Comprehensive Plastics Reduction Program

FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT

Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring Program

SEPTEMBER 2024 SCH #2023050007

LA Sanitation — City of Los Angeles — environment — zero waste • zero wasted water

Table of Contents

SECTION 1 Introduction

The Findings of Fact (Findings), Statement of Overriding Considerations, and Mitigation Monitoring Program (MMP) for the Comprehensive Plastics Reduction Program (Program) presented herein address the environmental effects associated with the Program that are described and analyzed within the Final Program Environmental Impact Report (Final PEIR; State Clearinghouse No. 2023050007). These Findings have been made pursuant to California Environmental Quality Act (CEQA; California Public Resources Code (PRC Section 21000 et seq.), specifically PRC 21081 and 21081.6, as well as the CEQA Guidelines (14 California Code of Regulations (CCR) 15000 et seq.)), Sections 15091 and 15093. PRC 21081 and CEQA Guidelines Section 15091 require that the Lead Agency prepare written findings for any identified significant environmental effects along with a brief explanation of the rationale for each finding.

Specifically, CEQA Guidelines Section 15091(a) states that "No public agency shall approve or carry out a project for which an EIR has been certified which 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 are:

(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR."

Further, PRC Section 21081 and CEQA Guidelines Section 15093(a) require the decision-making agency to "balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."" In this case, the lead agency must adopt a formal statement of overriding considerations.

Finally, an MMP must be adopted by the lead agency "when a public agency has made the findings required under paragraph (1) of subdivision (a) of Section 15091 (of the CEQA Guidelines) relative to an EIR or adopted a mitigated negative declaration in conjunction with approving a project. In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions

which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects" (CEQA Guidelines Section 15097).

As described in Section 3 of the PEIR, there were no potentially significant and unmitigable impacts that could result from implementation of upstream Program elements. The Final PEIR identified potentially significant and unmitigable impacts to biological resources, cultural resources, hazards and hazardous materials, noise, transportation, tribal cultural resources, and wildfire that could result from construction and operation of potential future downstream facilities, should they be proposed.

PRC 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 statute provides 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 provide 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 mandate and principles announced in PRC Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. For each significant environmental effect identified in an EIR for a project, the approving agency must issue a written finding reaching one or more of three permissible conclusions.

The first such finding is that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

The second permissible finding is that 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.

The third potential conclusion is that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final PEIR. (See CEQA Guidelines, Section 15091, subd (a); see also PRC Section 21081, subd. (a).)

"'Feasible' means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors." (CEQA Guidelines, Section 15364.) The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (Sierra Club v. County of Napa (2004) 121 Cal.App.4th 1490, 1506-1509 [upholding CEQA findings rejecting alternatives in reliance on applicant's project objectives]; see also California Native Plant Society v. City of Santa Cruz (2009) 177 Cal. App. 4th 957, 1001 (CNPS) ["an alternative 'may be found infeasible on the ground it is inconsistent with the project objectives as long as the finding is supported by substantial evidence in the record'"], quoting Kostka & Zischke, Practice Under the Cal.

Environmental Quality Act [Cont.Ed.Bar 2d ed. 2009] (Kostka & Zischke), § 17.309, p. 825); In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings (2008) 43 Cal.4th 1143, 1165, 1166 (Bay-Delta) ["feasibility is strongly linked to achievement of each of the primary program objectives"; "a lead agency may structure its EIR alternative analysis around a reasonable definition of underlying purpose and need not study alternatives that cannot achieve that basic goal"].)

Moreover, "'feasibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors." (City of Del Mar v. City of San Diego (1982) 133 Cal.App.3d 410, 417 (City of Del Mar); see also CNPS, supra, 177 Cal. App. 4th at p. 1001 [after weighing "'economic, environmental, social, and technological factors,' ... 'an agency may conclude that a mitigation measure or alternative is impractical or undesirable from a policy standpoint and reject it as infeasible on that ground'"] quoting Kostka & Zischke, supra, § 17.29, p. 824.)

For the purposes of these Findings, the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. In contrast, the term "substantially lessen" refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less than significant level.

CEQA requires that the lead agency adopt feasible mitigation measures or, in some instances, feasible alternatives, to substantially lessen or avoid significant environmental impacts that would otherwise occur. With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons that the agency found that the project's benefits outweigh its unavoidable adverse environmental effects. The Statement of Overriding Considerations for this Program is included herein in Section 4.

The findings provided in this document are based upon 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 Program 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 PEIR, its appendices, and additional documents in the case files for the Program. Instead, a full explanation of these environmental findings and conclusions can be found in the Final PEIR and those documents, and these findings hereby incorporate by reference and adopt the discussion and analysis in the Final PEIR, its appendices, and additional documents in the case files for the Program supporting the determination regarding the Program's impacts. In making these findings, the determinations and conclusions of the Final PEIR 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 PEIR 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 PEIR shall control.

SECTION 2 Program Description

2.1 Program Location

Implementation of the Program would occur throughout the entirety of the incorporated City of Los Angeles, which encompasses approximately 469 square miles, stretching from the Angeles National Forest to the north to the Pacific Ocean to the south.

2.2 Program Description

The City seeks to implement a citywide Comprehensive Plastics Reduction Program, which would involve adopting measures to reduce or eliminate the production and use of single-use plastic products ("upstream" measures) and encourage reuse of other items to the extent feasible, thereby reducing or eliminating the input of single-use plastics into the City's waste stream and the environment and reducing the aesthetic, environmental, and human health impacts of single-use plastics. The proposed upstream measures may include bans on specific single-use products; product stewardship programs (e.g., certain packaging and/or foodware items); extended producer responsibility programs (e.g., take-back programs for certain textiles); policies to require and/or support the manufacturing of durable, reusable, repairable, and recyclable products (e.g., requirements for recycled content in certain products); and evaluating Program efficacy and conducting additional studies (e.g., additional take-back programs and/or pilot programs).

The City anticipates that a decrease in single-use plastics could result in an increase in the use of reusable, compostable, and recyclable materials in the City. Therefore, the Program would include elements to increase the City's ability to manage these materials, such as by collecting, reusing, recycling, and composting alternative materials and supporting reusable products ("downstream" measures). These downstream measures may include the construction or expansion of recycling and composting facilities; regional market development to expand the City's ability to recycle and reuse currently unmarketable single-use items; and infrastructure to support the use of reusable items. The Program would also include public education, outreach, and engagement as well as enforcement.

2.3 Program Objectives

The underlying purpose of the Program is to create a comprehensive city-wide strategy to reduce plastic waste and reduce the environmental and human health impacts of single-use plastics. The Program objectives are as follows:

- Contribute to the City's goal of becoming zero waste by 2050.
- Reduce the volume of single-use plastics, particularly those that cannot be composted or recycled in City-contracted facilities, into the City's waste stream.

- Reduce the amount of plastic waste that is littered and pollutes water resources and has adverse effects on human health and wildlife.
- Encourage and support the use of reusable alternative materials.
- Reduce aesthetic degradation of the City due to plastic litter.
- Develop downstream systems and facilities as needed to support the reuse, recycling, and composting of alternative products to single-use plastics.

SECTION 3 Findings of Fact

Having received, reviewed, and considered the information in the Final PEIR for the Program, as well as the supporting administrative record, the City hereby makes findings pursuant to, and in accordance with, PRC Sections 21081, 21081.5, and 21081.6.

3.1 Environmental Effects Found Not to be Significant

Through scoping and the environmental analysis contained within the Final PEIR, the City determined that the upstream measures of the Program would not result in a potentially significant effect on any environmental resource area. The City determined that the downstream measures of the Program would not result in a potentially significant effect on greenhouse gas emissions, energy, land use and planning, mineral resources, population and housing, public services, and recreation. A summary of the reasons for this determination can be found in Section 3 of the Final PEIR. No further findings are required for these subject areas.

3.2 Findings for Significant but Mitigated Effects

The following findings have been made for the significant environmental effects identified in the Final PEIR for downstream measures related to aesthetics, agriculture and forestry, air quality, geology and soils, hydrology and water quality, and utilities and service systems.

3.2.1 Aesthetics

3.2.1.1 Impact – Aesthetics (a)

As described in PEIR Section 3.2.3.2.2, downstream facilities may impede existing public views of scenic vistas, which would conflict with the following Conservation Element policy regarding scenic vistas: "Continue to encourage and/or require property owners to develop their properties in a manner that will, to the greatest extent practical, retain significant existing land forms (e.g., ridge lines, bluffs, unique geologic features) and unique scenic features (historic, ocean, mountains, unique natural features) and/or make possible public view or other access to unique features or scenic views."

3.2.1.1.1 Finding

Changes or alterations have been required in, or incorporated into, the Program which would avoid or substantially lessen the significant environmental effect as identified in the Final PEIR (CEQA Guidelines Section 15091(a)(1)).

3.2.1.1.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in an MMP that is to be adopted concurrently with these findings.

MM AES-1: Visual Impact Assessment. Prior to the approval of any future facility, the City would conduct a Visual Impact Assessment in accordance with the Caltrans Visual Impact Assessment (VIA) Handbook (2023) or equivalent guidance, which consists of first identifying the existing/baseline visual quality of the surrounding environment and landscape visual character, including any scenic resource within the area of visual effect of the facility, and viewers and neighbors that could be impacted by the facility. Fieldwork and/or project impact visualizations preparation would then be used to assess visual compatibility, contrast, evaluate visual change, assess viewer sensitivity and viewpoint sensitivity, evaluate visual sensitivity, and determine visual impact of the facility. For most projects in which a visual change is determined to be moderate and unlikely to be controversial, a basic descriptive assessment using the preparers' best professional judgement is sufficient. For projects where the visual change is expected to be clearly noticeable with moderate to high public concern or where extensive public review is anticipated, an advanced assessment shall be conducted in which impacts to each of the metrics listed above is quantified, resulting in an overall score of anticipated impact, from -9 (extremely highly adverse) to +9 (extremely highly beneficial). If the VIA indicates a negative score/adverse visual impact, then it would include mandatory provisions for the design of the downstream facility to minimize or avoid visual impacts. Design requirements could include use of certain paint colors to minimize contrast, revegetation around the facility, or screening to avoid undesirable views. If the VIA concludes that visual impacts of a downstream facility cannot be reduced or avoided to a below moderate level, then the facility shall be re-sited to a location absent of significant and unavoidable visual impacts.

3.2.1.1.3 Significance after Mitigation

With the incorporation of the above mitigation measure, significant environmental effects to aesthetic resources would be reduced to less than significant.

3.2.1.2 Impact – Aesthetics (c)

As described in PEIR Section 3.2.3.2.2, a potential future downstream facility located in an urbanized area may conflict with applicable zoning and other regulations governing scenic quality, which could result in a significant impact.

3.2.1.2.1 Finding

Changes or alterations have been required in, or incorporated into, the Program which would avoid or substantially lessen the significant environmental effect as identified in the Final PEIR (CEQA Guidelines Section 15091(a)(1)).

3.2.1.2.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in an MMP that is to be adopted concurrently with these findings.

MM AES-1: Visual Impact Assessment.

3.2.1.2.3 Significance after Mitigation

With the incorporation of the above mitigation measure, significant environmental effects to aesthetic resources would be reduced to less than significant.

3.2.1.3 Impact – Aesthetics (e)

As described in PEIR Section 3.2.3.2.2, if a proposed facility is greater than 60 feet tall and located at a distance within three times the height of the proposed structure to a shadow-sensitive use, the potential exists that the project shading would degrade the visual character or quality of the site surroundings which could result in a significant impact.

3.2.1.3.1 Finding

Changes or alterations have been required in, or incorporated into, the Program which would avoid or substantially lessen the significant environmental effect as identified in the Final PEIR (CEQA Guidelines Section 15091(a)(1)).

3.2.1.3.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in an MMP that is to be adopted concurrently with these findings.

MM AES-1: Visual Impact Assessment.

MM AES-3: Shading Reduction. For buildings greater than 60 feet tall and located at a distance within three times the height of the proposed structure to a shadow-sensitive use, the Visual Impact Assessment outlined in MM AES-1 would include an evaluation of if the shadow-sensitive uses would be shaded by project-related structures for more than three hours between the hours of 9:00 a.m. and 3:00 p.m. Pacific Standard Time (between late October and early April), or for more than four hours between the hours of 9:00 a.m. and 5:00 p.m. Pacific Daylight Time (between early April and late October). If so, the design of the structure would be altered to be less than 60 feet tall, adjusted on-site to be further from shadow-sensitive land uses, or relocated to be further from shadow-sensitive uses.

3.2.1.3.3 Significance after Mitigation

With the incorporation of the above mitigation measures, significant environmental effects to aesthetic resources would be reduced to less than significant.

3.2.2 Agriculture and Forestry Resources

3.2.2.1 Impact – Agricultural Resources (a)

As described in PEIR Section 3.3.3.2.2, in the unlikely event that a future site is proposed at a location that is designated under the Farmland Mapping and Monitoring Program as important farmland, there is the potential for a significant impact.

3.2.2.1.1 Finding

Changes or alterations have been required in, or incorporated into, the Program which would avoid or substantially lessen the significant environmental effect as identified in the Final PEIR (CEQA Guidelines Section 15091(a)(1))

3.2.2.1.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in an MMP that is to be adopted concurrently with these findings.

MM AG-1: Farmland replacement/easement. Downstream facilities shall not be located on Prime Farmland or Unique Farmland to the extent possible. If facilities are constructed on such farmland, impacts to the farmland shall be mitigated at a 1:1 ratio with soil and farming conditions equivalent or superior to the state-designated farmland that would be converted, and this farmland shall be set aside in perpetuity. Alternatively, funds may be provided to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural easements, to be earmarked for the purchase of permanent, irreversible agricultural easements at a 1:1 ratio of the converted farmland. Proof of agricultural land acquisition or fee payment shall be provided to the City of Los Angeles Department of City Planning.

3.2.2.1.3 Significance after Mitigation

With the incorporation of the above mitigation measure, significant environmental effects to agricultural resources would be reduced to less than significant.

3.2.3 Air Quality

3.2.3.1 Impact – Air Quality (a)

As described in PEIR Section 3.4.3.2.2, construction of downstream facilities may conflict with or obstruct implementation of the applicable air quality plan.

3.2.3.1.1 Finding

Changes or alterations have been required in, or incorporated into, the Program which would avoid or substantially lessen the significant environmental effect as identified in the Final PEIR (CEQA Guidelines Section 15091(a)(1)).

3.2.3.1.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in an MMP that is to be adopted concurrently with these findings.

MM AQ-1: Air Quality Impact Analysis and Emissions Reduction Measures. For downstream facility projects with an anticipated construction duration of greater than 6 months and located within 500 feet of a residence or other sensitive receptor, prior to issuance of a permit to construct, an Air Quality Impact Analysis shall be prepared by a qualified air quality analyst, that includes a construction health

risk assessment. If the analysis shows an exceedance of South Coast Air Quality Management District (SCAQMD) criteria pollutant thresholds and/or that the incremental cancer risk would exceed 10 persons in 1 million at a sensitive receptor or the calculated Hazard Index for chronic or acute risks would exceed a value of 1.0 at a sensitive receptor, the air quality analyst shall prepare a mitigation plan subject to City review and approval that reduces criteria pollutants and/or toxic air contaminants to less than SCAQMD thresholds and/or the maximum extent practicable. Mitigation measures to reduce project-related emissions include and are not limited to the following:

- Require the use of electricity from power poles rather than temporary diesel or gasoline powered generators, as feasible.
- Minimize equipment idling time in accordance with the Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling (CCR Title 13, Division 3, Chapter 10, Section 2435).
- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet USEPA 2007 model year NO_X emissions requirements. Additionally, consider other measures such as incentives, phase-in schedules for clean trucks, etc. during the construction period.
- During construction and operation of downstream facilities, all internal combustion engines/construction equipment operating on the Program site shall meet Tier 4 Final CARB/USEPA emission standards. If not already supplied with a factory equipped diesel particulate filter, all offroad diesel-powered construction equipment shall be outfitted with best available control technology devices certified by CARB. Any emissions control device used by the contractor shall achieve emission reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. In addition, construction equipment shall incorporate, where feasible, emissions savings technology such as specific fuel economy standards. In the event that all off-road diesel-powered construction equipment cannot meet the Tier 4 Final engine certification, the applicant shall use alternative measures, which include, but would not be limited to, reduction in the number and/or horsepower rating of equipment, limiting the number of daily haul truck trips to and from the site, and/or using cleaner vehicle fuel.

3.2.3.1.3 Significance after Mitigation

With the incorporation of the above mitigation measure, significant environmental effects to air quality would be reduced to less than significant.

3.2.3.2 Impact – Air Quality (c)

As described in PEIR Section 3.4.3.2.2, construction of downstream facilities may expose sensitive receptors to substantial pollutant concentrations.

3.2.3.2.1 Finding

Changes or alterations have been required in, or incorporated into, the Program which would avoid or substantially lessen the significant environmental effect as identified in the Final PEIR (CEQA Guidelines Section 15091(a)(1)).

3.2.3.2.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in an MMP that is to be adopted concurrently with these findings.

MM AQ-1: Air Quality Impact Analysis and Emissions Reduction Measures.

3.2.3.2.3 Significance after Mitigation

With the incorporation of the above mitigation measures, significant environmental effects to air quality would be reduced to less than significant.

3.2.4 Biological Resources

3.2.4.1 Impact – Biological Resources (a)

As described in PEIR Section 3.5.3.2.2, construction of downstream facilities, which require ground-disturbing activities such as grading and vegetation removal, have the potential to significantly impact special status species and their habitat, if present.

3.2.4.1.1 Finding

Changes or alterations have been required in, or incorporated into, the Program which would avoid or substantially lessen the significant environmental effect as identified in the Final PEIR (CEQA Guidelines Section 15091(a)(1)).

3.2.4.1.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in an MMP that is to be adopted concurrently with these findings.

MM BIO-1: Biological Surveys. If a desktop review of the California Natural Diversity Database or National Wetlands Inventory indicates that sensitive species or natural communities may occur in the proposed location for a downstream facility, the City shall either assume presence and mitigate accordingly, or a qualified biologist shall conduct species-specific biological and/or botanical field surveys to confirm the presence and extent of sensitive species and/or sensitive natural communities prior to starting work. If sensitive species or their sign (e.g., scat, burrows) are observed, the City shall develop a plan to avoid impacts that are specific to each species. If impacts cannot be avoided, the City shall consult with California Department of Fish and Wildlife (CDFW) to obtain an Incidental Take Permit under Fish and Game Code Section 2081 and/or engage in Section 7 or 10 consultation with US Fish and Wildlife Service (USFWS) and/or National Marine Fisheries Service as required based on the species. If

an Incidental Take Permit cannot be obtained for the site, for example due to the presence of a California fully protected species, then the facility shall not be built or modified at that location.

MM BIO-3: Implement a Worker Environmental Awareness Program. Prior to construction of Program facilities (including staging and mobilization), all Program personnel shall attend a Workers Environmental Awareness Program training, conducted by a qualified biologist, to aid workers in recognizing special status resources that may occur in the proposed location for a downstream facility. The specifics of this program shall include identification of the sensitive species and habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the proposed location for a downstream facility.

MM NOI-1: Noise and Vibration Study and Control Plan, discussed in Section 3.3.4 below.

3.2.4.1.3 Significance after Mitigation

With the incorporation of the above mitigation measures, significant environmental effects to biological resources would be reduced to less than significant.

3.2.4.2 Impact – Biological Resources (b)

As described in PEIR Section 3.5.3.2.2, construction of downstream facilities may have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS.

3.2.4.2.1 Finding

Changes or alterations have been required in, or incorporated into, the Program which would avoid or substantially lessen the significant environmental effect as identified in the Final PEIR (CEQA Guidelines Section 15091(a)(1)).

3.2.4.2.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in an MMP that is to be adopted concurrently with these findings.

MM BIO-2: Sensitive Community Mitigation. If construction of a downstream facility would result in removal or adverse impacts to sensitive communities, including riparian habitats and wetlands, mitigation shall be provided prior to construction. Mitigation ratios shall be at a minimum of 1:1 for preservation and 1:1 for construction of new sensitive communities or wetlands. In addition, a Mitigation and Monitoring Plan shall be developed that includes the following:

- Descriptions of the sensitive community/wetland types, and their expected functions and values.
- Performance standards and monitoring protocol to ensure the success of the mitigation sensitive communities/wetlands over a period of 5 to 10 years.

- Engineering plans showing the location, size, and configuration of sensitive communities/wetlands to be created or restored. An implementation schedule showing that construction of mitigation areas shall commence prior to or concurrently with the initiation of construction.
- A description of legal protection measures for the preserved sensitive communities/wetlands (i.e., dedication of fee title, conservation easement, and/or an endowment held by an approved conservation organization, government agency, or mitigation bank).

MM BIO-3: Implement a Worker Environmental Awareness Program.

3.2.4.2.3 Significance after Mitigation

With the incorporation of the above mitigation measures, significant environmental effects to biological resources would be reduced to less than significant.

3.2.4.3 Impact – Biological Resources (c)

As described in PEIR Section 3.5.3.2.2, if downstream facilities were located near an existing wetland, there would be potential for a significant impact to occur due to construction which requires ground-disturbing activities such as grading and vegetation removal.

3.2.4.3.1 Finding

Changes or alterations have been required in, or incorporated into, the Program which would avoid or substantially lessen the significant environmental effect as identified in the Final PEIR (CEQA Guidelines Section 15091(a)(1)).

3.2.4.3.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in an MMP that is to be adopted concurrently with these findings.

MM BIO-2: Sensitive Community Mitigation.

MM BIO-3: Implement a Worker Environmental Awareness Program.

3.2.4.3.3 Significance after Mitigation

With the incorporation of the above mitigation measures, significant environmental effects to biological resources would be reduced to less than significant.

3.2.5 Cultural Resources

3.2.5.1 Impact – Cultural Resources (c)

As described in PEIR Section 3.6.3.2.2, construction of downstream facilities would result in ground-disturbing activities that have the potential to cause a significant impact by disturbing human remains if they are present at or near the future site.

3.2.5.1.1 Finding

Changes or alterations have been required in, or incorporated into, the Program which would avoid or substantially lessen the significant environmental effect as identified in the Final PEIR (CEQA Guidelines Section 15091(a)(1)).

3.2.5.1.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in an MMP that is to be adopted concurrently with these findings.

MM CUL-1: Pre-construction Cultural Surveys and Tribal Cultural Monitoring. Prior to initiating ground disturbance activities, a Phase I study of the proposed site for a downstream facility shall be completed by a qualified archaeologist. This shall include an examination of the Los Angeles Historic-Cultural Monuments and California Historic Landmarks, California Historical Resources Information Files at the South Central Coastal Information Center at California State University, Fullerton, and a search of the Native American Heritage Commission Sacred Lands Files in Sacramento. The City may rely on a previously performed records search for subsequent ground-disturbing activities. If a location has been previously surveyed and no cultural resources have been recorded on it, no further cultural resources studies shall be required. If a location has not been previously surveyed based on the records search information, an intensive (100%) pedestrian ground surface survey (Phase I survey/Class III inventory) by qualified archaeologists shall be required.

Any prehistoric/Native American archaeological sites identified during the records searches or during the intensive survey shall be demarcated by a qualified archaeologist, fenced by the City, and preserved in place. Historical (Euro-American) archaeological sites that are potentially eligible for listing in the National Register of Historic Places shall be evaluated by a qualified archaeologist and must meet the requirements of the National Historic Preservation Act of 1966 to qualify. Qualifying sites, structures, and equipment that are identified during the records search or field survey shall be fenced and preserved in open-space, removed and curated, or treated using appropriate data recovery procedures.

All employees conducting work in the Project Area shall complete training dedicated to cultural resources protection.

Monitoring of ground-disturbing activities shall be undertaken by a qualified archaeologist in areas that contain or are sensitive for the presence of cultural resources based on the records search or field survey results.

The City shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project

applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh tribal cultural resources.

MM CUL-3: Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects. Native American human remains are defined in PRC Section 5097.98(d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in PRC Section 5097.98, are also to be treated according to this statute. Human remains and grave/burial goods shall be treated alike per PRC Section 5097.98(d)(1) and (2). If human remains are uncovered during project construction, the Contractor shall immediately halt all work, contact the Los Angeles County Coroner to evaluate the remains, and follow the procedures and protocols set forth in CEQA Guidelines Section 15064.5(e). If the County Coroner determines that the remains are Native American, the project proponent shall contact the Native American Heritage Commission, in accordance with Health and Safety Code Section 7050.5(c) and PRC Section 5097.98 (as amended by AB 2641). The Native American Heritage Commission shall designate a Most Likely Descendant for the remains per PRC Section 5097.98. Per PRC Section 5097.98, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendant regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. If the remains are determined to be neither of forensic value to the Coroner, nor of Native American origin, provisions of the CHSC (§7100 et seq.) directing identification of the next-of-kin will apply. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

3.2.5.1.3 Significance after Mitigation

With the incorporation of the above mitigation measures, significant environmental effects to cultural resources would be reduced to less than significant.

3.2.6 Geology and Soils

3.2.6.1 Impact – Geology and Soils (f)

As described in PEIR Section 3.8.3.2.2, development involving major building foundation construction and subsurface parking would have a high potential for major excavation that could impact subsurface resources. Since the future location of downstream facilities is currently unknown, there is potential for ground-disturbing activities and construction-related and earth-disturbing actions, which could damage or destroy fossils in these geologic units, resulting in a potentially significant impact.

3.2.6.1.1 Finding

Changes or alterations have been required in, or incorporated into, the Program which would avoid or substantially lessen the significant environmental effect as identified in the Final PEIR (CEQA Guidelines Section 15091(a)(1)).

3.2.6.1.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in an MMP that is to be adopted concurrently with these findings.

MM GEO-1: Paleontological Resources Protection Measures. For all discretionary projects that are excavating at least two subterranean levels below the ground surface, the following measures shall be conducted to identify and avoid potential impacts to such resources:

- Retention of Qualified Paleontologist. The project applicant shall retain a Qualified Paleontologist prior to excavations. The Qualified Paleontologist shall direct all mitigation measures related to paleontological resources. A qualified professional paleontologist is defined by the Society of Vertebrate Paleontology (SVP) standards (SVP 2010) as an individual preferably with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, and who has worked as a paleontological mitigation project supervisor for a least two years (SVP 2010).
- Paleontological WEAP. Prior to the start of construction, the Qualified Paleontologist or their designee shall conduct a paleontological WEAP training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff.
- Paleontological Monitoring. Full-time paleontological monitoring shall be conducted during the initial phases of ground-disturbing construction activities (i.e., grading, trenching, foundation work) within sediments with a high paleontological sensitivity. Paleontological monitoring shall be conducted by a qualified paleontological monitor, who is defined as an individual who has experience with collection and salvage of paleontological resources and meets the minimum standards of the SVP (2010) for a Paleontological Resources Monitor. The duration and timing of the monitoring shall be determined by the Qualified Paleontologist based on the observation of the geologic setting from initial ground disturbance, and subject to the review and approval by the City of Los Angeles. If the Qualified Paleontologist determines that full-time monitoring is no longer warranted, based on the specific geologic conditions once the full depth of excavations has been reached, they may recommend that monitoring be reduced to periodic spot-checking or ceased entirely. Monitoring shall be reinstated if any new ground disturbances are required, and reduction or suspension shall be reconsidered by the Qualified Paleontologist at that time. In the event of a fossil discovery by the paleontological monitor or construction personnel, all work in the immediate vicinity of the find shall cease. A Qualified Paleontologist shall evaluate the find before restarting construction activity in the area. If it is determined that the fossil(s) is (are) scientifically significant, the Qualified Paleontologist shall complete the following conditions to mitigate impacts to significant fossil resources:

- Salvage of Fossils. If fossils are discovered, the paleontological monitor shall have the authority to halt or temporarily divert construction equipment within 50 feet of the find until the monitor and/or lead paleontologist evaluate the discovery and determine if the fossil may be considered significant. Typically, fossils can be safely salvaged quickly by a single paleontologist and would not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. Bulk matrix sampling may be necessary to recover small invertebrates or microvertebrates from within paleontologically-sensitive deposits.
- Treatment of Paleontological Resources. Once salvaged, significant fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection (such as the Natural History Museum of Los Angeles County), along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the Qualified Paleontologist.

– Final Paleontological Mitigation Report. Upon completion of ground-disturbing activity (and curation of fossils, if necessary) the Qualified Paleontologist shall prepare a final report describing the results of the paleontological monitoring efforts associated with the project. The report shall include a summary of the field and laboratory methods, an overview of the project geology and paleontology, a list of taxa recovered (if any), an analysis of fossils recovered (if any) including their scientific significance, and recommendations. The report shall be submitted to the City of Los Angeles. If the monitoring efforts produced fossils, a copy of the report shall also be submitted to the designated museum repository.
– Treatment of Paleontological Resources. For discretionary projects, the City shall require that all paleontological resources identified on a project site be assessed and treated. A report shall be prepared according to current professional standards that describes the resource, how it was assessed, and disposition.

3.2.6.1.3 Significance after Mitigation

With the incorporation of the above mitigation measure, significant environmental effects to geology and soils would be reduced to less than significant.

3.2.7 Hazards and Hazardous Materials

3.2.7.1 Impact – Hazards and Hazardous Materials (a)

As described in PEIR Section 3.10.3.2.2, construction of downstream facilities would potentially generate hazardous waste that would require disposal including petroleum hydrocarbons and asbestos- and lead paint-containing materials.

3.2.7.1.1 Finding

Changes or alterations have been required in, or incorporated into, the Program which would avoid or substantially lessen the significant environmental effect as identified in the Final PEIR (CEQA Guidelines Section 15091(a)(1)).

3.2.7.1.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in an MMP that is to be adopted concurrently with these findings.

MM HAZ-1: Waste Management Plan. No less than 30 days prior to site disturbance activities, LASAN shall prepare and submit a Waste Management Plan to the DTSC and Los Angeles Fire Department (the local Certified Unified Program Agency [CUPA]) for their review and approval to other local agencies, if applicable, for review and comment. The Waste Management Plan shall include, but not be limited to, the following:

- A description of all waste streams, including projections of frequency, amounts generated, and hazard classifications; methods of managing each waste, including storage, treatment methods, and companies contracted with for treatment services; waste testing methods to ensure correct classification; methods of transportation, disposal requirements and disposal sites; and recycling and waste minimization/reduction plans.
- Procedures for managing excavated soil, which may contain residual chemicals from previous operation activities. The procedures shall include the designation of a state registered Professional Engineer or Professional Geologist to oversee soil excavation and, if necessary, investigation and cleanup in the event that contamination is encountered; sampling procedures to assess the nature and extent of contamination; and reporting and notification requirements.
- A work plan for conducting a hazardous building materials survey of structures to be demolished and removed. The materials to be surveyed shall include but not be limited to asbestos-containing materials, lead-containing paint, PCBs in fluorescent light ballasts, and/or mercury in fluorescent light tubes.

MM HAZ-2: WEAP. LASAN shall develop a WEAP to expand the utility of the SWPPP and MM HAZ-1. LASAN shall also prepare a presentation used to train all site personnel prior to the commencement of work. A record of all trained personnel shall be kept. In addition to instruction on compliance with any mitigation measures identified, all construction personnel shall also receive the following:

- A list of phone numbers for the LASAN environmental specialist personnel associated with the project (archaeologist, biologist, environmental compliance coordinator, and spill response coordinator).
- Instructions regarding the individual responsibilities under the CWA, the project SWPPP, site-specific BMPs, and the location of Material Safety Data Sheets for the project.
- Instructions to notify the foreman and spill response coordinator in case of a hazardous materials spill or leak from equipment, or upon the discovery of soil or groundwater contamination.

- A copy of the truck routes to be used for material delivery.
- Instruction that noncompliance with any laws, rules, regulations, or mitigation measures could result in being barred from participating in any remaining construction activities associated with the project.
- Emergency response measures and routes.

3.2.7.1.3 Significance after Mitigation

With the incorporation of the above mitigation measures, significant environmental effects to hazards and hazardous materials would be reduced to less than significant.

3.2.7.2 Impact – Hazards and Hazardous Materials (b)

As described in PEIR Section 3.10.3.2.2, accidental discharge of hazardous materials or inappropriate disposal of hazardous materials during construction could result in a hazard to the public or the environment.

3.2.7.2.1 Finding

Changes or alterations have been required in, or incorporated into, the Program which would avoid or substantially lessen the significant environmental effect as identified in the Final PEIR (CEQA Guidelines Section 15091(a)(1)).

3.2.7.2.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in an MMP that is to be adopted concurrently with these findings.

MM HAZ-1: Waste Management Plan.

MM HAZ-2: WEAP.

3.2.7.2.3 Significance after Mitigation

With the incorporation of the above mitigation measures, significant environmental effects to hazards and hazardous materials would be reduced to less than significant.

3.2.7.3 Impact – Hazards and Hazardous Materials (c)

As described in PEIR Section 3.10.3.2.2, because construction activities could potentially involve hazardous materials or substances, construction of new downstream facilities would have the potential to emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

3.2.7.3.1 Finding

Changes or alterations have been required in, or incorporated into, the Program which would avoid or substantially lessen the significant environmental effect as identified in the Final PEIR (CEQA Guidelines Section 15091(a)(1)).

3.2.7.3.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in an MMP that is to be adopted concurrently with these findings.

MM HAZ-1: Waste Management Plan.

MM HAZ-2: WEAP.

3.2.7.3.3 Significance after Mitigation

With the incorporation of the above mitigation measures, significant environmental effects to hazards and hazardous materials would be reduced to less than significant.

3.2.7.4 Impact – Hazards and Hazardous Materials (d)

As described in PEIR Section 3.10.3.2.2, due to the uncertainty of where future facilities would be located, there is a potential that the facility could be located on or adjacent to a site that is listed by DTSC as needing corrective action. This represents a potentially significant impact.

3.2.7.4.1 Finding

Changes or alterations have been required in, or incorporated into, the Program which would avoid or substantially lessen the significant environmental effect as identified in the Final PEIR (CEQA Guidelines Section 15091(a)(1)).

3.2.7.4.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in an MMP that is to be adopted concurrently with these findings.

MM HAZ-3: Phase I/II Environmental Site Assessment. Prior to siting waste facilities, a Phase I Environmental Site Assessment shall be conducted in conformance with industry-accepted practices, ASTM Designation E1527-05, and the USEPA All Appropriate Inquiry Rule (40 CFR Section312). Based on the Phase I ESA findings, recommendations for further assessment (i.e., Phase II Environmental Site Assessment) or mitigation measures shall be recommended, as appropriate, to assess or mitigate potential environmental impacts under the oversight of the applicable regulatory agency (e.g., LAFD, DTSC, SWRCB).

MM HAZ-4: Remediation Action Plan/Soil Management Plan. Should the assessments required under MM HAZ-3 above reveal chemicals of concern above applicable cleanup goals, a qualified environmental consultant shall be retained to prepare a Remediation Action Plan and Soil Management Plan (RAP/SMP), which will be submitted to the appropriate oversight agency (e.g., LAFD, DTSC, SWRCB) for

review and approval prior to the commencement of excavation and grading activities. The RAP/SMP shall be implemented during excavation and grading activities on the project site to ensure that any contaminated soils are properly identified, excavated, and disposed of off-site, as follows:

- The RAP/SMP shall be prepared and executed in accordance with SCAQMD Rule 1166, Volatile Organic Compound Emissions from Decontamination of Soil. The RAP/SMP shall require the timely testing and sampling of soils so that contaminated soils can be separated from inert soils for proper disposal. The SMP shall specify the testing parameters and sampling frequency. Anticipated testing includes total petroleum hydrocarbons (TPH), VOCs, and semi-volatile organic compounds (SVOCs). During excavation, Rule 1166 requires that soils identified as contaminated shall be sprayed with water or another approved vapor suppressant or covered with sheeting during periods of inactivity of greater than an hour to prevent contaminated soils from becoming airborne. Under Rule 1166, contaminated soils shall be transported from the project site by a licensed transporter and disposed of at a licensed storage/treatment facility to prevent contaminated soils from becoming airborne or otherwise released into the environment.
- Prior to the commencement of grading and excavation, the findings of the Phase I/II Environmental Site Assessment (ESA) for the project and additional assessment conducted per MM HAZ-3, shall be reported to the appropriate oversight agency (e.g., LAFD, DTSC, SWRCB) for review and comment. The recommendations of the Los Angeles Fire Department Health and Hazardous Materials Division, Site Mitigation Unit and LAFD shall be incorporated in the RAP/SMP.
- A qualified environmental consultant shall be present on the project site during grading and excavation activities in the known or suspected locations of contaminated soils or underground storage tank (UST), and shall be on call at other times as necessary, to monitor compliance with the RAP/SMP and to actively monitor the soils and excavations for evidence of contamination.
- If a UST is discovered, it shall be removed in accordance with LAMC Section 57.31.52 (Abandonment of Underground Storage Tanks). As required by LAMC Section 57.31.52, the Applicant shall notify the LAFD prior to tank removal, inert (remove or neutralize any flammable materials and vapors) the UST prior to transport, and establish to the satisfaction of the LAFD that no release of hazardous materials has occurred. The UST shall be properly disposed of by a licensed contractor in accordance with applicable regulations.
- During the project's excavation phase, impacted materials shall be removed and properly disposed of in accordance with the provisions of the RAP/SMP. If soil is stockpiled prior to disposal, it will be managed in accordance with the project's Storm Water Pollution Prevention Plan, prior to its transfer for treatment and/or disposal. All impacted soils shall be properly treated and disposed of in accordance with SCAQMD Rule 1166, Volatile Organic Compound Emissions from Decontamination of Soil, as well as applicable requirements of DTSC and LARWQCB.

3.2.7.4.3 Significance after Mitigation

With the incorporation of the above mitigation measures, significant environmental effects to hazards and hazardous materials would be reduced to less than significant.

3.2.7.5 Impact – Hazards and Hazardous Materials (e)

As described in PEIR Section 3.10.3.2.2, the potential for these future downstream facilities to conflict with an airport land use plan or operations at a public or private airport is dependent upon where future facilities are sited. Due to the uncertainty at this time, a potentially significant impact to airports is identified.

3.2.7.5.1 Finding

Changes or alterations have been required in, or incorporated into, the Program which would avoid or substantially lessen the significant environmental effect as identified in the Final PEIR (CEQA Guidelines Section 15091(a)(1)).

3.2.7.5.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in an MMP that is to be adopted concurrently with these findings.

MM HAZ-5: Airport Safety Hazard Assessment. If future downstream facilities are sited within an area governed by an airport land use plan or within 2 miles of a public or private airport, analysis shall be undertaken to assess if the proposed facility would result in a violation of airport safety regulations provided by 14 CFR, Part 77. If potential impacts are identified, a different site shall be selected or the assessment shall include recommendations to reduce the potential impact to airport operations. Such measures could include maintaining certain percentages of low-occupancy areas (e.g., undeveloped areas, parking areas), building heights, and building lights.

MM TR-1: Traffic Impact Report, discussed below.

3.2.7.5.3 Significance after Mitigation

With the incorporation of the above mitigation measures, significant environmental effects to hazards and hazardous materials would be reduced to less than significant.

3.2.8 Hydrology and Water Quality

3.2.8.1 Impact – Hydrology and Water Quality (b)

As described in PEIR Section 3.11.3.2.2, downstream facilities may significantly alter groundwater recharge.

3.2.8.1.1 Finding

Changes or alterations have been required in, or incorporated into, the Program which would avoid or substantially lessen the significant environmental effect as identified in the Final PEIR (CEQA Guidelines Section 15091(a)(1)).

3.2.8.1.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in an MMP that is to be adopted concurrently with these findings.

HWQ-1: Hydrology Study. Prior to obtaining a grading permit or other entitlements of any future facility and to assist in preparation of final engineering documents, a project-specific hydrology and water quality study would be required for development of any facility demonstrating the impacts on local and regional surface water hydrology and groundwater resources. The study shall include a review of the facility siting and design and demonstrate that facility operations would not have a significant impact on surface water and groundwater resources. If the study shows that the facility would substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level, the facility shall be redesigned (for example, with the inclusion of such elements as permeable pavers and bioretention) so as not to substantially deplete groundwater supplies or interfere substantially with groundwater recharge. If the facility cannot be redesigned or would still impact groundwater resources even after redesign, it shall be re-sited to a location where it would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge.

MM UTIL-3: Water Conserving Design.

MM UTIL-4: Water Supply Assessment.

3.2.8.1.3 Significance after Mitigation

With the incorporation of the above mitigation measures, significant environmental effects to hydrology and water quality would be reduced to less than significant.

3.2.9 Utilities and Service Systems

3.2.9.1 Impact – Utilities and Service Systems (a)

As described in PEIR Section 3.20.3.1.2, construction of downstream facilities could result in the need to relocate existing water, wastewater, electric, natural gas, or telecommunications facilities, depending on the location.

3.2.9.1.1 Finding

Changes or alterations have been required in, or incorporated into, the Program which would avoid or substantially lessen the significant environmental effect as identified in the Final PEIR (CEQA Guidelines Section 15091(a)(1)).

3.2.9.1.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in an MMP that is to be adopted concurrently with these findings.

MM UTIL-1: Underground Utilities Search. During design and prior to construction of Program facilities, LASAN 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. LASAN shall ensure that any temporary disruption in utility service caused by construction is minimized and that any affected parties are notified in advance.

MM UTIL-3: Water Conserving Design. Future processing facilities shall incorporate water conservation design features. These features may include, but are not limited to, the following:

- Landscaping plans shall incorporate planting of water-efficient, well-adapted, and/or native shrubs, trees, and grasses (i.e., drought and heat tolerant).
- Use of recycled water as landscaping irrigation to the maximum extent practicable.
- Use high-efficiency/low flow toilets and sink faucets.
- If truck washing will occur on-site, a water recycling system shall be implemented to reduce water demand.

MM UTIL-4: Water Supply Assessment. Development applications for future downstream facilities greater than 40 acres of land, having more than 650,000 square feet of floor area, or employing more than 1,000 persons shall include a water supply assessment. The water supply assessment shall be prepared by the water agency serving the facility and address: (1) document wholesale water supplies; (2) identify and quantify the existing and planned sources of water availability to the water supplier in five-year increments for the 20-year projection. For each identified supply, the assessment shall detail the quantity available and whether it is a water supply entitlement, water right, or water service contract; (3) document the project demand; (4) document dry year supplies; (5) document dry year demand; and (6) determine if projected water supply is sufficient or insufficient for the proposed facility. If the projected water needs of the facility exceed the projected water supply, then the facility shall be redesigned so as not to exceed the water supply or shall be re-sited to a location with a sufficient water supply.

MM UTIL-5: A Wastewater Services Information (WWSI) Request. A WWSI request shall be performed to verify the sewer capacity of the adjacent sewer mains. This preliminary evaluation shall review potential impacts to the wastewater system for the project and determine cumulative impacts and guide the planning process for any future sewer improvement projects needed to provide future capacity as the City grows and develops. For proposed downstream projects that are determined to have the potential to exceed the capacity of the wastewater system, the facility shall be redesigned such that wastewater generation at the facility is reduced to below the threshold for which capacity of the wastewater system would need to be expanded or the downstream facility shall be re-sited.

MM UTIL-6: Energy Efficient Design. Future processing facilities shall be required to incorporate energy efficient design features. These features shall include, but are not limited to, the following:

- Energy efficient light fixtures
- Energy efficient equipment/machinery

- Alternative energy source (i.e., solar power, wind power, thermal).

3.2.9.1.3 Significance after Mitigation

With the incorporation of the above mitigation measures, significant environmental effects to utilities and service systems would be reduced to less than significant.

3.2.9.2 Impact – Utilities and Service Systems (b)

As described in PEIR Section 3.20.3.1.2, the operation of a future downstream facility could exceed water supply during normal, dry, and multiple dry years.

3.2.9.2.1 Finding

Changes or alterations have been required in, or incorporated into, the Program which would avoid or substantially lessen the significant environmental effect as identified in the Final PEIR (CEQA Guidelines Section 15091(a)(1)).

3.2.9.2.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in an MMP that is to be adopted concurrently with these findings.

MM UTIL-3: Water Conserving Design.

MM UTIL-4: Water Supply Assessment.

3.2.9.2.3 Significance after Mitigation

With the incorporation of the above mitigation measures, significant environmental effects to utilities and service systems would be reduced to less than significant.

3.2.9.3 Impact – Utilities and Service Systems (c)

As described in PEIR Section 3.20.3.1.2, operation of downstream facilities may result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

3.2.9.3.1 Finding

Changes or alterations have been required in, or incorporated into, the Program which would avoid or substantially lessen the significant environmental effect as identified in the Final PEIR (CEQA Guidelines Section 15091(a)(1)).

3.2.9.3.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in an MMP that is to be adopted concurrently with these findings.

MM UTIL-5: A Wastewater Services Information (WWSI) Request.

3.2.9.3.3 Significance after Mitigation

With the incorporation of the above mitigation measure, significant environmental effects to utilities and service systems would be reduced to less than significant.

3.2.9.4 Impact – Utilities and Service Systems (d)

As described in PEIR Section 3.20.3.1.2, construction of future downstream facilities could generate solid waste in excess of the capacity of local infrastructure.

3.2.9.4.1 Finding

Changes or alterations have been required in, or incorporated into, the Program which would avoid or substantially lessen the significant environmental effect as identified in the Final PEIR (CEQA Guidelines Section 15091(a)(1)).

3.2.9.4.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in an MMP that is to be adopted concurrently with these findings.

MM UTIL-2: Construction Waste Reduction. Program facility design and construction methods that produce less waste or that produce waste that could be recycled or reused more readily, shall be encouraged.

MM UTIL-3: Water Conserving Design.

3.2.9.4.3 Significance after Mitigation

With the incorporation of the above mitigation measures, significant environmental effects to utilities and service systems would be reduced to less than significant.

3.3 Findings for Significant and Unavoidable Effects

For potential future downstream facilities only, the City identified significant and unavoidable effects related to biological resources, cultural resources, hazards and hazardous materials, noise, transportation, tribal cultural resources, and wildfire. The PEIR analyzed the reasonably foreseeable impacts of downstream activities but could not provide a site-specific evaluation to determine the level of significance of impacts because it is not known if or when such facilities will be required, or their specific location. These significant and unavoidable effects of potential future downstream facilities would depend on the facility- and site-specific characteristics.

3.3.1 Biological Resources

3.3.1.1 Impact – Biological Resources (g)

As described in PEIR Section 3.5.3.2.2, construction and operation of downstream facilities could impact common wildlife species, such as trampling via heavy equipment use or disturbance from loud noises during construction and/or operation.

3.3.1.1.1 Finding

The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final PEIR.

3.3.1.1.2 Mitigation Measure(s)

MM BIO-3: Implement a Worker Environmental Awareness Program.

MM NOI-1: Noise and Vibration Study and Control Plan.

3.3.1.1.3 Significance after Mitigation

The City finds that the above mitigation measures to reduce impacts associated with biological resources are feasible and are adopted. However, downstream facilities would be constructed in commercial, industrial, or public facility lands zoned for their use, which may contain habitat for common wildlife species that tolerate human-dominated landscapes. Even with implementation of mitigation measures, impacts to common species may not be avoided. Therefore, impacts related to common wildlife species are considered to be significant and unavoidable.

3.3.2 Cultural Resources

3.3.2.1 Impact – Cultural Resources (a and b)

As described in PEIR Section 3.5.3.2.2, construction of downstream facilities would result in ground-disturbing activities that could have a potentially significant impact on a historical or archaeological resource if they are present at or near the future site.

3.3.2.1.1 Finding

The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final PEIR.

3.3.2.1.2 Mitigation Measure(s)

MM CUL-1: Pre-construction Cultural Surveys and Tribal Cultural Monitoring.

MM CUL-2: Unanticipated Discovery Procedures. In the event archaeological materials are encountered during ground disturbance or construction, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered material has been fully assessed by the Kizh monitor and/or a qualified archaeologist. The City shall consult with appropriate Native American representatives, in determining appropriate treatment for unearthed cultural resources if the resources are prehistoric or Native American in nature.

The Tribe will recover and retain all discovered tribal cultural resources in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural, and/or historic purposes. Per CEQA Guidelines Section 15126.4(b)(3), Project redesign and preservation in place shall be the preferred means to avoid impacts to significant historical resources. If it is demonstrated that resources cannot be avoided, the qualified archaeologist shall develop additional treatment measures in consultation with the City, which may include data recovery or other appropriate measures. If after consultation it is deemed appropriate, archaeological materials recovered during any investigation shall be curated at an accredited curation facility. The qualified archaeologist shall prepare a report documenting evaluation and/or additional treatment of the resource. A copy of the report shall be provided to the City of Los Angeles Department of Public Works, Bureau of Engineering Environmental Management Group, and the South Central Coastal Information Center at California State University, Fullerton.

3.3.2.1.3 Significance after Mitigation

The City finds that the above mitigation measures to reduce impacts associated with cultural resources are feasible and are adopted. However, there may be rare instances in which even with adherence to mitigation measures, construction activities or the relocation of a historical or archaeological resource may alter the significance of the resource. Therefore, impacts related to cultural resources are considered to be significant and unavoidable.

3.3.3 Hazards and Hazardous Materials

3.3.3.1 Impact –Hazards and Hazardous Materials (f)

As described in PEIR Section 3.10.3.2.2, emergency access or evacuation plans may be significantly impacted by downstream facility construction and operation.

3.3.3.1.1 Finding

The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final PEIR.

3.3.3.1.2 Mitigation Measure(s)

MM TR-1: Traffic Impact Report.

3.3.3.1.3 Significance after Mitigation

The City finds that the above mitigation measures to reduce impacts associated with hazards are feasible and are adopted. However, depending on the project location and construction and operation activities and/or feasibility of mitigation measures, in some circumstances, emergency access may be impeded. Therefore, impacts related to emergency access are considered to be significant and unavoidable.

3.3.3.2 Impact – Hazards and Hazardous Materials (g)

As described in PEIR Section 3.10.3.2.2, the construction and operation of downstream facilities may expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

3.3.3.2.1 Finding

The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final PEIR.

3.3.3.2.2 Mitigation Measure(s)

MM TR-1: Traffic Impact Report.

MM HAZ-6: Emergency Access.

MM HAZ-7: Hillside Construction Staging and Parking Plan.

3.3.3.2.3 Significance after Mitigation

The City finds that the above mitigation measures to reduce impacts associated with wildfire are feasible and are adopted. However, depending on the project location and construction and operation activities and/or feasibility of mitigation measures, in some circumstances, significant impacts may occur. Therefore, impacts related to wildfire hazards are considered to be significant and unavoidable.

3.3.4 Noise

3.3.4.1 Impact – Noise (a)

As described in PEIR Section 3.14.3.2.2, in the event a downstream facility is located in an area that has sensitive receptors, there is a potential for noise levels to exceed existing ambient exterior noise levels by more than 5 dBA or more at a noise-sensitive land use (assuming construction activities would last more than 10 days in a 3-month period).

3.3.4.1.1 Finding

The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final PEIR.

3.3.4.1.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in an MMP that is to be adopted concurrently with these findings.

MM NOI-1: Noise and Vibration Control Plan. A noise and vibration study and control plan shall be prepared for future facilities. The study shall be completed by a qualified professional and include measurements of the existing noise environment and quantify the facility's noise contribution to the ambient environment for both the construction and operation phase relative to the City of Los Angeles Noise Ordinance, L.A. CEQA Threshold Guide, and/or noise element. If noise impacts are identified, mitigation measures shall be implemented to reduce sound levels to a level that is consistent with the City of Los Angeles noise ordinance, L.A. CEQA Threshold Guide, and/or noise element and/or to the maximum extent practicable. Such noise reduction mitigation measures could include but are not limited to fencing; noise walls; or increasing the distance between noise generating equipment and offsite sensitive receptors.

With respect to groundborne vibration, the study shall establish baseline conditions at potentially affected buildings and quantify the project's contribution to vibration at adjoining sensitive receptors. If vibration impacts are identified, mitigation measures (including but not limited to avoiding impact pile drivers to eliminate excessive vibration levels, using rubber-tired equipment rather than metal-tracked equipment, managing construction phasing such that demolition, earthmoving, and ground-impacting operations do not occur in the same time period, using low-impact construction technologies, and avoiding the use of vibrating equipment when allowed by best engineering practices), shall be implemented to reduce vibration levels to below the Federal Transit Authority (FTA) thresholds identified in Tables 3.14-8 and 3.14- 9 of the PEIR and/or to the maximum extent practicable.

For extremely fragile buildings/historical resources, a survey letter shall be prepared to provide a shoring design to protect the extremely fragile buildings/historical resources from potential damage. The control plan shall require that a qualified structural engineer issue a follow-up letter describing damage, if any, to impacted buildings. The letter shall include recommendations for any repair, as may be necessary, in conformance with the Secretary of the Interior Standards. The control plan shall require that any necessary repairs are completed and monitored by a qualified structural engineer in conformance with all applicable codes including the California Historical Building Code (Part 8 of Title 24). A Statement of Compliance signed by the Applicant and Owner is required to be submitted to the Los Angeles Department of Building and Safety at plan check and prior to the issuance of any permit. The Vibration Control Plan, prepared as outlined above, shall be documented by a qualified structural engineer and shall be provided to the City upon request. The study shall be submitted to and approved by the City of Los Angeles Department of City Planning Director, or designee.

MM NOI-2: Construction Noise Authorization. Prior to construction, the construction contractor shall obtain approval to exceed the ambient base noise level by more than 5 dBA at the property boundary.

MM NOI-3: Construction Hours. Construction activities shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday, and 8:00 a.m. to 6:00 p.m. Saturday. No construction shall be permitted on Sundays.

MM NOI-4: Sensitive Receptor Buffers. All stationary noise-generating construction equipment, such as pumps and generators, shall be located as far as possible from nearby noise-sensitive receptors. Noise-generating equipment shall be shielded from nearby noise sensitive receptors by noise-attenuating buffers, such as structures or haul truck trailers. Water tanks and equipment storage, staging, and warm-up areas shall be located as far from noise sensitive receptors as possible.

MM NOI-5: Property Line Noise Levels. Operational activities at future facilities shall not produce noise levels at the property line that exceed the levels identified in the City's noise ordinance, L.A. CEQA Threshold Guide, and/or noise element. If proposed activities are forecast to exceed property line levels, noise attenuation measures shall be implemented to reduce the property line noise levels to the appropriate level. Such measures could include, but are not limited to, fencing, sound walls, and screening of mechanical equipment.

3.3.4.1.3 Significance after Mitigation

The City finds that the above mitigation measures to reduce impacts associated with noise are feasible and are adopted. However, depending on the location of future downstream facilities mitigation measures are either not feasible or would not achieve the required noise reduction levels for interior noise. Therefore, impacts related to noise are considered to be significant and unavoidable.

3.3.4.2 Impact – Noise (b)

As described in PEIR Section 3.14.3.2.2, depending on the proximity to sensitive receptors to downstream facilities and construction methods, vibration levels may exceed the FTA thresholds with respect to building damage risk and annoyance.

3.3.4.2.1 Finding

The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final PEIR.

3.3.4.2.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in an MMP that is to be adopted concurrently with these findings.

MM NOI-1: Noise and Vibration Control Plan.

3.3.4.2.3 Significance after Mitigation

The City finds that the above mitigation measure to reduce impacts associated with noise is feasible and is adopted. However, even with implementation of mitigation measures, construction vibration impacts may still exceed the significance threshold for construction vibration in certain circumstances where sensitive receptors are in close proximity to vibration-inducing construction activities. Therefore, impacts related to noise are considered to be significant and unavoidable.

3.3.4.3 Impact – Noise (c)

As described in PEIR Section 3.14.3.2.2, if downstream facilities are located within an airport land use plan area or within two miles of a public airport or in the vicinity of a private airstrip, there is a potential for noise exposure from airport activities to people working in the facility. Depending on the proximity and level of activity at an airport, this could result in a significant impact.

3.3.4.3.1 Finding

The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final PEIR.

3.3.4.3.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in an MMP that is to be adopted concurrently with these findings.

MM NOI-6: Airport Impact Analysis. If future facilities are proposed within 2 miles of a public or private airport, the project-specific noise study shall include an analysis of the potential for the facility's adjacency to an airport to result in exposure of employees to excessive noise levels. If excessive noise levels are identified, mitigation measures shall be implemented to reduce the interior noise levels to acceptable levels (i.e., noise level reduction requirements in accordance with 14 CFR, Part 150, Appendix A, Table 1). Such mitigation could include, but is not limited to, enhanced insulation or dual-paned windows.

3.3.4.3.3 Significance after Mitigation

The City finds that the above mitigation measure to reduce impacts associated with noise is feasible and is adopted. However, depending on the location of future downstream facilities mitigation measures are either not feasible or would not achieve the required noise reduction levels for interior noise. Therefore, impacts related to noise are considered to be significant and unavoidable.

3.3.5 Transportation

3.3.5.1 Impact – Transportation (a)

As described in PEIR Section 3.18.3.2.2, operation of the downstream facilities would generate ongoing additional vehicle activity on Los Angeles roadways.

3.3.5.1.1 Finding

The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final PEIR.

3.3.5.1.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in an MMP that is to be adopted concurrently with these findings.

MM TR-1: Traffic Impact Report. Prior to the approval of any future facility, a project-level traffic impact report shall be prepared by a qualified traffic consultant. The report shall be prepared to the standard of the LADOT that would be providing approvals for the project. The report shall include existing traffic information, thresholds of significance, construction and operation-related trip generation and a project and cumulative-level analysis. The traffic report shall identify mitigation measures to reduce project- and cumulative-level impacts to the maximum extent practicable. Such mitigation measures could include roadway and intersection improvements, payment of traffic impact fees, timing of collection truck schedules to avoid peak hours, encouraging carpool, vanpool, or alternative transportation for employees through the use of incentives.

3.3.5.1.3 Significance after Mitigation

The City finds that the above mitigation measures to reduce impacts associated with transportation are feasible and are adopted. However, depending on the project location and number of vehicle trips generated as a result of operations, in some circumstances, mitigation measures (e.g., timing of truck schedules to avoid peak hours, encouraging carpool, vanpool, or alternative transportation, etc.) applied to reduce transportation impacts may not reduce impacts below the applicable threshold or may be infeasible. Therefore, impacts related to transportation are considered to be significant and unavoidable.

3.3.5.2 Impact – Transportation (b)

As described in PEIR Section 3.18.3.2.2, construction and operation of new downstream facilities has the potential to result in significant impacts as described in the LADOT Transportation Assessment Guidelines (LADOT 2022). Accordingly, operation of new downstream activities could be inconsistent with CEQA Guidelines detailed in Section 15064.3(b) and, therefore, impacts would be potentially significant.

3.3.5.2.1 Finding

The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final PEIR.

3.3.5.2.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in an MMP that is to be adopted concurrently with these findings.

MM TR-1: Traffic Impact Report.

3.3.5.2.3 Significance after Mitigation

The City finds that the above mitigation measure to reduce impacts associated with transportation is feasible and is adopted. However, depending on the project location and number of vehicle trips generated as a result of operations, in some circumstances, mitigation measures (e.g., timing of truck schedules to avoid peak hours, encouraging carpool, vanpool, or alternative transportation, etc.) applied to reduce transportation impacts may not reduce impacts below the applicable threshold or may be infeasible. Therefore, impacts related to transportation are considered to be significant and unavoidable.

3.3.5.3 Impact – Transportation (c)

As described in PEIR Section 3.18.3.2.2, construction and operation of downstream facilities could substantially increase hazards due to a geometric design feature or incompatible uses.

3.3.5.3.1 Finding

The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final PEIR.

3.3.5.3.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in an MMP that is to be adopted concurrently with these findings.

MM TR-1: Traffic Impact Report.

3.3.5.3.3 Significance after Mitigation

The City finds that the above mitigation measure to reduce impacts associated with transportation is feasible and is adopted. However, depending on the project location and number of vehicle trips generated as a result of operations, in some circumstances, mitigation measures (e.g., timing of truck schedules to avoid peak hours, encouraging carpool, vanpool, or alternative transportation, etc.) applied to reduce transportation impacts may not reduce impacts below the applicable threshold or may be infeasible. Therefore, impacts related to transportation are considered to be significant and unavoidable.

3.3.5.4 Impact – Transportation (d)

As described in PEIR Section 3.18.3.2.2, construction and operation of downstream facilities could impede emergency access.

3.3.5.4.1 Finding

The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final PEIR.

3.3.5.4.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in an MMP that is to be adopted concurrently with these findings.

MM TR-1: Traffic Impact Report.

3.3.5.4.3 Significance after Mitigation

The City finds that the above mitigation measure to reduce impacts associated with transportation is feasible and is adopted. However, depending on the project location and construction and operation activities and/or feasibility of mitigation measures, in some circumstances, emergency access may be impeded. Therefore, impacts related to transportation are considered to be significant and unavoidable.

3.3.6 Tribal Cultural Resources

3.3.6.1 Impact – Tribal Cultural Resources (a)

As described in PEIR Section 3.19.3.2.2, construction of downstream facilities would result in ground-disturbing activities that have the potential to cause a substantial adverse change in the significance of a tribal cultural resource if they are present at or near the future site.

3.3.6.1.1 Finding

The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final PEIR.

3.3.6.1.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in an MMP that is to be adopted concurrently with these findings.

MM CUL-1: Pre-construction Cultural Survey and Tribal Cultural Monitoring.

MM CUL-2: Unanticipated Discoveries Procedures.

MM CUL-3: Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects.

3.3.6.1.3 Significance after Mitigation

The City finds that the above mitigation measures to reduce impacts associated with tribal cultural resources are feasible and are adopted. However, there may be rare instances in which even with adherence to mitigation measures, construction activities or the relocation of a tribal cultural resource may alter the significance of the resource. Therefore, impacts related to tribal cultural resources are considered to be significant and unavoidable.

3.3.7 Wildfire

3.3.7.1 Impact – Wildfire (a)

As described in PEIR Section 3.20.3.2.2, construction of downstream facilities in Very High Fire Hazard Severity Zones could interfere with adopted emergency response or evacuation plans as a result of temporary construction activities within rights-of-way.

3.3.7.1.1 Finding

The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final PEIR.

3.3.7.1.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in an MMP that is to be adopted concurrently with these findings.

MM TR-1: Traffic Impact Report.

MM HAZ-6: Emergency Access.

MM HAZ-7: Hillside Construction Staging and Parking Plan.

3.3.7.1.3 Significance after Mitigation

The City finds that the above mitigation measures to reduce impacts associated with wildfire are feasible and are adopted. However, because the potential for unusual site-specific conditions, project- or road-specific conditions is unknown, installation of new downstream facilities may result in impacts related to emergency response plan or emergency evacuation plan. Therefore, impacts related to wildfire are considered to be significant and unavoidable.

3.3.7.2 Impact – Wildfire (b)

As described in PEIR Section 3.20.3.2.2, construction and operation of downstream facilities may expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire due to slope, prevailing winds, and other factors.

3.3.7.2.1 Finding

The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final PEIR.

3.3.7.2.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in an MMP that is to be adopted concurrently with these findings.

MM HAZ-6: Emergency Access.

MM HAZ-7: Hillside Construction Staging and Parking Plan.

3.3.7.2.3 Significance after Mitigation

The City finds that the above mitigation measures to reduce impacts associated with wildfire are feasible and are adopted. However, because the potential for unusual site-specific conditions, project- or road-specific conditions is unknown, installation of new downstream facilities may result in impacts related to exposure to pollutants caused by wildfire. Therefore, impacts related to wildfire are considered to be significant and unavoidable.

3.3.7.3 Impact – Wildfire (c)

As described in PEIR Section 3.20.3.2.2, the construction and operation of downstream facilities may require the installation or maintenance of associated infrastructure that may exacerbate fire risk or result in temporary or ongoing impacts to the environment.

3.3.7.3.1 Finding

The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final PEIR.

3.3.7.3.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in an MMP that is to be adopted concurrently with these findings.

MM HAZ-6: Emergency Access.

MM HAZ-7: Hillside Construction Staging and Parking Plan.

3.3.7.3.3 Significance after Mitigation

The City finds that the above mitigation measures to reduce impacts associated with wildfire are feasible and are adopted. However, because the potential for unusual site-specific conditions, project- or road-specific conditions is unknown, the construction and operation of downstream facilities may exacerbate

fire risk or result in temporary or ongoing impacts to the environment. Therefore, impacts related to wildfire are considered to be significant and unavoidable.

3.3.7.4 Impact – Wildfire (d)

As described in PEIR Section 3.20.3.2.2, the construction and operation of downstream facilities may expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

3.3.7.4.1 Finding

The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final PEIR.

3.3.7.4.2 Mitigation Measure(s)

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in an MMP that is to be adopted concurrently with these findings.

MM HAZ-6: Emergency Access.

MM HAZ-7: Hillside Construction Staging and Parking Plan.

3.3.7.4.3 Significance after Mitigation

The City finds that the above mitigation measures to reduce impacts associated with wildfire are feasible and are adopted. However, because the potential for unusual site-specific conditions, project- or road-specific conditions is unknown, the construction and operation of downstream facilities may expose people or structures to significant risks. Therefore, impacts related to wildfire are considered to be significant and unavoidable.

3.4 Cumulative Impacts

As described in PEIR Section 4.2, the Program's upstream measures would have no cumulatively considerable significant impacts. As described in PEIR Section 4.3, downstream cumulative impacts were analyzed through a summary of projections adopted in a local, regional, or statewide plan (CEQA Guidelines Section 151309(b)). The downstream cumulative impacts relate to the potential for future facilities to impact the physical environment within the geographic area for each resource (watershed, airshed, viewshed, etc.). The potential for the Program to contribute to a cumulative impact is dependent upon where future downstream facilities are located and also when they would be constructed.

The PEIR identifies that the Program's potential future downstream measures have the potential to have a cumulatively considerable impact on various resources because the Program could result in significant and unavoidable impacts to biological resources (PEIR Section 4.3.4), cultural resources (PEIR Section

4.3.5), hazards and hazardous materials (PEIR Section 4.3.9), noise (PEIR Section 4.3.13), transportation (PEIR Section 4.3.15), tribal cultural resources (PEIR Section 4.3.16), and wildfire (PEIR Section 4.3.17).

3.4.1 Finding

The City did not identify any additional feasible mitigation measures, beyond those identified in the PEIR Section 3 and Section 4.3 and listed above in Section 3.3 of this document, available to render these cumulative effects less than significant. The cumulative effects therefore remain significant and unavoidable.

3.5 Program Alternatives

The CEQA Guidelines (Section 15126.6(a-f)) require an EIR to describe a reasonable range of feasible alternatives, including a No Project/Program Alternative, and to analyze the impacts of the alternatives to allow for a comparative analysis of impacts for consideration by decision-makers.

Specifically, CEQA requires consideration of a range of alternatives to the project or program that: (1) could feasibly attain most of the basic program objectives and (2) would avoid or substantially lessen any of the significant impacts of the program. An alternative cannot be eliminated simply because it is costlier than the program or if it could impede the attainment of all program objectives to some degree. However, the CEQA Guidelines state that an EIR need not consider an alternative whose effects cannot be reasonably ascertained and whose implementation is remote or speculative. CEQA requires that an EIR include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the program.

PRC 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[.]" This statutory command is known as the "substantive mandate" of CEQA. (See *Mountain Lion Foundation v. Fish & Game Commission* (1997) 16 Cal.4th 105, 134.) PRC Section 21002 also 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."

Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA. Although an EIR must evaluate this range of potentially feasible alternatives, an alternative may ultimately be deemed by the lead agency to be "infeasible" if it fails to fully promote the lead agency's underlying goals and objectives with respect to the project. As the Court of Appeal explained in *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417, "'feasibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (See also *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal. App. 4th 957,

1001.) Thus, even if a project alternative will avoid or substantially lessen any of the significant environmental effects of the project, the decisionmakers may reject the alternative if they determine that specific considerations make the alternative infeasible.

Under CEQA Guidelines Section 15126.6, the alternatives to be discussed in detail in an EIR should be able to "feasibly attain most of the basic objectives of the project." For this reason, the objectives described in Section I.D, *supra*, provided the framework for defining possible alternatives. (See *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1166.)

3.5.1 Alternative 1: No Program Alternative

The purpose of the No Project or Program Alternative is "to allow decisionmakers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project" (CEQA Guidelines Section 15126.6(e)). State CEQA Guidelines Section 15126.6(e)(2) requires that the no project alternative analysis "discuss the existing conditions…as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and policies and consistent with the available infrastructure and community services." Existing conditions are defined as those at the time the Notice of Preparation was published.

As described in PEIR Section 5.1.2.1, under the No Program Alternative, the City would not implement any upstream measures to reduce the distribution, offer, provision, and sale of single-use plastic products in the City. The City also would not expand its capacity to recycle, compost, and reuse alternative materials via downstream measures. There would be continued compliance with state-level plastic reduction laws and regulations as well as continued enforcement of existing City ordinances banning or restricting certain types of single-use plastics.

3.5.1.1 Finding

As described in PEIR Section 5.2.1, it is reasonably foreseeable, based on population growth and increasing trends in single-use plastics production, use, and improper disposal, that without the Program, the adverse effects of plastic pollution would continue in the City, including steadily increasing plastic waste going to landfills, and plastic pollution degrading ecosystem health, human health, and the aesthetics of the City. The City finds that specific economic, financial, legal, social, technological, or other considerations make Alternative 1 less feasible and rejects this alternative because it would not achieve the objectives of the Comprehensive Plastics Reduction Program.

3.5.2 Alternative 2: Extended Producer Responsibility

The Program as proposed would apply an Extended Producer Responsibility (EPR) approach to reducing waste associated with textiles, beverage pods, and meal kits. As described in PEIR Section 5.1.2.2, Alternative 2 would only apply to those Program elements for which a ban or restriction is currently proposed. For each of these Program elements, this alternative would replace the ban or restriction with an EPR program that targets specific products and end uses. Those elements that would be affected by this alternative include single-use plastic water bottles, single-use plastic beverage holder rings, plastic bag clips, and single-use e-cigarettes and vape cartridges. This alternative would still ban the Program

elements for which there is no feasible way to implement an EPR program (i.e., plastic tea bags, bioplastics, PFAS, aerosol string, plastic sandbags, and lighter-than-air balloons). Additionally, Program elements that do not ban products, such as a requirement that 25% of all plastic bottles and jugs be refillable or leashed lids on plastic bottles, would still be retained under this alternative.

The Program seeks to eliminate or substantially reduce single-use plastics with the objective of ultimately removing these single-use plastics from the environment through upstream measures. The EPR alternative would instead allow all of these materials into the environment (no bans) but would instead focus efforts on reusing or recycling these items rather than landfilling them. Thus, this alternative is fundamentally a downstream approach. Manufacturers could continue to produce, and retailers would continue to sell these materials to consumers, and the EPR program would focus the efforts on diverting these materials from landfills. The success of EPR programs is dependent on consumer behavior: consumers need to properly sort, manage, and return items to the proper location at the proper time. The success of the EPR Alternative would also rely on either the consumer or the producer to fund the programs to reuse or recycle the materials.

3.5.2.1 Finding

As described in PEIR Sections 5.1.2.2 and 5.2.2, because the EPR approach allows various Program elements/materials to continue being manufactured, distributed, and sold, this alternative would result in a greater amount of plastic pollution in the environment compared to the bans proposed by the Program. As such, the alternative would also have greater adverse effects to ecosystem health, human health, and aesthetics of the City compared to the Program. It would divert less plastic waste from landfills. The success of EPR programs is dependent on consumer behavior: consumers need to properly sort, manage, and return items to the proper location at the proper time. The success of the EPR Alternative would also rely on either the consumer or the producer to fund the programs to reuse or recycle the materials. However, it is anticipated that the EPR Alternative could still meet in part the following Program objectives:

- Contribute to the City's goal of becoming zero waste by 2050.
- Reduce the volume of single-use plastics, particularly those that cannot be composted or recycled in City-contracted facilities, into the City's waste stream.
- Reduce the amount of plastic waste that is littered and pollutes water resources and has adverse effects on human health and wildlife.
- Reduce aesthetic degradation of the City due to plastic litter.

This alternative is anticipated to reduce some impacts of the Program related to the use of alternative materials because fewer or no alternative materials would be required. The level of reduction of impacts and use is expected to be less than for the Program, however, because of the continued use of the plastic materials and the dependence on consumer participation for EPR program success.

The City finds that specific economic, financial, legal, social, technological, or other considerations make Alternative 2 less feasible and rejects this alternative because the Program would result in greater beneficial impacts to aesthetics, biological resources, hazards, water quality, and utilities.

3.5.3 Alternatives Considered But Rejected From Further Analysis

As set forth in the PEIR Section 5.1, other alternatives were eliminated from further consideration and were not subject to detailed analysis in the PEIR because they failed to meet most of the Program objectives, are infeasible, and/or do not avoid any significant environmental effects of the Program. These alternatives included Alternative 3: Voluntary reduction and Alternative 4: Reduce significant effects of downstream facilities.

3.5.4 Environmentally Superior Alternative

Based on the analysis provided in the PEIR, the City has determined that the Program is the environmentally superior alternative. The Program best meets the Program objectives and has the most environmental benefits. The environmental impacts of the Program's upstream measures would be due to the use of alternative materials to replace banned materials, and the impacts of downstream measures would be largely due to construction activities of facilities.

3.6 Other CEQA Considerations

A. The City finds that the PEIR provides objective information to assist decision-makers and the public at large in their consideration of the environmental consequences of the Program. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft PEIR. The Final PEIR was prepared after the review period and responds to comments made during the public review period.

B. 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 in order to describe refinements suggested as part of the public participation process.

C. The City has determined that it has evaluated comments on environmental issues received from persons who reviewed the Draft PEIR. In accordance with CEQA, the City prepared written responses describing the disposition of key environmental issues raised (provided in Appendix F of the Final PEIR). The Final PEIR 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 PEIR. 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 PEIR.

D. 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 non-significance used in the PEIR are

supported by substantial evidence in the record, including the expert opinion of the PEIR preparers and City staff; and the significance thresholds used in the PEIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Program.

E. The City finds that, in weighing the evidence on the whole record, the conclusions of the PEIR are supported by substantial evidence, including evidence from the expert opinion of the PEIR preparers and City staff, and the level of detail is sufficient to provide an informed understanding of the issues presented, and that comment letters disputing the expert opinion, data, analysis, and conclusions of the PEIR preparers and City staff are not credible based on evidence presented in the PEIR and the whole record, including but not limited to the fact that any contrary opinions presented were not supported by the expert analysis conducted in the PEIR on the specific facts and circumstances of the Program. 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 PEIR's reasonably explained approach regarding the scope of analysis, methodology, and accuracy of data relied upon, including but not limited to Comment Letter 22 and Comment Letter 31 in Appendix F Response to Comments in the PEIR.

F. The Final PEIR documents changes to the Draft PEIR: The Final PEIR provides additional information that was not included in the Draft PEIR. Having reviewed the information contained in the Draft PEIR and the Final PEIR and in the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of draft PEIRs, 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 PEIR, 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 PEIR (CEQA Guidelines Section 15088.5(e)).

1. The changes to the Program description do not deprive the public of a meaningful opportunity to comment on a substantial adverse environmental effect of the Program or a feasible way of mitigating or avoiding such effects, because no such significant impacts have been identified from either the circulated draft Program description or the final modification in the Program description.

2. The Responses To Comments contained in the Final PEIR fully considered and responded to comments claiming that the Program would have significant impacts or more severe impacts not disclosed in the Draft PEIR and include substantial evidence that none of these comments provided substantial evidence that the Program 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 PEIR.

3. The City has thoroughly reviewed the public comments received regarding the Program and the PEIR as it relates to the Program to determine whether under the requirements of CEQA any of the public comments provide substantial evidence that would require recirculation of the PEIR prior to its adoption and has determined that recirculation of the PEIR is not required.

4. None of the information submitted after publication of the Draft PEIR 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 Draft PEIR, or a feasible mitigation measure or alternative not included in the Draft PEIR.

G. The City finds and declares that substantial evidence for each and every finding made herein is contained in the PEIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.

SECTION 4 Statement of Overriding Considerations

The PEIR has identified significant effects that may occur as a result of the potential future downstream facilities included in the Program. As set forth in these CEQA Findings, the City has made a reasonable and good faith effort to eliminate or substantially mitigate the significant impacts resulting from the Program and has made specific findings on each of the Program's significant impacts and on mitigation measures and alternatives. The identification of these effects and the mitigation considerations are based on substantial evidence presented in Section 3 of the PEIR. The City expects that many of the significant adverse impacts identified in the PEIR will be avoided or mitigated; however, because the potential future locations of downstream facilities is not known at this time, and therefore site-specific characteristics are also unknown, even with implementation of the mitigation measures discussed in the PEIR, many of the Program's effects may not be able to be mitigated to a less than significant level. Even with implementation of all feasible mitigation, the Program's downstream facilities may result in significant and unavoidable impacts as follows:

- Biological Resources
  - Impact – Biological Resources (g) - Construction and operation of downstream facilities could impact common wildlife species, such as trampling via heavy equipment use or disturbance from loud noises during construction and/or operation.
- Cultural Resources
  - Impact – Cultural Resources (a and b) - Construction of downstream facilities would result in ground-disturbing activities that could have a potentially significant impact on a historical or archaeological resource if they are present at or near the future site.
- Hazards and Hazardous Materials
  - Impact –Hazards and Hazardous Materials (f) - Emergency access or evacuation plans may be significantly impacted by downstream facility construction and operation.
  - Impact – Hazards and Hazardous Materials (g) - The construction and operation of downstream facilities may expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.
- Noise
  - Impact – Noise (a) - In the event a downstream facility is located in an area that does have sensitive receptors, there is a potential for noise levels to exceed existing ambient exterior noise levels by more than 5 dBA or more at a noise-sensitive land use (assuming construction activities would last more than 10 days in a 3-month period).
  - Impact – Noise (b) - Depending on the proximity to sensitive receptors to downstream facilities and construction methods, vibration levels may exceed the FTA thresholds with respect to building damage risk and annoyance.

  - Impact – Noise (c) - If downstream facilities are located within an airport land use plan area or within 2 miles of a public airport or in the vicinity of a private airstrip, there is a potential for noise exposure from airport activities to people working in the facility. Depending on the proximity and level of activity at an airport, this could result in a significant impact.
- Transportation
  - Impact – Transportation (a) - Operation of the downstream facilities would generate ongoing additional vehicle activity on Los Angeles roadways.
  - Impact – Transportation (b) - Construction and operation of new downstream facilities has the potential to result in significant impacts as described in the LADOT Transportation Assessment Guidelines (LADOT 2022). Accordingly, operation of new downstream activities could be inconsistent with CEQA Guidelines detailed in Section 15064.3(b) and, therefore, impacts would be potentially significant.
  - Impact – Transportation (c) Construction and operation of downstream facilities could substantially increase hazards due to a geometric design feature or incompatible uses.
  - Impact – Transportation (d) - Construction and operation of downstream facilities could impede emergency access.
- Tribal Cultural Resources
  - Impact – Tribal Cultural Resources (a) - Construction of downstream facilities would result in ground-disturbing activities that have the potential to cause a substantial adverse change in the significance of a tribal cultural resource if they are present at or near the future site.
- Wildfire
  - Impact – Wildfire (a) - Construction of downstream facilities in VHFHSZs could interfere with adopted emergency response or evacuation plans as a result of temporary construction activities within rights-of-way.
  - Impact – Wildfire (b) - Construction and operation of downstream facilities may expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire due to slope, prevailing winds, and other factors.
  - Impact – Wildfire (c) - The construction and operation of downstream facilities may require the installation or maintenance of associated infrastructure exacerbate fire risk or result in temporary or ongoing impacts to the environment.
  - Impact – Wildfire (d) - The construction and operation of downstream facilities may expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

In accordance with Section 15093 of the CEQA Guidelines, having reduced the adverse significant environmental effects of the project to the extent feasible, having considered the entire administrative record on the Program, and having weighed the benefits of the Program against its unavoidable adverse

impacts after mitigation, the Los Angeles City Council hereby finds that the following legal, economic, social and environmental benefits of the project outweigh its unavoidable adverse impacts and render them acceptable.

The following statement identifies the specific reasons why, in the City's judgment, the benefits of the Program as approved outweigh its unavoidable significant effects. Any one of these reasons is sufficient to justify approval of the Program. 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 Program would contribute to the City's goal of becoming zero waste by 2050.

As discussed in PEIR Section 1.3.2, one of the Program objectives is to contribute to the City's goal of becoming zero waste by 2050. As set forth in the Introduction to Section 1 of the PEIR, the Program consists of numerous upstream measures to reduce or eliminate the production and use of single-use plastic products, and encourage reuse or recycling of other items to the extent feasible, thereby reducing or eliminating the input of single-use plastics into the City's waste stream and the environment. To manage the increase in recycling and composting due to the increased use of recyclable and compostable alternative materials anticipated from the Program, the Program also consists of downstream measures by which to increase the City's ability to manage these materials and divert them from landfill disposal, including collecting, reusing, recycling, and composting alternative materials and supporting reusable products. Upstream and downstream measures would work together to create a zero waste loop in the City, as provided by Figure 1.1-1 of the PEIR.

For these reasons, the City concludes that the Program's benefits in contributing to the City's goal of becoming zero waste by 2050 outweigh its significant and unavoidable impacts.

2. The Program would reduce the volume of single-use plastics into the City's waste stream.

As discussed in PEIR Section 1.3.2, one of the Program objectives is to reduce the volume of single-use plastics into the City's waste stream. As discussed in detail in PEIR Section 2, the Program includes numerous upstream measures to reduce or eliminate the production and use of single-use plastic products, and encourage reuse or recycling of other items to the extent feasible, thereby reducing or eliminating the input of single-use plastics into the City's waste stream and the environment. The Program's upstream elements include the following broad categories, each of which will reduce the volume of single-use plastics into the City's waste stream: Plastic Bottle Policies; Foodware Policies; Textile Policies; Per- and polyfluoroalkyl substances (PFAS) Ban; Additional Product Bans; Formation of Working Groups and Additional Studies; and Outreach and Education.

For these reasons, the City concludes that the Program's benefits in reducing the volume of single-use plastics into the City's waste stream outweigh its significant and unavoidable impacts.

3. The Program would reduce the amount of single-use plastic waste that is littered and pollutes water resources and has adverse effects on human health, wildlife, and aesthetics.

As discussed in PEIR Section 1.3.2, the Program objectives include reducing the amount of single-use plastic waste that is littered and pollutes water resources and has adverse effects on human health, wildlife, and aesthetics. As set forth in detail in Statement of Overriding Considerations No. 2 above; PEIR Sections 1.3.1, 2 and 3, including summaries in Table 3.2-2; and Appendix F Responses to Comments of the Final PEIR including Master Response #5, the Program would reduce the use of single-use plastics and would thereby reduce the potential for these items to be littered throughout the City. This would result in less pollution to water resources, and less adverse effects on human health, wildlife, and aesthetics.

For these reasons, the City concludes that the Program's benefits in the amount of single-use plastic waste that is littered and pollutes water resources and has adverse effects on human health, wildlife, and aesthetics outweigh its significant and unavoidable impacts.

4. The Program would encourage and support the use of alternatives materials.

As discussed in PEIR Section 1.3.2, one of the Program objectives is to encourage and support the use of alternative materials to single-use plastics. For the reasons as set forth in Statement of Overriding Considerations Nos. 1 and 2 above, the City concludes that the Program would: (1) contribute to the City's goal of becoming zero waste by 2050 by creating a zero waste loop and (2) reduce the volume of single-use plastics into the City's waste stream. This would thereby encourage and support the use of alternative materials. In addition, as discussed in PEIR Section 2 and Appendix F Responses to Comments of the Final PEIR including Master Response #6, the Program would encourage and support the use of alternative materials.

For these reasons, the City concludes that the Program's benefits in encouraging and supporting the use of alternative materials outweigh its significant and unavoidable impacts.

5. The Program would allow the City to more efficiently manage and support the development of downstream systems and facilities as well as supporting the reuse, recycling, and composting of alternative products to single-use plastics.

As discussed in PEIR Section 1.3.2, one of the Program objectives is to more efficiently manage and support the development of downstream systems and facilities as well as supporting the reuse, recycling, and composting of alternative products to single-use plastics. For the reasons as set forth in Statement of Overriding Considerations No. 1 above, the City concludes that the Program would contribute to the City's goal of becoming zero waste by 2050 and, by creating a zero waste loop, would allow the City to more efficiently manage and support the development of downstream systems and facilities and supporting the alternative products to single-use plastics. In addition, as discussed in PEIR Section 2, the Program would allow the City to more efficiently manage and support the development of downstream systems and facilities and support alternative products to single-use plastics.

For these reasons, the City concludes that the Program's benefits in more efficiently managing and supporting the development of downstream systems and facilities to support alternative products outweigh its significant and unavoidable impacts.

6. The Program would further the City's long-term sustainability goals.

For the reasons set forth in Statement of Overriding Considerations Nos. 1 through 5 above, the Program would further the City's long-term sustainability goals by contributing to the City's goal of becoming zero-waste by 2050, reduce the volume of single-use plastics into the City's waste stream, reduce the volume of single-use plastic waste that is littered, encourage and support the use of alternative materials, and allow the City to more efficiently manage and support the development of downstream systems.

Furthermore, as discussed in PEIR Sections 1.1, 3.9.3.3, and 3.12.3, the Program would be consistent with all applicable sustainability goals, objectives, and policies, including, as provided in PEIR Table 3.9-7, the City's Green New Deal, the California Air Resources' Board 2022 Scoping Plan, the City's Green Building Plan; the Southern California Association of Governments' 2020 Regional Transportation Plan/Sustainable Communities Strategy; and the City's General Plan including its Community Plan elements.

For these reasons, the City concludes that the Program's benefits in furthering the City's long-term sustainability goals outweigh its significant and unavoidable impacts.

SECTION 5 Mitigation Monitoring Program

This section constitutes the MMP for the PEIR for the Comprehensive Plastics Reduction Program (Program). An MMP must be adopted by the lead agency "when a public agency has made the findings required under paragraph (1) of subdivision (a) of Section 15091 (of the CEQA Guidelines) relative to an EIR or adopted a mitigated negative declaration in conjunction with approving a project. In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects." (CEQA Guidelines Section 15097). As such, as lead agency, the City of Los Angeles, acting through Los Angeles Sanitation and Environment (LASAN), has prepared this MMP for the Program as analyzed in the PEIR (State Clearinghouse No. 2023050007). The MMP describes the mitigation and monitoring plan for the Program in order to avoid or mitigate significant effects on the environment resulting from the Program. It is designed to provide means and measures that ensure compliance with mitigation measures during implementation of the Program.

5.1 Monitoring requirements and purpose

The PEIR evaluated the potential environmental impacts that could result from implementation of the range of activities that the City may conduct, implement, or oversee as part of the Program. The goal of the PEIR was to provide a detailed description and analysis of the upstream elements of the Program, such that later City actions based on the measures described, and related activity may be found to be within the scope of the Program described in the PEIR, and further CEQA analysis not be required. There are no mitigation measures required for upstream Program elements.

The PEIR also evaluated downstream measures by which to increase the City's ability to manage alternative materials, such as by collecting, reusing, recycling, and composting alternative materials and supporting reusable products. Although the type and size of downstream activities was specified and analyzed in the PEIR based on substantial evidence in the record, the location of the downstream activity is speculative. As such, the PEIR analyzed the reasonably foreseeable impacts of downstream activities but could not provide a site-specific evaluation to determine the level of significance of impacts. Therefore, it is anticipated that, while the future construction and implementation of downstream activities can substantially rely on the analyses in this PEIR, subsequent CEQA analysis would be required once a specific location for a downstream activity is proposed in the future. All of the mitigation measures in this MMP are specified for potential future downstream activities.

The MMP for the Program has been prepared in accordance with CEQA (PRC Section 21081.6(a) (Findings)), and CEQA Guidelines Sections 15091(d) (Findings) and 15097 (Mitigation Monitoring or Reporting). The measures presented below to avoid or mitigate the Program's significant impacts on the environment are fully enforceable through this plan.

LASAN may delegate monitoring responsibilities to other environmental monitors, consultants, or responsible agencies, such as affected jurisdictions.

The MMP provides the following information:

- Impacts: The potential impacts identified in the PEIR as a result of the Program;
- Mitigation Measures: A description of the feasible mitigation measures for each significant impact identified in the PEIR;
- Timeframe for Compliance: Identifies when a mitigation measure must be implemented/completed;
- Responsible Monitoring Agency: Identifies which entity will oversee implementation and compliance of the mitigation measure;
- Steps to Compliance and Verification: How the mitigation measure shall be implemented and/or verified.

5.2 LASAN's mitigation authority and responsibility

LASAN is responsible for implementing the mitigation measures in the MMP, and for ensuring that these requirements are met by all staff. Some mitigation measures include detailed success criteria, while others include requirements such as obtaining permits, completely avoiding particular impacts, or subsequent analysis when site-specific project details become available. At the time of site-specific project review, additional mitigation success thresholds may be established by the City of Los Angeles or applicable agencies with jurisdiction through the permit process and through the review and approval of specific plans for the implementation of mitigation measures for a project that falls under the Program.

Pursuant to PRC Sections 21155.2(a) and (b)(2) and Section 21159.28(a), future projects that seek to tier from this PEIR must incorporate the mitigation measures identified herein. Alternatively, if the identified mitigation measure is found to be infeasible based on substantial evidence, the future project must incorporate equivalent measures that would avoid or mitigate potential impacts to a less than significant level. At the time of proposing specific downstream facilities at specific locations, additional mitigation success thresholds, and the means and measures to ensure compliance with them, would be added to this MMP.

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
Aesthetics						
3.2.3.2.2 a)	**MM AES-1 - Visual Impact Assessment.** Prior to the approval of any future facility, the City would conduct a Visual Impact Assessment in accordance with the Caltrans Visual Impact Assessment Handbook (2023) or equivalent guidance, which consists of first identifying the existing/baseline visual quality of the surrounding environment and landscape visual character, including any scenic resource within the area of visual effect of the facility, and viewers and neighbors that could be impacted by the facility. Fieldwork and/or project impact visualizations preparation would then be used to assess visual compatibility, contrast, evaluate visual change, assess viewer sensitivity and viewpoint sensitivity, evaluate visual sensitivity, and determine visual impact of the facility. For most projects in which a visual change is determined to be moderate and unlikely to be controversial, a basic descriptive assessment using the preparers' best professional judgement is sufficient. For projects where the visual change is expected to be clearly noticeable with moderate to high public concern or where extensive public review is anticipated, an advanced assessment shall be conducted in which impacts to each of the metrics listed above is quantified, resulting in an overall score of anticipated impact, from -9 (extremely highly adverse) to +9 (extremely highly beneficial). If the VIA indicates a negative score/adverse visual impact, then it would include mandatory provisions for the design of the downstream facility to minimize or avoid visual impacts. Design requirements could include use of certain paint colors to minimize contrast, revegetation around the facility, or screening to avoid undesirable views. If the VIA concludes that visual impacts of a downstream facility cannot be reduced or avoided to a below moderate level, then the facility shall be re-sited to a location absent of significant and unavoidable visual impacts.	During plan development prior to construction and materials submitted	A. Conduct Visual Impact Assessment. B. If adverse effects identified, incorporate design requirements to avoid undesirable views into site plans or re-site facility to new location.	LASAN		
3.2.3.2.2 c)	Implement **MM AES-1**, as described above.					

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
3.2.3.2.2 d)	**MM AES-2 - Lighting.** Lighting used during daytime or night-time construction and operation shall be shielded and directed downward to avoid any light spill onto surrounding land uses including natural habitat areas, open water, and residential areas.	During plan development prior to construction and materials submitted; Ongoing	A. Incorporate lighting measures onto construction site plans	LASAN		
3.2.3.2.2 e)	Implement **MM AES-1**, as described above.					
	MM AES-3 - Shading Reduction. For buildings greater than 60 feet tall and located at a distance within three times the height of the proposed structure to a shadow-sensitive use, the Visual Impact Assessment outlined in MM AES-1 would include an evaluation of if the shadow-sensitive uses would be shaded by project-related structures for more than three hours between the hours of 9:00 a.m. and 3:00 p.m. Pacific Standard Time (between late October and early April), or for more than four hours between the hours of 9:00 a.m. and 5:00 p.m. Pacific Daylight Time (between early April and late October). If so, the design of the structure would be altered to be less than 60-feet-tall, adjusted on-site to be further from shadow-sensitive land uses, or relocated to be further from shadow-sensitive uses.	During plan development prior to construction and materials submitted	A. Conduct Visual Impact Assessment. B. If adverse effects identified, incorporate design requirements to avoid undesirable views into site plans or re-site facility to new location.	LASAN		
Agriculture and Forestry Resources						
3.3. 3.2.2 a)	**MM AG-1 - Farmland replacement/easement.** Downstream facilities shall not be located on Prime Farmland or Unique Farmland to the extent possible. If facilities are constructed on such farmland, impacts to the farmland shall be mitigated at a 1:1 ratio with soil and farming conditions equivalent or superior to the state-designated farmland that would be converted, and this farmland shall be set aside in perpetuity. Alternatively, funds may be provided to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural easements, to be earmarked for the purchase of permanent, irreversible agricultural easements at a 1:1 ratio of the converted farmland. Proof of agricultural land acquisition or fee payment shall be provided to LASAN.	During plan development prior to construction and materials submitted	A. If facilities are located on Prime or Unique farmland, mitigate at a 1:1 ratio. B. Proof of agricultural land acquisition or fee payment provided to LASAN.	LASAN		
Air Quality						

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
3.4.3.3.2 a)	**MM AQ-1 - Air Quality Impact Analysis and Emissions Reduction Measures.** For downstream facility projects with an anticipated construction duration of greater than 6 months and located within 500 feet of a residence or other sensitive receptor, prior to issuance of a permit to construct, an Air Quality Impact Analysis shall be prepared by a qualified air quality analyst, that includes a construction health risk assessment. If the analysis shows an exceedance of SCAQMD criteria pollutant thresholds and/or that the incremental cancer risk would exceed 10 persons in 1 million at a sensitive receptor or the calculated Hazard Index for chronic or acute risks would exceed a value of 1.0 at a sensitive receptor, the air quality analyst shall prepare a mitigation plan subject to City review and approval that reduces criteria pollutants and/or TACs to less than SCAQMD thresholds and/or the maximum extent practicable. Mitigation measures to reduce project-related emissions include and are not limited to the following: – Require the use of electricity from power poles rather than temporary diesel or gasoline powered generators, as feasible. – Minimize equipment idling time in accordance with the Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling (Title 13, Division 3, Chapter 10, Section 2435). – Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet USEPA 2007 model year NOX emissions requirements. Additionally, consider other measures such as incentives, phase-in schedules for clean trucks, etc. during the construction period. – During construction and operation of downstream facilities, all internal combustion engines/construction equipment operating on the Program site shall meet Tier 4 Final CARB/USEPA emission standards. If not already supplied with a factory equipped diesel particulate filter, all offroad diesel-powered construction equipment shall be outfitted with best available control technology devices certified by CARB. Any emissions control device used by the contractor shall achieve emission reductions that are no less than	During plan development prior to construction and materials submitted; during construction	A. Conduct Air Quality Impact Analysis with completed construction health risk assessment. B. If over MM AQ-1 thresholds, air quality analyst shall prepare a mitigation plan subject to City review.	LASAN		

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
	what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. In addition, construction equipment shall incorporate, where feasible, emissions savings technology such as specific fuel economy standards. In the event that all off-road diesel-powered construction equipment cannot meet the Tier 4 Final engine certification, the applicant shall use alternative measures, which include, but would not be limited to, reduction in the number and/or horsepower rating of equipment, limiting the number of daily haul truck trips to and from the site, and/or using cleaner vehicle fuel.					
3.4.3.3.2 c)	Implement **MM AQ-1**, as described above.					
Biological Resources						
3.5.3.2.2 a)	**MM BIO-1 - Biological Surveys.** If a desktop review of the CNNDB or National Wetlands Inventory indicates that sensitive species or natural communities may occur in the proposed location for a downstream facility, the City shall either assume presence and mitigate accordingly, or a qualified biologist shall conduct species-specific biological and/or botanical field surveys to confirm the presence and extent of sensitive species and/or sensitive natural communities prior to starting work. If sensitive species or their sign (e.g., scat, burrows) are observed, the City shall develop a plan to avoid impacts that are specific to each species. If impacts cannot be avoided, the City shall consult with CDFW to obtain an Incidental Take Permit under Fish and Game Code Section 2081 and/or engage in Section 7 or 10 consultation with USFWS and/or NMFS as required based on the species. If an Incidental Take Permit cannot be obtained for the site, for example due to the presence of a California fully protected species, then the facility shall not be built or modified at that location.	During plan development prior to construction and materials submitted; during construction	A. Conduct protocol surveys for special-status plan species prior to construction activities. B. Results from the surveys must be submitted to the USFWS, CDFW and with the site plan submittal. C. A qualified biological monitor shall be present onsite during all ground and/or vegetation disturbing activities. D. Submit protocol-level vegetation survey results to CDFW and USFWS prior to construction activities. E. The survey report must contain avoidance and minimization measures if sensitive species were documented within the survey area. F. If required, all approved avoidance and minimization measures detailed on site plan. G. If take is required, obtain	CDFW, USFWS, LASAN		

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
			permits and/or written authorization from USFWS and CDFW.			
	MM BIO-3 - Implement a Worker Environmental Awareness Program. Prior to construction of Program facilities (including staging and mobilization), all Program personnel shall attend a Workers Environmental Awareness Program training, conducted by a qualified biologist, to aid workers in recognizing special status resources that may occur in the proposed location for a downstream facility. The specifics of this program shall include identification of the sensitive species and habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the proposed location for a downstream facility.	During plan development prior to construction and materials submitted; during construction	A. Worker Environmental Awareness Program includes required details on conduct around biological resources and is on file. B. WEAP training attended by all on-site personnel	LASAN		
	MM NOI-1, as described in Section 3.14.3.2.2 a).					
3.5.3.2.2 b)	**MM BIO-2 - Sensitive Community Mitigation.** If construction of a downstream facility would result in removal or adverse impacts to sensitive communities, including riparian habitats and wetlands, mitigation shall be provided prior to construction. Mitigation ratios shall be at a minimum of 1:1 for preservation and 1:1 for construction of new sensitive communities or wetlands. In addition, a Mitigation and Monitoring Plan shall be developed that includes the following: – Descriptions of the sensitive community/wetland types, and their expected functions and values. – Performance standards and monitoring protocol to ensure the success of the mitigation sensitive communities/wetlands over a period of 5 to 10 years. – Engineering plans showing the location, size, and configuration of sensitive communities/wetlands to be created or restored. An implementation schedule showing that construction of mitigation areas shall commence prior to or concurrently with the initiation of construction. – A description of legal protection measures for the preserved sensitive communities/wetlands (i.e., dedication of fee title,	During plan development prior to construction and materials submitted	A. If adverse impacts to sensitive communities are identified, Mitigation and Monitoring Plan prepared prior to construction activities with approval from CDFW and/or USFWS as appropriate. B. If appropriate, documentation of mitigation banking, fee title, etc.	CDFW, USFWS, LASAN		

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
	conservation easement, and/or an endowment held by an approved conservation organization, government agency, or mitigation bank).					
	Implement **MM BIO-3**, as described above.					
3.5.3.2.2 c)	Implement **MM BIO-2**, **MM BIO-3**, as described above.					
3.5.3.2.2 g)	Implement **MM BIO-3, MM NOI-1**, as described above and in Section 3.14.3.2.2 a) respectively.					
Cultural Resources						
3.6.3.2.2 a)	**MM CUL-1 - Pre-construction Cultural Surveys and Tribal Cultural Monitoring.** Prior to initiating ground disturbance activities, a Phase I study of the proposed site for a downstream facility shall be completed by a qualified archaeologist. This shall include an examination of the Los Angeles Historic-Cultural Monuments and California Historic Landmarks, California Historical Resources Information Files at the South Central Coastal Information Center at California State University, Fullerton, and a search of the Native American Heritage Commission Sacred Lands Files in Sacramento. The City may rely on a previously performed records search for subsequent ground-disturbing activities. If a location has been previously surveyed and no cultural resources have been recorded on it, no further cultural resources studies shall be required. If a location has not been previously surveyed based on the records search information, an intensive (100%) pedestrian ground surface survey (Phase I survey/Class III inventory) by qualified archaeologists shall be required. Any prehistoric/Native American archaeological sites identified during the records searches or during the intensive survey shall be demarcated by a qualified archaeologist, fenced by the City, and preserved in place. Historical (Euro-American) archaeological sites that are potentially eligible for listing in the National Register of Historic Places shall be evaluated by a qualified archaeologist and must meet the requirements of the National Historic Preservation Act of 1966 to qualify. Qualifying sites, structures, and equipment that are identified during the records search or field survey shall be fenced and preserved in open-space, removed and curated, or	During plan development prior to construction and materials submitted; during construction	A. Review submitted cultural records search for accurate parcel location. B. If cultural resources identified, confirm implementation of mitigation and details shown on site plan. C. All on-site personnel attend cultural resources Worker Environmental Awareness Program. D. Gabrieleño Band of Mission Indians – Kizh Nation monitor shall be present on-stie for all ground-disturbing activities.	LASAN		

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
	treated using appropriate data recovery procedures. All employees conducting work in the Project Area shall complete training dedicated to cultural resources protection. Monitoring of ground-disturbing activities shall be undertaken by a qualified archaeologist in areas that contain or are sensitive for the presence of cultural resources based on the records search or field survey results. The City shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh tribal cultural resources.					

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
	MM CUL-2 - Unanticipated Discovery Procedures. In the event archaeological materials are encountered during ground disturbance or construction, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered material has been fully assessed by the Kizh monitor and/or a qualified archaeologist. The City shall consult with appropriate Native American representatives, in determining appropriate treatment for unearthed cultural resources if the resources are prehistoric or Native American in nature. The Tribe will recover and retain all discovered tribal cultural resources in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural, and/or historic purposes. Per CEQA Guidelines Section 15126.4(b)(3), Project redesign and preservation in place shall be the preferred means to avoid impacts to significant historical resources. If it is demonstrated that resources cannot be avoided, the qualified archaeologist shall develop additional treatment measures in consultation with the City, which may include data recovery or other appropriate measures. If after consultation it is deemed appropriate, archaeological materials recovered during any investigation shall be curated at an accredited curation facility. The qualified archaeologist shall prepare a report documenting evaluation and/or additional treatment of the resource. A copy of the report shall be provided to the City of Los Angeles Department of Public Works, Bureau of Engineering Environmental Management Group, and the South Central Coastal Information Center at California State University, Fullerton.	During construction	A. All work shall cease within 50 feet of the find. B. An unanticipated discovery plan shall be prepared and submitted. C. A qualified archaeologist shall evaluate any unanticipated site for significance and recommend appropriate treatment measures. D. The Applicant qualified archaeologist shall outline the recommendations for data recovery and curation in a report for submittal and review for the file. E. The City Engineer's Environmental Management Group shall determine if or when ground disturbing activities within 50 feet of the find can or cannot resume.	LASAN, City of Los Angeles Department of Public Works, Bureau of Engineering Environmental Management Group		
3.6.3.2.2 b)	Implement **MM CUL-1**, **MM CUL-2**, as described above.					
3.6.3.2.2 c)	Implement **MM CUL-1**, as described above.					

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
	MM CUL-3 - Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects. Native American human remains are defined in PRC Section 5097.98(d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in PRC Section 5097.98, are also to be treated according to this statute. Human remains and grave/burial goods shall be treated alike per PRC Section 5097.98(d)(1) and (2). If human remains are uncovered during Project construction, the Contractor shall immediately halt all work, contact the Los Angeles County Coroner to evaluate the remains, and follow the procedures and protocols set forth in CEQA Guidelines Section 15064.5(e). If the County Coroner determines that the remains are Native American, the Project proponent shall contact the Native American Heritage Commission, in accordance with Health and Safety Code Section 7050.5(c) and PRC Section 5097.98 (as amended by AB 2641). The Native American Heritage Commission shall designate a Most Likely Descendant for the remains per PRC Section 5097.98. Per PRC Section 5097.98, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendant regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. If the remains are determined to be neither of forensic value to the Coroner, nor of Native American origin, provisions of the CHSC (§7100 et seq.) directing identification of the next-of-kin will apply. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.	During construction	A. All specific provisions of the mitigation and State law shall be implemented.	LASAN; Los Angeles Coroner; City of Los Angeles Department of City Planning; Native American Most Likely Descendent		
Geology and Soils						

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
3.8.3.3.2 f)	**MM GEO-1 - Paleontological Resources Protection Measures.** For all discretionary projects that are excavating at least two subterranean levels below the ground surface, the following measures shall be conducted to identify and avoid potential impacts to such resources: – Retention of Qualified Paleontologist. The project applicant shall retain a Qualified Paleontologist prior to excavations. The Qualified Paleontologist shall direct all mitigation measures related to paleontological resources. A qualified professional paleontologist is defined by the Society of Vertebrate Paleontology (SVP) standards (SVP 2010) as an individual preferably with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, and who has worked as a paleontological mitigation project supervisor for a least two years (SVP 2010). – Paleontological WEAP. Prior to the start of construction, the Qualified Paleontologist or their designee shall conduct a paleontological WEAP training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff. – Paleontological Monitoring. Full-time paleontological monitoring shall be conducted during the initial phases of ground-disturbing construction activities (i.e., grading, trenching, foundation work) within sediments with a high paleontological sensitivity. Paleontological monitoring shall be conducted by a qualified paleontological monitor, who is defined as an individual who has experience with collection and salvage of paleontological resources and meets the minimum standards of the SVP (2010) for a Paleontological Resources Monitor. The duration and timing of the monitoring shall be determined by the Qualified Paleontologist based on the observation of the geologic setting from initial ground disturbance, and subject to the review and approval by the City of Los Angeles. If the Qualified Paleontologist determines that full-time monitoring is no longer warranted, based on the specific geologic conditions once the full depth of excavations has been	Prior to construction; during construction	A. Retain a Qualified Paleontologist prior to excavation work. B. Confirm Worker Environmental Awareness Program on file includes training dedicated to recognition of possible buried paleontological resources and protection of paleontological resources during construction. C. Full time paleontological monitoring during initial phases of ground-disturbing activity. D. Duration and timing of monitoring to be determined by the Qualified Paleontologist, subject to approval by the City of Los Angeles.	LASAN		

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
	reached, they may recommend that monitoring be reduced to periodic spot-checking or ceased entirely. Monitoring shall be reinstated if any new ground disturbances are required, and reduction or suspension shall be reconsidered by the Qualified Paleontologist at that time. In the event of a fossil discovery by the paleontological monitor or construction personnel, all work in the immediate vicinity of the find shall cease. A Qualified Paleontologist shall evaluate the find before restarting construction activity in the area. If it is determined that the fossil(s) is (are) scientifically significant, the Qualified Paleontologist shall complete the following conditions to mitigate impacts to significant fossil resources: • Salvage of Fossils. If fossils are discovered, the paleontological monitor shall have the authority to halt or temporarily divert construction equipment within 50 feet of the find until the monitor and/or lead paleontologist evaluate the discovery and determine if the fossil may be considered significant. Typically, fossils can be safely salvaged quickly by a single paleontologist and would not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. Bulk matrix sampling may be necessary to recover small invertebrates or microvertebrates from within paleontologically-sensitive deposits. • Treatment of Paleontological Resources. Once salvaged, significant fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection (such as the Natural History Museum of Los Angeles County), along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the Qualified Paleontologist. – Final Paleontological Mitigation Report. Upon completion of ground-disturbing activity (and curation of fossils, if necessary) the Qualified Paleontologist shall prepare a final report describing the results of the paleontological monitoring efforts associated with					

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
	the project. The report shall include a summary of the field and laboratory methods, an overview of the project geology and paleontology, a list of taxa recovered (if any), an analysis of fossils recovered (if any) including their scientific significance, and recommendations. The report shall be submitted to the City of Los Angeles. If the monitoring efforts produced fossils, a copy of the report shall also be submitted to the designated museum repository. – Treatment of Paleontological Resources. For discretionary projects, the City shall require that all paleontological resources identified on a project site be assessed and treated. A report shall be prepared according to current professional standards that describes the resource, how it was assessed, and disposition.					
Hazards and Hazardous Materials						
3.10.3.2.2 a)	**MM HAZ-1 -Waste Management Plan.** No less than 30 days prior to site disturbance activities, LASAN shall prepare and submit a Waste Management Plan to the DTSC and Los Angeles Fire Department (the local Certified Unified Program Agency [CUPA]) for their review and approval to other local agencies, if applicable, for review and comment. The Waste Management Plan shall include, but not be limited to, the following: – A description of all waste streams, including projections of frequency, amounts generated, and hazard classifications; methods of managing each waste, including storage, treatment methods, and companies contracted with for treatment services; waste testing methods to ensure correct classification; methods of transportation, disposal requirements and disposal sites; and recycling and waste minimization/reduction plans. – Procedures for managing excavated soil, which may contain residual chemicals from previous operation activities. The procedures shall include the designation of a state registered Professional Engineer or Professional Geologist to oversee soil excavation and, if necessary, investigation and cleanup in the event that contamination is encountered; sampling procedures to assess the nature and extent of contamination; and reporting and notification requirements.	No less than 30 days prior to site disturbance activities	A. Waste Management Plan prepared. B. Designate state registered Professional Engineer or Professional Geologist for soil excavation activities. C. Submit Waste Management plan for review and approval to DTSC and LAFD.	LASAN; DTSC; LA City Fire Department		

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
	– A work plan for conducting a hazardous building materials survey of structures to be demolished and removed. The materials to be surveyed shall include but not be limited to asbestos-containing materials, lead-containing paint, PCBs in fluorescent light ballasts, and/or mercury in fluorescent light tubes.					
	MM HAZ-2 - WEAP. LASAN shall develop a WEAP to expand the utility of the SWPPP and MM HAZ-1. LASAN shall also prepare a presentation used to train all site personnel prior to the commencement of work. A record of all trained personnel shall be kept. In addition to instruction on compliance with any mitigation measures identified, all construction personnel shall also receive the following: – A list of phone numbers for the LASAN environmental specialist personnel associated with the Project (archaeologist, biologist, environmental compliance coordinator, and spill response coordinator). – Instructions regarding the individual responsibilities under the CWA, the Project SWPPP, site-specific BMPs, and the location of Material Safety Data Sheets for the Project. – Instructions to notify the foreman and spill response coordinator in case of a hazardous materials spill or leak from equipment, or upon the discovery of soil or groundwater contamination. – A copy of the truck routes to be used for material delivery. – Instruction that noncompliance with any laws, rules, regulations, or mitigation measures could result in being barred from participating in any remaining construction activities associated with the Project. – Emergency response measures and routes.	Prior to construction; during construction	A. Worker Environmental Awareness Plan prepared. B. Confirm the Worker Environmental Awareness Program has been submitted, reviewed for completeness with all requirements and on file.	LASAN		
3.10.3.2.2 b)	Implement **MM HAZ-1**, **MM HAZ-2**, as described above.					
3.10.3.2.2 c)	Implement **MM HAZ-1**, **MM HAZ-2**, as described above.					

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
3.10.3.2.2 d)	**MM HAZ-3 - Phase I/II Environmental Site Assessment.** Prior to siting waste facilities, a Phase I Environmental Site Assessment shall be conducted in conformance with industry-accepted practices, ASTM Designation E1527-05, and the USEPA All Appropriate Inquiry Rule (40 CFR Section312). Based on the Phase I ESA findings, recommendations for further assessment (i.e., Phase II Environmental Site Assessment) or mitigation measures shall be recommended, as appropriate, to assess or mitigate potential environmental impacts under the oversight of the applicable regulatory agency (e.g., LAFD, DTSC, SWRCB).	During plan development prior to construction and materials submitted	A. Conduct Phase I Environmental Site Assessment for siting waste facilities. B. Results of Phase I/II Environmental Site Assessment submitted to appropriate oversight agency (LAFD, DTSC, SWRCB).	LASAN		
	MM HAZ-4 - Remediation Action Plan/Soil Management Plan. Should the assessments required under **MM HAZ-3** above reveal chemicals of concern above applicable cleanup goals, a qualified environmental consultant shall be retained to prepare a Remediation Action Plan and Soil Management Plan (RAP/SMP), which will be submitted to the appropriate oversight agency (e.g., LAFD, DTSC, SWRCB) for review and approval prior to the commencement of excavation and grading activities. The RAP/SMP shall be implemented during excavation and grading activities on the Project Site to ensure that any contaminated soils are properly identified, excavated, and disposed of off-site, as follows: – The RAP/SMP shall be prepared and executed in accordance with SCAQMD Rule 1166, Volatile Organic Compound Emissions from Decontamination of Soil. The RAP/SMP shall require the timely testing and sampling of soils so that contaminated soils can be separated from inert soils for proper disposal. The SMP shall specify the testing parameters and sampling frequency. Anticipated testing includes total petroleum hydrocarbons (TPH), VOCs, and semi-volatile organic compounds (SVOCs). During excavation, Rule 1166 requires that soils identified as contaminated shall be sprayed with water or another approved vapor suppressant or covered with sheeting during periods of inactivity of greater than an hour to prevent contaminated soils from becoming airborne. Under Rule 1166, contaminated soils shall be transported from the project site by a licensed transporter and disposed of at a licensed storage/treatment facility to prevent contaminated soils from	During plan development prior to construction and materials submitted	A. Remediation Action Plan/Soil Management Plan prepared and approved by appropriate oversight agency (LAFD, DTSC, SWRCB). B. Results of Phase I/II Environmental Site Assessment submitted to appropriate oversight agency (LAFD, DTSC, SWRCB). C. Removal of contaminated soils or UST in accordance with approved Remediation Action Plan/Soil Management Plan.	LASAN		

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
	becoming airborne or otherwise released into the environment. – Prior to the commencement of grading and excavation, the findings of the Phase I/II Environmental Site Assessment (ESA) for the project and additional assessment conducted per MM HAZ-3, shall be reported to the appropriate oversight agency (e.g., LAFD, DTSC, SWRCB) for review and comment. The recommendations of the Los Angeles Fire Department Health and Hazardous Materials Division, Site Mitigation Unit and LAFD shall be incorporated in the RAP/SMP. – A qualified environmental consultant shall be present on the project site during grading and excavation activities in the known or suspected locations of contaminated soils or underground storage tank (UST), and shall be on call at other times as necessary, to monitor compliance with the RAP/SMP and to actively monitor the soils and excavations for evidence of contamination. – If a UST is discovered, it shall be removed in accordance with LAMC Section 57.31.52 (Abandonment of Underground Storage Tanks). As required by LAMC Section 57.31.52, the Applicant shall notify the LAFD prior to tank removal, inert (remove or neutralize any flammable materials and vapors) the UST prior to transport, and establish to the satisfaction of the LAFD that no release of hazardous materials has occurred. The UST shall be properly disposed of by a licensed contractor in accordance with applicable regulations. – During the project's excavation phase, impacted materials shall be removed and properly disposed of in accordance with the provisions of the RAP/SMP. If soil is stockpiled prior to disposal, it will be managed in accordance with the project's Storm Water Pollution Prevention Plan, prior to its transfer for treatment and/or disposal. All impacted soils shall be properly treated and disposed of in accordance with SCAQMD Rule 1166, Volatile Organic Compound Emissions from Decontamination of Soil, as well as applicable requirements of DTSC and LARWQCB.					

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
3.10.3.2.2 e)	**MM HAZ-5 - Airport Safety Hazard Assessment.** If future downstream facilities are sited within an area governed by an airport land use plan or within 2 miles of a public or private airport, analysis shall be undertaken to assess if the proposed facility would result in a violation of airport safety regulations provided by 14 CFR, Part 77. If potential impacts are identified, a different site shall be selected or the assessment shall include recommendations to reduce the potential impact to airport operations. Such measures could include maintaining certain percentages of low-occupancy areas (e.g., undeveloped areas, parking areas), building heights, and building lights.	During plan development prior to construction and materials submitted	A. Conduct analysis for compliance with 14 CFR, Part 77 if facilities are sited within areas governed by airport land use plan or within 2 miles of a public or private airport.	LASAN		
	Implement **MM TR-1**, as described in Section 3.18.3.2.2 a).					
3.10.3.2.2 f)	Implement **MM TR-1,** as described in Section 3.18.3.2.2 a).					
3.10.3.2.2 g)	Implement **MM TR-1**, as described in Section 3.18.3.2.2 a).					
	MM HAZ-6 - Emergency Access. For downstream facilities located in or adjacent to an SRA or VHFHSZ, and where LAFD finds it necessary on the basis that existing regulations are not adequate to avoid risk of fire based on unusual site-specific, area, roadway or project characteristics, during construction, access roads and alleyways shall remain clear and unobstructed in order to ensure access for emergency vehicles. If road closures during construction are necessary, a detailed Construction Management Plan including street closure information, a detour plan, haul routes, and a staging plan, shall be prepared and submitted to the LAFD and the LADOT for review and approval. Furthermore, if emergency access gates are provided on a project access road, the gates shall be equipped with approved locking devices for both Los Angeles City and County Fire Departments on both sides of the gate. Signs shall be provided on the project access road.	During plan development prior to construction and materials submitted; Ongoing	A. Prepare Construction Management Plan if road closures during construction are necessary. B. Submit Plan to LAFD and LADOT for review and approval. C. Install appropriate signage.	LASAN; LAFD; LADOT		
	MM HAZ-7 - Hillside Construction Staging and Parking Plan. For downstream facilities located in or adjacent to an SRA or VHFHSZ, where LAFD finds it necessary to add additional conditions above existing regulations to reduce the risk of construction-related activities impairing an emergency response plan or emergency	During plan development prior to construction and materials	A. Prepare Construction Staging and Parking Plan. B. Submit Plan to LAFD and Department of Building and Safety for review and approval.	LASAN; LAFD		

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
	evacuation plan, prior to the issuance of a grading or building permit, the applicant shall submit a Construction Staging and Parking Plan to the Department of Building and Safety and the Fire Department for review and approval. The plan shall identify where all construction materials, equipment, and vehicles would be stored through the construction phase of the project, as well as where contractor, subcontractor, and laborers would park their vehicles so as to prevent blockage of two-way traffic on streets in the vicinity of the construction site. The Construction Staging and Parking Plan shall include, but not be limited to, the following: – No construction equipment or material shall be permitted to be stored within the public right-of-way. – If the property fronts on a designated Red Flag Street, on noticed "Red Flag" days, all workers shall be shuttled from an off-site area, located on a non-Red Flag Street, to and from the site in order to keep roads open on Red Flag days. – During the Excavation and Grading phases, only one truck hauler shall be allowed on the site at any one time. The drivers shall be required to follow the designated travel plan or approved Haul Route. – Truck traffic directed to the project site for the purpose of delivering materials, construction machinery, or removal of graded soil shall be limited to off-peak traffic hours, Monday through Friday only. No truck deliveries shall be permitted on Saturdays or Sundays. – All deliveries during construction shall be coordinated so that only one vendor/delivery vehicle is at the site at one time, and that a construction supervisor is present at such time. – A radio operator shall be on-site to coordinate the movement of material and personnel, in order to keep the roads open for emergency vehicles, their apparatus, and neighbors. During all phases of construction, all construction vehicle parking and queuing related to the project shall be as required to the satisfaction of the Department of Building and Safety, and in substantial compliance with the Construction Staging and Parking	submitted; Ongoing				

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
	Plan, except as may be modified by the Department of Building and Safety or LAFD.					
Hydrology and Water Quality						
3.11.3.2.2 b)	**MM HWQ-1 - Hydrology Study.** Prior to obtaining a grading permit or other entitlements of any future facility and to assist in preparation of final engineering documents, a project-specific hydrology and water quality study would be required for development of any facility demonstrating the impacts on local and regional surface water hydrology and groundwater resources. The study shall include a review of the facility siting and design and demonstrate that facility operations would not have a significant impact on surface water and groundwater resources. If the study shows that the facility would substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level, the facility shall be redesigned (for example, with the inclusion of such elements as permeable pavers and bioretention) so as not to substantially deplete groundwater supplies or interfere substantially with groundwater recharge. If the facility cannot be redesigned or would still impact groundwater resources even after redesign, it shall be re-sited to a location where it would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge.	During plan development prior to construction and materials submitted	A. Conduct hydrology study.	LASAN		
	MM UTIL-3 as described in Section 3.20.3.1.2 a).					
	MM UTIL-4 as described in Section 3.20.3.1.2 a).					
Noise						

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
3.14.3.2.2 a)	**MM NOI-1 Noise and Vibration Control Plan.** A noise and vibration study and control plan shall be prepared for future facilities. The study shall be completed by a qualified professional and include measurements of the existing noise environment and quantify the facility's noise contribution to the ambient environment for both the construction and operation phase relative to the City of Los Angeles Noise Ordinance, L.A. CEQA Threshold Guide, and/or noise element. If noise impacts are identified, mitigation measures shall be implemented to reduce sound levels to a level that is consistent with the City of Los Angeles noise ordinance, L.A. CEQA Threshold Guide, and/or noise element and/or to the maximum extent practicable. Such noise reduction mitigation measures could include but are not limited to fencing; noise walls; or increasing the distance between noise generating equipment and offsite sensitive receptors. With respect to groundborne vibration, the study shall establish baseline conditions at potentially affected buildings and quantify the project's contribution to vibration at adjoining sensitive receptors. If vibration impacts are identified, mitigation measures (including but not limited to avoiding impact pile drivers to eliminate excessive vibration levels, using rubber-tired equipment rather than metal-tracked equipment, managing construction phasing such that demolition, earthmoving, and ground-impacting operations do not occur in the same time period, using low-impact construction technologies, and avoiding the use of vibrating equipment when allowed by best engineering practices), shall be implemented to reduce vibration levels to below the FTA thresholds identified in Tables 3.14-8 and 3.14- 9 and/or to the maximum extent practicable. For extremely fragile buildings/historical resources, a survey letter shall be prepared to provide a shoring design to protect the extremely fragile buildings/historical resources from potential damage. The control plan shall require that a qualified structural engineer issue a follow-up letter describing damage, if any, to impacted buildings. The letter shall include recommendations for any repair,	During plan development prior to construction and materials submitted; during construction	A. Conduct Noise and Vibration Study. B. Prepare noise control plan, documented by a qualified professional and available to the City upon request. C. Qualified structural engineer conduct follow-up evaluation and letter identifying any impact to buildings with recommendations for repair as necessary. D. Statement of Compliance signed by the Applicant and Owner is required to be submitted to the Los Angeles Department of Building and Safety at plan check and prior to the issuance of any permit.	LASAN		

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
	as may be necessary, in conformance with the Secretary of the Interior Standards. The control plan shall require that any necessary repairs are completed and monitored by a qualified structural engineer in conformance with all applicable codes including the California Historical Building Code (Part 8 of Title 24). A Statement of Compliance signed by the Applicant and Owner is required to be submitted to the Los Angeles Department of Building and Safety at plan check and prior to the issuance of any permit. The Vibration Control Plan, prepared as outlined above, shall be documented by a qualified structural engineer and shall be provided to the City upon request. The study shall be submitted to and approved by the City of Los Angeles Department of City Planning Director, or designee.					
	MM NOI-2 - Construction Noise Authorization. Prior to construction, the construction contractor shall obtain approval to exceed the ambient base noise level by more than 5 dBA at the property boundary.	Prior to construction	A. Confirmation of approval on file.	LASAN		
	MM NOI-3 - Construction Hours. Construction activities shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday, and 8:00 a.m. to 6:00 p.m. Saturday. No construction shall be permitted on Sundays.	During construction	A. Perform periodic field inspections and documented in compliance certification report submitted by project contractor.	LASAN		
	MM NOI-4 - Sensitive Receptor Buffers. All stationary noise-generating construction equipment, such as pumps and generators, shall be located as far as possible from nearby noise-sensitive receptors. Noise-generating equipment shall be shielded from nearby noise sensitive receptors by noise-attenuating buffers, such as structures or haul truck trailers. Water tanks and equipment storage, staging, and warm-up areas shall be located as far from noise sensitive receptors as possible.	During construction	A. Perform periodic field inspections and documented in compliance certification report submitted by project contractor.	LASAN		
	MM NOI-5 - Property Line Noise Levels. Operational activities at future facilities shall not produce noise levels at the property line that exceed the levels identified in the City's noise ordinance, L.A. CEQA Threshold Guide, and/or noise element. If proposed activities are forecast to exceed property line levels, noise attenuation measures shall be implemented to reduce the property line noise levels to the appropriate level. Such measures could include, but	Ongoing	A. Acoustical consultant retained by project applicant shall verify noise levels are below the applicable thresholds and develop and implement a Noise Reduction Plan as necessary, submitted to the Los Angeles Department of Building and Safety at plan check	LASAN		

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
	are not limited to, fencing, sound walls, and screening of mechanical equipment.		and prior to the issuance of any permit.			
3.14.3.2.2 b)	Implement **MM NOI-1**, as described above.					
3.14.3.2.2 c)	**MM NOI-6 - Airport Impact Analysis.** If future facilities are proposed within 2 miles of a public or private airport, the project-specific noise study shall include an analysis of the potential for the facility's adjacency to an airport to result in exposure of employees to excessive noise levels. If excessive noise levels are identified, mitigation measures shall be implemented to reduce the interior noise levels to acceptable levels (i.e., noise level reduction requirements in accordance with 14 CFR, Part 150, Appendix A, Table 1). Such mitigation could include, but is not limited to, enhanced insulation or dual-paned windows.	During plan development prior to construction and materials submitted; during construction	A. Acoustical consultant retained by project applicant shall verify noise levels are below the applicable thresholds and develop and implement a Noise Reduction Plan as necessary, submitted to the Los Angeles Department of Building and Safety at plan check and prior to the issuance of any permit.	LASAN		
Transportation						
3.18.3.2.2 a)	**MM TR-1 - Traffic Impact Report.** Prior to the approval of any future facility, a project-level traffic impact report shall be prepared by a qualified traffic consultant. The report shall be prepared to the standard of the LADOT that would be providing approvals for the project. The report shall include existing traffic information, thresholds of significance, construction and operation-related trip generation and a project and cumulative-level analysis. The traffic report shall identify mitigation measures to reduce project and cumulative-level impacts to the maximum extent practicable. Such mitigation measures could include roadway and intersection improvements, payment of traffic impact fees, timing of collection truck schedules to avoid peak hours, encouraging carpool, vanpool, or alternative transportation for employees through the use of incentives.	During plan development prior to construction and materials submitted; during construction	A. Conduct Traffic Impact Report B. Implement identified mitigation measures to reduce project and cumulative-level impacts	LASAN; LADOT		
3.18.3.2.2 b)	Implement **MM TR-1**, as described above.					
3.18.3.2.2 c)	Implement **MM TR-1**, as described above.					
3.18.3.2.2 d)	Implement **MM TR-1**, as described above.					
Tribal Cultural Resources						
3.19.3.2.2 a)	**MM CUL-1**, as described in Section 3.6.3.2.2 a).					

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
	MM CUL-2, as described in Section 3.6.3.2.2 a).					
	MM CUL-3, as described in Section 3.6.3.2.2 c).					
Utilities and Service Systems						
3.20.3.1.2 a)	**MM UTIL-1 - Underground Utilities Search.** During design and prior to construction of Program facilities, LASAN 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. LASAN shall ensure that any temporary disruption in utility service caused by construction is minimized and that any affected parties are notified in advance.	During plan development prior to construction and materials submitted	A. Conduct underground utilities search. B. Coordinate with other utility operators in the same public rights-of-way impacted by Project construction.	LASAN		
	MM UTIL-3 - Water Conserving Design. Future processing facilities shall incorporate water conservation design features. These features may include, but are not limited to, the following: – Landscaping plans shall incorporate planting of water-efficient, well-adapted, and/or native shrubs, trees, and grasses (i.e., drought and heat tolerant). – Use of recycled water as landscaping irrigation to the maximum extent practicable. – Use high-efficiency/low flow toilets and sink faucets. – If truck washing will occur on-site, a water recycling system shall be implemented to reduce water demand.	During plan development prior to construction and materials submitted	A. Incorporate water conservation measures into facility design	LASAN		
	MM UTIL-4 - Water Supply Assessment. Development applications for future downstream facilities greater than 40 acres of land, having more than 650,000 square feet of floor area, or employing more than 1,000 persons shall include a water supply assessment. The water supply assessment shall be prepared by the water agency serving the facility and address: (1) document wholesale water supplies; (2) identify and quantify the existing and planned sources of water availability to the water supplier in five-year increments for the 20-year projection. For each identified supply, the assessment shall detail the quantity available and whether it is a water supply entitlement, water right, or water service contract; (3) document the project demand; (4) document dry year supplies; (5) document dry year demand; and (6) determine if projected water supply is sufficient or insufficient for the proposed facility. If	During plan development prior to construction and materials submitted	A. Water Supply Assessment prepared by water agency serving the facility.	LASAN		

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
	the projected water needs of the facility exceed the projected water supply, then the facility shall be redesigned so as not to exceed the water supply or shall be re-sited to a location with a sufficient water supply.					
	MM UTIL-5 - A Wastewater Services Information (WWSI) Request. A WWSI request shall be performed to verify the sewer capacity of the adjacent sewer mains. This preliminary evaluation shall review potential impacts to the wastewater system for the project and determine cumulative impacts and guide the planning process for any future sewer improvement projects needed to provide future capacity as the City grows and develops. For proposed downstream projects that are determined to have the potential to exceed the capacity of the wastewater system, the facility shall be redesigned such that wastewater generation at the facility is reduced to below the threshold for which capacity of the wastewater system would need to be expanded or the downstream facility shall be re-sited.	During plan development prior to construction and materials submitted	A. Conduct a Wastewater Services Information Request	LASAN		
	MM UTIL-6 Energy Efficient Design. Future processing facilities shall be required to incorporate energy efficient design features. These features shall include, but are not limited to, the following: – Energy efficient light fixtures – Energy efficient equipment/machinery – Alternative energy source (i.e., solar power, wind power, thermal).	During plan development prior to construction and materials submitted; ongoing	A. Perform periodic field inspections and documented in compliance certification report submitted by project contractor.	LASAN		
3.20.3.1.2 b)	Implement **MM UTIL-3, MM UTIL-4**, as described above.					
3.20.3.1.2 c)	Implement **MM UTIL-5**, as described above.					
3.20.3.1.2 d)	**MM UTIL-2 Construction Waste Reduction.** Program facility design and construction methods that produce less waste or that produce waste that could be recycled or reused more readily, shall be encouraged.	During plan development prior to construction and materials submitted	A. Perform periodic field inspections and documented in compliance certification report submitted by project contractor.	LASAN		
	Implement **MM UTIL-3**, as described above.					
Wildfire						

Impact	Mitigation Measure	Time Frame for Implementation	Steps to Compliance and Verification	Responsible Monitoring Agency	Date	Initials
3.21.3.2.2 a)	Implement **MM TR-1, MM HAZ-6, MM HAZ-7**, described in Sections 3.18.3.2.2 a) and 3.10.3.2.2 g) respectively.					
3.21.3.2.2 b)	Implement **MM HAZ-6**, **MM HAZ-7**, as described in Section 3.10.3.2.2 g).					
3.21.3.2.2 c)	Implement **MM HAZ-6**, **MM HAZ-7**, as described in Section 3.10.3.2.2 g).					
3.21.3.2.2 d)	Implement **MM HAZ-6**, **MM HAZ-7**, as described in Section 3.10.3.2.2 g).					

SECTION 6 Statement of Location and Custodian of Documents

In compliance with PRC Section 21081.6(a)(2) and 14 CCR Section 15091(e), the documents and other materials that constitute the record of proceedings on which these findings are based are located at the Office of the City Clerk, 200 North Spring Street, 3rd Floor, Los Angeles, CA; the Board of Public Works Commission, 200 North Spring Street, 3rd Floor, Los Angeles, CA; the Bureau of Sanitation, Public Works Building, 1149 S. Broadway Los Angeles, CA 90015; and any other relevant City department.

The City has relied on all of the documents listed above in reaching its decisions on the Program, even if not every document was formally presented to the City as part of the files generated in connection with the Program. Without exception, any documents set forth above not found in the Program files fall into one of the two categories below.

First, many of them reflect prior planning or legislative decisions with which City Council decision-makers were aware in approving the Program. (See City of Santa Cruz v. Local Agency Formation Commission (1978) 76 Cal.App.3d 381, 391-392; Dominey v. Department of Personnel Administration (1988) 205 Cal.App.3d 729, 738, fn. 6.)

The second category are other documents that influenced the expert advice provided to the City's staff or the environmental consultants who prepared the PEIR, who then provided advice to the final decision-makers. For that reason, such documents form part of the underlying factual basis for the City's decisions relating to the approval of the Program. (See PRC Section 21167.6, subd. (e)(10); Browning-Ferris Industries v. City Council of City of San Jose (1986) 181 Cal.App.3d 852, 866; Stanislaus Audubon Society, Inc. v. County of Stanislaus (1995) 33 Cal.App.4th 144, 153, 155.)