that are not considered significant for the proposed project.

Alternative 8 would not remove or replace the 198 existing boat spaces adjacent to Parcel 10R and any potential impacts to water quality in Basin B of Marina del Rey would not occur.

6.3.8.6 Noise

Noise impacts associated with the proposed project indicate that short-term impacts associated with site grading and construction would exceed defined County noise standards. For this reason, short-term impacts associated with grading and building construction were considered adverse and significant. Impacts on the noise environment associated with project operation did not exceed defined County standards and were not considered significant.

Alternative 8 allows for a 130-space RV resort inclusive of amenities such as bathroom and shower facilities, reception areas, landscaping, a small area for tent camping, guest parking, and spaces with full-service hookups. It is assumed that construction and operation of a full-service RV Resort would require only minimal site grading and the construction period would not exceed twelve months. Structures on the project site would not exceed one story. Given the provisions of this alternative, the existing boat spaces associated with Parcel 10R would be retained and the wetland park and public-serving boat spaces would not occur.

Given the reduction in on-site construction activities, implementation of Alternative 8 would reduce construction related noise due to a reduction in the duration of site grading. However, heavy equipment

used during demolition and grading would exceed defined County noise standards. During project operation, Alternative 8 would result in a substantial reduction in vehicle trips associated with project operation (231 versus 3,104 net new daily trips) and their associated noise generating potential. Calculations included in **Section 5.2** of the draft EIR indicate that County noise standards would not be exceeded for the proposed project. Alternative 8 would reduce these adverse but not significant project effects.

6.3.8.7 Population and Housing

Section 5.16 of the draft EIR indicates that the proposed project would not exceed population and housing standards defined by the SCAG. As such, project impacts on the population and housing environment are consistent with defined growth patterns and are not considered significant. Alternative 8 would reduce housing and population within this census tract and no impact to the population and housing environment would occur through implementation of Alternative 8. However, the beneficial impact of providing affordable housing in the proposed project would not be realized through implementation of Alternative 8. No affordable housing would be provided.

6.3.8.8 Public Services (Fire Protection, Police Protection, Education, Library Services)

Sections 5.11, 5.12, 5.13, and 5.14 of the draft EIR indicate that the proposed project would not exceed available capacity or defined County standards with required mitigation. As such, project impacts on the public service environment were not considered significant and are consistent with defined growth patterns. Alternative 8 would reduce the permanent on-site population and impacts associated with project operation. Therefore, impacts to the public services environment that are associated with Alternative 8 are not considered significant.

6.3.8.9 Public Utilities (Water Service, Sewer Service and Solid Waste Service)

Sections 5.8, 5.9, and 5.10 of the draft EIR indicate that proposed project impacts would not exceed available capacity or defined County or City standards. As such, projects impacts on the public service environment are not considered significant. However, **Section 5.10** of the draft EIR indicates that given the unknown nature of future landfill capacity, this project's incremental impact on the cumulative waste stream is considered significant. Alternative 8 would reduce the permanent on-site population and impacts associated with project operation. Therefore, project impacts to the public services environment that are associated with Alternative 8 are not considered significant. Alternative 8 would contribute incrementally to the existing solid waste stream. Given the unknown nature of future landfill capacity, the incremental impact of Alternative 8 on the cumulative waste stream is also considered cumulatively considerable.

6.3.8.10 Traffic/Access

Section 5.7 of the draft EIR indicates that the traffic analysis evaluated 17 study intersections. Calculations indicate that the proposed project would generate approximately 3,104 net new daily vehicle trips. Analysis in the draft EIR indicates that with mitigation, project related traffic impacts can be mitigated and are not considered significant. When combined with cumulative projects, traffic generated by the project would significantly impact 12 of the 17 study intersections. Parking provided by the project is consistent with defined County standards and parking impacts are not considered significant.

Estimates indicate that Alternative 8 would result in a reduction of 2,873 net new daily vehicle trips and would therefore substantially reduce project related traffic impacts at each of the study intersections. Impacts associated with project traffic as defined for the proposed project are not considered significant and Alternative 8 would further reduce impact magnitude. A reduction of 2,873 vehicle trips would reduce but not alter significant cumulative traffic impacts due to the amount of new trips generated by other projects being developed throughout the project vicinity.

6.3.8.11 Parks and Recreation

Section 5.15 of the draft EIR indicates that the proposed project would result in beneficial impacts to the parks and recreation environment. The proposed project would result in the creation of a 1.46-acre wetland park that would be available for public use. Alternative 8 would not retain any area for future park use. However, the provision of a low-cost RV park would provide a recreational use available to the public. Therefore, while this alternative would prevent the development of a new public wetland park and upland buffer, a new recreational RV park would be created. Impacts associated with Alternative 8 on the parks and recreation environment are therefore comparable to those associated with the proposed project.

6.3.8.12 Land Use

As discussed in **Section 5.17**, the proposed project would be consistent with the existing County of Los Angeles General Plan land use designations for the project site. More specific land use guidance is provided in the County's Marina del Rey Local Coastal Program (LCP), which is made up of the Marina del Rey LUP and Specific Plan. The majority of the individual components of the project, including the hotel/timeshare, wetland park and public boat slips, and marina components are fully consistent with the Marina del Rey LUP and the Marina del Rey Specific Plan. The Neptune Marina Apartments component of the project, while consistent with most of the policies, goals, and requirements of the Marina del Rey LUP and Specific Plan requires an amendment to the LUP and Specific Plan. The proposed amendment to the Marina del Rey LUP and Specific Plan would be consistent with the policies of the Coastal Act. With

the California Coastal Commission's certification of the requested amendments, the proposed project would be consistent with the certified LCP.

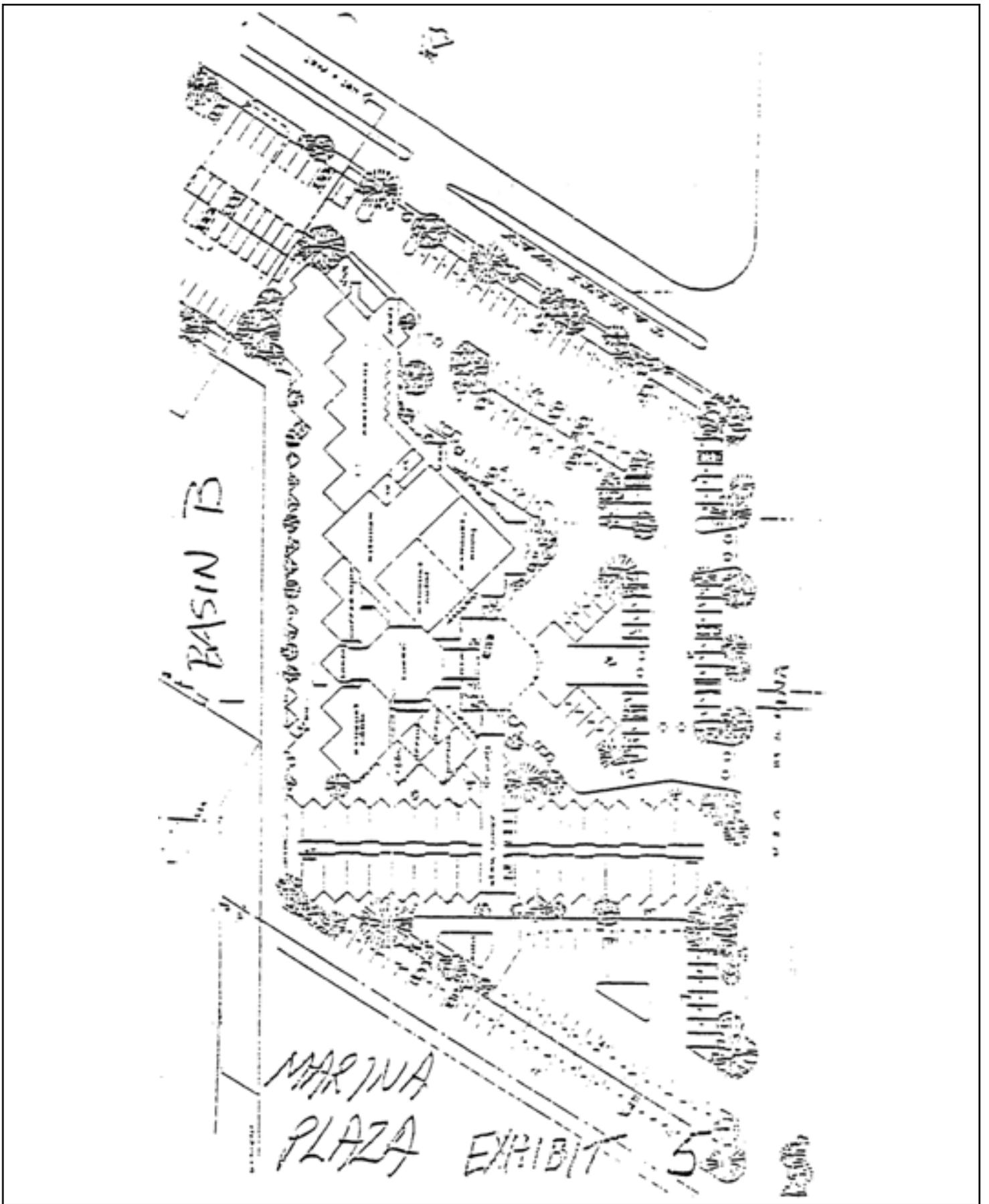
Under Alternative 8, all three project parcels would be developed with an RV Resort and therefore would require amendments to the specific plan and land use plan. With the change of recreational use associated with this project, fewer hotel rooms would be provided, but more affordable recreational and visitor-serving uses would be provided. As such, Alternative 8 would remain consistent with the LUP policy favoring visitor-serving uses. Therefore, this alternative would result in less than significant land use impacts and would provide comparable benefits when compared to benefits provided by the proposed project.

6.3.9 Alternative 9: Marina Plaza Alternative

In 1981, a hotel was previously approved by the California Coastal Commission (CCC) for development on the subject Parcel 9U (the Marina Plaza Hotel; see CCC Case No. A-207-79). The Marina Plaza Hotel was approved by the CCC with 300 guest rooms in nine stories and an assortment of patron- and visitor-serving accessory uses, including restaurants, a bar, a coffee shop, banquet facilities and meeting rooms. Structures were placed in the southeast portion of Parcel 9U most proximal to Marina del Rey Basin B. Surrounding the structures was a surface-parking plot that occurred on the remaining portions of Parcel 9U. The arrangement of land uses on Parcel 9U is illustrated in **Figure 6.0-1**.

Alternative 9 is based on this already approved hotel project. For assessment purposes, it is assumed that structures and parking areas would be constructed over the 3.66-acre project site. Structures would include a nine-story, 300-room hotel, and peripheral structures that would include restaurants, a coffee shop, banquet facilities, and meeting rooms. It is assumed that the nine-story hotel would not exceed 100 feet in height. Peripheral structures would not exceed three stories, associated uses would not exceed 100,000 square feet, and structure height associated with peripheral structures would not exceed 40 feet. Surface parking on the project site would accommodate the spaces required by County Code.

Due to the lack of subsurface parking, excavation on the project site would be limited to that necessary for building foundations and would not exceed 40,000 cubic yards. It is expected that grading would be balanced on the project site. It is assumed that grading and building construction would require 24 months to complete.



SOURCE: Impact Sciences, Inc. – March 2006

FIGURE 6.0-1

Site Plan for Previous Hotel Project



The arrangement of land uses on the project site associated with this alternative would preclude construction of the now proposed 1.46-acre public park and does not include the 28-foot-wide public pedestrian promenade. Public uses would be limited to peripheral facilities that include restaurants, a coffee shop, banquet facilities, and meeting rooms. Development on Parcels 10R and FF would remain unchanged from the proposed proposal.

6.3.9.1 Visual Resources

Analysis in **Section 5.6** indicates that the size and mass of the Woodfin Suite Hotel and Timeshare Resort structure proposed on the northern portion of Parcel 9U is consistent with height standards defined in the Marina del Rey LUP. However, this project element would not be in character with existing, approved, or recently constructed structures in the western portion of Marina del Rey. For this reason, impacts associated with construction and operation of the Woodfin Suite Hotel and Timeshare Resort project element were considered adverse and significant. Apartment structures proposed on Parcels 10R and FF are also consistent with defined height standards, do not exceed 60 feet, and are consistent with recently approved and constructed structures proposed adjacent to the project site. For these reasons impacts associated with development on Parcels 10R and FF on the visual resources environment were not considered significant.

As described above, Alternative 9 reduces the height and density on the project site through implementation of the originally approved Marine Plaza Hotel. Hotel structure height would be reduced by 10 stories to a total of 9 stories, and from a height of 225 feet to no more than 100 feet. Notwithstanding the reduced height, a 100-foot-tall hotel would not be consistent with other existing, recently constructed, or recently approved structures in the western portion of Marina del Rey, which generally range from 75 to 100 feet in height except for the Archstone Apartment building situated to the northwest. Therefore, Alternative 9 would reduce adverse impacts associated with building height, but such impacts would remain significant even though, like the project, the alternative would be well within height standards defined by the Marina del Rey LUP.

6.3.9.2 Air Quality

The air quality analysis in **Section 5.4** shows that short-term emissions generated during construction of the proposed project would exceed defined SCAQMD thresholds. For these reasons, short-term impacts associated with grading and building construction were considered adverse and significant. Impacts on the air quality environment associated with project operation did not exceed defined SCAQMD standards and were not considered significant.

Alternative 9 would not require the construction of underground parking on Parcel 9U; therefore, less grading would occur on that parcel. However, construction activities would be the same on Parcels 10R and FF. Therefore, Alternative 9 would not substantially alter on-site grading requirements or construction timing. Based on the fact that similar construction activities would occur with implementation of this project alternative, Alternative 9 would result in comparable construction related emissions would continue to exceed standards defined by the SCAQMD, as the daily emissions would be similar during most phases of construction. However, due to the reduced structure height proposed on Parcel 9U, an incremental reduction in VOC emissions, associated with the reduced need for architectural coatings, would occur under this alternative. As such, Alternative 9 would not eliminate construction related significant effects. During project operation, Alternative 9 would also result in a comparable number of net new daily trips associated with project operation (approximately 3,104 net new daily trips). Calculations included in **Section 5.4** of the draft EIR indicate that operational emissions for the proposed project do not exceed SCAQMD standards; consequently, with a comparable number of net new daily trips Alternative 9 would result in comparable less than significant air quality impacts during operation.

6.3.9.3 Biota

The project site occurs in an existing urban environment with limited areas of natural open space. As defined in **Section 5.5** of the draft EIR, no special status species or wildlife movement corridors occur on the project site. Further, the project is consistent with all regional and local plans that pertain to the protection of natural and biological resources. With respect to these resource criteria, impacts associated with the proposed project with mitigation are not considered significant. A small area (0.47 acre) of jurisdictional wetlands, which occurred as a result of past grading activities, is located in the central portion of Parcel 9U; this wetland is considered degraded. As proposed, the project would improve this wetland via creation of a muted tidal wetland of a similar size as well a surrounding natural and managed upland buffer. This action is considered beneficial by resource agencies and the County of Los Angeles Department of Beaches and Harbors. Under Alternative 9, the existing wetland would be eliminated and development of the wetland park would not occur. Without mitigation, these impacts are considered significant. Further, benefits to the biological resources environment as defined for the proposed project would not occur. From the perspective of biological resources, the proposed project is considered superior to Alternative 9.

6.3.9.4 Geotechnical and Soil Resources

Implementation of this alternative would require grading on Parcels 10R and FF similar to that described for the proposed project; however, no underground parking structure would be provided on Parcel 9U, so less grading would occur on this Parcel under this project alternative. As described in **Section 5.1** of

the draft EIR, with mitigation, impacts associated with site grading and construction were not considered significant.

As defined in the draft EIR, impacts associated with operation of the Geotechnical and Soil Resources environment were not considered significant with mitigation. All site improvements would be subject to the forces of ground movement during seismic events, similar to the proposed project, and would also be subject to similar construction requirements and mitigation. Because development under this alternative is similar to that described for the proposed project and involves construction on the same three parcels as the proposed project, impacts are similar to those described in **Section 5.1** of the draft EIR are similar and are not considered significant.

6.3.9.5 Hydrology and Drainage

Alternative 9 would result in similar grading requirements and a similar development envelope to that described for the proposed project. **Section 5.3** of the draft EIR concluded that the proposed project would not result in a substantial increase in total site runoff during a 25-year storm event, and hydrology and drainage impacts are not considered significant with required mitigation. As such, with respect to landside development, Alternative 9 would not result in any significant change in impact potential described in **Section 5.3** of the draft EIR, and impacts are not considered significant.

Alternative 9 would also remove and replace the 198 existing boat spaces adjacent to Parcel 10R. With mitigation as defined in the draft EIR (**Section 5.3**), water quality impacts on the marine environment associated with Alternative 6 are not considered significant.

6.3.9.6 Noise

Noise impacts associated with the proposed project indicate that short-term impacts associated with site grading and construction would exceed defined County noise standards. For these reasons, short-term impacts associated with grading and building construction were considered adverse and significant. Impacts on the noise environment associated with project operation did not exceed defined County standards and were not considered significant.

Alternative 9 may reduce the duration of construction on Parcel 9U as well as result in less grading and excavation activities; grading and excavation on Parcels 10R and FF would remain the same as the proposed project. Thus, the reduction in grading activities on Parcel 9U would not significantly alter on-site grading or construction requirements, and the daily peak noise levels would be comparable. Therefore, Alternative 9 would incrementally reduce the duration of construction related noise impacts

but would not significantly alter the significant noise impacts associated with project grading and construction.

During project operation, Alternative 9 would result in comparable number of daily vehicle trips (approximately 3,104 net new daily trips). Therefore, operational noise under this alternative would be comparable to that of the proposed project. Calculations included in **Section 5.2** of the draft EIR indicate that County noise standards would not be exceeded during project operation for the proposed project. Because Alternative 9 would result in a comparable number net new daily trips implementation of this alternative would also result in less than significant project effects.

6.3.9.7 Population and Housing

Section 5.7 of the draft EIR indicates that the proposed project would not exceed population and housing standards defined by the Southern California Association of Governments (SCAG). As such, project impacts on the population and housing environment were not considered significant and are consistent with defined growth patterns. Alternative 9 would not change the number of new residential units or permanent on-site residents, nor would Alternative 9 alter the number of affordable housing units. Given this, impacts associated with Alternative 9 on the population and housing environment are not considered significant.

6.3.9.8 Public Services (Fire Protection, Police Protection, Education, Library Services)

Sections 5.11, 5.12, 5.13, and 5.14 of the draft EIR indicate that the proposed project would not exceed available capacity or defined County standards. As such, project impacts on the public service environment were not considered significant with mitigation, and are consistent with defined growth patterns. Alternative 9 would result in a slight increase in development intensity on Parcel 9U. Given this, impacts on the public services environment that are associated with Alternative 9 would incrementally increase, yet not exceed defined standards and are not considered significant.

6.3.9.9 Public Utilities (Water Service, Sewer Service and Solid Waste Service)

Sections 5.8, 5.9, and 5.10 of the draft EIR indicate that with mitigation the proposed project would not exceed available capacity or defined County or City standards. However, **Section 5.10** of the draft EIR indicates that given the unknown nature of future landfill capacity, this project's incremental impact on the cumulative waste stream is considered significant.

Alternative 9 would slightly increase development intensity and impacts on the public utilities would be comparable to or slightly increased from those of the proposed project. Given that Alternative 9 would

also generate solid waste that would contribute to the cumulative waste stream, cumulative solid waste impacts associated with Alternative 9 are also considered cumulatively considerable.

6.3.9.10 Traffic/Access

Section 5.7 of the draft EIR indicates that the traffic analysis evaluated 17 study intersections. Calculations indicate that the proposed project would generate approximately 3,104 net new daily vehicle trips. Analysis in the draft EIR indicates that with mitigation, project related traffic impacts can be mitigated and are not considered significant. When combined with cumulative projects, traffic generated by the project would significantly impact 12 of the 17 study intersections. Parking provided by the project is consistent with defined County standards and impacts on the parking environment are not considered significant.

Alternative 9 operations would result in a comparable number of net new daily vehicle trips. Therefore, implementation of this alternative would result impacts similar to those associated with the proposed project relative to traffic impacts at each of the study intersections. As such, impacts associated with Alternative 9 would also result significant effects associated with cumulative traffic impacts.

6.3.9.11 Parks and Recreation

Section 5.15 of the draft EIR indicates that the proposed project would result in beneficial impacts to the parks and recreation environment. The proposed project would result in the creation of a 1.46-acre wetland park that would be available for public use. Alternative 9 would not retain any area for future park use. Therefore, this alternative would prevent the development of a new public wetland park and upland buffer. Alternative 9 would result in a new impact on the parks and recreation, since development of this alternative would not provide the new park and open space benefit.

6.3.9.12 Land Use

As discussed in **Section 5.17**, the proposed project would be consistent with the existing County of Los Angeles General Plan land use designations for the project site. More specific land use guidance is provided in the County's Marina del Rey Local Coastal Program (LCP), which is made up of the Marina del Rey LUP and Specific Plan. The majority of the individual components of the project, including the hotel/timeshare, wetland park and public boat slips, and marina components are fully consistent with the Marina del Rey LUP and the Marina del Rey Specific Plan. The Neptune Marina Apartments component of the project, while consistent with most of the policies, goals, and requirements of the Marina del Rey LUP and Specific Plan requires an amendment to the Land Use Plan and Specific Plan. The proposed amendment to the Marina del Rey LUP and Specific Plan would be consistent with the policies of the

Coastal Act. With the California Coastal Commission's certification of the requested amendments, the proposed project would be consistent with the certified LCP.

Under Alternative 9, the proposed development intensity on Parcels 10R and FF would not be altered and the Neptune Marina Apartment development would be constructed in the same manner as the proposed project; as such, amendments to the Specific Plan and LUP would still be required for this portion of the project. Parcel 9U would be developed with a hotel/timeshare resort, consistent with land uses included in the Marina del Rey LUP. However, no wetland park would be developed on Parcel 9U. As such, the Alternative 9 would result in less than significant land use impacts, but without the provision of a new public wetland park, impacts would be greater than those associated with the proposed project, and this alternative would not provide this public benefit.

6.3.10 Alternatives Summary and Comparison

Table 6.0-3, Environmental Impact Comparison to the Proposed Project, compares the severity of each alternative's impact to impacts associated with implementing the proposed project. Alternatives either result in fewer, comparable or more impacts than the proposed project.

6.4 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Section 15126.6(e)(2) of the *State CEQA Guidelines* indicates that an analysis of alternatives to the proposed project shall identify one alternative as the environmentally superior alternative. Furthermore, if the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative from among the other alternatives. For the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Report project, based on the analysis included herein, the No Project/No Build Alternative would be considered environmentally superior to the proposed project because it would avoid and/or substantially reduce the severity of significant impacts associated with implementing the proposed project.

However, of the remaining alternatives, implementation of Alternative 8, the RV Resort, is the environmentally superior alternative. This alternative eliminates significant impacts associated with building mass and height that would occur through implementation of the Woodfin Suite Hotel and Timeshare Resort project. Alternative 8 would substantially reduce but not eliminate short-term significant impacts associated with construction related air quality and noise. Further, Alternative 8 would incrementally reduce but not eliminate significant impacts associated with cumulative traffic. Alternative 8, through a reduction in development intensity, would also reduce impacts that were not identified in the draft EIR as significant.

However, Alternative 8 would be less consistent with the objectives of the proposed project or with the County of Los Angeles Marina del Rey LUP, including the maintaining adequate shoreline access, providing facilities for recreational boating, and removing a marine resource. Further, the LUP expressly indicates that Phase II marina uses shall be intensified. Alternative 8 is not consistent with existing or future land use patterns and as defined above, would significantly impact biological resources through the loss of the existing wetland and would prevent the provision of a public benefit through elimination of the wetland and upland park component that would be constructed on Parcel 9U.

Therefore, of the remaining alternatives, the project alternative more closely aligned with the objectives of the proposed project that also reduces the severity of impacts associated with project implementation is Alternative 5 – Reduced Density Alternative. Implementation of the Reduced Density Alternative would result in fewer construction-related air emissions, fewer geotechnical and soils impacts, fewer construction- and operations-related noise impacts, fewer impacts to public services and public utilities, and result in fewer net new daily vehicle trips than the proposed project. Under the Reduced Density Alternative, impacts related to visual resources, biota, hydrology and drainage, population and housing, recreation and parks, and land use would be comparable to those of the proposed project. Alternative 5 would not result in any new or more severe impacts compared to the proposed project. As such, Alternative 5 would be the environmentally superior alternative that achieves the majority of the project objectives and goals and policies included within the Marina del Rey LUP. However, Alternative 5 would not meet the project objectives as fully as the proposed project in that with the provision of fewer residential units less affordable housing would be incorporated into the proposed project. Additionally, with the construction of fewer hotel and timeshare units, fewer visitors would be served by the project.

**Table 6.0-3
Environmental Impact Comparison to the Proposed Project**

| | Alternative 1 | Alternative 2 | Alternative 3 | Alternative 4 | Alternative 5 | Alternative 6 | Alternative 7 | Alternative 8 | Alternative 9 |
|----------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| Visual Resources | Fewer Impacts | Fewer Impacts | More Impacts | More Impacts | Comparable Impacts | Fewer Impacts | Fewer Impacts | Fewer Impacts | Fewer Impacts |
| Air Quality – Construction | Fewer Impacts | Fewer Impacts | Fewer Impacts | More Impacts | Fewer Impacts | Comparable Impacts | Fewer Impacts | Fewer Impacts | Fewer Impacts |
| Air Quality – Operations | Fewer Impacts | Fewer Impacts | Comparable Impacts | More Impacts | Fewer Impacts | Fewer Impacts | More Impacts | Fewer Impacts | Comparable Impacts |
| Biota | Fewer Impacts | More Impacts | Comparable Impacts | Comparable Impacts | Comparable Impacts | Comparable Impacts | Comparable Impacts | More Impacts | More Impacts |
| Geotechnical & Soils | Fewer Impacts | Fewer Impacts | Comparable Impacts | More Impacts | Fewer Impacts | Comparable Impacts | Fewer Impacts | Fewer Impacts | Comparable Impacts |
| Hydrology & Drainage | Fewer Impacts | Comparable Impacts | Comparable Impacts | Comparable Impacts | Comparable Impacts | Comparable Impacts | Comparable Impacts | Comparable Impacts | Comparable Impacts |
| Noise – Construction | Fewer Impacts | Fewer Impacts | Fewer Impacts | More Impacts | Fewer Impacts | Fewer Impacts | Fewer Impacts | Fewer Impacts | Fewer Impacts |
| Noise – Operations | Fewer Impacts | Fewer Impacts | Comparable Impacts | More Impacts | Fewer Impacts | Fewer Impacts | More Impacts | Fewer Impacts | Comparable Impacts |
| Population & Housing | Fewer Impacts | Fewer Impacts | Comparable Impacts | More Impacts | Comparable Impacts | Comparable Impacts | Comparable Impacts | Comparable Impacts | Comparable Impacts |
| Public Services | Fewer Impacts | Fewer Impacts | Comparable Impacts | More Impacts | Fewer Impacts | Fewer Impacts | Fewer Impacts | Fewer Impacts | Comparable Impacts |
| Public Utilities | Fewer Impacts | Fewer Impacts | Comparable Impacts | More Impacts | Fewer Impacts | Fewer Impacts | Fewer Impacts | Fewer Impacts | Comparable Impacts |
| Traffic | Fewer Impacts | Fewer Impacts | Comparable Impacts | More Impacts | Fewer Impacts | Fewer Impacts | More Impacts | Fewer Impacts | Comparable Impacts |
| Parks & Recreation | More Impacts | More Impacts | Comparable Impacts | Comparable Impacts | Comparable Impacts | Comparable Impacts | Comparable Impacts | Comparable Impacts | More Impacts |
| Land Use | Fewer Impacts | Fewer Impacts | Comparable Impacts | Comparable Impacts | Comparable Impacts | More Impacts | More Impacts | Comparable Impacts | More Impacts |

7.0 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES THAT WOULD RESULT FROM THE PROPOSED ACTION SHOULD IT BE IMPLEMENTED

PURPOSE

The effects from the use of nonrenewable resources during the initial construction and continued operation of a proposed project may be irreversible if a large commitment of these resources makes their removal or non-use thereafter likely. According to Section 15126(c) of the State California Environmental Quality Act (CEQA) Guidelines, the irretrievable commitment of such resources are to be evaluated to assure that their current consumption by a proposed project is justified. In addition, this section must also identify any irreversible damage that can result from environmental accidents associated with the project.

7.1 IRREVERSIBLE COMMITMENT OF NON-RENEWABLE RESOURCES

Approval of the proposed discretionary actions would allow for the redevelopment of the site with new waterfront apartment complexes (inclusive of parking), a hotel/timeshare resort, a waterfront stroll promenade, and new contemporary boat anchorages. The substantial investment required to upgrade the infrastructure and redevelop the property as proposed would represent a long-term commitment of the land to a modern community, which is essentially an irreversible environmental change.

Construction and operation/habitation of the proposed land uses would contribute to the incremental depletion of resources, including renewable, as well as slowly renewable or non-renewable resources. Resources, such as lumber and other forest products, as well as water, are generally considered renewable resources. Such resources would be replenished over the lifetime of the project. For example, lumber supplies are increased as seedlings mature into trees, while water supplies are replenished as water is redistributed through the action of the hydrologic cycle. Given this, development of the project would not result in an irreversible commitment of renewable resources, although there would be an incremental increase in the demand for these resources over time.

Slowly renewable and non-renewable resources, such as natural gas, petroleum products, asphalt, petrochemical construction materials, steel, copper, and other metals, and sand and gravel are considered to be commodities that ultimately, are available only in a finite supply. The actions or processes that created these products occur over a long period of time and cannot replace those supplies consumed in the development and habitation of the project site within its lifespan. To varying degrees, the aforementioned materials are all readily available and some materials, such as asphalt or sand and gravel, are abundant. Other commodities, such as metals, natural gas and petroleum products, are also readily available but are finite in supply given the length of time required by the natural process to create them.

The demand for all such resources is expected to increase regardless of whether or not the project builds out, as the State of California Department of Finance indicates that the population of Southern California will increase 62 percent over the 30-year period between 1990 and the year 2020. If not consumed by the project, these resources would likely be committed to other projects in the region intended to meet this anticipated growth. Furthermore, the investment of resources in the project would be typical of the level of investment normally required for a community of this scale. Provided that all standard building codes, including energy conservation standards, are followed, no wasteful use of energy or construction resources is anticipated.

7.2 IRREVERSIBLE ENVIRONMENTAL CHANGE

Irreversible long-term environmental changes associated with the project would include a change in the visual character of the site as a result of the increased land use intensity. Additional irreversible environmental changes are associated with an increase in local and regional vehicular traffic, the resultant increase in air pollutants and noise emissions generated by this traffic, the increased consumption of potable water, and the generation of solid waste and wastewater, among other impacts. As discussed above, restoration of the project site to pre-developed conditions after its development would not be feasible given County lease requirements and the level of capital investment and degree of disturbance needed to develop the property in the first place. However, features have been incorporated into the project and mitigation measures are proposed in this EIR that would minimize or avoid the significant effects of the environmental changes associated with project implementation to the maximum degree feasible. Also, it is possible, if not likely, that new technologies will emerge in the future to reduce motor vehicle air emissions and noise, and that changed economic factors (e.g., a change in the price or availability of crude oil) will result in the expansion of mass transit in the region, thereby reducing vehicle miles traveled and associated air and noise emissions.

7.3 POTENTIAL ENVIRONMENTAL DAMAGE RESULTING FROM ACCIDENTS

The *State CEQA Guidelines* also require a discussion of the potential for environmental damage caused by an accident associated with the project. The following discussion identifies the characteristics of the project site and proposed future uses that could be sources of potential accidents.

No unique hazards are found on the project site, and the project proposes no uniquely hazardous uses. The site is located within a seismically active region and would be exposed to ground shaking in the event of a seismic event. Conformance with the regulatory provisions of the Los Angeles County Building Code pertaining to construction standards would minimize, to the extent feasible, damage and injuries in the event of such an occurrence. Given the above, no significant risk to human health is expected to occur.

8.0 GROWTH-INDUCING IMPACTS

INTRODUCTION

Section 15126 (d) of the California Environmental Quality Act (CEQA) Guidelines, as amended, requires the discussion of the 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. Such a discussion should also include projects that would remove obstacles to population growth, and the characteristics of a project that may encourage and/or facilitate other activities that, either individually or cumulatively, could significantly affect the environment. CEQA emphasizes that growth in an area should not be considered beneficial, detrimental or of little significance. The purpose of this discussion is to evaluate the growth-inducing potential and impact of the project.

8.1 GROWTH-INDUCING POTENTIAL

In general terms, a project may foster spatial, economic, or population growth in a geographic area if it meets any one of the criteria that are identified below.

- The project removes an impediment to growth (e.g., the establishment of an essential public service, or the provision of new access to an area).
- The project results in the urbanization of land in a remote location (i.e., “leapfrog” development).
- Economic expansion or growth occurs in an area in response to the project (e.g., changes in revenue base, employment expansion, etc.).
- The project establishes a precedent setting action (e.g., a change in zoning or general plan amendment approval).

Should a project meet any one of these criteria, it may be considered growth inducing. An evaluation of the proposed project in relation to these growth-inducing criteria is provided in this section.

8.1.1 Removal of an Impediment to Growth

Growth in an area may result from the removal of physical impediments or restrictions to growth. In this context, physical growth impediments may include nonexistent or inadequate access to an area or the lack of essential public services (e.g., water service). The following discussion evaluates effects of the proposed project with respect to this criterion.

The project site is located in Marina del Rey, an unincorporated area of the County of Los Angeles. A network of electricity, water, sewer, storm drain, communications, roadways, and all other supporting infrastructure is already in place. Currently, there are approximately 136 residential units and 198 boat

slips on the site that utilize public services, utilities and amenities available in the project area. The proposed uses would connect to the existing infrastructure that is in the process of being upgraded. System upgrades are being implemented in response to growth that was approved as part of the Marina del Rey Land Use Plan (LUP) that promote recycling of Phase I Marina del Rey development with more intensive uses. Off-site improvements include upsizing an existing sewer trunk that serves other uses within Marina del Rey as well as the construction of new water lines to accommodate necessary fire flows. These improvements have been designed and are generally limited to service for the project and future projects that have been reviewed and approved by the County of Los Angeles and California Coastal Commission pursuant to the Marina del Rey LUP. These improvements are consistent with already adopted and approved policies of the Marina del Rey Land Use Plan that promote recycling of Phase I Marina del Rey development with more intensive uses. In addition, no new service lines (e.g., storm drain, electricity, telephone, roadways, etc.) other than those required to serve the proposed uses are to be constructed. Therefore, the project would not induce additional growth through introduction or expansion of infrastructure beyond that anticipated for the project or the Marina del Rey LUP.

8.1.2 Urbanization of Land in Remote Locations (Leapfrog Development)

Development can be considered growth inducing when it is not contiguous to existing urban development and “leaps” over open space areas. The project site is situated within an existing urban use that is contiguous to other developed uses located in the City of Los Angeles and surrounding areas, such as Culver City, Venice, and Santa Monica. Further, much of the project entails redevelopment of previously developed land. As a result, the proposed project will not “leapfrog” over any undeveloped areas or introduce development into an area not previously developed.

8.1.3 Economic Growth

Project development would increase the population, housing, and employment opportunities within Marina del Rey at buildout. A temporary increase in construction-related job opportunities would also occur during site development. However, short-term construction employment opportunities are likely to be filled by the existing labor force in the Los Angeles metropolitan area, so no substantial influx of workers seeking to fill these temporary positions is anticipated.

With regard to operational impacts, the analysis contained in **Section 5.16, Population and Housing**, indicates that the project’s population, housing and employment characteristics are within SCAG growth projections for both the sub-region as well as the census tract. The project’s population and employment generation would, therefore, not result in an increase in population and employment over expected

levels, or that which has been officially planned for Marina del Rey. Based on the above, the project is considered “growth-accommodating” rather than “growth-inducing,” under this criterion.

8.1.4 Precedent Setting Action

The proposed project would require approvals Coastal Development Permits, Conditional Use Permits, and Variances. These discretionary actions are common requirements for development within Marina del Rey, which is subject to a number of regulatory and planning policies for both the County of Los Angeles and California Coastal Commission.

Certain project components (Neptune Marina Parcels 10R and FF) also require amendments to the Marina del Rey Specific Plan and Marina del Rey Land Use Plan (no Local Coastal Plan Amendment is necessary for the Woodfin Suite Hotel/Timeshare Resort Project), as described below.

With respect to Parcel 10R, the County of Los Angeles is requesting an amendment to the Marina del Rey LUP and Specific Plan to allow the density allowed by the current Residential III and Residential V land use designations for Parcel 10R to be averaged over the entire parcel. This amendment is being proposed to allow a project having an aesthetic and development profile that is consistent across the site and with an adjoining apartment project currently under construction on Marina Parcel 12 to the east.

Parcel 10R is located in LCP Development Zone 3 (Marquesas), which has a current residential development capacity/“cap” of three (3) additional dwelling units. Therefore, to facilitate development of this project, the County is also requesting an LCP amendment to authorize the transfer of 261 excess (or “unused”) dwelling unit credits from the abutting Development Zone 2 (Tahiti Development Zone) into Development Zone 3. With approval of this LCP amendment, there will be sufficient available dwelling units within the subject Development Zone 3 to accommodate the planned development of 400 rental dwelling units on Parcel 10R. Of note, similar inter-Development Zone unit transfers have occurred on other projects recently approved by the County and Coastal Commission in the marina.

As described in greater detail in **Section 5.15; Parks and Recreation**, the discretionary project approvals relating to Parcel FF include an LCP amendment request by the County of Los Angeles to change the parcel’s current Open Space designation to Residential V (1.38-acre “non-mole” portion) and “Residential III” (0.67-acre “mole” portion). To offset the loss of designated Open Space, the applicant is proposing to relocate the potential future public park space contemplated in the LCP for development on Parcel FF to the southerly portion of Parcel 9U. Legacy Partners and Woodfin Suite Hotels would split the cost of developing a 1.46-acre public park inclusive of a 0.47-acre restored wetland and 0.99-acre upland buffer on the southerly portion of Parcel 9U. Without this financial commitment from the project applicants, the

park would not be developed, as the County would be unable to devote the financial resources to this environmental amenity.

Parking Policy No. 12 of Chapter 2 of the LUP (page 2-8) states that public parking spaces lost due to the conversion of parking lots to public park use (by extrapolation from the proposed construction of the restored wetland and upland park) are to be replaced elsewhere in the Marina on a 0.5:1 (50 percent) basis. Although the parking lot on Parcel FF would be replaced with residential use, the County has determined Parking Policy No. 12 applies in this case. Furthermore, Specific Plan Sections 22.46.1250.D and 22.46.1330.D provide that the displaced parking spaces must be replaced within the Marina before the development which displaces it may commence (i.e., occupancy of the apartment building). For this reason, the discretionary project approvals for the Parcel FF component of the project includes a proposed amendment to the LCP amendment to modify the LUP and Specific Plan to allow deferral of construction of the 103 “replacement” parking spaces (i.e., 50 percent of the existing 206 spaces) required as a condition of the proposed development of Parcel FF with residential use until such time as construction of such replacement parking spaces can be provided for by the County at an alternate location in the Marina. This proposed LCP amendment will also request authorization to allow occupancy of the new Parcel FF apartment building prior to construction of replacement parking spaces elsewhere in the Marina. Legacy Partners will deposit funds sufficient to construct the replacement parking with the County prior to issuance of a building permit. As the current parking lot is underutilized, no short-term parking impacts are anticipated. In relation to the proposed development of Parcel FF, the County is also proposing to amend the LCP to:

- Authorize the transfer of 14 development units from abutting Development Zone-2 (Tahiti) into the subject Development Zone-3 (Marquesas) and 112 development units from the proximate Development Zone-1 (Bora Bora Development Zone) into the subject Development Zone-3 (i.e., 14 units transferred from DZ 2 + 112 units transferred from DZ 1 = 126 units on subject Parcel FF). With approval of this development unit transfer, there will be sufficient dwelling unit credits within the subject Marquesas Development Zone to accommodate the planned development of 126 rental dwelling units on Parcel FF;
- Change the Height Category on Parcel FF from “Height Category 1” (maximum building height of 25 feet) to “Height Category 3” (which allows for 45-foot building heights when a 20 percent view corridor is provided, ranging to 75 feet maximum when a 40 percent view corridor is provided). The proposed 55-foot building height (exclusive of typical rooftop appendages) would be consistent with the proposed Height Category 3 designation because the applicant is providing a view corridor comprising 26.7 percent of the parcel’s water frontage ; and
- As for Parcel 10R, “blend” residential densities over Parcel FF without respect to the 35 dwelling units/acre and 75 dwelling units/acre density development standards prescribed in the LCP for the proposed Residential III and Residential V land use categories. Total site density will not exceed the LCP-prescribed 126 dwelling units for Parcel FF, but the units will be more evenly distributed

between the R-V (non-mole portion) and R-III (mole portion) designated areas of the parcel, allowing for a more uniform and attractive building massing scheme and development.

The above-described proposed amendments to the certified LCP do not propose an increase in development intensity. In addition, mitigation proposed to offset impacts associated with the loss of future open space on Parcel FF create additional public benefits and increase use of waterside portions of the marina.

The decision to allow amendments to the LUP and development of land on or near the proposed project site is at the discretion of the County of Los Angeles Regional Planning Department, the County Board of Supervisors and, ultimately, the California Coastal Commission. If development on Parcels 10R and FF were approved as proposed, approvals would not necessarily mean that other similar development approvals in the area would follow. However, required amendments to the certified LCP would establish a precedent, or represent continuation of past precedents, for other development projects that may occur in the future. This could facilitate further amendments to the certified LCP to accommodate future development. As such, development associated with Parcels 10R and FF is considered growth inducing under this criterion.

8.2 CONCLUSION

The above analysis indicates that the proposed project is considered growth inducing as the development of Parcels 10R and FF would establish a precedent, or continue the use of past precedents, that facilitate amendment to the Marina del Rey LUP to accommodate future development.

8.3 IMPACTS CREATED BY GROWTH

Attempting to determine the environmental impacts created by growth is speculative in that the size, type, and location of specific, future projects that may be induced by this project are unknown at the present time. Furthermore, it is presumptuous to state conclusively that implementation of the project alone would induce growth in surrounding areas, as there are many variables that must be considered when examining the mechanics of urban growth (e.g., market forces, demographic trends, planning regulations, etc.). As indicated above, impacts associated with any specific future development project that could be influenced by development of this project would be examined in depth during the environmental review conducted for that project as part of its review and approval process.

Impacts of growth associated with other known development projects in the region can be found in the cumulative analyses for each topic that were conducted in **Section 5.0, Existing Conditions, Project Impacts, and Mitigation Measures**. As defined in **Section 5.0**, significant cumulative project impacts are defined and include cumulative impacts to the air quality, traffic, solid waste, and school environments.

9.0 REFERENCES

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