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July 19, 2023

The Honorable City Council
c/o Holly L. Wolcott
City Clerk
Room 360, City Hall

COUNCIL FILE NO. 08-3420-S1: SILVER LAKE RESERVOIR COMPLEX MASTER PLAN PROJECT – CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT (EIR) (STATE CLEARINGHOUSE NO. 2022010055) AND PROJECT APPROVAL

SUMMARY

In accordance with the California Environmental Quality Act (CEQA), the Bureau of Engineering (BOE) recommends that the City Council review, consider, and certify the attached Final Environmental Impact Report; make the required CEQA findings; and approve the Silver Lake Reservoir Complex Master Plan Project (proposed Project), as described in the Final EIR. The proposed Project would redesign approximately 116 acres of the 127-acre Silver Lake Reservoir Complex (SLRC) with community park amenities, which includes the City constructing various community park facilities and allowing some new public park uses within portions of the SLRC. The proposed Project is based on the Silver Lake Reservoir Complex Master Plan, completed in December 2020, which involved a robust community engagement process.

RECOMMENDATIONS

That the City Council:

1. CERTIFY that the Final EIR (Transmittal 1) was completed in compliance with CEQA; that the Final EIR was presented to the Council, as the decision-making body of the City of Los Angeles (City); that the Council reviewed and considered the information contained in the Final EIR; and that the Final EIR reflects and expresses the City's independent judgment and analysis;
2. ADOPT the Findings and Statement of Overriding Considerations (Transmittal 2);
3. ADOPT the Mitigation Monitoring Program (Transmittal 3);



4. SPECIFY that the documents constituting the record of proceedings in this matter are at the Office of the City Clerk, 200 North Spring Street, Los Angeles, California 90012; at the Department of Public Works, Bureau of Engineering (BOE), 1149 South Broadway, Suite 600, Los Angeles, California 90015; and any other relevant City department; and
5. APPROVE the proposed Project as described in the Final EIR.

TRANSMITTALS

1. Silver Lake Reservoir Complex Master Plan Project Final Environmental Impact Report (State Clearinghouse No. 2022010055), dated July 2023
Link: <https://eng2.lacity.org/sites/g/files/wph726/f/FinalEnvironmentalImpactReport.pdf>

2. Findings of Fact and Statement of Overriding Considerations (Attachment)

3. Mitigation Monitoring Program (Attachment)

BACKGROUND

The SLRC, owned and managed by the Los Angeles Department of Water and Power (LADWP), is located in the Los Angeles neighborhood of Silver Lake, and contains the Silver Lake and Ivanhoe Reservoirs, water infrastructure, and the LADWP field and maintenance facilities. Due to the adoption of new water quality regulations, the reservoirs were removed from service and no longer serve as a drinking water resource. LADWP asked BOE to work with the community to analyze how to repurpose the reservoirs for community use, while maintaining LADWP required on-site operations.

On January 9, 2018, the Board of Water and Power Commissioners (LADWP Board) approved a Memorandum of Agreement (MOA) that designated the BOE as the Project Manager and committed the LADWP to transfer up to \$2,920,000 in funding to the BOE to develop a Master Plan for the SLRC. The City Council approved the MOA on March 27, 2018, between the BOE and LADWP which began the SLRC Master Plan process, a comprehensive, community-based effort.

In coordination with LADWP, Council District Nos. 4 and 13, the community and other relevant stakeholders, the SLRC Master Plan Project was officially initiated in March 2019 and involved a robust community engagement process. Public review was conducted over an 18-month period and included extensive community and stakeholder input, including five large community workshops and eight focused meetings with the Stakeholder Working Group. The goal of the Master Plan was to provide a long-range planning tool for future improvements, serve as a guide for community enhancements, detail potential land uses for the site, and examine capability for expanded recreation opportunities while preserving reservoir aesthetics and maintaining current and future LADWP operational needs. The Master Plan was completed in December 2020.

To further study the Master Plan components and allow projects at the SLRC to be competitive for funding and to proceed to construction, an EIR is required. On February

9, 2021, the LADWP Board approved Amendment No. 1 to the original MOA to complete the EIR, with the remaining funds of the Master Plan, and extended the MOA until September 12, 2023.

PROJECT DESCRIPTION

The primary objective of the proposed Project is to create a clear, bold design that repurposes the SLRC into a public park, while preserving and enhancing its unique character and significantly improving the habitat value of the reservoirs and surrounding landscape. The underlying purpose of the Project is to put the SLRC to a beneficial public park use because it is not usable for storing potable water, unless significant alterations are made to comply with current government regulations. Because LADWP intends to maintain the reservoirs for other purposes, including maintaining the dams, the proposed Project would use the reservoirs as part of a park to benefit Angelenos.

The proposed Project would redevelop the SLRC with a contemporary design that would create park zones blending vegetated areas with public spaces. The design would enhance the visual and recreational quality of the area to be consistent with goals and objectives of the Community Plan and provide the opportunity for the public to access natural park space. None of the existing public park facilities within the SLRC would be removed, rather public spaces and facilities would be expanded, renovated, and redesigned to improve visitor experience, including the perimeter walking path/promenade. The proposed Project would impact approximately 116 acres of the 127-acre SLRC, including the approximately 77 acres of open water. The existing area would be organized into a series of new spaces (park zones) surrounding the reservoirs. The proposed Project design would consist of seven park zones connected by a 2.5-mile, tree-lined promenade. These zones would include the Meadow, the Knoll, Ivanhoe Reservoir, the Eucalyptus Grove, the East and West Narrows, the South Valley, and Habitat Islands.

The proposed Project would remove portions of the existing perimeter fence over time as the park zones are constructed while maintaining or introducing new fencing needed to secure existing LADWP facilities, protect habitat, and protect the public. Fences around LADWP facilities would be approximately 8 feet high and with a minimum 6-inch clear zone along the bottom for small mammals to pass through. The proposed Project would include offsite improvements along areas surrounding the SLRC. One improvement would include the addition of 90-degree parking along the north side of West Silver Lake Drive, east of Redesdale Avenue along the grassy area adjacent to the Silver Lake Recreation Center. Trees would be avoided along this area and parking would be added in a way that it would not encroach on trees. Currently, there are 10 parallel parking spaces along this segment of West Silver Lake Drive. Converting to 90-degree parking would result in a total of approximately 25 parking spaces, thus adding a net increase in parking of approximately 15 spaces at this location. Two of the new parking spaces would be dedicated to electric vehicle (EV) parking.

Additionally, offsite improvements would occur along Silver Lake Boulevard, between Armstrong Avenue and Duane Street for a length of approximately 3,000 feet. Design

Option 2, as discussed in the Draft EIR, would include restriping along Silver Lake Boulevard with improvements to the bike lane only and no addition of street parking.

SUMMARY OF ENVIRONMENTAL REVIEW PROCESS

Scoping

A Notice of Preparation (NOP) was circulated to various responsible agencies, trustee agencies, and interested parties for a 30-day scoping period, between January 6, 2022, and February 7, 2022. The NOP was mailed to a total of approximately 6,500 properties within a 0.5-mile radius of the proposed Project area. In addition, it was emailed to approximately 1,100 stakeholders. The NOP was also published in the LA Times, La Opinion, and the Eastsider. The purpose of the NOP was to formally announce the preparation of a Draft EIR for the proposed Project, and that, as the lead agency, the City was soliciting input regarding the scope and content of the environmental information to be included in the EIR.

A virtual public meeting was held during the scoping period on January 19, 2022, from 6:00 p.m. to 7:30 p.m., via Zoom. A total of 206 comment letters were received in response to the NOP and 26 verbal comments were obtained during the NOP scoping meeting. The following environmental concerns were raised during the scoping period and were addressed during the preparation of the Draft EIR: Removal of the perimeter security fencing and related concerns regarding homeless encampments, public safety, and impacts to wildlife; Increased parking and traffic circulation on local streets; Pedestrian connections and pedestrian safety; Connectivity with the bike network and cyclist safety; Potential impacts to habitat and tree removals; Noise impacts from construction activities and amplified sound during special events.

Draft EIR

The Draft EIR was circulated for a 70-day public review period starting on October 6, 2022 and ending on December 16, 2022. Notice of the availability of the Draft EIR was published in the LA Times, La Opinion, and Eastsider, and mailed to approximately 1,100 stakeholders. In addition, an eBlast was sent to over 3,000 additional interested parties. A virtual public meeting was held in English and Spanish on October 26, 2022, via Zoom at 6:00 pm. The proposed Project includes 34 project design features that were incorporated during the design process to exhibit best practices and be responsive to stakeholder concerns. In addition, 22 mitigation measures are included to reduce environmental impacts to the greatest extent feasible.

The Draft EIR found that the proposed Project would result in less than significant impacts after mitigation is implemented for aesthetics, air quality, biological resources, cultural resources, geology and soils, vibration – structural damage, tribal cultural resources, and utilities. The EIR identifies feasible mitigation measures that would reduce these impacts to less than significant.

In the Draft EIR, the only resource areas that were found to have significant and unavoidable impacts, even after the implementation of mitigation measures, were noise

and vibration and recreation. Noise impacts during construction and vibration impacts from construction activities with respect to human annoyance would continue to be significant and unavoidable, even with the implementation of mitigation. Operational noise impacts associated with amplified music from special events would also be significant and unavoidable, even with the implementation of mitigation. The proposed Project would also have significant and unavoidable construction and operational (during special events) impacts related to recreational facilities due to the significant and unavoidable impacts associated with noise. In addition, there would be cumulative impacts related to construction noise and operational noise related to amplified sound during special events that would remain significant and unavoidable, despite implementation of mitigation measures.

Final EIR

Over 900 comments were received on the Draft EIR. The Final EIR includes the comments received and responses from the City. Master responses were prepared on key topics that were commonly raised among the comments on the Draft EIR, which include the following: Community Engagement Process, Fence Removal, Homelessness, Traffic/Transportation, including the Parking/Bike Option off-site improvements, Biological Resources, Noise, Public Safety, Drought Conditions, Funding and Operations, Alternatives, and EIR Recirculation Requirements.

Chapter 3 of the Final EIR includes revisions that were made to the proposed Project. As a result of the agency and public feedback received on the Draft EIR, the following modifications were made: 1) two pedestrian-activated flashing beacon crossings along West Silver Lake Drive at the corner of Silver Lake Boulevard and Armstrong Avenue would be converted to high visibility crosswalks; 2) The City would implement Option 2, the Bike-Only offsite improvement along Silver Lake Boulevard. Street parking would not be included; 3) The floating dock and kayaking opportunities have been removed from the proposed Project; 4) The option to have amplified sound during special events has been removed. Due to the removal of amplified speaker use from proposed Project operations, the significance determinations related to operational noise and operational impacts to recreation have been reduced to less than significant.

The Final EIR found that the proposed Project would result in less than significant impacts after mitigation is implemented for aesthetics, air quality, biological resources, cultural resources, geology and soils, vibration – structural damage, tribal cultural resources, and utilities. The EIR identifies feasible mitigation measures that would reduce these impacts to less than significant.

The Final EIR finds that even with the implementation of all feasible mitigation measures, the proposed Project would still result in significant and unavoidable impacts to construction noise and vibration, with respect to human annoyance. Cumulative noise impacts related to construction, along with impacts to recreational facilities from construction noise and vibration would also be significant and unavoidable. As such, the proposed Project requires that the Findings and Statement of Overriding Considerations be adopted by the City Council to approve the Project.

As discussed in the Final EIR, in November 2022, the LADWP Board adopted a resolution (No. 023 097) that directed LADWP staff to “provide the Board with a status report pertaining to water usage at non-operating reservoirs, lakes, ponds, and other water features on LADWP properties,” which would include the SLRC. In addition, the resolution directed LADWP staff to “develop a policy for filling and re-filling of non-operating reservoirs and other LADWP properties containing ponds, lakes, and other water features, that (1) is consistent with state and local mandates and policies regarding the reasonable and beneficial use of water, particularly in times of drought; (2) allows LADWP to properly maintain its non-operating reservoirs and the related real property for Departmental purposes, including for emergencies and future water storage; and (3) requires improvements or projects on LADWP properties to be self-sustainable, where feasible.” As part of its duties to manage the water supply, in particular in times of drought or other water emergencies, LADWP conducts future reviews of water resources, and has determined after review that currently there is no feasible alternate source of water for the SLRC. Previously, LADWP directed BOE to analyze the proposed Project using the non-potable Pollock Well # 3 as the water source for the reservoirs, which met prior LADWP CEQA actions that would maintain water in the reservoirs. As of preparation of this Final EIR, any proposed, new non-operating reservoirs and water features policy has not been considered by the LADWP Board; however, LADWP is subject to state and local conservation mandates and policies that may impact the filling and refilling of the reservoirs during periods of drought and other emergencies.

The proposed Project analyzes impacts based on current baseline conditions as required by CEQA. Specifically, the Draft EIR on page 2-4 described historic operational water level elevations “between 440 – 451 above mean sea level” and acknowledged that future water levels may fluctuate depending on operational considerations and groundwater conditions, such as drought conditions or other emergencies identified by local, state, or federal agencies.

The Final EIR clarifies that if, in the future, LADWP takes an action consistent with any adopted policy that conflicts with current baseline conditions related to refilling of the Silver Lake and Ivanhoe Reservoirs, beyond exceptions outlined in Section 2.7.4 of the Draft EIR for drought and other emergency conditions, a new CEQA assessment to analyze the impacts to the changing operational reservoir water levels would be necessary.

The Findings are based on information contained in the Draft EIR and Final EIR, as well as information contained within the administrative record. The administrative record includes, but is not limited to, the public hearing records, public notices, written comments on the proposed Project and Alternatives and responses to those comments, proposed decisions and the findings on the proposed Project and alternatives, and other documents relating to the agency decision on the proposed Project and alternatives.

Project Alternatives

In accordance with the requirements of CEQA, the EIR describes a range of reasonable alternatives to the proposed Project that could feasibly attain most of the objectives of the proposed Project but would avoid or substantially lessen any significant environmental

impacts. The No Project Alternative (Alternative 1), Reduced Project Alternative (Alternative 2), and Silver Lake Natural Lands and Open Space Preserve Alternative (Alternative 3) were analyzed in detail in the Draft EIR. The Environmentally Superior Alternative was found to be Alternative 2, due to the removal of buildings and structures and reduced construction. Although Alternative 2 would be the Environmentally Superior Alternative, it would not achieve the objectives for the Project to the same extent as the proposed Project. Therefore, the proposed Project is recommended because it best meets the project objectives.

In addition, other alternatives were considered but rejected from further consideration. The Recreation Focused Alternative, which included more intensive active recreational uses identified in the SLRC Master Plan, along with public water activities, such as boating and swimming, was considered and rejected. This alternative was rejected and not considered further because it did not reduce any of the proposed Project's significant impacts, would increase operational noise impacts, and would not meet the Project Objectives of enhancing and expanding wildlife habitat. Another project alternative, Alternative Project Site, was also considered and rejected because it did not fulfill the fundamental Project objective to repurpose the site. Hybrids of the evaluated alternatives were also considered but rejected because they did not result in a substantially different conclusion when comparing environmental impacts and meeting the project objectives relative to the proposed Project and the alternatives considered.

FISCAL IMPACT

Approval of the proposed Project and certification of the EIR does not have a direct fiscal impact as there is no obligation of funding. However, it does enable fundraising efforts to be initiated while funding sources are pursued. Upon certification of the EIR, the City would work to identify a site operator and potential sources of funding for design and construction, such as Federal, State, and City special funds, general funds, and grant funding. Non-profit grants and donations may also be potential sources of funding. It is possible that the proposed Project would be implemented in phases, as funding is secured.

Respectfully submitted,


A rectangular box containing a handwritten signature in blue ink. Below the signature, the text "boxSIGN" and "1V19/7P1-1710UJ2Z" are visible.

for

Ted Allen, P.E.
City Engineer

TA/DW/JF/SF/JGR:WD:ja

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SLRCMP Project EIR 07-17-2023.pdf

Attachments:

1. Silver Lake Reservoir Complex Master Plan Project Final Environmental Impact Report (State Clearinghouse No. 2022010055), dated July 2023
Link: <https://eng2.lacity.org/sites/g/files/wph726/f/FinalEnvironmentalImpactReport.pdf>
2. Findings of Fact and Statement of Overriding Considerations
3. Mitigation Monitoring Program

cc: Randall Winston, Office of the Mayor
Ryan Jackson, Office of the Mayor
Councilmember Nithya Ramen, CD 4
Councilmember Hugo Soto-Martinez, CD 13
Aura Garcia, Board of Public Works
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Katherine Rubin, Los Angeles Department of Water and Power
Kathryn Laudeman, Los Angeles Department of Water and Power
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CEQA FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

Introduction

The Environmental Impact Report (EIR) prepared by the City of Los Angeles (City) for the Silver Lake Reservoir Complex Master Plan Project (proposed Project) analyzes the potential environmental effects associated with the redesign of approximately 116 acres of the 127-acre Silver Lake Reservoir Complex (SLRC) with community park amenities, which includes the City constructing various community park facilities and allowing some new public park uses within portions of the SLRC.

These findings have been prepared to comply with requirements of the California Environmental Quality Act (CEQA), California Public Resources Code Sections 21000 through 21189.57, and CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3. Pursuant to Public Resources Code Section 21081, and CEQA Guidelines, Section 15091, no public agency shall approve or carry out a project for which an EIR has been certified that identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings that must be supported by substantial evidence in the record are as follows:

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

Environmental Review Process

A Notice of Preparation (NOP) was prepared pursuant to Section 15082 of the CEQA Guidelines, to notify agencies and interested parties that the City will be preparing a Draft EIR to evaluate potential environmental impacts of the proposed Project (see Appendix A of the Draft EIR). The NOP was also posted by the County Clerk in Los Angeles and was mailed on January 6, 2022, to a total of approximately 6,500 properties within an approximately 0.5-mile radius of the proposed Project area. In addition, the NOP was mailed to 23 interested parties, including local, state, and federal agencies and tribes, and emailed to a total of approximately 1,100 agencies, interested parties, groups, or individuals who had previously expressed interest in the proposed Project. A

Notice of Completion (NOC) was prepared by the City and uploaded to the State Clearinghouse website, and information on the proposed Project was posted on the CEQAnet Database. The NOP was made available online at the City’s website and at two public libraries: Silver Lake Branch Library at 2411 Glendale Boulevard in Los Angeles, and the Los Angeles County City Terrace Library at 4025 East City Terrace Drive in Los Angeles. The NOP was published in the Los Angeles Times on January 6, 2022, and La Opinión on January 9, 2022, and available on the EastSider, a neighborhood news blog and website, for the duration of the 30-day scoping period starting January 6, 2022.

Similarly, after completion of the Draft EIR, an NOC was prepared along with a Notice of Availability of a Draft EIR (NOA) by the City and uploaded to the State Clearinghouse website and posted with the Los Angeles County Clerk. The public comment period started on October 6, 2022, and was extended through December 16, 2022. The NOA was made available online at the City’s website, and the same two public libraries. The NOA was published in the Los Angeles Times on October 6, 2022, and La Opinión on October 9, 2022, and available on the EastSider for the duration of the public comment period. In addition, the NOA was mailed to approximately 1,100 agencies, interested parties, groups, or individuals who had previously expressed interest in the proposed Project, and an eBlast was sent to over 3,000 additional interested parties. A virtual public comment meeting was held in English and Spanish on October 26, 2022 to present the proposed Project, discuss the findings of the Draft EIR, and obtain verbal comments from the public.

Record of Proceedings

For the purposes of CEQA and these findings, the record of the administrative proceedings for the proposed Project includes, but is not limited to, the following:

| | |
|--------------------------------------|------------------|
| Notice of Preparation | January 6, 2022 |
| Public Scoping Meeting | January 19, 2022 |
| Draft EIR and Notice of Availability | October 6, 2022 |
| Draft EIR Public Meeting | October 26, 2022 |
| Final EIR | July 19, 2023 |

Pursuant to CEQA Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City has based its decision are located in and may be obtained from the Office of the City Clerk, 200 North Spring Street, 3rd Floor, Los Angeles, CA; the Bureau of Engineering, 1149 South Broadway, Suite 600, Los Angeles CA; and any other relevant City department.

Project Summary

The proposed Project would re-develop the SLRC with a contemporary design that would create park zones blending vegetated areas with public spaces. The design would enhance the visual and recreational quality of the area to be consistent with goals and objectives of the Silver Lake–Echo

Park–Elysian Valley Community Plan (Community Plan) and provide the opportunity for the public to access natural park space. None of the existing public park facilities within the SLRC would be removed; rather, public spaces and facilities would be expanded, renovated, and redesigned to improve visitor experience, including the perimeter walking path/promenade. The proposed Project would impact approximately 116 acres of the 127-acre SLRC, including approximately 77 acres of open water. The existing area would be organized into a series of new spaces (park zones) surrounding the reservoirs. The proposed Project design would consist of seven park zones connected by a 2.5-mile, tree-lined promenade. These zones would include the Meadow, the Knoll, Ivanhoe Reservoir, the Eucalyptus Grove, the East and West Narrows, the South Valley, and Habitat Islands.

The proposed Project would remove portions of the existing perimeter fence over time as the park zones are constructed while maintaining or introducing new fencing needed to secure existing Los Angeles Department of Water and Power (LADWP) facilities, protect habitat, and protect the public. Fences around LADWP facilities would be approximately 8 feet high and with a minimum 6-inch clear zone along the bottom for small mammals to pass through.

The proposed Project would include off-site improvements along areas surrounding the SLRC. One improvement would include the addition of 90-degree parking along the north side of West Silver Lake Drive, east of Redesdale Avenue along the grassy area adjacent to the Silver Lake Recreation Center. Trees would be avoided along this area and parking would be added in a way that it would not encroach on trees. Currently, there are 10 parallel parking spaces along this segment of West Silver Lake Drive. By converting to 90-degree parking, a total of approximately 25 parking spaces would be added, resulting in a net increase in parking of 15 spaces at this location. Two of the new parking spaces would be dedicated to electric vehicle (EV) parking.

Additionally, bike lane improvements would occur along Silver Lake Boulevard, between Armstrong Avenue and Duane Street for a length of approximately 3,000 feet. The final configuration for the bike lane improvements along this area would be determined by a design committee during the development of final design drawings, which would include other City entities such as City Planning, City of Los Angeles Department of Transportation (LADOT), and the local Council Districts, to determine the final configuration.

Project Objectives

As set forth in Chapter 2, *Project Description*, of the Draft EIR, the fundamental objective of the proposed Project is to create a clear, bold design that repurposes the SLRC into a public park, while preserving and enhancing its unique character. The underlying purpose of the proposed Project is to put the SLRC to a beneficial public park use because it is no longer usable for storing potable water due to government regulations. Because LADWP is required to maintain the reservoirs for other environmental purposes, including maintaining the dams, the proposed Project would use the reservoirs as part of a park to benefit area residents.

Other objectives of the proposed Project are as follows:

- Preserve and enhance the unique character of the SLRC with increased points of access, improved internal circulation and access to the water's edge, and increased spaces for community and family gatherings.
- Expand existing active recreational uses and increase passive recreational uses.
- Enhance and expand wildlife habitat by introducing wetland and aquatic ecologies and improving upland habitat.
- Provide opportunities for the public to connect with nature and provide facilities for on-site environmental education and stewardship while limiting human/wildlife interactions through design and operations to protect habitat.
- Allow for continued underlying LADWP operations, access, and future use of designated areas of the site, thereby allowing continued use of the reservoirs and adjacent facilities that are intended to remain for proprietary use by LADWP.

Findings of Fact Required Under CEQA

Public Resources Code, Section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects.” The same provision states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” Section 21002 goes on to state that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mitigation measures and/or the design features and construction measures set forth in the Final EIR are included in the Mitigation Monitoring Program (MMP) adopted concurrently with these findings. The City will use the MMP to ensure compliance with proposed Project mitigation measures.

The CEQA Guidelines define a significant impact on the environment as “a substantial, or potentially substantial, adverse change in any of the physical conditions within an area affected by the projects, including land, air, water, flora, fauna, ambient noise, and objects of historic or aesthetic significance” (Section 15382). The Final EIR identified all potentially significant environmental effects resulting from implementation of the proposed Project. However, these significant effects can be fully mitigated through the adoption of feasible mitigation measures, except for temporary noise and vibration impacts during construction, and recreation impacts associated with those construction impacts. The Final EIR determined that the proposed Project will result in significant and unavoidable construction noise, vibration (human annoyance), and recreation impacts.

The findings provided in this document are based on substantial evidence in the entire record before the City. The references set forth in these findings to certain pages or sections of the

environmental documents for the proposed Project are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings. These findings do not attempt to describe the full analysis of each environmental impact contained in the Final EIR, its appendices, and additional documents in the case files for the proposed Project. Instead, a full explanation of these environmental findings and conclusions can be found in the Final EIR and those documents, and these findings hereby incorporate by reference and adopt the discussion and analysis in the Final EIR, its appendices, and additional documents in the case files for the proposed Project supporting the determination regarding the impacts of the proposed Project. In making these findings, the determinations and conclusions of the Final EIR relating to environmental impacts are hereby ratified, adopted, and incorporated in these findings, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings. In the event these findings inadvertently omit or inaccurately reflect facts stated in the Final EIR due to a clerical error, such statements are nevertheless hereby adopted and incorporated in the findings below by reference, and the language set forth in the Final EIR shall control.

Project Impacts

The analyses presented in Chapter 3 of the Draft EIR concluded that the proposed Project would result in no impact or a less-than-significant impact, without any required mitigation, for the following resource areas: agriculture and forestry resources, energy; greenhouse gas (GHG) emissions, hydrology and water quality, land use, population and housing, public services, transportation, and wildfire.

Based on comments received during the Draft EIR comment period, the City has decided to remove the option to have amplified speakers during special events as part of the proposed Project. Special events would still be allowed up to 12 times per year as detailed in the Draft EIR. Due to the removal of amplified speaker use from the proposed Project, the significance determinations related to operational noise in Section 3.12, *Noise and Vibration*, and operational impacts to recreation in Section 3.15, *Recreation and Parks*, of the Draft EIR have been reduced to less than significant.

Chapter 3 of the Final EIR identifies revisions, clarifications, and corrections as a result of the responses to public and agency comments received on the Draft EIR, new information that has become available since publication of the Draft EIR, or due to recognition of inadvertent errors or omissions.

Significant Adverse Impacts Mitigated to Less-than-Significant Levels Under CEQA

Having reviewed and considered the information contained in the Final EIR, and the proposed Project as designed and proposed for approval, the City did find that several significant adverse impacts (from construction or implementation of the proposed Project) were able to be avoided or reduced through implementation of feasible mitigation measures pursuant to Public Resources

Code Section 21081 and CEQA Guidelines Section 15091 (a)(1). Significant adverse impacts not mitigated to less-than-significant levels are discussed below.

The analyses presented in Chapter 3 of the Draft EIR concluded that the proposed Project would result in a less-than-significant impact with mitigation incorporated, for the following resource areas: aesthetics; air quality; biological resources; cultural resources; geology, soils, and minerals; hazards and hazardous materials; tribal cultural resources; and utilities and service systems.

Significant and Unavoidable Adverse Impacts Under CEQA

Having reviewed and considered the information contained in the Final EIR and the record of proceedings, and pursuant to Public Resources Code Section 21081 and CEQA Guidelines Sections 15093 and 15091(a)(3), the City adopts the following findings regarding the significant and unavoidable effects of the proposed Project.

The following significant and unavoidable effects of the proposed Project impacts were found to occur. The below findings are appropriate because there are no feasible mitigation measures available that would reduce the identified effects to below a level of significance. “Feasible” is defined in Section 15364 of the CEQA Guidelines to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” Section 15019(a)(3) of the CEQA Guidelines also provides that “other” considerations may form the basis for a finding of infeasibility.

Noise and Vibration

Significant Adverse Environmental Impacts (Noise Standards):

As described under Impact 3.12-1 (pp. 3.12-30 to 3.12-39 of the Draft EIR), construction activities would generally include demolition, site grading, trenching, excavation, paving, landscaping, building construction, and off-site improvements. For the purposes of the environmental analysis, the following park zones are assumed to be constructed simultaneously within groupings, with the second grouping constructed sequentially after the first:

1. Ivanhoe Overlook, the Eucalyptus Grove, Habitat Islands, the Knoll, the Meadow (1st half).
2. The East and West Narrows, the South Valley, Ivanhoe Spillway and Promenade, the Meadow (2nd half), and off-site improvements.

Construction noise levels on the proposed Project site and at noise-sensitive receptors would fluctuate depending on the particular type, number, and duration of use of the various pieces of construction equipment. Over the course of a construction day, the highest noise levels would be generated when multiple pieces of construction equipment are being operated concurrently. The proposed Project’s estimated construction noise levels were calculated for a scenario in which all pieces of construction equipment would operate simultaneously, with the loudest type of equipment located at the construction area nearest to the affected receptors to present a conservative impact analysis. The modeled worst-case construction scenario is presented in Table 3.12-11 and Table 3.12-12 in Section 3.12 of the Draft EIR. As shown, construction noise levels

would exceed the threshold of 5 dBA (i.e., A-weighted decibels) over ambient noise levels at noise-sensitive receptors R1 through R5, R7, and R8 for the first park zone grouping and at R1 through R8 for the second park zone grouping. Based on the modeled worst-case construction scenario presented in Table 3.12-11 and Table 3.12-12, the proposed Project could potentially exceed applicable thresholds, and impacts would be potentially significant¹.

Project Design Features:

PDF-NOISE-1: Haul Route. Prior to commencement of construction and operational maintenance activities, the City shall establish approved truck haul routes that avoid or minimize, to the extent feasible, unnecessary truck travel on local roadways through residential neighborhoods or adjacent to schools, and prioritize travel on collector and arterial streets.

PDF-NOISE-2: Construction Noticing and Community Liaison. Prior to commencement of construction activities, the City shall notify in writing adjacent residents and businesses along the Project route or worksite of proposed construction activities and the tentative schedule. The City shall require the construction contractor to designate a community liaison to respond to any issues and/or concerns related to construction activities, including any noise or vibration complaints. The community liaison shall maintain a log of communications and resolutions of issues or concerns and share the log with the City. Notices and construction signs will include a hotline and website address which will be updated quarterly and will include project-related information.

Mitigation Measures:

NOISE-1: Equipment Controls. Noise and vibration construction equipment whose specific location on the Project site may be flexible (e.g., compressors and generators) shall be located away from the nearest off-site noise-sensitive land uses (at least 100 feet away) if sufficient distance on the implementing Project site is available. If 100 feet is not feasible, the equipment shall have natural and/or manmade barriers (e.g., berms, intervening construction trailers, etc.) or a noise enclosure around the specific equipment location that screens the receptor from propagation of noise from such equipment. The barrier and/or enclosure shall block the line-of-site from the construction equipment to any similarly elevated noise-sensitive receptors. Noise enclosures shall provide sufficient space and gate access as needed for the safe operation of equipment, construction activities, material deliveries, and equipment access by construction personnel. A noise enclosure is not required if it would pose a safety risk or unreasonably prevent access to the construction equipment as deemed by the on-site construction manager such as in areas that have limited equipment maneuvering space or access. The contractor shall provide documentation verifying compliance with this measure.

NOISE-2: Mobile Noise Barriers. For construction areas within 500 feet of a residential land use or other sensitive receptor, the contractor shall install temporary noise barriers between the active construction area and the off-site noise-sensitive receptors. The mobile noise barriers shall achieve sound level reductions of a minimum of 10 dBA between the Project construction sites and the sensitive receptor location. These

¹ ESA, *CEQA Findings of Fact – Significant and Unavoidable Noise and Groundborne Vibration Impacts with Implementation of Feasible Mitigation Measures Memorandum*. 2023.

temporary noise barriers shall be used to block the line-of-sight between the construction equipment and similarly elevated ground-level noise-sensitive receptors. The barriers should allow for repositioning in order to block the noise at the sensitive receptor as construction activities move along the Project boundary. A noise barrier is not required if it would pose a safety risk or unreasonably prevent access to the construction area as deemed by the on-site construction manager such as in areas that have limited equipment maneuvering space or access. Any barrier capable of a reduction greater than 10 dBA would require greater height and heavier noise insulation which would make mobility of the barrier infeasible and cause safety concerns related to barrier stability. Further, noise barriers would only be effective if they block the line-of-sight to sensitive receptors. The elevation of the surrounding area increases quickly and receptors within the vicinity of all identified sensitive receptors may still have a direct line-of-sight to the Project site and may not benefit from the use of a mobile noise barrier. The contractor shall provide documentation verifying compliance with this measure.

NOISE-3: Construction Equipment Noise Shielding and Muffling Devices.

Contractors shall ensure that all construction equipment, fixed or mobile, are equipped with properly operating and maintained noise shielding and muffling devices, consistent with manufacturers' standards. Prior to the issuance of demolition permits, certification of muffler installation shall be submitted to the applicable City for review. The construction contractor shall keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturers' specifications. The primary source of noise from construction equipment originates from the intake and exhaust portions of the engine cycle. According to FHWA, use of adequate mufflers systems can achieve reductions in noise levels of up to 10 dBA.² The contractor shall use muffler systems that provide a minimum reduction of 10 dBA compared to the same equipment without an installed muffler system, reducing maximum construction noise levels. Contractors shall include the muffler requirements in contract specifications. The contractor shall also keep documentation on-site prepared by a noise consultant verifying compliance with this measure. Mufflers providing a noise reduction greater than 10 dBA would be technically infeasible or cost prohibitive given the current best available technologies. Further, mufflers are only effective on equipment with internal combustion engines and would not result in noise reductions for hand tools and other light-duty construction equipment. Therefore, NOISE-3 incorporates muffling devices to the maximum extent feasible.

Finding:

Pursuant to CEQA Guidelines Section 15091(a)(1), changes or alterations have been required or incorporated into the proposed Project that will avoid or substantially lessen the significant environmental effects associated with construction noise as identified in the EIR.

Pursuant to CEQA Guidelines Section 1509(a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR.

² FHWA, *Special Report – Measurement, Prediction, and Mitigation*, Chapter 4 Mitigation, https://www.fhwa.dot.gov/Environment/noise/construction_noise/special_report/hcn04.cfm. Accessed July 16, 2021.

Facts in Support of Findings:

While implementation of Mitigation Measures NOISE-1 through NOISE-3 would reduce noise levels and associated impacts at noise-sensitive receptors, noise levels could still exceed local jurisdiction significance thresholds when taking into account the potential worst-case overlap of the various construction phases as shown in Table 3.12-11 and Table 3.12-12, in Section 3.12 of the Draft EIR. Table 3.12-14 and Table 3.12-15 in the Draft EIR show the construction noise levels at each receptor after the implementation of Mitigation Measures NOISE-1 through NOISE-3. All receptors would experience a 10 dBA noise level reduction from implementation of muffling devices under Mitigation Measure NOISE-3. Mufflers under Mitigation Measure NOISE-3 providing a noise reduction greater than 10 dBA would be technically infeasible or cost prohibitive given the current best available technologies. Further, mufflers are only effective on equipment with internal combustion engines and would not result in noise reductions for hand tools and other light-duty construction equipment. Therefore, NOISE-3 incorporates muffling devices to the maximum extent feasible. Noise barriers implemented under Mitigation Measure NOISE-2 are assumed to reduce noise levels by 10 dBA at receptors where a noise barrier would block the line-of-sight between the receptor and the proposed Project site (e.g., R1 through R4, R6, and R8). However, the elevation of the surrounding residential areas increases moving away from the proposed Project site, and elevated receptors may still have a direct line-of-sight to the proposed Project site and may not benefit from the installation of a noise barrier. Noise barriers are not capable of blocking noise at noise-sensitive receptors that are elevated above a construction work site, such as residential units that are above grade of the proposed Project site. It is not feasible to install noise barriers with height sufficient to block the line-of-sight for all noise-sensitive receptors located at higher elevation residential units due to barrier foundation and wind load restrictions.

Because there could be receptors elevated above the construction work sites throughout the proposed Project area within the upper levels of a noise-sensitive receptor building (R1 through R8), construction noise would represent a temporary noise increase in excess of standards for receptors R1, R2, R3, R4, R6, and R8, and would be a significant and unavoidable impact. The City did not identify any other feasible mitigation available to render the effects less than significant. The City concludes, however, that the proposed Project's benefits outweigh its significant and unavoidable impacts, as set forth in the *Statement of Overriding Considerations*, below.

Chapter 3, *Revisions, Clarifications, and Corrections to the Draft Environmental Impact Report*, of the Final EIR further clarifies on page 3-31 that the predicted noise levels at the nearest receptors would not exceed 85 dBA, with the exception of occasional use of concrete saws and operation of individual pieces of construction equipment. Consequently, the significant and unavoidable noise impact is not generated by virtue of noise levels that would be considered harmful but, rather, as a result of the magnitude of the increase over existing ambient noise levels without construction at certain receptor locations. Therefore, proposed Project construction noise would not result in adverse health effects related to pain, the onset of hearing loss, or other significant health effects.

Significant Adverse Environmental Impacts (Groundborne Vibration-Human Annoyance):

As described under Impact 3.12-2 (pp. 3.12-53 through 3.12-56 of the Draft EIR), the proposed Project could potentially exceed applicable thresholds for human annoyance related to groundborne vibration. Table 3.12-24 provides the estimated vibration levels at the off-site sensitive uses due to construction equipment operation and compares the estimated vibration levels to the specified significance criteria for human annoyance. As shown, the estimated groundborne vibration levels from off-road construction equipment would exceed the significance criteria for human annoyance at the adjacent sensitive-receptor locations V1, V2, and V4 through V7. Therefore, potential vibration impacts with respect to human annoyance that would result from temporary vibration from off-road construction equipment would be significant prior to the implementation of mitigation measures at sensitive-receptor locations V1, V2, and V4 through V7.

Finding:

Pursuant to CEQA Guidelines Section 1509(a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR.

Facts in Support of Findings:

As stated in the significance determination on page 3.12-56 of the Draft EIR, impacts regarding human annoyance at nearby sensitive receptors could exceed the significance thresholds (72 VdB [decibel notation] at residential uses). Potential mitigation measures to reduce vibration impacts from on-site construction activities with respect to human annoyance include the installation of a wave barrier, which is typically a trench or a thin wall made of sheet piles installed in the ground (essentially a subterranean sound barrier to reduce noise). However, wave barriers must be very deep and long to be effective and are not considered feasible for temporary applications, such as proposed Project construction. Constructing a wave barrier to reduce the proposed Project's construction-related vibration impacts would, in and of itself, generate groundborne vibration from the excavation equipment. In addition, it is not possible to prohibit the use of construction equipment within certain distances of sensitive receptors as such equipment would be required to construct the various proposed Project components at the proposed locations. Thus, it was concluded that there are no feasible mitigation measures that could be implemented to reduce the temporary vibration impacts from on-site construction associated with human annoyance at the vibration-sensitive receptors. Therefore, vibration impacts from proposed Project construction activities with respect to human annoyance would be significant and unavoidable. The City concludes, however, that the proposed Project's benefits outweigh its temporary significant and unavoidable impacts during construction, as set forth in the *Statement of Overriding Considerations* below.

Recreation**Significant Adverse Environmental Impacts (Recreational Facilities):**

As described under Impact 3.15-3 (pp. 3.15-15 and 3.15-16 of the Draft EIR), the proposed Project is itself a recreational facility, and thus the impacts associated with recreational facilities

are analyzed throughout Chapter 3, *Environmental Setting, Impact Analysis, and Mitigation Measures*, of the Draft EIR. With implementation of all proposed Project design features listed in Chapter 2, *Project Description*, Section 2.5.8, *Project Design Features* (pp. 2-34 through 2-40 of the Draft EIR), and mitigation measures listed in Executive Summary Table ES-1 of the Draft EIR, all impacts from the proposed Project except for those related to construction noise and vibration would be less than significant. The Draft EIR concluded that impacts related to noise levels at sensitive receptors and vibration (human annoyance) would remain following implementation of mitigation measures, as discussed above and in Section 3.12 of the Draft EIR, *Noise and Vibration*.

Finding:

Pursuant to CEQA Guidelines Section 15091(a)(1), changes or alterations have been required or incorporated into the proposed Project that will avoid or substantially lessen the significant environmental effects associated with construction noise and vibration as identified in the EIR.

Pursuant to CEQA Guidelines Section 1509(a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR.

Project Design Features:

Implement PDF-NOISE-1 and PDF-NOISE-2, as shown above.

Mitigation Measures:

Implement Mitigation Measures NOISE-1 through NOISE-3, as shown above.

Facts in Support of Finding:

While implementation of Mitigation Measures NOISE-1 through NOISE-3 would reduce noise and vibration levels and associated impacts at sensitive receptors, to the extent feasible, temporary noise and vibration impacts (associated with human annoyance) during construction would be significant and unavoidable even after mitigation is applied. Facts in support of this finding are described above under *Significant and Unavoidable Adverse Impacts Under CEQA, Noise and Vibration*, with relevant conclusions from the Draft EIR incorporated therein by reference.

The City did not identify any feasible mitigation available to render temporary noise and vibration (human annoyance) effects less than significant. The effects therefore remain significant and unavoidable. The City concludes, however, that the proposed Project's benefits outweigh its significant and unavoidable impacts, as set forth in the *Statement of Overriding Considerations* below.

Cumulative Impacts

Cumulative impacts on aesthetics; agriculture and forestry resources; air quality; biological resources; cultural resources; energy; geology, soils, and mineral resources; GHG emissions; hazards and hazardous materials; hydrology and water quality; land use; population and housing;

public services; transportation; tribal cultural resources; and wildfire were found to be less than significant or less than significant with mitigation.

Significant Adverse Environmental Impacts (Construction Noise):

The proposed Project's contribution to cumulative impacts would be less than significant with implementation of mitigation measures, except for impacts to noise levels at nearby sensitive receptors during construction, which would remain significant and unavoidable despite implementation of feasible mitigation measures. It should be noted that only cumulative impacts related to on-site construction noise and associated sensitive receptors would remain significant and unavoidable. As shown in Table 3.12-13 of the Draft EIR, the proposed Project would not result in any significant off-site construction noise impacts due to construction trips. Further, based on revisions included in Chapter 3 of the Final EIR, operational noise and vibration impacts would be less than significant with implementation of Mitigation Measure NOISE-4.

As discussed under Impact 3.12-4 (pp. 3.12-57 through 3.12-60 of the Draft EIR), noise from the construction of two development projects within 1,000 feet of each other can contribute to a cumulative noise impact for receptors located midway between the two construction sites. As described on page 3.12-57 of the Draft EIR, Related Projects No. 4, No. 12, and No. 13 are located within 1,000 feet of the proposed Project site. Of those three related projects, the discussion under Impact 3.12-4 states that only one project (Related Project No. 4, the 2280 North Glendale Boulevard Project) would have the potential to create construction noise impacts to nearby sensitive receptors should its construction schedule overlap with the construction of the proposed Project. Residences located at the corner of Tesla Avenue and Armstrong Avenue Drive and residential receptors along Armstrong Avenue and Silver Lake Boulevard are located between the proposed Project site and Related Project No. 4 and could be exposed to construction noise from both the proposed Project and the related project. Therefore, cumulative impacts related to on-site noise generation would be potentially significant.

Mitigation Measures:

Implement Mitigation Measures NOISE-1 through NOISE-3 above.

Finding:

Pursuant to CEQA Guidelines Section 15091(a)(1), changes or alterations have been required or incorporated into the proposed Project that will avoid or substantially lessen the significant environmental effects associated with construction noise and vibration as identified in the EIR.

The City did not identify any feasible mitigation available to render these cumulative effects less than significant. The cumulative effects therefore remain significant and unavoidable. The City concludes, however, that the proposed Project's benefits outweigh its significant and unavoidable impacts, as set forth in the *Statement of Overriding Considerations* below.

Facts in Support of Finding:

As discussed on page 3.12-57 of the Draft EIR, the estimated construction noise levels from the proposed Project could exceed the 5-dBA significance threshold and contribute to cumulative noise impacts if constructed simultaneously with Related Project No. 4 at 2280 North Glendale

Boulevard. While implementation of Mitigation Measures NOISE-1 through NOISE-3 would reduce noise levels and associated impacts at noise-sensitive receptors during construction, noise levels could still exceed local jurisdiction significance thresholds when taking into account the potential worst-case overlap of the various construction phases as shown in Table 3.12-11 and Table 3.12-12, in Section 3.12 of the Draft EIR, with cumulative noise that would be generated from potential simultaneous construction of Related Project No. 4.

Furthermore, as discussed above for *Significant and Unavoidable Adverse Impacts Under CEQA, Noise and Vibration*, noise barriers are not capable of blocking noise at noise-sensitive receptors that are elevated above a construction work site, such as residential units that are above grade of the proposed Project site. It is not feasible to install noise barriers with height sufficient block the line-of-sight for all noise-sensitive receptors located at higher elevation residential units due to barrier foundation and wind load restrictions. The City did not identify any feasible mitigation available to render the effects less than significant. The City concludes, however, that the benefits of the proposed Project outweigh its significant and unavoidable impacts, as set forth in the *Statement of Overriding Considerations*, below.

Land Use Findings

The City hereby finds that the proposed Project is in substantial conformance with the purposes, intent, and provisions of the City's Framework Element, the City of Los Angeles General Plan (General Plan), the Community Plan, as well as development standards in the Los Angeles Municipal Code's (LAMC) Planning and Zoning Code. The extent of the area that would be impacted, the nature and degree of impacts, and the type of land uses within that area are provided in Table 3.11-1, and discussed in Section 3.11, *Land Use*, Section 3.11.5, *Impacts and Mitigation Measures*, *Land Use Plans* (pp. 3.11-11 through 3.11-20) of the Draft EIR. In summary, the analysis concluded that the proposed Project is consistent with the adopted land use designation for the site in the Community Plan, the General Plan, and adopted environmental goals or policies contained in other applicable plans described in Table 3.11-1.

As discussed on page 3.11-19 of the Draft EIR, the proposed Project would be consistent with applicable provisions of the LAMC – which include Open Space Zoning. The entirety of the proposed Project area is zoned as Open Space (OS), which allows for the following applicable uses of the SLRC: parks and recreation facilities (including bicycle trails, walking trails, nature trails, park land/lawn areas, children's' play areas, child care facilities, picnic facilities, and athletic fields); public water supply reservoirs (uncovered) and accessory uses that are incidental to the operation and continued maintenance of such reservoirs; and water conservation and floodplain areas. The proposed Project would redesign existing park facilities. The zoning designation of the entire proposed Project area will not change with implementation of the proposed Project. The proposed uses would continue to be consistent with existing uses described above, which are permitted under the LAMC. Therefore, the proposed Project would not result in significant environmental impacts related to inconsistency with the LAMC's land use regulations. As such, impacts with respect to the land use provisions of the LAMC would be less than significant.

Project Alternatives

Where significant impacts are identified, Section 15126.6 of the CEQA Guidelines requires EIRs to consider and discuss alternatives to the proposed actions. Subsection (a) states:

- (a) An EIR shall describe a range of reasonable alternatives to the 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, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

Subsection 15126.6(b) states the purpose of the alternatives analysis:

- (b) Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

In Subsection 15126.6(c), the CEQA Guidelines describe the selection process for a range of reasonable alternatives:

- (c) The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.

The range of alternatives required is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed Project. Alternatives are limited to ones that would avoid or substantially lessen any of the significant effects of the proposed Project. Of those alternatives,

the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the proposed Project.

Based on the requirements of CEQA Guidelines Section 15126.6, the proposed Project objectives, and community input, a total of five project alternatives were identified during the EIR process. As described in Chapter 5, Section 5.3, *Alternatives to the Proposed Project*, of the five project alternatives, three alternatives – the required No Project Alternative (Alternative 1), Alternative 2, and Alternative 3 – were selected by the City to inform evaluation of the proposed Project in light of the significant and unavoidable impact of the proposed Project (i.e., construction noise and vibration and recreational facilities due to construction noise). For more information on the infeasibility of the two rejected alternatives and other hybrid alternatives, see *Alternatives Rejected from Further Consideration*, below. The findings regarding the alternatives are based on the Final EIR and the entire record of proceedings.

Based on the following analysis, and as further supported in Chapter 5, *Analysis of Alternatives*, and in Chapter 3, *Environmental Setting, Impact Analysis, and Mitigation Measures*, of the Draft EIR, the City finds, pursuant to CEQA Guidelines Section 15096(g)(2), that no feasible alternative or mitigation measure will substantially lessen all significant effect of the proposed Project, reduce the significant unavoidable impacts of the proposed Project to a level that is less than significant, or avoid any significant effect the proposed Project would have on the environment. Alternative 2 would reduce one significant and unavoidable impact of the proposed Project, vibration impacts as they relate to human annoyance, but would not reduce the two other impacts of noise during construction, and recreation. In addition, Alternative 2 would still result in a cumulative significant and unavoidable impact related to construction noise. Also, as set forth below, Alternative 2 would meet the project objectives to a lesser degree than the proposed Project.

Alternative 1 – No Project Alternative

Under the No Project Alternative, improvements to the SLRC would not occur and existing operations by LADWP and the City of Los Angeles Recreation and Parks Department (RAP) would continue. The Project site would not be redesigned with new community park amenities. The perimeter fence would not be removed, and additional areas within the SLRC would not be open to the public. The SLRC would remain as an enclosed facility, with public access limited to the existing areas managed by RAP. The existing amenities (the Meadow and South Valley Recreation Center facilities and Dog Park) would continue to be operated and maintained by RAP similar to existing conditions. Under the No Project Alternative, no wetland or upland habitat improvements, new lighting, pedestrian, or off-site improvements would occur. LADWP facilities would continue to operate under existing protocols, including maintenance of the dams and reservoirs. Access and use of existing facilities by LADWP would be maintained. Table 5-1 in Chapter 5, *Analysis of Alternatives*, of the Draft EIR provides a comparison of the proposed Project components to Alternative 1, No Project Alternative.

Impacts as Compared to the Proposed Project

Under Alternative 1, the proposed Project would not be implemented. Impacts to agriculture and forestry resources, land use and planning, and population and housing were analyzed to have similar impacts when compared with the proposed Project. Alternative 1 would result in fewer impacts than the proposed Project to the following resources areas, and it was analyzed that Alternative 1 would result in a significance determination of no impact to: aesthetics; air quality; biological resources; cultural resources; energy; geology, soils, and mineral resources; GHG emissions; hazards and hazardous materials; hydrology and water quality; noise; public services; recreation and parks; transportation; tribal cultural resources; utilities and service systems; and wildfire. The severity of the impacts resulting from Alternative 1 are summarized below.

Aesthetics

Under the No Project Alternative, no project components would be constructed, and the SLRC would continue to operate as under existing conditions. As such, no impacts to scenic vistas or scenic resources would result from this alternative since no construction or physical improvements would occur. However, the beneficial effect of the proposed Project relative to visual character and quality through an expanded and improved upland habitat with implementation of the Tree Succession Plan, improved recreational opportunities, and off-site safety improvements would not occur under Alternative 1. This alternative would avoid impacts associated with additional lighting and reflective surfacing of new structures. As such, overall, the No Project Alternative would result in fewer impacts than the proposed Project relative to aesthetics.

Air Quality

Under Alternative 1, no construction activities would be necessary and no addition of various community park facilities would occur. Accordingly, no additional air pollutant emissions would be generated by implementation of this alternative, and therefore no impacts to localized or regional construction emissions would occur. Similarly, given no net increase in air pollutant emissions, no impacts related to consistency with the Air Quality Management Plan (AQMP) would occur. Operational emissions associated with existing maintenance activities would continue. Impacts would be less than the proposed Project relative to air quality. At the same time, by not building the proposed recreational facilities, opportunities for vehicular trips to be replaced by trips by foot and bicycle would be reduced, which would potentially reduce any offsetting reduction in vehicular emissions and associated improvement in long-term air quality. In general, however, the No Project Alternative would result in fewer impacts than the proposed Project relative to air quality.

Biological Resources

Under the No Project Alternative, no new construction would occur and existing operations and maintenance activities would continue. Construction activities would not result in any physical changes to the environment. Additionally, the lack of physical impacts under this alternative would serve to avoid impacts to wildlife corridors and conflicts with local ordinances protecting biological resources. Construction impacts to biological resources would be less than under the proposed Project due to the lack of any physical development or ground disturbance or need for

tree removal. However, the proposed Project, which would result in the addition of approximately 500 trees to the Project site, and the proposed wetland and upland habitat improvements would not be realized. In general, however, the No Project Alternative would result in fewer impacts and fewer habitat improvements compared with the proposed Project.

Cultural Resources

Due to the lack of ground-disturbing activities or physical development under Alternative 1, no impacts to archaeological, paleontological, or historic resources would occur. Existing resources at the Project site, both known and undiscovered, would not be affected by implementation of this alternative. As such, impacts to cultural resources would be less than the proposed Project.

Energy

The No Project Alternative would not involve any changes to the Project site and would, therefore, not involve construction activities that have the potential to result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. Because the No Project Alternative would not introduce any new uses, there would be no change in energy consumption under this alternative, and no impacts would result related to energy. However, existing energy demands on site would be met with older, less energy-efficient fixtures. Therefore, the increased energy demand would be avoided, but the opportunity to increase energy efficiency would not occur. Impacts under the No Project Alternative may be slightly reduced compared to the proposed Project.

Geology, Soils, and Mineral Resources

The No Project Alternative would not result in any physical changes to the Project site and therefore would not have the potential to expose people or structures to increased risks associated with seismic ground shaking or seismic-related ground failure. Similarly, no impacts related to landslides, soil erosion, geologic stability, or alternative wastewater disposal systems would result from this alternative since no additional development would occur. This alternative would not result in any ground-disturbing activities, so no impact to paleontological resources or unique geologic features would occur. In addition, this alternative would not result in any impact related to mineral resources. Geology, soils, and minerals impacts under this alternative would be less than the proposed Project.

Greenhouse Gas Emissions

No new development would occur under the No Project Alternative, and existing operations and maintenance activities would continue. As such, no new additional GHG emissions would result from its construction. Therefore, this alternative would not result in any adverse impacts related to GHG emissions or consistency with any applicable plan, policy, or regulation to reduce GHG emissions, and impacts would be less than the proposed Project.

Hazards and Hazardous Materials

The No Project Alternative would not involve any construction activities and would not include ground-disturbing activities that could result in the release of hazardous materials into the

environment. This alternative would not result in construction activities or operations that would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing school. Similarly, this alternative would not interfere with an emergency response plan or emergency evacuation plan since no construction or operation would occur under this alternative. In addition, the No Project Alternative would not involve any changes to the Project site and, therefore, would not introduce new conditions that have the potential to exacerbate wildfire risks. Therefore, no impacts related to hazards and hazardous materials would occur under the No Project Alternative, and impacts would be reduced compared to the proposed Project.

Hydrology and Water Quality

Implementation of the No Project Alternative would not involve any physical changes to the environment, including construction activities or operational activities that could result in impacts regarding drainage patterns and flooding potential or increased stormwater runoff. Alternative 1 would not affect groundwater recharge or groundwater supplies or alter the drainage of the Project site. No impacts related to hydrology and water quality would occur under the No Project Alternative. Therefore, impacts would be reduced compared to the proposed Project.

Noise and Vibration

Under the No Project Alternative, no physical changes to the environment would occur, and therefore it would not have any potential to generate noise or vibration beyond what currently exists. Because this alternative would not result in any construction activities or planned events and would not modify the existing operation of facilities within the SLRC, no impacts related to noise or vibration would occur. The alternative would avoid the significant and unavoidable noise impacts associated with planned events at the park and construction and would avoid a significant unavoidable impact of construction vibration. Therefore, noise and vibration impacts would be less than under the proposed Project.

Public Services

The No Project Alternative would not involve any construction or operational activities at the Project site and would not result in any increased demand on public services. Alternative 1 would result in no impacts related to public services, and impacts would be reduced compared to the proposed Project.

Recreation and Parks

The No Project Alternative would not involve the construction or operation of new recreational facilities at the Project site. As such, because Alternative 1 would not provide new recreational facilities to meet the existing or future demand, this alternative could result in the increased use of existing neighborhood or regional parks or other recreational facilities such that substantial deterioration could occur, or could require the construction of new or expanded parks elsewhere, which might have adverse impacts on the environment not already identified in this EIR. However, Alternative 1 would avoid all of the significant and unavoidable impacts associated with recreation and parks due to construction and event noise. Therefore, Alternative 1 would result in fewer impacts related to recreation and parks compared to the proposed Project.

Transportation

Under the No Project Alternative, no construction activities would occur, and therefore it would not result in construction truck trips that would have the potential to conflict with a program, plan, ordinance, or policy addressing the circulation system. Alternative 1 would not introduce any new uses at the site and, as such, would not generate any new sources of traffic traveling to or from the Project site. The No Project Alternative would not substantially increase hazards due to a geometric design feature. In addition, this alternative would not result in inadequate emergency access. The No Project Alternative would not improve the bike lanes along Silver Lake Boulevard. As a result, this alternative would not improve conditions or implement priorities of the City's Mobility Plan. However, since fewer visitors would visit the site under Alternative 1, impacts would be reduced compared to the proposed Project.

Tribal Cultural Resources

The No Project Alternative would not involve any ground-disturbing activities. Therefore, this alternative would not have the potential to damage or destroy any previously unidentified archaeological resources. No impacts would occur on tribal cultural resources under the No Project Alternative, and impacts would be reduced compared to the proposed Project.

Utilities and Service Systems

Alternative 1 would not introduce any new uses at the Project site and would not increase demand on any utilities. No impacts related to utilities would occur under Alternative 1, and impacts would be reduced compared to the proposed Project.

Wildfire

Alternative 1 would not introduce any new uses at the Project site and would not increase potential human-related ignition sources. No impacts related to wildfire would occur under Alternative 1, and impacts would be reduced compared to the proposed Project.

Alternative 1 Effectiveness in Meeting Project Objectives

Alternative 1 would avoid or reduce impacts related to the majority of the resource areas. However, Alternative 1 would not meet the fundamental Project objective to repurpose the SLRC into a public park. Alternative 1 would meet one of the Project objectives, related to continued use by LADWP, because LADWP is required to maintain the reservoirs and dams. Alternative 1 would not achieve any of the other objectives, including to preserve and enhance the unique character of the SLRC with increased points of access, improved internal circulation and access to the water's edge, and increased spaces for community and family gatherings; expand existing active recreational uses and increase passive recreational uses; enhance and expand wildlife habitat by introducing wetland and aquatic ecologies; or provide opportunities for the public to connect with nature and provide facilities for on-site environmental education and stewardship.

Alternative 2 – Reduced Project Alternative

The Reduced Project Alternative, Alternative 2, would modify the existing SLRC into a public park, similar to the proposed Project, but it would not build any new structures. Alternative 2 would

be constructed within a similar overall footprint as the proposed Project and would focus only on the habitat enhancement aspect of the proposed Project. For example, recreational facilities such as a new Multi-Purpose Facility, play field, expanded Dog Park, or reconfiguration of the existing Recreation Center would not be constructed. Refer to Table 5-1 in Chapter 5 of the Draft EIR, *Analysis of Alternatives*, for a comparison of the proposed Project components to Alternative 2.

Alternative 2 would reduce the overall construction and operation intensity by eliminating some of the public-use built structures. Under Alternative 2, the seating terraces and informal play area would not be implemented in the Meadow. The Education Center, Multi-Purpose Facility, and shade structures would not be constructed. With the removal of the Education Center in the Meadow and the new Multi-Purpose Facility in the South Valley, educational and recreational opportunities would be reduced compared to the proposed Project.

This alternative would include some updates to the South Valley's existing Recreation Center, but the center would not be reconfigured. Updates to the Dog Park would include improvements within the existing footprint of the Dog Park, adding grass and some seating areas for owners. Lighting throughout the Project site would be reduced. Special events would not be allowed as part of this alternative. Similar to the proposed Project, Alternative 2 would remove the perimeter fence to allow for increased public access and improve wildlife access to the water. Alternative 2 would also be operated similarly to the proposed Project. Tree removals would still be required, similar to the proposed Project. Off-site bike improvements would occur along Silver Lake Boulevard, and no new parking would be added near the South Valley along West Silver Lake Drive.

Impacts as Compared to the Proposed Project

Under Alternative 2, the proposed Project would be reduced in size by eliminating several built structures. Impacts to aesthetics; agriculture and forestry resources; biological resources; cultural resources; energy; geology, soils, and mineral resources; hazards and hazardous materials; hydrology and water quality; land use and planning; population and housing; public services; transportation; tribal cultural resources; utilities and service systems; and wildfire were analyzed to have similar impacts when compared with the proposed Project. Impacts to air quality, GHG emissions, noise and vibration, and recreation and parks were analyzed to be less than the proposed Project. Although impacts to these environmental resources would be reduced, the significance determinations would not change for any resource area under Alternative 2, except for vibration (construction vibration impacts related to human annoyance), which would be reduced from significant and unavoidable to less than significant with mitigation. The severity of the impacts resulting from Alternative 2 that differ from the proposed Project are summarized below.

Air Quality

Under Alternative 2, the duration of construction activities would be less than the proposed Project since no new structures would be built. Although daily emissions during peak grading days would be similar to the proposed Project, the duration of construction would be reduced. Once constructed, visitorship to the park would be slightly less due to the elimination of special

events. Operational air pollutant emissions from vehicle traffic generated by the park would be similar to the proposed Project. Impacts on air quality would be less than the proposed Project.

Greenhouse Gas Emissions

Under Alternative 2, construction durations would be similar or slightly shorter than the proposed Project. GHG emissions associated with construction would be slightly less than the proposed Project. Similar to the proposed Project, this alternative would be consistent with applicable plans, policies, and regulations to reduce GHG emissions. Impacts would be slightly less than the proposed Project.

Noise and Vibration

Fewer construction activities would occur under Alternative 2 that could generate noise or vibration. As a result, construction noise and vibration would be slightly less than the proposed Project. Construction noise would remain significant and unavoidable. However, construction-related vibration would be eliminated since no new structures would be built. Once implemented, the Reduced Project Alternative would not allow permitted special events. This would reduce the impact of the proposed Project related to operational noise; however, the impacts would remain less than significant. Therefore, construction vibration impacts would be less than under the proposed Project.

Recreation and Parks

Alternative 2 would support public access of the park, similar to the proposed Project. It would not result in the increased use of other neighborhood or regional parks or recreational facilities such that substantial deterioration could occur, or could require the construction of new or expanded parks elsewhere, which might have adverse impacts on the environment not already identified in this EIR. Since special events would not occur, Alternative 2 would further reduce the less-than-significant operation impact to recreation and parks. However, construction noise would remain significant and unavoidable. Therefore, Alternative 2 would adversely impact recreation and parks less than the proposed Project.

Alternative 2 Effectiveness in Meeting Project Objectives

As described in Section 5.6.2 of the Draft EIR, *Ability to Meet Project Objectives*, Table 5-7, Alternative 2 – Reduced Project Alternative, meets all of the Project objectives but some less so than the proposed Project. Specifically, the following objectives would not be met to the same extent as under the proposed Project, for the reasons provided below for each objective:

- Preserve and enhance the unique character of the SLRC with increased points of access, improved internal circulation and access to the water's edge, and increased spaces for community and gatherings.

Improvements to the South Valley would occur. However, seating terraces or shade structures within the park would be limited. Alternative 2 would increase spaces for community and family gatherings, but less so than under the proposed Project.

- Expand existing active recreational uses and increase passive recreational uses.

Alternative 2 would implement some of the Master Plan's enhancement concepts, but would exclude seating terraces and shade pavilions. The Dog Park would not be improved and fewer improvements to the South Valley would be implemented. The multi-purpose facility would not be constructed.

- Provide opportunities for the public to connect with nature and provide facilities for on-site environmental education and stewardship.

Alternative 2 would enhance natural habitats including upland, wetland, and aquatic habitats, providing opportunities for connection with nature. However, the alternative would not include the construction of the Educational Center.

Alternative 3 – Silver Lake Reservoirs Natural Lands and Open Space Preserve Alternative

Alternative 3 would be a hybrid of Project components. Alternative 3 would be constructed within a similar overall footprint as the proposed Project and would focus on limiting public access to the Knoll, Eucalyptus Grove, and the water's edge. It would include a reconfigured and expanded lawn in the Meadow, with expanded ornamental and rain gardens. In the Knoll, only damaged or dying trees would be removed and, as a result, the tree succession plan for tree planting would be reduced. There would be no public access to the Knoll, and the Education Center, nature trails, and seating terraces would not be constructed. For the Ivanhoe Reservoir, only the walking path would be expanded. In the Eucalyptus Grove, only damaged or dying trees would be removed, and the tree succession plan for tree planting would be reduced. In the East and West Narrows, the walking path would be updated and expanded. An 8-foot high, non-scalable, continuous perimeter fence with gates for pedestrian and wildlife access would be constructed. The reservoirs would remain similar to existing conditions, with some new wetland habitat around the perimeter of the Silver Lake Reservoir. Promenades and walking paths would be constructed under this alternative, but would be moved farther away from the water's edge at both reservoirs where feasible. This alternative would retain all current public use facilities while improving the more heavily used facilities in the South Valley.

Impacts as Compared to the Proposed Project

Under Alternative 3, impacts to cultural resources; energy; geology, soils, and mineral resources; hazards and hazardous materials; hydrology and water quality; land use and planning; population and housing; public services; transportation; tribal cultural resources; utilities and service systems; and wildfire would be similar when compared with the proposed Project. While impacts to aesthetics, air quality, agriculture and forestry resources, biological resources, cultural resources, GHG emissions, noise, and recreation and parks were analyzed to be less than the proposed Project, as described below and as further supported in Chapter 5, *Analysis of Alternatives*, of the Draft EIR, the significance determinations would not change for any resource area under Alternative 3. The severity of the impacts resulting from Alternative 3 that differ from the proposed Project are summarized below.

Aesthetics

Under Alternative 3, the intensity of the proposed Project would be reduced and habitat areas (without the habitat islands) would provide some opportunities to create and conserve greenspace and open space, and encourage growth of native plant species to create habitat. This alternative would limit public access to the water and would not include habitat islands or other built facilities. Impacts to scenic vistas or scenic resources would be similar to the proposed Project. Retention of the fence would affect views of the SLRC from off site, but would remain consistent with land use plans and policies for visual resources and character of park land uses. However, since this alternative would avoid impacts associated with additional lighting and reflective surfacing of new structures, it would result in fewer aesthetic impacts than the proposed Project.

Agriculture and Forestry Resources

The Project site is currently not used for agriculture and does not contain agricultural resources that meet the Prime and Statewide soil criteria. The Project site does not contain lands zoned for forest land or timberland. Under Alternative 3, impacts on agriculture or forestry resources would be similar to the proposed Project.

Air Quality

Under Alternative 3, the duration of construction activities would be reduced slightly since fewer community park facilities would be built. However, daily emissions during peak construction days would be similar to the proposed Project. Once constructed, visitorship to the park would be less due to fewer facilities and no special events. However, operational air pollutant emissions from vehicle traffic generated by the park would be similar to the proposed Project. Impacts would be slightly less than the proposed Project.

Biological Resources

Alternative 3 would promote natural features of the park and reduce public access to areas that could support wildlife. Fewer visitor-serving structures would be constructed, and the reservoirs would remain similar to existing conditions. Wetland habitat would be created around the perimeter of the Silver Lake Reservoir, although habitat islands would not be installed. Also, similar to the proposed Project, wildlife corridors would not be adversely affected, and no impact to habitat conservation plans would occur under this alternative. Since only damaged or dying trees would be removed, the tree succession plan for tree planting would be reduced. Once constructed, Alternative 3 would create new wetland habitat and modestly improve existing upland habitat. Some areas would have limited public access and the perimeter fence would be retained, reducing disturbance to habitat. In summary, although some biological values would be prioritized under Alternative 3, impacts to biological resources from construction would be similar to the proposed Project, but the enhancements and reduced public access would benefit wildlife resulting in reduced impacts compared to the proposed Project.

Cultural Resources

Due to ground-disturbing activities and physical development under this alternative, impacts to archaeological, paleontological, or historic resources would be similar to the proposed Project,

although to a lesser extent. Impacts to existing resources at the Project site, both known and undiscovered, would be slightly less under Alternative 3.

Greenhouse Gas Emissions

Fewer construction activities would occur under this alternative, and as a result, GHG emissions associated with construction would be slightly less than the proposed Project. Similar to the proposed Project, this alternative would be consistent with applicable plans, policies, and regulations to reduce GHG emissions. Impacts would be slightly less than the proposed Project.

Noise and Vibration

Fewer construction activities would occur under Alternative 3 that could generate noise or vibration. As a result, construction noise and vibration would be less than the proposed Project, but still remain significant and unavoidable. Once constructed, Alternative 3 would not allow permitted special events. This would further reduce the less-than-significant impact of the proposed Project during operations. Therefore, operational noise impacts would be less under Alternative 3 than under the proposed Project.

Recreation and Parks

Alternative 3 would support public access of the park in certain areas, but less than the proposed Project. It would not result in increased use of other neighborhood or regional parks or recreational facilities such that substantial deterioration could occur, or could require the construction of new or expanded parks elsewhere, which might have adverse impacts on the environment not already identified in this EIR. Since special events would not occur, Alternative 3 would avoid a significant and unavoidable operation impact to recreation and parks, although construction noise would remain significant and unavoidable. Therefore, Alternative 3 would impact recreation and parks less than the proposed Project.

Alternative 3 Effectiveness in Meeting Project Objectives

Alternative 3 – Silver Lake Reservoirs Natural Lands and Open Space Preserve would meet some of the Project objectives. It would not enhance the public points of access to the water's edge or improve community and family gathering opportunities. Alternative 3 would also not enhance and expand wildlife habitat by introducing wetland and aquatic ecologies. The habitat enhancements that would occur under Alternative 3 would be focused on limiting public access to the Knoll, Eucalyptus Grove, and the water's edge.

Environmentally Superior Alternative

Section 15126.6 of the CEQA Guidelines requires that an “environmentally superior” alternative be identified. The environmentally superior alternative is the alternative that would be expected to generate the least amount of significant impacts. As shown in Table 5-5 of the Draft EIR, and as further supported by the revisions to the Draft EIR Table 5-5 shown in Final EIR Chapter 3, *Revisions, Clarifications, and Corrections to the Draft Environmental Impact Report* (pp 3-48 and 3-49), Alternative 2 to the proposed Project would eliminate the significant and unavoidable impact of the proposed Project, which is the construction vibration (human annoyance) impact.

Although the No Project Alternative would result in the fewest impacts on the existing environment, this alternative would not result in the benefits expected under the proposed Project, Alternative 2, or Alternative 3, or meet the fundamental project objective of repurposing the Project site into a public park.

Pursuant to Section 15126.6(e)(2) of the CEQA Guidelines, when the No Project Alternative is identified as the environmentally superior alternative, the EIR must also identify an environmentally superior alternative from the remaining alternatives. As noted in Table 5-6 of the Draft EIR, impacts associated with Alternative 2 and Alternative 3 would be less than the proposed Project due to the reduced amount of construction and elimination of permitted special events. Since Alternative 2 would construct the fewest structures, it would result in the least amount of construction and least noise, vibration, and air emissions. Nonetheless, Alternative 2 is considered the environmentally superior alternative. CEQA Guidelines do not require an agency to select the environmentally superior alternative (CEQA Guidelines Sections 15042-15043), and allow for the selection of alternatives that more effectively meet project objectives and obtain project benefits. Alternative 2 would meet all of the Project objectives, but to a lesser degree than the proposed Project. Eliminating the ability to provide special events at the park diminishes the objective to “increase spaces for community and family gatherings.” In addition, by eliminating all built structures, Alternative 2 would not provide all the recreational and community benefits included in the proposed Project and envisioned in the primary Project objective.

Alternatives Rejected from Further Consideration

Section 15126.6(c) of the CEQA Guidelines requires that an EIR “identify any alternatives that were considered by the Lead Agency but were rejected as infeasible during the scoping process,” as well as explain the reasons for the lead agency’s determination. An alternative may be eliminated from consideration if it: (1) fails to meet most of the project’s basic objectives, (2) is infeasible, or (3) is unable to avoid significant environmental impacts.

As set forth Draft EIR, Section 5.2, *Alternatives Rejected from Further Consideration*, and as further supported in Final EIR, Section 2.2.11, *Alternatives Analysis*, and other evidence in the record, the following alternatives were eliminated from further consideration and were not subject to detailed analysis in the EIR:

Recreation Focused Alternative

Under the Recreation Focused Alternative, the Project would include more intensive active recreational uses identified in the SLRC Master Plan such as a new playground, pool, splashpad, boat house, pool house, and café. Public water activities including boating and swimming would be permitted. Under this alternative, the Project site would be intended to accommodate special events on a regular basis, and extended hours would be allowed with additional lighting for nighttime activities. Project elements related to wildlife habitat creation, including wetland terraces, islands, and embankment enhancements, would not occur.

This alternative was rejected and not considered further because it: (1) would not serve to reduce any of the proposed Project’s significant impacts; (2) would increase operational noise impacts

with the increase in park attendance focused around the reservoir and active recreational activities and increase water use related to swimming pool and splashpad operations; and (3) would not meet the Project objectives of enhancing and expanding wildlife habitat by introducing wetland and aquatic ecologies and improving upland habitat and providing opportunities for connecting with nature, environmental education, and stewardship.

Alternative Project Site

The proposed Project is the redevelopment of the SLRC. Creating new recreational facilities in a different location would not meet the fundamental Project objective to repurpose the site. The City already owns the Project site and cannot reasonably be expected to acquire, control, or access an alternative site that would meet the Project's basic objectives in a timely fashion. It is expected that significant and unavoidable impacts associated with noise for any other site within Los Angeles where land is available for use as a park would still occur, as the City is built out, and funds for acquiring a new property are not available. Therefore, this alternative site is not considered feasible since the City does not own another suitable site that would achieve the underlying purpose and objectives of the proposed Project.

Hybrid Alternatives

As discussed in Section 5.5.4 of the Draft EIR, hybrids of the evaluated alternatives were considered, but they were rejected because, if the components of any of these alternatives were combined to create a new alternative, the new Project alternative would not result in a substantially different conclusion when comparing environmental impacts and meeting the Project objectives relative to the proposed Project and the alternatives considered. An EIR need not consider multiple hybrid variations on the alternatives when the relative advantages and disadvantages of other alternatives can be assessed from a review of the alternatives presented in an EIR. Furthermore, the EIR allows for a wide range of choices with varying degrees of environmental impacts. An EIR may support the ultimate approval by decision-makers of hybrid alternatives whose features and impacts occur within the analytical continuum between the "bookends" created by the least-impacting and most impacting alternatives.

Statement of Overriding Considerations

As set forth in the preceding sections, the City's approval of the proposed Project will result in significant and unavoidable effects relating to construction noise and vibration (associated with human annoyance), depending on the proximity of sensitive receptors. In addition, the proposed Project will also result in significant and avoidable impacts to recreation, as they relate to the noise and vibration (human annoyance) impacts. Despite the occurrence of these significant effects, however, the City, in accordance with CEQA Guidelines Section 15093, chooses to approve the proposed Project because, in the City's view, the economic, social, and other benefits that the proposed Project will produce will render the significant effects acceptable.

The following statement identifies the specific reasons why, in the City's judgment, the benefits of the proposed Project as approved outweigh its unavoidable significant effects. Any one of these reasons is sufficient to justify approval of the proposed Project. Thus, even if a court were

to conclude that not every reason is supported by substantial evidence, the City would stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding CEQA findings, which are incorporated by reference into this section and in the documents found in the Record of Proceedings, *supra*.

1. The proposed Project is consistent with the City's goal to create a clear, bold design that repurposes the SLRC into a public park, while preserving and enhancing its unique character.

As discussed in Section 2.4, *Project Objectives*, of the Draft EIR, the underlying purpose of the proposed Project is to put the SLRC to a beneficial public park use because it is no longer usable for storing potable water due to government regulations. Because LADWP is required to maintain the reservoirs for other environmental purposes, including maintaining the dams, the proposed Project would use the reservoirs as part of a park to benefit area residents.

As described in Section 2.5, *Project Description*, of the Draft EIR (p. 2-7), the proposed Project would re-develop the SLRC with a contemporary design that would create park zones, blending vegetated areas with public spaces. The design would enhance the visual and recreational quality of the area to be consistent with goals and objectives of the Community Plan and provide the opportunity for the public to access natural park space. Existing public spaces would be removed with the intent of expanding, renovating, and redesigning them to improve visitor experience.

As set forth in Table 3.1-1 in Draft EIR Section 3.1, *Aesthetics*, the SLRC footprint and shape would remain intact; its significant landscape features would be preserved; and no significant viewsheds would be detrimentally affected as a result of the proposed Project's new construction or alterations. While there would be some changes to the grading and orientation of these open spaces, the overall footprint, feeling, and setting would remain intact. These spaces would remain green open spaces for passive recreation. The existing mature trees and plants would remain, and the overall footprint of these open spaces would not change. Further, the open water views of both reservoirs would remain intact.

For these reasons, the City concludes that the Project's benefits in repurposing the SLRC into a public park outweigh its significant and unavoidable impacts.

2. The proposed Project will preserve and enhance the unique character of the SLRC with increased points of access, improved internal circulation and access to the water's edge, and increased spaces for community and family gatherings.

As set forth in Section 2.5.2, *Off-site Improvements*, of the Draft EIR, the proposed Project would include the addition of 90-degree parking along the north side of West Silver Lake Drive, east of Redesdale Avenue adjacent to the Silver Lake Recreation Center. A total of approximately 25 parking spaces would be added, resulting in a net increase in parking of 15 spaces. Furthermore, additional off-site improvements under the Project would include two new pedestrian-activated flashing beacon crossings added along West Silver Lake Drive and near the corner of Silver Lake Boulevard and Armstrong Avenue, as shown in Figure 2-17 of the Draft EIR.

As described in Section 2.5.6, *Circulation*, of the Draft EIR, the proposed Project includes a total of approximately 33 acres of redeveloped useable space, including approximately 10 acres for active and passive recreation and approximately 5.5 miles of walking paths and trails to provide public access throughout the Project area. Table 2-2 of the Draft EIR provides a summary of all circulation improvements that would be implemented. Connections to the proposed Project area from the surrounding neighborhood were informed by the existing bus stop locations along West Silver Lake Drive and Glendale Boulevard, as well as the existing pedestrian pathways in the neighborhood. This network is depicted in Figure 2-17 and Figure 3.16-1 of the Draft EIR.

Furthermore, as set forth on page 2-30 of the Draft EIR, an accessible vehicle and bus parking area would be located at the corner of Silver Lake Boulevard and Armstrong Avenue to allow for public access to park amenities as well as accommodate larger group education programs. Multimodal transportation would be encouraged through the inclusion of mobility hub elements such as bike share and drop-off locations for ride share services. New pedestrian-activated flashing beacon crossings would be added along Silver Lake Boulevard and West Silver Lake Drive. In addition, strategic openings would be proposed along the low concrete wall that currently surrounds the SLRC to create additional entry points into the proposed Project site. The proposed pathways, described in Table 2-2 and shown on Figure 2-17 of the Draft EIR, would be implemented as pedestrian-only with bike circulation around the perimeter. Bike parking and/or bike share stations would be located at all key pedestrian connection points.

As described in Section 2.5.1, *Proposed Park Zones*, of the Draft EIR (pp. 2-7 through 2-25) the various improvements at the seven park zones proposed by the Project would provide increased access to the water's edge and provide increased spaces for community and family gatherings. Such improvements would include, but are not limited to, constructing a new Multi-Purpose Facility and expanding the existing Dog Park; providing seating terraces, overlook areas, and promenade enhancements; expanding the existing lawn in the Meadow; and constructing an Education Center, picnic grove, and informal play areas at the Project site.

For these reasons, the City concludes that the Project's benefits in increasing points of access, improving internal circulation and access to the water's edge, and increasing spaces for community and family gatherings outweigh its significant and unavoidable impacts.

3. The proposed Project will expand existing active recreational uses and increase passive recreational uses.

As described above, and as further supported in Chapter 2, *Project Description*, of the Draft EIR, the proposed Project includes a total of approximately 33 acres of redeveloped useable space, including approximately 10 acres for active and passive recreation and approximately 5.5 miles of walking paths and trails to provide public access throughout the Project area. For these reasons, the City concludes that the Project's benefits in expanding existing active recreational uses and increasing passive recreational uses outweigh its significant and unavoidable impacts.

4. The proposed Project will enhance and expand wildlife habitat by introducing wetland and aquatic ecologies and improving upland habitat.

As set forth in Section, 2.5.1, *Proposed Park Zones, Habitat Islands*, the proposed Project would construct approximately 3.5 acres of floating habitat islands that would introduce wetland plants to the open water area, and provide nesting and foraging habitat for birds with minimal disturbance from humans and predatory wildlife on land. As a habitat enhancement feature, Silver Lake Reservoir would be stocked with fish species that would provide food supply for wading birds. Introduced fish species may include piscivorous (predator) fish such as small bass, and planktivorous (prey) fish such as minnows and crappies. Marine invertebrates would also be introduced to the reservoir. Fish would likely be introduced at a ratio of three prey fish for every predator fish.

As set forth in Table 2-1 of the Draft EIR, the proposed Project includes upland habitat improvements at the Knoll and Eucalyptus Grove park zones. The proposed Project would implement a replanting strategy over time to enhance and restore the upland habitat value within the Knoll and Eucalyptus Grove, with implementation of habitat fencing to protect wildlife and keep people out of upland planted areas (Draft EIR pp. 2-15 and 2-16).

For these reasons, the City concludes that the Project's benefits in enhancing and expanding wildland habitat by introducing wetland and aquatic ecologies and improving upland habitat outweigh its significant and unavoidable impacts.

5. The proposed Project will provide opportunities for the public to connect with nature and provide facilities for on-site environmental education and stewardship while limiting human/wildlife interactions through design and operations to protect habitat.

As described in Section 2.5.1, *Proposed Park Zones, The Meadow*, the proposed Education Center would include small indoor and outdoor teaching and assembly spaces, including two interior classrooms. The proposed Education Center would be connected directly to Silver Lake Reservoir via an accessible pathway. This area would provide educational opportunities for visitors. Additionally, as set forth in Section 2.5.1, *Proposed Park Zones, Ivanhoe Overlook*, an approximately 1,200-square-foot shade pavilion would be added to the northwestern perimeter of the reservoir, sitting on a deck that projects over the existing reservoir edge to provide a sheltered space for outdoor education or community gathering. The shade pavilion/outdoor education classroom would include signage to educate visitors about the wetlands.

Section 2.5.8, *Project Design Features*, of the Draft EIR provides a list of design features that would be implemented as part of the Project to limit human/wildlife interaction and protect habitat. Specifically, PDF-BIO-1 through PDF-BIO-14 include various design measures that would be implemented to support this objective, such as those requiring wildlife fencing signage, tree protective fencing, restrictions on grading/trenching in proximity to tree protection zones, and others (refer to pp. 2-34 through 2-36 and Section 3.4, *Biological Resources*, of the Draft EIR). As described in Section 2.7.1, *Operation and Maintenance Plans*, of the Draft EIR, a Wildlife Management Plan would be created and implemented to protect wildlife during landscape maintenance activities or any type of event that has the potential to impact wildlife.

For these reasons, the City concludes that the Project's benefits in providing opportunities for the public to connect with nature and providing facilities for on-site environmental education and stewardship outweigh its significant and unavoidable impacts.

6. The proposed Project will allow for continued underlying LADWP operations, access, and future use of designated areas of the site, thereby allowing continued use of the reservoirs and adjacent facilities that are intended to remain for proprietary use by LADWP.

As described in Section 2.5, *Project Description*, of the Draft EIR, The proposed Project would remove portions of the existing perimeter fence over time as the park zones are constructed while maintaining or introducing new fencing needed to secure existing LADWP facilities, protect habitat, and protect the public. Figure 2-4 of the Draft EIR provides a conceptual plan for locating fences and guardrails. Fences around LADWP facilities would be approximately 8 feet high and with a minimum 6-inch clear zone along the bottom for small mammals to pass through. Further, as set forth in Table 2-2 of the Draft EIR, the proposed promenade would be required to maintain a 15-foot clear pathway, at minimum, for LADWP maintenance and operations. As discussed in the Draft EIR Section 2.7.3, *Horticulture Maintenance and Water Management, Park Water Systems*, the proposed Project, through LADWP, would continue to replenish reservoir water as needed through the existing Pollock Well No. 3, similar to existing conditions.

For these reasons, the City concludes that the Project's benefits outweigh its significant and unavoidable impacts.

Other CEQA Considerations

- A. The City is the lead agency under CEQA for the proposed Project evaluated in the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the information in the EIR for the proposed Project prior to approving the Project, that the Draft EIR which was circulated for public review reflected its independent judgement, and that the Final EIR reflects the independent judgement and analysis of the City.
- B. The City finds that the EIR provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the proposed Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review period and responds to comments made during the public review period.
- C. Textual refinements and errata were compiled and presented to the decision-makers for review and consideration. The City has determined that City staff made every effort to notify the decision-makers and the interested public/agencies of each textual change in the various documents associated with Project review. These textual refinements arose for a variety of reasons. First, it is inevitable that draft documents would contain errors and would require

clarifications and corrections. Second, textual clarifications were necessitated to describe refinements suggested as part of the public participation process.

- D. The City has determined that it has evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the City prepared written responses describing the disposition of key environmental issues raised. The Final EIR provides adequate, good-faith, and reasoned response to the comments. The City reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR. The City has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed in the Draft EIR.
- E. The City determines that these findings recognize that the determination of significance thresholds and conclusions of significance and non-significance are judgments within the discretion of the City; the significance thresholds and determinations of significance and nonsignificance used in the Final EIR are supported by substantial evidence in the record, including the expert opinion of the Final EIR preparers and City staff; and the significance thresholds used in the Final EIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project.
- F. The City finds that, in weighing the evidence on the whole record, the conclusions of the Final EIR are supported by substantial evidence, including evidence from the expert opinion of the Final EIR preparers and City staff. The City also finds that the level of detail is sufficient to provide an informed understanding of the issues presented, and that conclusions stated in the comment letters disputing the expert opinion, data, analysis, and conclusions of the Final EIR preparers and City staff, including but not limited to comment letters received from Amy Minter (Chatten Brown Carstens & Minter LLP); Travis Longcore (Los Angeles Audubon Society); Daniel Cooper (Resource Conservation District of the Santa Monica Mountains); Amanda Zellmer (Occidental College); and Benjamin Harris (Los Angeles Waterkeeper), are not credible based on evidence presented in the Final EIR and the whole record, including but not limited to the fact that any contrary opinions presented were not supported based on expert analysis and modeling conducted in the Final EIR on the specific facts and circumstances of the Project. Notwithstanding the lack of credibility of the comments, the City finds that disagreements on issues in question have been adequately and in good faith discussed, and substantial evidence in the whole record supports the reasonably explained approach in the Final EIR regarding the scope of analysis, methodology, and accuracy of data relied upon.
- G. The Final EIR documents changes to the Draft EIR, and the Final EIR provides additional information that was not included in the Draft EIR. Having reviewed the information contained in the Draft EIR and the Final EIR and in the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the City finds that there are no new significant impacts, substantial increase in the severity of a previously disclosed impact, significant information in the record of proceedings, or other criteria under CEQA that would require recirculation of the Draft EIR, or preparation of a

supplemental or subsequent EIR. Recirculation is not required where new information added makes insignificant modifications in an adequate EIR (CEQA Guidelines Section 15088.5 [b]). The City finds that substantial evidence supports the decision not to recirculate the EIR (CEQA Guidelines Section 15088.5[e]).

1. The changes to the Project description do not deprive the public of a meaningful opportunity to comment on a substantial adverse environmental effect of the proposed Project or a feasible way of mitigating or avoiding such effects, because no such significant impacts have been identified from either the circulated draft Project description or the final modification in the Project description.
 2. The Responses to Comments contained in the Final EIR fully considered and responded to comments claiming that the proposed Project would have significant impacts or more severe impacts not disclosed in the Draft EIR and include substantial evidence that none of these comments provided substantial evidence that the proposed Project would result in changed circumstances, significant new information, considerably different mitigation measures, or new or more severe significant impacts than were discussed in the Draft EIR.
 3. The City has thoroughly reviewed the public comments received regarding the proposed Project and the Final EIR as it relates to the Project to determine whether under the requirements of CEQA any of the public comments provide substantial evidence that would require recirculation of the Draft EIR prior to its adoption, and has determined that recirculation of the EIR is not required.
 4. None of the information submitted after publication of the Final EIR constitutes significant new information or otherwise requires preparation of a supplemental or subsequent EIR. The City does not find this information and testimony to be credible evidence of a significant impact, a substantial increase in the severity of an impact disclosed in the Final EIR, or a feasible mitigation measure or alternative not included in the Final EIR.
- H. The City finds and declares that substantial evidence is included for each and every finding made herein that is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.
- I. The City is certifying an EIR for, and is approving and adopting findings for, the entirety of the actions described in these findings and in the EIR. as comprising the proposed Project.

Conclusion

As explained above, the City has carefully considered the competing stakeholder interests in the proposed Project, including balancing the benefits of the Project against the potentially significant and unavoidable environmental effects. The City has concluded that these effects are outweighed by the economic, social, environmental, and other benefits the proposed Project will bring to the City and its citizens as discussed herein and as supported by substantial evidence in the record of proceedings.

MITIGATION MONITORING PROGRAM

Introduction

The Mitigation Monitoring Program (MMP) has been prepared pursuant to Public Resources Code Section 21081.6, which requires a Lead Agency to adopt a “reporting or monitoring program for changes to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” In addition, Section 15097(a) of the California Environmental Quality Act (CEQA) Guidelines requires that a public agency adopt a program for monitoring or reporting mitigation measures and project revisions, which it has required to mitigate or avoid significant environmental effects. This MMP has been prepared in compliance with the requirements of CEQA, Public Resources Code Section 21081.6, and Section 15097 of the State CEQA Guidelines.

The City of Los Angeles (City) is the Lead Agency for the Silver Lake Reservoir Complex Master Plan Project (proposed Project) and, therefore, is responsible for administering and implementing the MMP. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity that accepts the delegation. However, until mitigation measures have been completed, the Lead Agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the MMP.

Purpose

The purpose of the MMP is to do the following:

- Coordinate all mitigation monitoring activities.
- Manage the preparation, approval, and filing of monitoring or permit compliance records.
- Maintain records concerning the status of all approved mitigation measures and project design features (PDF)
- Provide quality control assurance of field monitoring personnel.
- Coordinate with other agencies regarding compliance with mitigation or permit requirements.
- Review and recommend acceptance and certification of implementation documentation.
- Act as a contact for interested parties or surrounding property owners who wish to register concerns regarding environmental issues; verifying any such circumstances; and developing any necessary corrective actions.

Organization

As shown in the following pages, each identified mitigation measure and PDF for the proposed Project is listed and categorized by environmental issue area, with accompanying discussion of:

- Time Frame for Implementation: When the measure will be implemented.
- Monitoring Period: Indicates when monitoring for compliance with the measure will occur.
- Monitoring Agency: The agency to which reports involving feasibility, compliance, implementation, and development are made.
- Verification of Compliance: The date that monitoring is complete to ensure compliance with the measure.

Monitoring Procedures

This MMP shall be enforced throughout all phases of the proposed Project. The City shall be responsible for implementing each project design feature and mitigation measure and shall be obligated to provide verification, as identified below, to the appropriate monitoring and enforcement agencies that each project design feature and mitigation measure has been implemented. The City shall maintain records demonstrating compliance with each project design feature and mitigation measure listed below.

All applicable construction-related mitigation measures and best management practices will be included in any bid specification released for construction of the proposed Project. Prior to the release of the bid specifications, construction plans and specifications will be provided to the City of Los Angeles Bureau of Engineering's (BOE) Environmental Management Group (EMG) for review and approval regarding environmental mitigation. Unless otherwise specified herein, the City will be responsible for taking all actions necessary to implement the mitigation measures according to the provided specifications and demonstrating that each action has been successfully completed. The City, at its discretion, may delegate implementation responsibility or portions thereof to a licensed contractor. This MMP for the proposed Project will be in place through design, construction, and operation. The City will be responsible for administering the MMP, ensuring that all parties comply with its provisions. The City may delegate monitoring responsibilities to staff, consultants, or contractors. The construction contractor shall submit an Environmental Compliance Plan for BOE Construction Management and BOE EMG approval prior to the beginning of ground-disturbing construction activities. The Environmental Compliance Plan will document how the contractor intends to comply with all environmental measures applicable to the contract, including application of BMPs. BOE Construction Management will also ensure that monitoring is documented in an Environmental Compliance Report and that deficiencies are promptly corrected. A designated environmental monitor with BOE Construction Management will track and document compliance with mitigation measures, note any problems that may result, and take appropriate action to rectify problems. The City will monitor compliance with operational mitigation measures.

Changes to Mitigation Measures

Under CEQA, mitigation measures may be modified or deleted if the relevant decision-maker approves such action, gives a legitimate reason for making the change, and supports those reasons with substantial evidence, including an appropriate subsequent CEQA document. Any substantive change to the MMP shall be documented in writing. Modifications to the mitigation measures may be made by the BOE subject to one of the following findings and documented by evidence included in the record:

1. The measure included in the EIR and the MMP is no longer required because the significant environmental impact identified in the EIR has been found not to exist, or to occur at a level which makes the impact less than significant as a result of changes in the Project, changes in conditions of the environment, or other factors.

OR

2. The modified or substitute mitigation measure to be included in the MMP provides a level of environmental protection equal to or greater than that afforded by the mitigation measure included in the EIR and the MMP.

AND

3. The modified or substitute mitigation measure/BMP does not have significant adverse effect on the environment in addition to or greater than those which were considered by the City in its decisions regarding the EIR and the Proposed Project.

AND

4. The modified or substitute mitigation measure is feasible, and the City, through measures included in the MMP or other established procedures, can assure its implementation.

Findings and related documentation supporting the findings involving modifications to mitigation measures shall be maintained in the Project file with the MMP and shall be made available to the public upon request.

Mitigation Monitoring Program

The following tables outline the proposed Project's Mitigation Monitoring Program. Table 1 includes mitigation measures required for the proposed Project, and Table 2 includes the PDFs associated with the proposed Project.

TABLE 1
MITIGATION MONITORING PROGRAM – MITIGATION MEASURES

| Measures | Time Frame for Implementation | Monitoring Agency | Verification of Compliance |
|--|--|---------------------|-------------------------------|
| Mitigation Measures | | | |
| Aesthetic Resources | | | |
| AES-1: Shielded Fixtures. All new permanent exterior lighting shall be shielded and directed downward to avoid any light spill onto surrounding land uses including natural habitat areas, open water, residential areas, or into the night skies. | Prior to Construction Operations | City of Los Angeles | EMG Construction Inspector |
| AES-2: Non-Glare Materials. All new structures and buildings shall be designed to include non-glare exterior materials and coatings to minimize glare or reflection. | Prior to construction | City of Los Angeles | EMG |
| Air Quality | | | |
| <p>AIR-1: Haul Trucks and Construction Equipment. The City shall implement the following requirements for construction equipment operating at each Project site. These requirements shall be included in applicable bid documents and contractor(s) must demonstrate the ability to supply such equipment. Construction equipment shall include the following:</p> <ul style="list-style-type: none"> The Project shall utilize off-road diesel-powered construction equipment that meets or exceeds the California Air Resources Board (CARB) and United States Environmental Protection Agency (USEPA) Tier 4 Final off-road emissions standards or equivalent for equipment rated at 50 horsepower (hp) or greater during Project construction where available within the Los Angeles region. Such equipment shall be outfitted with Best Available Control Technology (BACT) which means a CARB certified Level 3 Diesel Particulate Filter or equivalent. A copy of each unit's certified tier specification, BACT documentation, and CARB or Southern California Air Quality Management District (SCAQMD) operating permit at the time of mobilization of each applicable unit of equipment shall be provided. Contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. All construction equipment must be properly tuned and maintained in accordance with the manufacturer's specifications. The contractor shall keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturer's specifications. Tampering with construction equipment to increase horsepower or to defeat emission control devices shall be prohibited. To import and export of on-site materials shall be scheduled to minimize empty return trips. Use alternatively fueled (e.g., compressed natural gas, liquefied natural gas, propane), gasoline fueled, or electrified construction equipment in place of diesel-fueled equipment to the extent locally available. | Prior to Construction During Construction | City of Los Angeles | EMG Construction Inspector |

| Measures | Time Frame for Implementation | Monitoring Agency | Verification of Compliance |
|---|--|---------------------|-------------------------------|
| Biological Resources | | | |
| BIO-1: Pre-Construction Training. Prior to construction, a worker environmental awareness program (WEAP) training will be provided by a qualified biologist/ISA certified arborist to describe biological resources (including protected trees) that could be impacted and summarize the construction BMPs and project design features to be implemented. The WEAP will include all contractors (including grading, tree removal/pruning, and builders). The meeting shall include a focus on instructing the contractors on tree protection practices including information on the location and marking of protected trees, the necessity of preventing damage, and the discussion of work practices that shall accomplish these tasks. All equipment operators and spotters, assistants, or those directing operators from the ground shall provide written acknowledgement of receiving training. | Prior to construction During construction | City of Los Angeles | EMG Construction Inspector |
| BIO-2: Preconstruction Surveys and Mitigation for Crotch's Bumble Bee and Monarch Butterfly. Prior to the start of construction activities, the City shall conduct pre-construction surveys for special-status invertebrates, Crotch's bumble bee and monarch butterfly, within 100 feet of construction activities near host plant communities (including nectar plants for Crotch's bumble bee and mature eucalyptus and pines trees for monarch butterfly). The pre-construction surveys shall be conducted 7 days prior to the start of construction activities. If any of these species are determined to be present within 100 feet of construction areas, construction best management practices (BMPs) will be implemented to avoid potential impacts to these species. BMPs shall include limiting construction vehicle speeds to 15 miles per hour when operating within 100 feet of the habitat areas, fencing habitat areas using temporary silt fencing, and cleaning up all trash and debris daily. Construction personnel will be instructed to not directly harm any special-status species on-site by halting activities until the species can move to off-site areas or contact a qualified biologist to move the species out of harm's way. | Prior to construction During Construction | City of Los Angeles | EMG Construction Inspector |
| BIO-3: Special-Status Bats. Prior to construction activities, bat surveys shall be conducted by a qualified bat biologist 7 days prior to the start of construction activities to determine if the special-status hoary bat, western mastiff bat, or western yellow bat could be impacted by proposed Project implementation. If special-status bat species are determined to be present within the proposed Project impact areas and if removal of roosting habitat (mature trees or palm trees) is required, a qualified biologist (a biologist with the ability to identify bat guano and assess habitat suitability) shall inspect the base of trees and palm skirts for guano prior to removal of skirted palm trees (i.e. palm trees with several layers of accumulated dead fronds). If bats are detected, tree removal shall avoid the bat maternity season (April 1 through August 31). If tree removal cannot avoid the maternity season, bat protection protocols shall be identified and implemented by a qualified bat biologist and approved by CDFW. The protocols may require installation of bat exclusionary devices, followed by up to four weeks of nightly monitoring by a qualified biologist to confirm bats are being excluded without harm until it is determined bats are no longer present. Construction of substitute bat habitat (i.e., bat boxes, artificial tree structures) should take place one month prior to the start of bat exclusion activities. Substitute bat habitat should be in the vicinity of bat-occupied mature trees or palm trees that a qualified biologist has been confirmed that bats are using. Bat boxes manufactured by vendors such as Bat Conservation and Management should be used. The one-month window prior to the start of bat exclusion activities will allow bats sufficient time to acclimate to a new potential roost location. The bat boxes shall be installed in an area that is close to suitable foraging habitat as determined | Prior to construction During Construction | City of Los Angeles | EMG Construction Inspector |

| Measures | Time Frame for Implementation | Monitoring Agency | Verification of Compliance |
|--|--|---------------------|--|
| <p>by a qualified bat biologist. Bat boxes should be located on poles 10 to 20 feet off the ground. Additionally, the bat boxes will be oriented to the south or southwest, and the area chosen for the bat boxes must receive sufficient sunlight (at least 6 hours daily) to allow the bat boxes to reach an optimum internal temperature (approximately 80-100°F).</p> <p>At a minimum monitoring by qualified bat biologist should be required each month during construction and quarterly thereafter until it can be established that the bat box is being utilized. A determination needs to be made of what bat species are using the box. If the boxes are unsuccessful adaptive management measures should be developed in coordination with the CDFW.</p> | | | |
| <p>BIO-4: Tree Salvage and Replanting Plan. For impacts to trees protected under local policies and ordinances, the City shall prepare and implement a tree salvage and replanting plan. This salvage and replanting plan shall be prepared by a certified arborist familiar with the target species and in compliance with the specifications of the City Tree Ordinance or RAP Tree Policy (dependent on property location). The salvage and replanting plan shall include measures to salvage, replant, and monitor the new trees for a total of 10 years. The replanting plan will specify for planted trees to occur in the most naturalized habitat areas on-site (e.g., the Knoll) to maximize increasing habitat value and establishment success. The replanting plan shall also specify the appropriate spacing of planted trees to accommodate growth horizontally, vertically, and laterally below ground. The plan shall also specify recommended long-term monitoring, maintenance, and inspection until all planted trees survive to produce reproductive structures. Follow up inspections by the project arborist should be conducted after construction is completed for ten years. Preferably, follow up visits should be conducted quarterly during Years 1 and 2, biannually for Years 3 through 5, and annually for Years 6 through 10. More frequent monitoring and/or post-construction steps to improve any trees that are doing poorly should be carried out as recommended by the arborist. The plan will also include a measure to address if observations of stress or potential failure of planted trees occur (e.g., consulting with a certified arborist or tree specialist to provide recommendations so there is no net loss of trees). Any replacement trees that fail will be replaced at 1:1 with 15-gallon tree of like species.</p> | <p>Prior to Construction</p> <p>During construction</p> <p>Post construction</p> | City of Los Angeles | <p>EMG</p> <p>Construction Inspector</p> |
| <p>BIO-5: Native Oak Trees. Native oak trees removed as a result of the Project with a trunk at DSH less than 12 inches shall be replaced at a 4:1 ratio, and if the diameter is between 12-24 inches at a 5:1 ratio, and greater than 24 inches at a 10:1 ratio.</p> | <p>Prior to Construction</p> <p>During construction</p> <p>Post construction</p> | City of Los Angeles | <p>EMG</p> <p>Construction Inspector</p> |
| Cultural Resources | | | |
| <p>CR-1: Archaeological Monitoring. The City shall retain a qualified Archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for professional archaeology (qualified Archaeologist) to carry out and ensure proper implementation of mitigation measures that address archaeological resources. The qualified Archaeologist shall oversee an archaeological monitor who shall be present during construction activities on the Project Site deemed by the qualified Archeologist to have the potential for encountering archeological resources, such as demolition, clearing/grubbing, drilling/auguring, grading, trenching, excavation, or other ground disturbing activity associated with the Project in areas of historic fill or previously undisturbed sediments, and in the vicinity of the Canal & Reservoir Ditch, within the South Valley, the East West Narrows, the Eucalyptus Grove, and areas of quaternary alluvium within the Knoll. The archeological monitor shall have the authority to direct the pace of construction equipment activity in areas of higher sensitivity and to temporarily divert, redirect or</p> | <p>Prior to construction</p> <p>During construction</p> | City of Los Angeles | <p>EMG</p> <p>Construction Inspector</p> |

| Measures | Time Frame for Implementation | Monitoring Agency | Verification of Compliance |
|---|--|---------------------|-------------------------------|
| halt ground disturbance activities to allow identification, evaluation, and potential recovery of archaeological resources in coordination with the qualified Archaeologist. Full-time monitoring may be reduced to part-time inspections, or ceased entirely, if determined appropriate by the qualified Archaeologist. | | | |
| CR-2: Archaeological Resources Sensitivity Training. Prior to commencement of construction activities, a Sensitivity Training shall be given by the qualified Archaeologist for construction personnel. The training shall focus on how to identify archaeological resources that may be encountered during construction activities, and the procedures to be followed in such an event. Within 5 days of completing the training, a list of those in attendance shall be provided by the qualified Archaeologist to the City. | Prior to construction During construction | City of Los Angeles | EMG Construction Inspector |
| CR-3: Discovery of Archaeological Resources. In the event that historic-period (e.g., bottles, foundations, early infrastructure, refuse dumps/privies, railroads, etc.) or prehistoric (e.g., hearths, burials, stone tools, shell and faunal bone remains, etc.) archaeological resources are unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A 50-foot buffer shall be established by the Qualified Archaeologist around the find where construction activities shall not be allowed to continue. Work may continue outside of the buffer area. All archaeological resources unearthed by Project construction activities shall be evaluated by the Qualified Archaeologist. If a resource is determined by the Qualified Archaeologist to constitute a "historical resource" pursuant to CEQA Guidelines Section 15064.5(a) or a "unique archaeological resource" pursuant to Public Resources Code Section 21083.2(g), the Qualified Archaeologist shall coordinate with the Applicant and the City to develop a formal treatment plan that would serve to reduce impacts to the resources. If any prehistoric archaeological sites are encountered within the project area, consultation with consulting Native American parties will be conducted to apprise them of any such findings and solicit any comments they may have regarding appropriate treatment and disposition of the resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment and shall be explored to see if Project activities can avoid archaeological resources, such as: if the archaeological site can be deeded into a permanent conservation easement, if the resources can be capped with chemically stable soil or if the resource can be incorporated within open space. If, in coordination with the City, it is determined that preservation in place is not feasible, and in order to mitigate potential impacts to significant resources pursuant to Section 15064.5 of CEQA, data recovery is feasible. Appropriate treatment of the resource shall be developed by the Qualified Archaeologist in coordination with the City. A data recovery plan shall be implemented. A data recovery plan will make provision for adequately recovering the scientifically consequential information from and about the historical resources. and may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing, analysis, and commemoration in the form of signage or other public education and awareness. Any archaeological material collected shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school or historical society in the area for educational purposes. | Prior to construction During construction | City of Los Angeles | EMG Construction Inspector |

| Measures | Time Frame for Implementation | Monitoring Agency | Verification of Compliance |
|--|--|---------------------|-------------------------------|
| CR-4: Archeological Monitoring Reports. At the conclusion of the archaeological monitoring, the qualified Archaeologist shall prepare a memorandum stating that the archaeological monitoring requirement of the mitigation measure has been fulfilled and summarize the results of any archaeological finds. The memorandum shall be submitted to the City. Following submittal of the memorandum, the qualified Archaeologist shall prepare a technical report that follows the format and content guidelines provided in California Office of Historic Preservation's Archaeological Resource Management Reports (ARMR). The technical report shall include a description of resources unearthed, if any, treatment of the resources, results of the artifact processing, analysis, and research, and evaluation of the resources with respect to the California Register of Historical Resources and CEQA. Appropriate California Department of Parks and Recreation Site Forms (Site Forms) shall also be prepared and provided in an appendix to the report. The technical report shall be prepared under the supervision of the qualified Archaeologist and submitted to the City within 150 days of completion of the monitoring. The final draft of the report shall be submitted to the South Central Coastal Information Center. | Prior to construction During construction | City of Los Angeles | EMG Construction Inspector |
| Geology, Soils, and Mineral Resources | | | |
| PALEO-1: Construction Personnel Paleontological Resources Sensitivity Training. The City shall retain a paleontologist who meets the Society of Vertebrate Paleontology's (SVP 2010) definition for Qualified Professional Paleontologist (Qualified Paleontologist) to carry out all mitigation related to paleontological resources. Prior to the start of ground-disturbing activities, the Qualified Paleontologist or their designee shall conduct construction worker paleontological resources sensitivity training for all construction personnel. Construction personnel shall be informed on how to identify the types of paleontological resources that may be encountered, specific Project activities that would require paleontological monitoring, the proper procedures to be enacted in the event of an inadvertent discovery of paleontological resources, and safety precautions to be taken when working with paleontological monitors. The City shall ensure that construction personnel are made available for and attend the training and retain documentation demonstrating attendance. | Prior to construction During construction | City of Los Angeles | EMG Construction Inspector |
| PALEO-2: Paleontological Monitoring. Paleontological monitoring shall be conducted during ground-disturbing activities that produce visible spoils or cuts for project construction below 10-feet in previously undisturbed Quaternary alluvium or at any depth in the Miocene Monterey Formation. Monitoring shall be conducted by a qualified paleontological monitor (SVP, 2010) working under the direct supervision of the Qualified Paleontologist. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting sediment samples to wet or dry screen to test promising horizons for smaller fossil remains. If the Qualified Paleontologist determines that full-time monitoring is no longer warranted, based on the specific geologic conditions at the surface or at depth, the Qualified Paleontologist may recommend that monitoring be reduced to periodic spot-checking or cease entirely. | Prior to construction During construction | City of Los Angeles | EMG Construction Inspector |
| PALEO-3: Paleontological Resource Discovery. If a potential fossil is found, the paleontological monitor shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation of the discovery. An appropriate buffer area shall be established around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. At the monitor's discretion, and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock/sediment samples for initial processing and evaluation. If a fossil is | Prior to construction During construction | City of Los Angeles | EMG Construction Inspector |

| Measures | Time Frame for Implementation | Monitoring Agency | Verification of Compliance |
|---|---|----------------------------|--|
| <p>determined to be significant, the Qualified Paleontologist shall implement a paleontological salvage program to remove the resources from their location, following the guidelines of the SVP (2010). If the discovery is considered scientifically significant, the monitor will collect the fossil specimen(s) and associated data. For this Project, the SVP (2010) criteria of scientific significance will be used to make this determination in the field. In general, small unidentifiable vertebrate fossils will not be collected and only well-preserved or representative invertebrates or plants will be salvaged if avoidance is not feasible. Any fossils encountered and recovered shall be prepared to the point of identification, catalogued, and curated at an accredited repository.</p> <p>If construction personnel discover any potential fossils during construction while the paleontological monitor is not present, regardless of the depth of work or location, work at the discovery location shall cease in a 25-foot radius of the discovery until the Qualified Paleontologist has assessed the discovery and recommended and implemented appropriate treatment as described in this measure.</p> | | | |
| <p>PALEO-4: Reporting. At the conclusion of paleontological monitoring, the Qualified Paleontologist shall prepare a report summarizing the results of the monitoring and any salvage efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted by the Applicant to the City, the Natural History Museum of Los Angeles County, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the proposed project and required mitigation measures.</p> | <p>Prior to construction</p> <p>During construction</p> | <p>City of Los Angeles</p> | <p>EMG</p> <p>Construction Inspector</p> |
| Noise | | | |
| <p>NOISE-1: Equipment Controls. Noise and vibration construction equipment whose specific location on the Project site may be flexible (e.g., compressors and generators) shall be located away from the nearest off-site noise-sensitive land uses (at least 100 feet away) if sufficient distance on the implementing Project site is available. If 100 feet is not feasible, the equipment shall have natural and/or manmade barriers (e.g., berms, intervening construction trailers, etc.) or a noise enclosure around the specific equipment location that screens the receptor from propagation of noise from such equipment. The barrier and/or enclosure shall block the line-of-sight from the construction equipment to any similarly elevated noise-sensitive receptors. Noise enclosures shall provide sufficient space and gate access as needed for the safe operation of equipment, construction activities, material deliveries, and equipment access by construction personnel. A noise enclosure is not required if it would pose a safety risk or unreasonably prevent access to the construction equipment as deemed by the on-site construction manager such as in areas that have limited equipment maneuvering space or access. The contractor shall provide documentation verifying compliance with this measure.</p> | <p>Prior to construction</p> <p>During construction</p> | <p>City of Los Angeles</p> | <p>EMG</p> <p>Construction Inspector</p> |
| <p>NOISE-2: Mobile Noise Barriers. For construction areas within 500 feet of a residential land use or other sensitive receptor, the contractor shall install temporary noise barriers between the active construction area and the off-site noise-sensitive receptors. The mobile noise barriers shall achieve sound level reductions of a minimum of 10 dBA between the Project construction sites and the sensitive receptor location. These temporary noise barriers shall be used to block the line-of-sight between the construction equipment and similarly elevated ground-level noise-sensitive receptors. The barriers should allow for repositioning in order to block the noise at the sensitive receptor as construction activities move along the Project boundary. A noise barrier is not required if it would pose a safety risk or unreasonably prevent access to the construction area as deemed by the on-site construction manager such as in areas that have limited equipment maneuvering</p> | <p>Prior to construction</p> <p>During construction</p> | <p>City of Los Angeles</p> | <p>EMG</p> <p>Construction Inspector</p> |

| Measures | Time Frame for Implementation | Monitoring Agency | Verification of Compliance |
|---|-------------------------------|---------------------|----------------------------|
| space or access. Any barrier capable of a reduction greater than 10 dBA would require greater height and heavier noise insulation which would make mobility of the barrier infeasible and cause safety concerns related to barrier stability. Further, noise barriers would only be effective if they block the line-of-sight to sensitive receptors. The elevation of the surrounding area increases quickly and receptors within the vicinity of all identified sensitive receptors may still have a direct line-of-sight to the Project site and may not benefit from the use of a mobile noise barrier. The contractor shall provide documentation verifying compliance with this measure. | | | |
| NOISE-3: Construction Equipment Noise Shielding and Muffling Devices. Contractors shall ensure that all construction equipment, fixed or mobile, are equipped with properly operating and maintained noise shielding and muffling devices, consistent with manufacturers' standards. Prior to the issuance of demolition permits, certification of muffler installation shall be submitted to the applicable City for review. The construction contractor shall keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturers' specifications. The primary source of noise from construction equipment originates from the intake and exhaust portions of the engine cycle. According to FHWA, use of adequate mufflers systems can achieve reductions in noise levels of up to 10 dBA. The contractor shall use muffler systems that provide a minimum reduction of 10 dBA compared to the same equipment without an installed muffler system, reducing maximum construction noise levels. Contractors shall include the muffler requirements in contract specifications. The contractor shall also keep documentation on-site prepared by a noise consultant verifying compliance with this measure. Mufflers providing a noise reduction greater than 10 dBA would be technically infeasible or cost prohibitive given the current best available technologies. Further, mufflers are only effective on equipment with internal combustion engines and would not result in noise reductions for hand tools and other light-duty construction equipment. Therefore, NOISE-3 incorporates muffling devices to the maximum extent feasible. | During construction | City of Los Angeles | Construction Inspector |
| NOISE-4: Equipment Setbacks. The operation of construction equipment that generates high levels of vibration during any phase of construction occurring in the South Valley will be limited to setback distances from receptor V8. Receptor V8 includes the South Outlet Chlorination Station and Meter House. Setback distances apply in all directions surrounding the two buildings identified as V8. The following equipment shall be prohibited from operating within their respective setback distances: <ul style="list-style-type: none"> • Large bulldozers shall be prohibited within 21 feet of receptor V8 • Loaded Trucks shall be prohibited within 19 feet of receptor V8 • Jackhammers shall be prohibited within 12 feet of receptor V8 • Small bulldozer shall be prohibited within 3 feet of receptor V8 The contractor(s) shall require and document compliance with the minimum allowable setbacks in a construction vibration management plan, which shall be provided to the City prior to issuance of a demolition permit. The construction vibration management plan shall detail the types of equipment to be used during demolition, grading, and building construction, estimated vibration velocities, and distance to vibration receptor V8. Equipment and or alternative construction techniques to be used within the required setbacks for large bulldozers, loaded trucks, jackhammers, and small bulldozers shall be identified to ensure that vibration velocities will not exceed thresholds for potential structural damage. | During construction | City of Los Angeles | Construction Inspector |

| Measures | Time Frame for Implementation | Monitoring Agency | Verification of Compliance |
|---|--|----------------------------|---------------------------------------|
| Tribal Cultural Resources | | | |
| <p>TCR-1: Native American Monitoring. Prior to the commencement of any ground disturbing activity at the project site, the City shall reach out to retain a Native American Monitor from both the Gabrieleno Band of Mission Indians-Kizh Nation and the Gabriellino Tongva Indians of California Tribal Council to provide a Native American monitor. Should neither Tribe be available to monitor during ground disturbance, work may continue but should Tribal Cultural Resources be encountered work will stop and both Tribes will be immediately notified. The Tribal monitors will only be present on-site during the construction phases that involve ground-disturbing activity in areas of quaternary alluvium within the Knoll, and will not be necessary in portions of the Knoll where the Puente Sandstone bedrock formation is present either at depth or at the surface. In addition, any ground disturbance required in the Eucalyptus Grove will be subject to Tribal monitoring. Ground disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing, or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching within the areas above. The on-site Tribal monitoring shall end when all ground-disturbing activities within the Knoll and the Eucalyptus Grove are completed, or when the Tribal representatives and Tribal Monitors have indicated that the project site has little to no potential for impacting Tribal Cultural Resources.,</p> <p>In the event that cultural resources of Native American origin are identified during construction, the City will coordinate with the qualified archaeologist (who meets the Secretary of the Interior's Professional Qualifications Standards), and both tribes that participated in consultation. If the City, in consultation with the Gabrieleno Band of Mission Indians-Kizh Nation and the Gabriellino Tongva Indians of California Tribal Council, determines that the resource is a Tribal Cultural Resource and thus significant under CEQA, a treatment plan shall be prepared and implemented in accordance with state guidelines and in consultation with the two Native American tribes. The treatment plan may include, but would not be limited to, avoidance, capping in place, excavation and removal of the resource, interpretive displays, sensitive area signage, or other mutually agreed upon measure.</p> | <p>Prior to construction During construction</p> | <p>City of Los Angeles</p> | <p>EMG Construction Inspector</p> |
| Utilities and Service Systems | | | |
| <p>UTIL-1: Underground Utilities Search and Coordination. During design and prior to construction of Project facilities, the City shall conduct an underground utilities search and coordinate with all utility providers that operate in the same public rights-of-way impacted by construction activities. The City shall ensure that any temporary disruption in utility service caused by construction is minimized and that any affected parties are notified in advance.</p> | <p>Prior to construction During construction</p> | <p>City of Los Angeles</p> | <p>EMG Construction Inspector</p> |

TABLE 2
MITIGATION MONITORING PROGRAM – PROJECT DESIGN FEATURES (PDFs)

| PDF | Time Frame for Implementation | Monitoring Agency | Verification of Compliance |
|---|-------------------------------|---------------------|----------------------------|
| Biological Resources | | | |
| PDF-BIO-1: Ornamental Native Plants. If the proposed Project impacts native planted species within the Community Restoration Area, including Nevin's barberry, showy island snapdragon, and Coulter's matilija poppy, these species will be replanted onsite at a 1:1 ratio. | During construction | City of Los Angeles | Construction Inspector |
| PDF-BIO-2: Nesting Birds. If construction and vegetation removal is proposed between February 1 and August 31, a qualified biologist shall conduct a pre-construction survey for breeding and nesting birds and raptors 30 days prior to the start of construction, and then weekly, within 300-feet of the construction limits (or to the outer limits of the park area bounded by West Silver Lake Drive, Van Pelt Place, and Silver Lake Boulevard) to determine and map the location and extent of breeding birds that could be affected by the Project. Nesting bird surveys shall be conducted at appropriate nesting times and concentrate on potential roosting or perch sites. Weekly surveys will take place with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work." If Project activities are delayed or suspended for more than 7 days after the last survey, surveys shall be repeated before work can resume. If an active nest is located, clearing and construction within appropriate buffers as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. Due to the urbanized nature of the Project site, 300-feet for raptors and 150-feet for passerine birds could suffice for nesting bird buffers; however, it will be at the discretion of the qualified biologist. The buffer zone from the nest shall be established in the field with flagging and stakes. The qualified biologist shall retain the ability to increase buffers if needed to protect the nesting birds. Temporary fencing and signage shall be maintained for the duration of the Project. Construction personnel shall be instructed on the sensitivity of the area and be advised not to work, trespass, or engage in activities that would disturb nesting birds near or inside the buffer. On-site construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest. Project activities may encroach into the buffer only at the discretion of the qualified biologist. | Prior to construction | City of Los Angeles | EMG |
| | During construction | | Construction Inspector |
| PDF-BIO-3: Wildlife Fencing Signage. Interpretive signage will be installed near all wildlife friendly fencing to educate the public on wildlife and habitat sensitivity, and to encourage the public to not enter the restricted areas. | During construction | City of Los Angeles | Construction Inspector |
| PDF-BIO-4: Tree Protection Fencing. Establish tree protection fencing around the tree protection zone (TPZ). This area will be marked and avoided during all construction activities near the protected trees. This area will be kept clear of any construction material, debris, equipment, portable toilets, and foot or equipment traffic. Fencing will be installed prior to construction at the edge of the TPZ and remain in place until the entire project is complete. The fence will be chain link and a minimum of five feet in height. | During construction | City of Los Angeles | Construction Inspector |

| PDF | Time Frame for Implementation | Monitoring Agency | Verification of Compliance |
|---|-------------------------------|---------------------|----------------------------|
| PDF-BIO-5: Grading/Trenching in TPZ. Grading/trenching will be restricted to areas outside the TPZ of the trees. All grubbing and clearing within the TPZ of a tree will be done manually. All soil removal will be done with hand tools, using an air spade or comparable equipment that will excavate soil without damaging the roots. Jack hammers will not be used to remove the soil. When a root is encountered, soil removal will be done without chipping, marring, or damaging the root bark in any way (damaging the root bark will open up the bark barrier so that disease can enter the tree, allowing rot to develop or fungus to take over, and can result in root death). | During construction | City of Los Angeles | Construction Inspector |
| PDF-BIO-6: Avoiding Root Damage. If tree roots must be cut, cuts will be less than one inch. If any roots over one inch in diameter are damaged, they will be clean-cut with a sharp and sterilized hand tool. Any roots permanently exposed from grading or scraping of topsoil will be cleanly cut just below the new soil grade. | During construction | City of Los Angeles | Construction Inspector |
| PDF-BIO-7: Soil Grade. Soil levels will be returned to the original grade, at which trees' roots were first established. Existing fill soil above that original grade will be removed to the extent possible; no additional fill soil will be placed over the original grade. If soil is filled back to the original grade, compaction will be done manually only (no equipment will be used). Compaction will be done in layers of three to six inches depending on soil structure. No gaps or pockets will remain in the soil. | During construction | City of Los Angeles | Construction Inspector |
| PDF-BIO-8: Irrigation. During construction, trees will only be watered under the guidance of the project arborist. Where it is needed, temporary irrigation (drip, leaking tube, or other) will be installed at intervals throughout the fenced protection zone to allow periodic deep watering during construction. The entire TPZ of the trees will be watered to a soil depth of four feet. This may require slow irrigation for 8-24 hours or more, or may require repeat waterings of shorter duration to promote saturation. The soil will be allowed to dry out completely before watering is repeated. The period between waterings may be a month or more. The project arborist will monitor the protected trees and provide recommendations on the effectiveness and duration of temporary irrigation. | During construction | City of Los Angeles | Construction Inspector |
| PDF-BIO-9: Landscaping Around Native Trees. Landscaping near protected trees will be drought-tolerant only unless trees are already accustomed to current landscape irrigation (to be confirmed by arborist). Irrigation overspray or runoff, as a result of lawn or ornamental irrigation, will be avoided in the TPZ of any protected tree with the noted exception above. All landscaping will be kept away from the trunk of any protected tree by a minimum of two feet. | During construction | City of Los Angeles | Construction Inspector |
| PDF-BIO-10: Tree Pest Inspection. Prior to tree removal, the City will have a certified arborist evaluate the trees to ensure they are free of pests. | Prior to construction | City of Los Angeles | EMG |
| PDF-BIO-11: Development of Pest Management Plan. If the certified arborist determines trees are impacted by infectious pests or diseases, the City will work with the certified arborist to prepare an Infectious Tree Disease Management Plan or develop a detailed, robust, enforceable, and feasible list of preventative measures. A plan/list will provide measures relevant for each tree pest or disease observed. To avoid the spread of infectious tree pests and diseases, infected trees should not be transported from the Project site without first being treated using best available management practices described Infectious Tree Disease Management Plan or the list of preventative measures. | During construction | City of Los Angeles | Construction Inspector |

| PDF | Time Frame for Implementation | Monitoring Agency | Verification of Compliance |
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| PDF-BIO-12: Prevention of Pathogen Spread. All tree material, especially infected tree material, will be left on site, chipping the material for use as ground cover or mulch. Cleaning and disinfecting pruning and power tools before use will be completed to prevent introducing pathogens from known infested areas, and after use to prevent spread of pathogens to new areas. | During construction | City of Los Angeles | Construction Inspector |
| PDF-BIO-13: City Tree Ordinance. Any tree or shrub covered under the City Tree Ordinance which may be impacted by proposed Project construction, either through removal or encroachment within the TPZ, shall be replaced with nursery stock at a minimum 4:1 mitigation ratio of like species and 15-gallon in size. The City will work with a certified arborist and/or tree specialist to acquire appropriately sized, locally sourced trees from a local native plant nursery that implements Phytophthora/Clean Nursery Stock protocols. This may reduce the probability of introducing replacement trees contaminated with pests, diseases, and pathogens that could spread and infect native trees or habitats. A certified arborist and/or tree specialist should inspect and potentially quarantine nursery stock before bringing them into the Project site. Replacement tree plantings shall be located in areas protected by the habitat fencing to ensure their protection from the public. | Prior to construction During construction | City of Los Angeles | EMG Construction Inspector |
| PDF-BIO-14: RAP Tree Policy. Any tree or shrub covered under the RAP Tree Policy which may be impacted by the proposed Project construction, either through removal or encroachment within the TPZ, shall be replaced with nursery stock. The City at a minimum will be required to replace impacted trees at a 1:1 ratio for trunk diameter. The impacted trees' aggregate diameter, measured at DSH (multi-trunk trees are to be measured immediately below the lowest trunk) shall be replaced at an equal or greater rate of caliper of new trees. Each one-inch DSH of existing tree shall be replaced with a minimum one-inch caliper new tree. | During construction | City of Los Angeles | Construction Inspector |
| Cultural Resources | | | |
| PDF-CR-1: Archaeological Resource Discovery During Construction. If archaeological resources are discovered during excavation, grading, or construction activities, work shall cease in the area of the find until a qualified archaeologist has evaluated the find in accordance with State and local guidelines, including those set forth in California PRC Section 21083.2. Personnel of the proposed Project shall not collect or move any archaeological materials and associated materials. Construction activity may continue unimpeded on other portions of the Project site. The found deposits would be treated in accordance with State and local guidelines, including those set forth in California PRC Section 21083.2. If the discovery proves significant under CEQA (Section 15064.5f; PRC 21082), additional work such as testing or data recovery may be warranted. Should any Native American artifacts be encountered, additional consultation with NAHC-listed tribal groups should be conducted immediately. The process for contacting the tribal group and the timing of the contact should be addressed in the management plan. | During construction | City of Los Angeles | Construction Inspector |

| PDF | Time Frame for Implementation | Monitoring Agency | Verification of Compliance |
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| <p>PDF-CR-2: Human Remains Discovery During Construction. If human remains are encountered unexpectedly during construction demolition and/or grading activities, Section 7050.5 of the California Health and Safety Code requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to California PRC 5097.98. Remains suspected to be Native American are treated under CEQA at CCR 15064.5; PRC 5097.98 illustrates the process to be followed if remains are discovered. If human remains are discovered during excavation activities, the following procedure shall be observed:</p> <ul style="list-style-type: none"> • Stop immediately and contact the County Coroner: <ul style="list-style-type: none"> – 1104 N. Mission Road – Los Angeles, CA 90033 – 323-343-0512 (8 am to 5 pm Monday through Friday) or – 323-343-0714 (After hours, Saturday, Sunday, and Holidays) • If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the NAHC. • The NAHC will immediately notify the person it believes to be the MLD of the deceased Native American. • The MLD has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods. • If the owner does not accept the MLD's recommendations, the owner or the MLD may request mediation by the NAHC. | During construction | City of Los Angeles | Construction Inspector |
| Noise | | | |
| <p>PDF-NOISE-1: Haul Route. Prior to commencement of construction and operational maintenance activities, the City shall establish approved truck haul routes that avoid or minimize, to the extent feasible, unnecessary truck travel on local roadways through residential neighborhoods or adjacent to schools, and prioritize travel on collector and arterial streets.</p> | Prior to construction | City of Los Angeles | EMG |
| <p>PDF-NOISE-2: Construction Noticing and Community Liaison. Prior to commencement of construction activities, the City shall notify in writing adjacent residents and businesses along the Project route or worksite of proposed construction activities and the tentative schedule. The City shall require the construction contractor to designate a community liaison to respond to any issues and/or concerns related to construction activities, including any noise or vibration complaints. The community liaison shall maintain a log of communications and resolutions of issues or concerns and share the log with the City. Notices and construction signs will include a hotline and website address which will be updated quarterly and will include project-related information.</p> | Prior to construction | City of Los Angeles | EMG |

| PDF | Time Frame for Implementation | Monitoring Agency | Verification of Compliance |
|---|-------------------------------|---------------------|----------------------------|
| Public Services | | | |
| PDF-PS-1: Construction Security Measures. During construction, on-site security measures will include security lighting and a construction security fence with gated and locked entry around active construction areas. | During construction | City of Los Angeles | Construction Inspector |
| PDF-PS-2: Operational Security Measures. For Special Events that occur during the nighttime hours, security lighting will be provided. | Post construction | City of Los Angeles | EMG |
| Transportation | | | |
| PDF-TRA-1: Construction Traffic Management Plan. A Construction Traffic Management Plan will be prepared for the phases of the proposed Project that affect offsite components or require increased vehicle access consistent with the LADOT Construction Traffic Control Guidelines. This plan will address the planned Project construction phasing, sequence of construction activities, access, and circulation. In addition, the plan would include planned detour routes and BMPs, as well as coordination with and advance notice to local emergency providers. | During construction | City of Los Angeles | Construction Inspector |
| PDF-TRA-2: Construction Staging Plan. A construction staging plan shall be developed to reduce impacts related to noise, dust, traffic, and other health hazards. In addition, construction site BMPs (e.g., fencing, signs, and detours) shall be implemented to minimize hazards and prevent safety issues on the roadways and sidewalks surrounding the construction site. | During construction | City of Los Angeles | Construction Inspector |
| PDF-TRA-3: Construction Traffic. Construction-related trips shall be scheduled with increased frequency during off-peak hours to minimize impacts to commuters. | During construction | City of Los Angeles | Construction Inspector |
| PDF-TRA-4: Access to Parcels. It is not anticipated that access to existing parcels outside of the proposed Project impact areas would be impacted. However, if access to any existing parcels is removed during proposed construction activities, temporary access shall be provided, and/or new points of access shall be constructed. | During construction | City of Los Angeles | Construction Inspector |
| PDF-TRA-5: Site-Specific Traffic Control and Transit Plan for Large Events. Large event permittees shall develop a site-specific traffic control plan to provide information on parking and circulation and highlight transit options for event attendees to minimize congestion and vehicle miles traveled. Traffic control strategies for events will include inbound/outbound flex lanes and sheriff-controlled intersections. Traffic control plans will also identify nearby public parking facilities and identify passenger pick-up/drop-off locations. Permittees will be required to consider the cumulative traffic impacts of their event in relation to other events in the Project Area. The traffic control plans will also identify emergency services egress and access. | During construction | City of Los Angeles | Construction Inspector |
| PDF-TRA-6: Expand Public Transit Connections. The future site operator and relevant City departments (LADOT, Recreation and Parks Department, City Planning, etc.) shall work together to explore options for expanding public transit connections to the Project site to expand community access and reduce VMT. | Post construction | City of Los Angeles | EMG |

| PDF | Time Frame for Implementation | Monitoring Agency | Verification of Compliance |
|---|-------------------------------|---------------------|----------------------------|
| Utilities and Service Systems | | | |
| PDF-UTIL-1: Drought-Tolerant Landscaping. The Project will use a mix of native and drought-tolerant plants appropriate to the Los Angeles region to provide a plant palette adapted to climate change. Lawn would be used sparingly and strategically distributed where needed to support multifunctional cultural and recreational uses. | During construction | City of Los Angeles | Construction Inspector |
| PDF-UTIL-2: Water-Efficient Irrigation. Irrigation water would be pumped from the reservoirs to wetland habitat areas which would then flow back into the reservoirs. Transition habitat zones would also be irrigated with reservoir water on a separate cycle appropriate for the drought-tolerant, coastal scrub planting palette. Remaining upland habitat, lawn areas, and ornamental gardens would be irrigated via a potable water supply available from the LADWP distribution system which would require a dedicated meter. Recycled water may also be used to irrigate ornamental planting, should such water supplies become available in the future. | Post construction | City of Los Angeles | EMG |
| PDF-UTIL-3: Decentralized Drainage Strategy. To prevent untreated surface runoff from entering the reservoir waters, proposed Project will implement decentralized drainage facilities to capture and filter or infiltrate stormwater runoff from the developed portions of the Project site. | During construction | City of Los Angeles | Construction Inspector |
| Wildfire | | | |
| PDF-WF-1: Fire Code. The Project Manager is responsible for compliance with applicable LAMC Fire Code Section 57 et seq. for construction sites on, adjacent to or in the immediate vicinity of a VHFHSZ as designated through LAMC Sections 57.4908.1.1 through 57.4908.1.3 and identified on City maintained databases such as NavigateLA and Zone information and Map Access System (ZIMAS) (which maintain digitalized LA General Plan and zoning maps). | During construction | City of Los Angeles | Construction Inspector |
| PDF-WF-2: Open Flame. Pursuant to LAMC Section 57.4908.5 open flame is prohibited upon any road, street, or fire road with the VHFHSZ. | During construction | City of Los Angeles | Construction Inspector |
| PDF-WF-3: Smoking Prohibited. No smoking is allowed where conditions are such as to make smoking a hazard and in spaces where flammable or combustible materials are stored or handled per Section 310.2 of the California Fire Code. Further, it shall be unlawful for any person to light, ignite or smoke any cigar, cigarette, tobacco in a pipe or other form of smoldering substance within the VHFHSZ compliant with LAMC Section 57.4908.6. The Section also prohibits open flame upon any road, street, or fire road within the VHFHSZ. | During construction | City of Los Angeles | Construction Inspector |
| PDF-WF-4: Signage. No person, except one authorized and acting within the scope of his official duties, shall remove, deface, mar, mutilate, or change the position of any sign, installed by the Chief pursuant to this article, designating "CLOSED AREA," "NO SMOKING," "NO OPEN FIRES," "RESTRICTED ENTRY," or other sign or device installed to give warning and to regulate persons' actions within the VHFHSZ as stated in Section 57.4908.9.1. | During construction | City of Los Angeles | Construction Inspector |

| PDF | Time Frame for Implementation | Monitoring Agency | Verification of Compliance |
|--|-------------------------------|---------------------|----------------------------|
| <p>PDF-WF-5: Brush Clearance Activities. Pursuant to Ordinance No. 185789 which added Sections 57.305.5.2, 57.305.5.2.1, 57.322.1.1.10 and 57.322.1.1.10.1, and amended Section 57.322.1.1 to Article 7, Chapter V of the LAMC, the applicable requirements for brush clearing activities in the VHFHSZ would apply including, but not limited to:</p> <ul style="list-style-type: none"> • Use of metal cutting blades for grass or brush clearance shall be limited to those which are nonferrous/non-sparking. • Brush clearance cannot be done on red flag days, when fire weather conditions are at their peak. • Individuals engaged in brush clearance operations shall not engage in any other activities during their actual clearance of grass or brush. • Individuals engaged in grass or brush clearance operations shall use an appropriate extinguishing agent immediately to extinguish a fire. • All fires, regardless of size, shall be reported immediately via the 9-1-1 system to the Fire Department. • An approved fire extinguisher, or a pressurized garden hose with attached nozzle shall be within 10 feet of any grass or brush clearance operation, to quickly extinguish a small fire before it burns out of control. • Where a gasoline container is present at the site of the grass or brush clearance operation, a minimum 4A 60 BC dry chemical fire extinguisher shall be within 10 feet of the brush clearance operation. • A cell phone capable of dialing 9-1-1 shall be charged and readily accessible to the grass or brush clearance operation. • A safety strap shall be used at all times for any tool or appliance with hot exhaust. Hot exhaust shall not come in contact with any brush, grass, flash fuels, or other flammable material. | During construction | City of Los Angeles | Construction Inspector |