RESOLUTION

A RESOLUTION OF THE CITY PLANNING COMMISSION OF THE CITY OF LOS ANGELES, CERTIFYING ENVIRONMENTAL IMPACT REPORT STATE CLEARINGHOUSE (SCH) No. 2014051070 (ENV-2014-1458-EIR-SE-CE) AS RELATED TO THE UPDATES TO THE COASTAL TRANSPORTATION CORRIDOR SPECIFIC PLAN (CTCSP) AND WEST LOS ANGELES TRANSPORTATION IMPROVEMENT AND MITIGATION SPECIFIC PLAN (WLA TIMP); ADOPTING FINDINGS OF FACT AS REQUIRED BY PUBLIC RESOURCES CODE SECTION 21081(a) AND CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES, SECTION 15091, APPROVING A MITIGATION MONITORING PLAN, ADOPTING THE STATEMENT OF OVERRIDING CONSIDERATIONS; AND ADOPTING THE LIVABLE BOULEVARDS STREETSCAPE PLAN.

WHEREAS, the Coastal Transportation Corridor Specific Plan (CTCSP) was adopted by the City Council in 1985 and amended in 1993; the West Los Angeles Transportation Improvement And Mitigation Specific Plan (WLA TIMP) was adopted in 1997; and

WHEREAS, the updates to the CTCSP and WLA TIMP ("Project") will amend and replace the existing CTCSP and WLA TIMP ordnances and consist of updated transportation impact assessment fee (TIA fee) programs; a new resolution which updates the existing CTCSP and WLA TIMP TIA fee schedules and lists of transportation improvements projects eligible for TIA fee funding; and a new Livable Boulevards Streetscape Plan; and

WHEREAS, the Project reflects state legislation (including SB 743 [2013], The Complete Streets Act of 2008 [AB 1358], The Global Warming Solutions Act of 2006 [AB 32], and The Sustainable Communities Act [SB 375]) which directs local jurisdictions to reprioritize transportation improvements to focus on access to transit and active transportation as strategies to reduce dependence on vehicular travel, and reduce VMT and associated greenhouse gas emissions; and

WHEREAS, the City retained CDM Smith, an environmental consultant; Fehr and Peers, a transportation consultant; and Economic & Planning Systems (EPS), an economic consultant, to prepare an environmental impact report (EIR), a fee study, and a feasibility study, for the CTCSP and WLA TIMP Specific Plans Amendments Project; and

WHEREAS, on May 22, 2014, the City filed a Notice of Preparation of a Draft EIR SCH No. 2014051070 (Draft EIR), for the CTCSP and WLA TIMP Specific Plans Amendments Project with the Office of Planning and Research and distributed the Notice pursuant to CEQA Guidelines Section 15082 and Public Resources Code Section 21080.4 providing notice of a 30-day review period during which responsible agencies, trustee agencies and members of the general public could provide comments to the City regarding the scope of the proposed EIR; and

WHEREAS, the Notice of Preparation was published in the Los Angeles Times and distributed electronically to the MailChimp listserve, the Council Offices, Neighborhood Councils, and public agencies and available for download on the Planning Department's website throughout the comment period; and,

WHEREAS, on June 5, 2014 and June 9, 2014, the City conducted public scoping meetings for the EIR for the CTCSP and WLA TIMP Specific Plans Amendments Project during which it received comments regarding the scope of the proposed EIR; and

WHEREAS, on January 7, 2017, consistent with the requirements of CEQA Guidelines Section 15085 and 15087 and Public Resources Code Section 21092, the City filed a Notice of Completion with the Office of Planning and Research and published a Notice of Availability of the Draft EIR in the Los Angeles Times, filed a copy with the Los Angeles County Clerk, and mailed a Notice of Availability to all organizations and individuals who had requested notice; and

WHEREAS, the Notice of Availability and Notice of Completion noticed all agencies, organizations, and the public that they had 60 days to provide comments on the contents of the Draft EIR; and,

WHEREAS, the complete Draft EIR with appendices was available in hard copy for in-person review at 6 locations at 5 public libraries within the City of Los Angeles and at City Hall and available for download on the Los Angeles Department of City Planning's website and the project website at www.westsidemobilityplan.com, throughout the comment period

WHEREAS, for at least 60 days following the date of publication of the Notice of Availability and the Notice of Completion, the public was given opportunity to comment, in writing, on the adequacy of the Draft EIR as an informational document; and,

WHEREAS, during the 60-day comment period the Hearing Officer, as a representative of the City planning Commission, held two public hearings regarding the Proposed Project and EIR on January 21, 2016 and February 2, 2016; and;

WHEREAS, at the conclusion of the 60-day public review and comment period related to the Draft EIR, the City prepared the Final EIR, dated September 15, 2016, (Final EIR) pursuant to CEQA Guidelines Sections 15088, 15088.5(f), 15089 and 15132, which included the Draft EIR and responses to comments on the Draft EIR; and,

WHEREAS, pursuant to Section 21092.5 of CEQA and Section 15088(b) of the CEQA Guidelines, on September 15, 2016, the City provided written proposed responses to all public agencies as well as private parties that commented on the Draft EIR by mailed notice of the availability of the Final EIR; and

WHEREAS, the Hearing Officer, as a representative of the City Planning Commission held a public hearing regarding a draft of the proposed Project on June 23, 2016; and

WHEREAS, a notice of public hearing was published in the "Daily Journal" on May 2, 2016 and June 10, 2016, distributed electronically to the listserve, mailed to property owners and distributed through the Council Offices, in accordance with Sections 11.5.7 G and 12.32-(C).4. of the Los Angeles Municipal Code and Government Code 66016; and

WHEREAS, the City Planning Commission conducted a public hearing on March 8, 2018 recommending adoption of the proposed CTCSP amendments, WLA TIMP amendments, and an associated Resolution which adopts the TIA fee schedules and lists of Transportation Improvements; and

WHEREAS, evidence, both written and oral, was duly presented to and considered by the City Planning Commission at the aforesaid March 8, 2018 public hearing, including but not limited to a staff recommendation report, exhibits, appendices, and public testimony; and

WHEREAS, the record of proceedings for the EIR, includes, but is not limited to the following:

(1) The Notice of Preparation for the Project (the "NOP"), and all other public notices issued by the City in connection with the Project;
(2) The Final EIR dated September 2016;
(3) The Draft EIR dated January 2016;
(4) All written comments submitted by agencies or members of the public during any public review comment period on the Draft EIR;
(5) All written and verbal public testimony presented during a noticed public hearing for the Project at which such testimony was taken, including without limitation, the Report to City Planning Commission, including all attachment, any all presentations by City staff, the City's consultants, the public, and any other interested party;
(6) The Mitigation Monitoring Plan (MMP) for the CTCSP and WLA TIMP Specific Plan Amendment Project;
(7) The reports, studies, and appendices included and/or referenced in the Draft EIR and the FEIR and or their appendices;
(8) The CTCSP amendments, the WLA TIMP amendments, and all Ordinances and Resolutions presented to and/or adopted by the City in connection with the CTCSP and WLA TIMP Specific Plan Amendment Project; and all documents incorporated by reference therein, specifically including, but not limited to, this resolution and all of its exhibits;
(9) Any documents expressly cited in this Resolution and its exhibits, the Report to City Planning Commission, the Final EIR or the Draft EIR; and
(10) And any other relevant materials required to be in the record of proceedings under Section 21167.6(e) of the Public Resources Code.

WHEREAS, the City Planning Commission has reviewed and considered the Final Environmental Impact Report (FEIR) No. ENV-2014-1458-EIR-SE-CE in its determination of adopting the proposed plan; and

WHEREAS, pursuant to the City Charter and ordinance provisions, the Mayor and the City Planning Commission have transmitted their recommendations.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. Recitals. The foregoing recitals are true and correct and incorporated herein by reference.

2. Certification of EIR.

   (a) CEQA Findings. The City Planning Commission finds based upon the substantial evidence in the record of proceedings, and its independent judgment and analysis, that:

      (1) Compliance with CEQA. The Final EIR, which is attached hereto and incorporated herein by this reference, includes the Draft EIR SCH No. 2014051070 (ENV-2014-1458-EIR-SE-CE), dated January 2016, the Draft EIR appendices, the Final EIR dated September, 2016, and all its related appendices and attachments. The Final EIR was prepared, in both substance and procedures, in compliance with the requirements of CEQA. The Final EIR is included in **Exhibit I** to this Resolution.

      (2) Ratification of Findings and Analysis in the Final EIR and Attached Findings. In making the findings in this Resolution, the City Planning Commission ratifies, adopts, and incorporates the analysis and explanation in the Final EIR, and ratifies, adopts, and incorporates in these findings the determinations and conclusions in the Final EIR relating to environmental impacts and mitigation measures. The City Planning Commission also adopts all statements and findings in **Exhibit II** to this resolution, which is attached hereto and incorporated herein by this reference.

      (3) Findings Regarding Environmental Impacts Found to be Significant and Unavoidable. The City Planning Commission adopts the statements and findings in **Exhibit II (Section 3)** to this resolution, which is attached hereto and incorporated herein by this reference. The Project has significant effects that cannot be mitigated to a less-than-significant level through the imposition of mitigation measures. These significant effects are identified in **Exhibit II (Section 3)**.

      Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR for the significant impacts identified in **Exhibit II (Section 3)**, including based upon the findings in **Exhibit II (Section 3)**, and the findings in **Exhibit II (Section 4)** regarding the proposed alternatives. Therefore, those impacts are found to be significant and unavoidable.

      (4) Findings Regarding Environmental Impacts Found to be Less than Significant with Mitigation. City Planning Commission adopts the statements and findings in **Exhibit II (Section 2)** to this resolution, which is attached hereto and incorporated herein by this reference. The Project has significant effects that can be mitigated to a less than

significant level through the imposition of mitigation measures. These avoidable significant effects are identified in **Exhibit II (Section 2).** These avoidable significant effects will be reduced to a less-than-significant level with the changes that have been required in, or incorporated into, the Project through the imposition of mitigation measures as described in **Exhibit II (Section 2)**. These mitigation measures identified **in Exhibit II (Section 2)** will be imposed pursuant to the MMP attached in **Exhibit III (also FEIR, Chapter 3).** All mitigation measures in the MMP are feasible.

To the extent that any of the mitigation measures are within the responsibility and jurisdiction of another public agency and not the City, those mitigation measures can and will be adopted and imposed by the other agency based on state and/or federal law, communications by those agencies, and/or existing policies and/or intergovernmental relationships with those agencies.

(5) Finding Regarding Environmental Impacts Found to be Less than Significant without Mitigation. Any and all potential significant impacts discussed in the Final EIR that are not subject to paragraph (3) or (4), above, as either an avoidable significant impact, or as an unavoidable significant impact, are insignificant impacts to the environment. The City Planning Commission adopts the findings in **Exhibit II (Section 1)** to this Resolution, which are attached hereto and incorporated herein by this reference.

(6) Alternatives. The City Planning Commission adopts the statements and findings on the Rejection of Project Alternatives in **Exhibit II (Section 4)** to this resolution, which is attached hereto and incorporated herein by this reference.

(b) Final EIR Reviewed and Considered. The City Planning Commission certifies that the Final EIR:

(1) has been completed in compliance with CEQA;

(2) was presented to the City Planning Commission and that the City Planning Commission has reviewed and considered the information contained in the Final EIR prior to approval of the Project, and all of the information contained therein has substantially influenced all aspects of the decision by the City Planning Commission; and

(3) reflects the City Planning Commission's independent judgment and analysis.

(c) Statement of Overriding Considerations. The City Planning Commission adopts the Statement of Overriding Considerations in **Exhibit II (Section 5)** to this resolution, which is attached hereto and incorporated herein by this reference. The City Planning Commission finds that each of the Significant and Unavoidable Impacts identified in **Exhibit II (Section 3)** may be considered acceptable individually or collectively to approve the Project.

(d) Mitigation Monitoring. Pursuant to Public Resources Code Section 21081.6, the MMP set forth in **Exhibit II (also FEIR, Chapter 3)** to this resolution, which is attached hereto and incorporated herein by this reference, is hereby adopted to ensure that all mitigation measures adopted for the Project are fully implemented.

(e) Location and Custodian of Documents. The record of project approval shall be kept in the office of the City Clerk, City of Los Angeles, City Hall, 200 North Spring Street, Los Angeles, California 90012 which shall be held by the City Clerk as the custodian of the documents; all other record of proceedings shall be kept with the Department of City Planning at 200 North Spring Street, Los Angeles, California 90012 and the Director of the Department of City Planning shall be the custodian of the documents.

(f) Certification. Based on the above facts and findings, the City Planning Commission of the City of Los Angeles certifies the Final EIR in **Exhibit I** for the CTCSP and WLA TIMP Specific Plans Amendment Project as accurate and adequate and complies with CEQA. The Director of the Department of City Planning is directed to file a Notice of Determination as required by the Public Resources Code and CEQA Guidelines.

Exhibits:

I – Final EIR (Please click link to view the following exhibit)

II – CEQA Findings of Fact which include:

Environmental Impacts found to be Less than Significant with Mitigation

Environmental Impacts found to be Significant and Unavoidable

Alternatives Considered and Rejected

The Statement of Overriding Considerations

III – Mitigation Monitoring Program

Exhibit C3.I
Final Environmental Impact Report

Coastal Transportation Corridor Specific Plan (CTCSP) and West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP) Amendments

CPC-2014-1456-SP
CPC-2014-1457-SP

Please click here to view the exhibit

Exhibit C3.II
CEQA Findings of Fact

Coastal Transportation Corridor Specific Plan (CTCSP) and West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP) Amendments

CPC-2014-1456-SP
CPC-2014-1457-SP

CEQA Findings of Fact

Coastal Transportation Corridor Specific Plan (CTCSP) and West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP) Specific Plans Amendment Project

State Clearing House Number 2014051070

February 2018

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SECTION 1: INTRODUCTION

These findings were prepared for the certification of Draft Environmental Impact Report No. ENV-2014-1458-EIR-SE-CE, (SCH No. 2014051070) dated, January 2016 and the Final EIR, dated September 2016 (collectively, the "Project EIR"). The Project EIR was prepared for the project involving amendments to two transportation Specific Plans on the Westside of the City, the Coastal Transportation Corridor Specific Plan and West Los Angeles Transportation Improvement and Mitigation Specific Plan (CTCSP/WLA TIMP), which also includes but is not limited to, fee updates, and the adoption of a streetscape plan, the Livable Boulevards Streetscape Plan, (collectively, "Project" or "Proposed Project"). A Mitigation & Monitoring Program ("MMP") has been prepared for the Project EIR, pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines 15097 and is included in the Final EIR at Chapter 3.

Having received, reviewed, and considered the following information as well as the other information in the record of proceedings on this matter. The City finds, determines, and declares as follows:

Substantial Evidence

The Decisionmaker finds and declares that substantial evidence for each and every finding made herein is contained in the record of proceedings, including the Draft EIR and Final EIR. Moreover, the Decisionmaker finds that where more than one reason exists for any finding, the Decisionmaker finds that each reason independently supports such finding, and that any reason in support of a given finding individually constitutes a sufficient basis for that finding.

Record of Proceedings

For purposes of CEQA and these Findings, the Record of Proceedings for the Project and Project EIR consists, at a minimum, of the following documents:

1. The Notice of Preparation (NOP) and all other public notices issued by the City of Los Angeles in conjunction with the Proposed Project;
2. The Final EIR, the Response to Comments (RTC) and all technical appendices, dated September, 2016;
3. The Draft EIR and the technical appendices, dated January 2016;
4. All written comments submitted by agencies, organizations, or members of the public during the public review comment period on the Draft EIR;
5. All written and verbal public testimony presented during noticed public hearings for the Proposed Project (consistent with City Council policy) at which such testimony was taken, including without limitation, the Report to City Planning Commission, including all attachment, any all presentations by City staff, the City's consultants, the public, and any other interested party;
6. The Mitigation Monitoring Program for the Proposed Project (MMP);

7. The reports, studies and technical memoranda included and/or referenced in the DEIR and the FEIR and or their appendices;

8. All documents, studies, EIRs, or other materials incorporated by reference in the Draft EIR and the FEIR;

9. The Department of City Planning Recommendation Report and Determination Letter to City Council;

10. All Ordinances and Resolutions presented to and/or adopted by the City in connection with the Proposed Project; and all documents incorporated by reference therein, specifically including, but not limited to, this resolution and all of its exhibits;

11. Matters of common knowledge to the City, including but not limited, to federal, state, and local laws and regulations, adopted City plans, policies (including but not limited to the City of Los Angeles General Plan, General Plan Framework and Mobility Plan 2035), and the professional qualifications of its staff members and consultants;

12. Any documents expressly cited in this Resolution and its exhibits, the Report to City Planning Commission, the Final EIR or the Draft EIR; and

13. Any other relevant materials required to be in the record of proceedings under PRC Section 21167.6(e).

Custodian and Location of Records

The custodian of the documents or other material which constitutes the record of proceedings upon which the City decision is based is, for the Council File, the City of Los Angeles, City Clerk, City Hall located at 200 North Spring Street, Los Angeles, California 90012; and for all other record of proceedings shall be the Department of City Planning, and the Director of Planning located at City Hall, 200 North Spring Street, Los Angeles, California 90012 shall be the custodian of the documents.

Independent Judgment

CEQA requires that the lead agency exercise its independent judgment in reviewing the adequacy of a Final EIR and that the decision of a lead agency in certifying a Final EIR and approving a Project not be predetermined. The Decisionmaker has conducted its own review and considered the Draft EIR, Final EIR, Appendices and all other related materials and finds the Project EIR reflect the independent judgment and analysis of the Decisionmaker and is exercising its independent judgment when acting as herein provided.

Relationship of Findings to EIR

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

Findings of Facts Regarding Environmental Impacts

The Decisionmaker makes the following findings in response to the potentially significant effects on the environment identified and analyzed in the Project EIR.

CEQA's mandates and principles are implemented, in part, through the requirement that agencies adopt findings before approving projects for which EIRs are required. For each significant environmental effect identified in an EIR for a Proposed Project, the approving agency must issue a written finding reaching one or more of three conclusions:

1. "[c]hanges 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. "[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding [and] [s]uch changes have been adopted by such other agency or can and should be adopted by such other agency," or

3. "[s]pecific 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." (Public Resources Code Section 21081; CEQA Guidelines, 14 California Code of Regulations Section 15091.)

The findings in the Sections below are prepared as required by PRC Section 21081 and CEQA Guidelines Section 15091 for significant environmental effects identified in the Project EIR.

Less than Significant Impacts (without mitigation)

The Decisionmaker finds in its independent judgement based on the whole of the record of proceedings, that for any impact area not expressly discussed in Sections 2 and 3, below, the impact from the Project is less than significant without mitigation.

SECTION 2: ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT WITH MITIGATION

The Decisionmaker finds in its independent judgement, based on the whole of the record of proceedings, that as discussed below, for the following impact categories, changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the Project EIR:

3.1 Biological Resources

With mitigation, construction of the Proposed Project would not have an adverse effect on any candidate or special status species.

(Draft EIR Impact 4.2-1)

Temporary Construction Related Impact Is Less Than Significant With Mitigation

The Project EIR found that the construction activities associated with some of the improvements included in the Proposed Project's list of transportation improvements, including the Lincoln Boulevard Bridge Enhancement project which would occur along the boundary of the Ballona Wetlands SEA, could have the potential to disrupt habitats that support special status species such as nesting migratory birds. The Final EIR further found that these impacts could be mitigated with implementation of two mitigation measures in addition to compliance with existing environmental regulations.

Evidence in Record

As described in the Draft EIR (p. 4.2-19 to 4.2-22) this impact is determined to be significant for the following reasons:

- Proposed transportation improvements would likely result in the removal, trimming, or disturbance of street trees and ornamental landscaping which have the potential to support nesting migratory birds that are protected by the MTBA and the California Fish and Game Code.
- While the Lincoln Boulevard Bridge Enhancement project is expected to avoid most impacts to habitat for special status species that occur west of Lincoln Boulevard within the Ballona Wetlands SEA, in the absence of project-specific details, there is potential for destruction or alteration of habitat such that there would be an adverse effect on special status species.
- The temporary generation of noise, emissions of air pollutants, and discharges that could affect water quality would adversely affect special status species.

Mitigation Measures

The significant and adverse construction-related biological resource impacts to sensitive species will be reduced to less than significant by mitigation measures as identified in the Project EIR and incorporated into the MMP.

MM-BR-1 *Migratory Birds.* To prevent the disturbance of nesting native and/or migratory bird species during construction, the City shall require that clearing of street trees or other vegetation take place between September 1 and January 30. If construction is scheduled or ongoing during bird

or raptor nesting season (January 31 to August 31), the City of Los Angeles shall require that a qualified biologist conduct two nest surveys, one 15 days and the second 72 hours prior to the commencement of construction activities. Surveys shall be conducted in accordance with CDFW protocols, as applicable. If no active nests are identified on or within 200 feet of the construction activity, no further mitigation is necessary. A copy of the preconstruction survey shall be submitted to the Department of City Planning. If an active nest is identified, construction shall be suspended within 200 feet of the nest, or an alternative distance determined to be appropriate by a qualified ornithologist of biologist, until the nesting cycle is complete, as determined by a qualified ornithologist or biologist.

MM-BR2 *Special Status Species and Habitat.* For CTCSP and WLA TIMP transportation improvement projects that would be constructed within 200 feet of a Significant Ecological Area designated by the County of Los Angeles, a project-specific biological resource survey and assessment shall be conducted by a qualified biologist and prepared prior to project construction that identifies the biological resources within 200 feet and any potential impacts to special status species and habitats. If it is determined during these biological resources surveys that special status species could occur and be impacted by the Proposed Project, focused surveys shall be conducted by a qualified or permitted biologist, as required, in coordination with USFWS and/or CDFW. If potential impacts are identified that cannot be avoided through modification of project design, species- and habitat-specific mitigation measures shall be developed to avoid or reduce project-related impacts. Such measures could include seasonal restrictions on construction, monitoring by a qualified biological monitor during construction, salvage and replacement of native plants, and restoration of sensitive natural communities or habitat following construction. These measures shall be established through the permitting process under ESA and CESA, as appropriate.

Finding

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 Project EIR

Facts in Support of Finding

As discussed in the Draft EIR (p. 4.2-19 to 4.2-22), in addition to existing environmental regulatory requirements, implementation of two mitigation measures can reduce impacts to special status species and habitats to a less than significant level.

- Implementation of MM-BR-1 would reduce potential impacts on migratory bird species associated with construction of the Lincoln Boulevard Bridge Enhancement and other proposed transportation improvements to a level that is less than significant.

- Implementation of MM-BR-2 would ensure that project-specific impacts to other special status species would be identified following completion of project design and would require compliance with mitigation measures set forth in permits issued under ESA and CESA, as appropriate, to avoid or reduce all significant impacts to special status species. Therefore, impacts associated with construction of the Lincoln Boulevard Bridge Enhancement would be ***less than significant.***

With mitigation, construction of the Proposed Project would not have an adverse effect on any riparian habitat or other identified sensitive natural community.
(Draft EIR Impact 4.2-2)

Temporary Construction Related Impact Is Less Than Significant With Mitigation
The Final EIR found that the construction activities associated with one of the improvements included in the Proposed Project's list of transportation improvements, the Lincoln Boulevard Bridge Enhancement project which would occur along the boundary of the Ballona Wetlands SEA, has the potential to adversely impact riparian areas and sensitive natural communities, including wetlands. The Project EIR further found that this impact could be mitigated with implementation of a mitigation measure in addition to compliance with existing environmental regulations.

Evidence in Record
As described in the Draft EIR (p. 4.2-22 to 4.2-23) this impact of the Lincoln Boulevard Bridge Enhancement project is determined to be significant for the following reasons:

- During design, sensitive natural communities and wetlands would be avoided to the greatest extent feasible. If, as expected, Lincoln Boulevard were widened toward the east, most impacts to riparian areas and sensitive natural communities, including wetlands, located west of Lincoln Boulevard within the Ballona Wetlands SEA would be avoided.

- As design-level details are not available at this time, there is potential for destruction or alteration of native vegetation and habitats such that there would be an adverse effect on sensitive natural communities such as Southern Coastal Salt Marsh, an identified sensitive plant community that may occur nearby.

- Construction could result in alteration of habitat or hydrology by construction equipment, and release of soils or hazardous materials that could adversely affect water quality.

Mitigation Measures
The significant and adverse construction-related biological resource impacts to any riparian habitat or other identified sensitive natural community will be reduced to less than significant by mitigation measures as identified in the Final EIR and incorporated into the MMP.

MM-BR2 *Special Status Species and Habitat.* (see MM-BR2 above)

Finding
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 Project EIR

Facts in Support of Finding
As discussed in the Draft EIR (p. 4.2-22 to 4.2-23), in addition to existing environmental regulatory requirements, mitigation can reduce impacts to special status species and habitats to a less than significant level.

- Compliance with federal, state, and local regulations, and compliance with any terms and conditions required by permits issued by the state or federal resource agencies, would avoid or minimize adverse effects on riparian or other sensitive natural communities.

- Implementation of MM-BR-2 would ensure that project-specific impacts would be identified following completion of project design and would require compliance with mitigation measures set forth in permits issued under ESA and CESA, as appropriate, to avoid or reduce all significant impacts to riparian habitat or sensitive natural communities. Therefore, impacts associated with construction of the Lincoln Boulevard Bridge Enhancement would be less than significant.

With mitigation, construction of the Proposed Project would not have an adverse effect on federally protected wetlands.

(Draft EIR Impact 4.2-3)

Temporary Construction Related Impact Is Less Than Significant With Mitigation

The Project EIR found that the construction activities associated with one of the improvements included in the Proposed Project's list of transportation improvements, the Lincoln Boulevard Bridge Enhancement project which would occur within the Ballona Wetlands Ecological Reserve, has the potential to adversely impact the federally protected Ballona Wetlands, through direct removal, filling, hydrological interruption, or other means. The Project EIR further found that this impact could be mitigated with implementation of a mitigation measure in addition to compliance with existing environmental regulations and permitting requirements.

Evidence in Record

As described in the Draft EIR (p. 4.2-23 to 4.2-25) this impact of the Lincoln Boulevard Bridge Enhancement project is determined to be significant for the following reasons:

- It is anticipated that impacts to wetlands would be minimal, as adjacent habitats within the construction area are mostly upland habitats due to the disconnection of Ballona Creek from the former floodplain.
- Construction activities could result in discharge of dredged or fill material into federal and state jurisdictional waters. Placement of bridge support structures in the Ballona Creek channel would be considered discharge of fill. This would be a significant impact.
- As described under Impact 4.2-2 in the Draft EIR, construction of the replacement bridge could have an adverse effect on wetlands through direct alteration of habitat or hydrology by construction equipment, and release of soils or hazardous materials could adversely affect water quality.

Mitigation Measures

The significant and adverse construction-related biological resource impacts to wetlands will be reduced to less than significant by mitigation measures as identified in the Project EIR and incorporated into the MMP.

MM-BR3 *Wetlands and Jurisdictional Waters.* For transportation improvements that may result in temporary or permanent impacts to federal and/or state jurisdictional waters or wetlands, all applicable permits shall be acquired. These permits include, but would not be limited to, Section 404 and Section 408 permits, a Section 401 Water Quality Certification, a Section 10 permit, and a Streambed Alteration Agreement.

During design of the Lincoln Boulevard Bridge Enhancement, encroachment into jurisdictional waters and wetlands shall be minimized to the greatest extent feasible. All conditions of the Section 408 permit shall be met to address the alteration of the Ballona Creek flood control channel to ensure there would be no significant changes to the pre-project hydrology in order to maintain its capacity for flood management.

All conditions of the Section 404 permit from the USACE and Streambed Alteration Agreement from the CDFW shall be met. As part of this compliance, compensatory mitigation may be required to offset the impact related to placement of permanent fill in jurisdictional waters. The

exact compensatory mitigation ratio will be determined at the time the permit is issued and would be based on the type and value of the wetlands affected by the project; agency standards typically require a minimum of 1:1 for restoration and 3:1 for construction of new wetlands. In addition, all conditions of the Wetland Mitigation and Monitoring Plan as required by USACE for federal jurisdictional waters and CDFW for state jurisdictional waters shall be met. The Wetland Mitigation and Monitoring Plan shall include the following:

- Descriptions of the wetland types, and their expected functions and values.
- Performance standards and monitoring protocol to ensure the success of the mitigation wetlands over a period of five to ten years following completion of construction of the compensatory mitigation project.
- Engineering plans showing the location, size and configuration of 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 and proof of legal protection measures for the preserved wetlands (i.e., dedication of fee title, conservation easement, and/ or an endowment held by an approved conservation organization, government agency or mitigation bank).

Finding

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 Project EIR

Facts in Support of Finding

As discussed in the Draft EIR (p. 4.2-23 to 4.2-25), in addition to existing environmental regulatory requirements, mitigation can reduce impacts to wetlands to a less than significant level.

- Implementation of MM-BR-3 would require compliance with provisions set forth in the Section 404 permit and the Streambed Alteration Agreement, which would require the City to avoid or reduce all significant impacts to federal and state jurisdictional wetlands.

- If a Streambed Alteration Agreement is required, compensatory mitigation would likely entail restoration or enhancement of wetland habitat, such as Southern Coastal Salt Marsh, nearby within the Ballona Wetlands SEA. Exact compensatory mitigation requirements would be determined during project design and permitting in consultation with USACE for federal jurisdictional waters and CDFW for state jurisdictional waters.

With mitigation, construction of the Proposed Project would not substantially interfere with the movement of any species.
(Draft EIR Impact 4.2-4)

Temporary Construction Related Impact Is Less Than Significant With Mitigation
The Project EIR found that the construction activities associated with some of the improvements included in the Proposed Project's list of transportation improvements, including the Lincoln Boulevard Bridge Enhancement project which would occur along the boundary of the Ballona Wetlands SEA, could have the potential to interfere substantially with the movement of any native resident or migratory fish or wildlife species. The Project EIR further found that these impacts could be mitigated with implementation of mitigation measures.

Evidence in Record
As described in the Draft EIR (p. 4.2-25 to 4.2-27) the impacts of the Lincoln Boulevard Bridge Enhancement project and other transportation improvements are determined to be less than significant for wildlife corridors and nursery sites but significant for the movement of native resident or migratory wildlife species for the following reasons:

Lincoln Boulevard Bridge Enhancement

- Given the urbanized surroundings, the Ballona Wetlands Ecological Reserve does not serve as a linkage to other large habitat areas for terrestrial wildlife.
- Tidal marshes that provide nursery habitat for fish are not located in the vicinity of the bridge.
- Construction of the Lincoln Boulevard Bridge Enhancement would entail work within the existing concrete-lined Ballona Creek. Adjacent habitats within the construction area are mostly upland habitats due to the disconnection of Ballona Creek from the former floodplain.
- Habitat near the bridge may support migratory birds such as the yellow-breasted chat and yellow warbler. The Lincoln Boulevard Bridge Enhancement has the potential to result in direct mortality or injury to migratory birds; removal or destruction of nests, nestlings, or breeding habitat; or disturbance of nesting migratory birds from construction activities during the nesting season. This would be a potentially significant impact.

Other Transportation Improvements

- Habitat within the project area is generally fragmented and of low value (e.g., ornamental landscaping) and does not provide viable linkages or migration corridors between habitat areas.
- Roadways, sidewalks, and public right-of-ways do not serve as wildlife corridors, movement pathways, or linkages between larger habitat areas for terrestrial wildlife. While wildlife may find their way onto transportation infrastructure, the proposed transportation improvements would not create a condition that would increase this potential to occur.
- Street trees within or immediately adjacent to the proposed transportation improvements could potentially support migratory birds. As discussed under Impact 4.2-1 in the Draft EIR, the removal or destruction of an active nest, or direct mortality or injury of individual birds, occurring during construction of any of the proposed transportation improvements would be a potentially significant impact.

Mitigation Measures

The significant and adverse construction-related biological resource impacts to movement of species will be reduced to less than significant by mitigation measures as identified in the Project EIR and incorporated into the MMP.

MM-BR-1 *Migratory Birds.* (see MM-BR1 above)

Finding

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 Project EIR

Facts in Support of Finding

As discussed in the Draft EIR (p. 4.2-25 to 4.2-27), implementation of MM-BR-1 would reduce potential impacts on migratory bird species associated with construction of the Lincoln Boulevard Bridge Enhancement and other proposed transportation improvements to a level that is less than significant.

SECTION 3 ENVIRONMENTAL IMPACTS FOUND TO BE SIGNIFICANT AND UNAVOIDABLE

The Decisionmaker finds in its independent judgement, based on the whole of the record of proceedings, that as discussed below, for the following impact categories, there are no feasible mitigation measures, changes, or alterations available to reduce the identified significant impacts; and one or both of the following findings apply:

1. "[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding [and] [s]uch changes have been adopted by such other agency or can and should be adopted by such other agency," or

2. "[s]pecific 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." (Public Resources Code Section 21081; CEQA Guidelines, 14 California Code of Regulations Section 15091.)

4.1 AIR QUALITY

Implementation of the Proposed Project would result in the significant and unavoidable localized construction-related air quality impacts. The air quality impacts resulting from the construction of the transportation improvements would be temporary in duration.

Expose sensitive receptors to localized pollutants during construction

(Draft EIR Impact 4.1-4)

Significant and Unavoidable Temporary Impact from Construction

The Project EIR found that implementation of four high construction intensity improvements included in the Proposed Project's list of transportation improvements could temporarily expose local sensitive receptors to substantial pollutant concentrations during construction.

Evidence in Record

As described under the Air Quality Analytical Methods section of the Draft EIR (p. 4.1-19 to 4.1-22), the following four improvement projects were identified as most likely to require a substantial amount of heavy construction equipment and were analyzed for potential temporary construction-related air quality impacts.

- Lincoln Boulevard Bridge Enhancement
- Lincoln Boulevard (Bus Rapid Transit) BRT
- Sepulveda Boulevard BRT
- I-10 Ramp Reconfiguration at Bundy Drive

Air quality impacts to sensitive receptors were found to be significant based on an analysis of on-site localized construction emissions, which include fugitive dust and off-road construction equipment. Construction emissions were found to exceed the South Coast Air Quality Management District (SCAQMD) thresholds for toxic air

contaminants (TACs) and localized significance thresholds for PM10 (inhalable particulate matter with diameter of ten microns or less) and PM2.5 (fine particulate matter with diameter of 2.5 microns or less). (See the Draft EIR p. 4.1-3 to 4.1-4 and p. 4.1-32 to 4.1-36).

Impacts were determined to be significant for the following reasons:

- Construction of the Lincoln Boulevard Bridge Enhancement, Lincoln Boulevard and Sepulveda Boulevard BRTs, and I-10 Ramp Reconfiguration at Bundy Drive may require heavy duty diesel-powered construction equipment. In the absence of detailed project information about these four improvements, it is assumed that diesel particulate matter (DPM) emissions associated with use heavy duty construction equipment would exceed TAC thresholds.

- Fugitive dust and engine exhaust associated with construction activities for the Lincoln Boulevard Bridge Enhancement would result in temporary exceedance of standards for peak-daily localized emissions of PM10 and PM2.5.

- Fugitive dust and engine exhaust associated with construction activities for the Lincoln Boulevard BRT, Sepulveda Boulevard BRT, and the Interstate 10 (I-10) Ramp Reconfiguration at Bundy Drive would result in temporary exceedance of standards for peak-daily localized emissions of PM10.

Mitigation Measures

The significant and adverse localized air quality impacts to sensitive receptors will be reduced by mitigation measures as identified in the Final EIR and incorporated into the MMP.

MM-AQ-1: *Tier 3 Emission Standards and Diesel Particulate Filters.* All off-road diesel-powered construction equipment greater than 50 horsepower shall meet USEPA Tier 3 emission standards when used during construction of the Lincoln Boulevard and Sepulveda Boulevard BRTs, Lincoln Boulevard Bridge Enhancement, reconfiguration of the I-10 ramps at Bundy Drive, and other projects that are demonstrated to result in significant impacts by project-specific modeling. If the contractor can demonstrate that a specific piece of Tier 3 equipment cannot be reasonably obtained, the contractor shall use equipment that meets USEPA Tier 2 emission standards and be equipped with a CARB-verified Diesel Emissions Control Strategies (VDECS).

MM-AQ-2: *Fugitive Dust Control.* In order to ensure compliance with, or exceedance of, the requirements associated with SCAQMD Rule 403, construction activities shall include watering disturbed soil at least 3 times daily, or as often as necessary to maintain or exceed a soil moisture content of approximately 12 percent. Additional steps shall be taken, if necessary, to stabilize disturbed soil and stock piles to eliminate visible dust emissions.

MM-AQ-3: *Construction Electricity.* Electricity for construction activities shall be obtained from power poles or portable diesel-fueled generators using "clean burning diesel" fuel and exhaust emission controls.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Project EIR.

Facts in Support of Finding

Even with the implementation of the above mitigation measures, it is anticipated that localized construction emissions and TAC emissions would remain significant and unavoidable for the following reasons:

- Detailed plans have not been developed for implementation of any of the projects on the proposed CTCSP or WLA TIMP project lists. In studying the Proposed Project based on the currently available information, it is not feasible or practical to develop a construction analysis for every component of every potential project contained in the project lists. Therefore, potential construction-related emissions were estimated programmatically and conservatively. In the absence of more detailed information, it is assumed that with mitigation, air quality impacts would remain significant and unavoidable. (See section 4.1 of the Draft EIR).

- Because SCAQMD Rule 403 would be implemented to minimize fugitive dust, it was assumed that 61 percent of fugitive particulate matter emissions would be mitigated with implementation of each construction project. (See Draft EIR, p. 4.1-21). It was further assumed that this mitigation may not be sufficient to reduce construction emission impacts to a less than significant level.

Localized Construction-Related Emissions May Result in Cumulative Considerable Net Increase of Criteria Pollutants for Which the Air Basin is in Nonattainment

(Draft EIR Impact 4.1-3)

Significant and Unavoidable Temporary Impact from Construction

The Project EIR found that implementation of four high construction intensity improvements included in the Proposed Project's list of transportation improvements could exceed localized peak daily particulate emissions thresholds during construction. These localized construction emissions would be cumulatively considerable and would constitute a significant impact.

Evidence in the Record

As described above and in the Draft EIR (Impacts 4.1-3 and 4.1-4), localized construction-related peak daily particulate emissions associated with four improvement projects – the Lincoln Boulevard Bridge Enhancement , the Lincoln Boulevard and Sepulveda Boulevard BRTs, and the I-10 Ramp Reconfiguration at Bundy Drive improvements – would exceed daily emissions thresholds and would be significant. Therefore, localized construction emissions would be cumulatively considerable and would constitute a significant impact.

Impacts were determined to be significant for the following reasons:

- Los Angeles County is designated as a state nonattainment area for PM10 and PM2.5 (see pages 4.1-15 to 4.1-16 of the DEIR, including Table 4.1-7).
- Fugitive dust and engine exhaust associated with construction activities for the Lincoln Boulevard Bridge Enhancement would result in temporary exceedance of standards for peak daily localized emissions of PM10 and PM2.5.
- Fugitive dust and engine exhaust associated with construction activities for the Lincoln Boulevard and Sepulveda Boulevard BRTs and the Interstate 10 (I-10) Ramp Reconfiguration at Bundy Drive would result in temporary exceedance of standards for peak daily localized emissions of PM10.

Mitigation Measures

The significant and adverse cumulative air quality impacts due to construction-related pollutant emissions will be reduced by mitigation measures as identified in the Final EIR and incorporated into the MMP.

MM-AQ-1: Tier 3 Emission Standards and Diesel Particulate Filters. (*See above)*

MM-AQ-2: Fugitive Dust Control. (*See above).*

MM-AQ-3: Construction Electricity. (*See above).*

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Project EIR.

Facts in Support of Finding:

Even with the implementation of the above mitigation measures, it is anticipated that a cumulatively considerable air quality impact would remain significant and unavoidable for the following reasons:

- Detailed plans have not been developed for implementation of any of the projects on the proposed CTCSP or WLA TIMP project lists. In studying the Proposed Project based on the currently available information, it is not feasible or practical to develop a construction analysis for every component of every potential project contained in the project lists. Therefore, potential construction-related emissions were estimated programmatically and conservatively. In the absence of more detailed information, it is assumed that with mitigation, air quality impacts would remain significant and unavoidable. (See section 4.1 of the Draft EIR).

- Because SCAQMD Rule 403 would be implemented to minimize fugitive dust, it was assumed that 61 percent of fugitive particulate matter emissions would be mitigated with implementation of each construction project. (See Draft EIR, p. 4.1-21). It was further assumed that this mitigation may not be sufficient to reduce construction emission impacts to a less than significant level.

Cumulatively Considerable Localized Construction Emissions

(Draft EIR Section 5.1.2 [pages 5-5 to 5-6])

Cumulatively Considerable Impact

The Project EIR found that localized construction emissions associated with four improvements on the proposed list of transportation improvements would exceed the daily thresholds for project-specific impacts and would therefore contribute to a significant cumulative air quality impact.

Evidence in Record

A cumulatively considerable impact occurs when the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects (PRC Section 21083, State CEQA Guidelines Section 15064[h][1]). (See Draft EIR Section 5.1.1).

According to the SCAQMD, if an individual project results in air emissions of criteria pollutants that exceed the SCAQMD's recommended daily thresholds for project-specific impacts, then the project would also result in a cumulatively considerable net increase of these criteria pollutants. (See Draft EIR Section 5.1.2.1)

As described in the Draft EIR (Impact 4.1-3 and Section 5.1.2.1), localized construction-related pollutant emissions would be emitted by cumulative construction activities occurring at the same time and in the same general location as construction of transportation improvements associated with the Proposed Project. As shown in Table 4.1-18 of the Draft EIR, construction activities for the majority of the transportation improvements would not result in significant localized pollutant emissions; impacts of these projects would be less than significant. However, as shown in Tables 4.1-16 and 4.1-17 of the Draft EIR, peak daily localized emissions of particulate matter would exceed SCAQMD thresholds for the Lincoln Boulevard and Sepulveda Boulevard Bus Rapid Transit (BRTs) and the I-10 Ramp Reconfiguration at Bundy Drive (PM10) and the Lincoln Boulevard Bridge Enhancement (PM10 and PM2.5). Therefore, localized construction emissions associated with these four improvements would be cumulatively considerable.

Impacts were determined to be cumulatively considerable for the following reasons:

- Fugitive dust and engine exhaust associated with construction activities for the Lincoln Boulevard Bridge Enhancement would result in temporary exceedance of standards for peak daily localized emissions of PM10 and PM2.5.
- Fugitive dust and engine exhaust associated with construction activities for the Lincoln Boulevard and Sepulveda Boulevard BRTs and the Interstate 10 (I-10) Ramp Reconfiguration at Bundy Drive would result in temporary exceedance of standards for peak daily localized emissions of PM10.

Mitigation Measures

The cumulatively considerable air quality impacts due to construction-related pollutant emissions will be reduced by mitigation measures as identified in the Final EIR and incorporated into the MMP.

MM-AQ-1: Tier 3 Emission Standards and Diesel Particulate Filters. (*See above)*

MM-AQ-2: Fugitive Dust Control. (*See above).*

MM-AQ-3: Construction Electricity. (*See above).*

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Projectl EIR.

Facts in Support of Finding:

Even with the implementation of the above mitigation measures, it is anticipated that construction of certain transportation improvements could still contribute to cumulatively air quality impacts for the following reasons:

- Detailed plans have not been developed for implementation of any of the projects on the proposed CTCSP or WLA TIMP project lists. In studying the Proposed Project based on the currently available information, it is not feasible or practical to develop a construction analysis for every component of every potential project contained in the project lists. Therefore, potential construction-related emissions were estimated programmatically and conservatively. In the absence of more detailed information, it is assumed that with mitigation, air quality impacts would remain significant and unavoidable. (See section 4.1 of the Draft EIR).

- Because SCAQMD Rule 403 would be implemented to minimize fugitive dust, it was assumed that 61 percent of fugitive particulate matter emissions would be mitigated with implementation of each construction project. (See Draft EIR, p. 4.1-21). It was further assumed that this mitigation may not be sufficient to reduce construction emission impacts to a less than significant level.

4.2 NOISE AND VIBRATION

Implementation of the Proposed Project would result in permanent, significant and unavoidable and operational noise impacts from curb-running bus operations. Construction of the transportation improvements would result in localized noise impacts that would be temporary in duration.

Generate Noise Levels In Excess Of Standards

(Draft EIR Impact 4.5-1)

Potentially Significant and Unavoidable Impact for Construction and Operations

The Project EIR found that construction of the improvements included on the Proposed Project's list of improvements could result in temporary increases in noise levels at some sensitive land uses. The Project EIR also found that curb-running bus operations could potentially cause a permanent significant increase in noise levels at some sensitive land uses.

Evidence in Record – Construction

Construction of the proposed transportation improvements could result in temporary increases in noise levels generated by construction equipment, construction-related truck trips, and worker commute trips. Construction noise levels would fluctuate depending on the construction activities, equipment type, duration of activity, distance between the noise source and receptor, and presence of barriers that attenuate noise.

Even with adherence to the LAMC requirements for reducing construction noise, construction activities could exceed ambient noise levels by 10 dBA or more for more than one day at a noise sensitive use or exceed ambient noise levels by 5 dBA or more for more than ten days over a three month period at a noise sensitive use. Construction noise impacts were determined to be potentially significant for the following reasons:

- Many of the medium construction intensity projects, such as streetscape improvements, cycle tracks, bike transit centers, and traffic calming features, would occur curb side, which could be close to noise sensitive receptors. As shown in Table 4.5.14 in the DEIR, these transportation improvements may at times generate noise levels exceeding 90 dBA at 50 feet. In many cases, construction of these improvements may occur over a period of just a few days in any one location; nevertheless, if located within a right-of-way that is right in front of a sensitive use, such as an apartment building, the activity could exceed ambient noise levels by 10 dBA or more for more than one day, without mitigation. This would be a potentially significant impact. (See Draft EIR Impact 4.5-1 and Table 4.5-14).

- Construction of the center-running BRT platforms along Lincoln and Sepulveda boulevards, and the I-10 Ramp Reconfiguration at Bundy Drive would involve a high level of construction activity over a lengthy construction period (assumed to be 24 months for purposes of the EIR analysis). As stated previously, the specific design features associated with these projects, such as the BRT platform locations or the exact ramp configuration, have not yet been determined. Depending on the platform locations, construction could occur within 50 feet of a residential use. At this distance, as shown in Table 4.5-12 in the DEIR, construction equipment could result in noise levels over 97 dBA. Construction of the I-10/Bundy Drive ramp reconfiguration could have greater construction impacts; if the eastern leg of the off ramp were reconfigured, construction could occur within 40 feet of residences on W. Ayres Way. Construction of the Lincoln Boulevard and Sepulveda Boulevard BRTs and the I 10/Bundy Drive Ramp Reconfiguration could exceed ambient noise levels by 10 dBA or more for more than one day at a noise sensitive use. Because

of the duration and construction intensity of the project, construction could also exceed ambient noise levels by 5 dBA or more at a noise sensitive use for more than ten days over a three month period. Construction-related noise levels associated with the Lincoln Boulevard and Sepulveda Boulevard BRTs and the I-10 Ramp Reconfiguration at Bundy Drive would be a potentially significant impact. (See draft EIR Impact 4.5-1).

- The Lincoln Boulevard Bridge Enhancement project would likely take over 18 months and would also involve a high level of construction activity. In addition to widening the Lincoln Bridge over Ballona Channel, the project would require widening Lincoln Boulevard south of the bridge. Construction activities related to the bridge widening would occur approximately 100 to 400 feet from the nearest residence. Widening of Lincoln Boulevard south of the bridge would involve construction within approximately 60 feet of multi-family residences. In addition, the bridge widening may involve intermittent use of a pile driver, which could generate high noise levels for a short duration (likely less than six weeks). Overall, as shown in Table 4.5-13 of the Draft EIR, the Lincoln Boulevard Bridge Enhancement would require operation of construction equipment at times that could result in noise levels exceeding 90 dBA at 60 feet without mitigation. This improvement would exceed ambient noise levels by 10 dBA or more for more than one day at a noise sensitive use. Moreover, because of the duration and construction intensity of the project, construction would also exceed ambient noise levels by 5 dBA or more at a noise sensitive use for more than ten days over a three month period. This would be a potentially significant impact. (See draft EIR Impact 4.5-1).

Evidence in Record – Operations

The Proposed Project includes a number of improvements to bus service, including center-running BRT on Lincoln Boulevard and Sepulveda Boulevard, curb-running BRT on other corridors, expanded service routes and frequency, and other improvements. The overall effect of the bus improvements would likely not result in significant noise impacts at sensitive receptors. However, it is possible that curb-running BRT could increase noise levels at some sensitive land uses by more than the established City threshold. (See Draft EIR p. 4.5-20 to 4.5-21).

Operational noise impacts were determined to be potentially significant for the following reasons:

- While the Proposed Project's list of transportation improvements includes bus service improvements, the frequency of activity on new and improved bus routes has not been determined. For purposes of the EIR, it is assumed that the frequency of bus service would double in the project area. A doubling of bus service could result in higher noise levels than levels associated with vehicular traffic. (See Draft EIR p. 4.5-20)

- The level of noise that would be generated by buses would vary depending upon the fuel source, phase of operations (e.g., idle, acceleration, wide-open-throttle, etc.), and speed. For purposes of this EIR, it is conservatively estimated that the buses that would be in operation would be conventional diesel or CNG buses. Curb-running BRT could increase noise levels at some sensitive land uses by more than 3 dBA. Therefore, noise levels from improvements to bus service, particularly curb-running BRT, would be a potentially significant impact. (See Draft EIR p. 4.5-20 to 4.5-21).

Mitigation Measures

Mitigation of Construction Impacts: The significant noise impacts due to construction-related activity will be reduced by mitigation measures as identified in the Final EIR and incorporated into the MMP.

MM-N-1: *Construction Noise.* Prior to construction, a noise control plan (NCP) shall be developed by a qualified noise specialist, as approved by the City of Los Angeles Department of Building and Safety. The NCP shall identify the procedures for predicting construction noise levels at sensitive receptors and shall describe the reduction measures required to minimize construction noise. Construction activity lasting more than one day and increasing ambient noise by more than 10 dBA or more at a noise sensitive use, or resulting in increases in ambient noise of 5 dBA or more at a noise sensitive use more than ten days in a three-month period, shall incorporate noise reducing measures. These measures may include, but are not limited to:

- Install temporary sound barriers (e.g., soundwall) between the construction site and sensitive receptors and/or place portable sound blankets around sandblasting and jackhammering operations, as well as around construction activities that involve vibratory rollers.
- Equip construction equipment with the most effective locally available commercial mufflers, along with any other suitable noise attenuation devices (e.g., acoustically attenuating shields, shrouds, or enclosures). Contractor shall be responsible for maintaining equipment consistent with the manufacturers' standards to assure that no additional noise would be generated due to improperly maintained and worn parts.
- Scheduling operations of high impact equipment (e.g., pile driver, vibratory roller, tractor/loader/backhoe, haul trucks) during the middle of the day so as to reduce early morning and late evening impacts when residents are likely to be home;
- Placing stationary construction equipment (e.g., compressors, generators) as far away from sensitive land uses, as feasible;
- Unnecessary idling of equipment and vehicles shall be prohibited. Idling of haul trucks shall be limited to five minutes or less, as required by the South Coast Air Quality Management District rules;
- The public shall be kept informed of the construction hours and days, especially those of pile driving. The public information shall provide contact information for complaints. Noise complaints shall be logged and construction activities shall be evaluated to determine if additional noise mitigation is necessary and feasible;
- A pre-construction meeting with contractors and project managers shall be conducted to confirm that noise mitigation procedures are in place.

Mitigation of Operational Impacts: There are no feasible mitigation measures to reduce the potential noise impact associated with increased bus service.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Project EIR.

Facts in Support of Finding:

To meet the goals and policies of the City of Los Angeles Noise Element, noise from construction of the proposed transportation improvements would be minimized, as feasible. Implementation of mitigation measure MM-N-1 would reduce construction noise to the extent feasible. However, even with the implementation of the above construction noise mitigation measure, it is anticipated that construction of some transportation improvements could still result in a significant temporary noise impact for the following reasons:

- All construction activities would be subject to the general noise provisions of the LAMC found in Section 41.40, which limits construction within 500 feet of residential uses to the hours of 7:00 a.m. to 9:00 p.m. on weekdays and 8:00 a.m. to 6:00 p.m. on Saturdays and national holidays, and prohibits construction activity on Sundays. In addition, Section 112.05 of the LAMC prohibits the use of powered equipment within 500 feet of a residential zone that produces a maximum noise level exceeding 75 dBA at 50 feet without the use of noise abatement technologies, such as mufflers and sound barriers, to meet this level, unless technically infeasible. However, even with adherence to the LAMC, construction activities associated with the Proposed Project could exceed ambient noise levels thresholds at a noise sensitive use. (Draft EIR Impact 4.5-1 and Section 5.4.2 Regulatory Framework).

- Sound barriers are effective in reducing sound levels by 3 dBA up to 15 dBA. However, if a barrier is not able to break the line-of-sight from the source to the receiver, its effectiveness is greatly reduced. Due to the proximity of some of the improvements to nearby sensitive receptors, it is expected that sound walls would only be effective in reducing construction noise impacts at the ground level of nearby buildings. It would not be technically feasible to construct a noise barrier that would effectively reduce the construction-related noise at the upper floors of nearby apartment buildings or multi-story homes. Therefore, noise impacts at some locations would remain significant and unavoidable. (See Draft EIR p. 4.5-22)

- Noise level reductions attributable to noise shielding, muffling device, and limited idling, although not easily quantifiable, would also reduce noise impacts associated with construction activities to the extent practicable. Noise impacts associated with the majority of the construction activities would be infrequent and of short duration and would only affect a small number of sensitive receptors. However, even with mitigation, noise impacts at some locations would remain significant and unavoidable. (See Draft EIR p. 4.5-22)

For the following reasons, there are no feasible mitigation measures to reduce the potential operational noise impact associated with increased bus service.

- Reducing bus frequency is not considered to be feasible because reduced frequency would not meet the primary project objectives, which include providing transportation options and accommodations for multiple modes of travel, including transit (i.e., buses), and producing fewer auto trips per capita. (See Draft EIR Impact 4.5-1)

- Reducing bus frequency is not considered to be feasible because reduced frequency would be inconsistent with the General Plan Mobility Plan 2035 policy of improving the performance and reliability of existing and future bus service. Reducing bus frequency would also be inconsistent with the following Mobility Plan 2035 bus frequency objectives:

  - *Establish an off-peak 5 minute bus frequency on 25% of the Transit Enhanced Network by 2035.*
  - *Establish an off-peak 10 minute bus frequency on 50% of the Transit Enhanced Network by 2035.*

- *Establish an off-peak 15 minute bus frequency on 100% of the Transit Enhanced Network by 2035.*

- While electric trolleybuses and battery-electric buses have notably lower noise levels than other technologies[1], replacing all buses with quieter vehicles such as electric trolleybuses or battery-electric buses is not considered to be a feasible mitigation measure. Electric trolleybuses would require a substantial amount of new infrastructure, including exclusive right-of-way, and would require use of City resources, that the City desires to use for other public purposes. Implementing electric trolleybus service would result in new environmental impacts not associated with the Proposed Project. Battery-electric buses are not yet widely in use. It is not technologically feasible at this time to consider an all-battery-electric bus fleet as mitigation for potential noise impacts. (See Draft EIR Impact 4.5-1).

[1] Ross, Jason C. and M.A. Staiano. 2007, October 22-24. *A Comparison of Green and Conventional Diesel Bus Noise Levels*. Available: http://staianoengineering.com/images/NC07_Ross_Staiano_-_A_comparison_of_green_and_conv.pdf. Accessed on February 21, 2018.

Permanent Increase in Ambient Noise Above Levels Existing Without the Proposed Project

(Draft EIR Impact 4.5-3)

Potentially Significant and Unavoidable Impact for Construction and Operations

The Project EIR found that curb-running bus operations could potentially cause a permanent significant increase in noise levels at some sensitive land uses.

Evidence in Record

The Proposed Project includes a number of improvements to bus service, including center-running BRT on Lincoln Boulevard and Sepulveda Boulevard, curb-running BRT on other corridors, expanded service routes and frequency, and other improvements. The overall effect of the bus improvements would likely not result in significant noise impacts at sensitive receptors. However, it is possible that curb-running BRT could increase noise levels at some sensitive land uses by more than the established City threshold. (See Draft EIR p. 4.5-20 to 4.5-21).

Operational noise impacts were determined to be potentially significant for the following reasons:

- While the Proposed Project's list of transportation improvements includes bus service improvements, the frequency of activity on new and improved bus routes has not been determined. For purposes of the EIR, it is assumed that the frequency of bus service would double in the project area. A doubling of bus service could result in higher noise levels than levels associated with vehicular traffic. (See Draft EIR p. 4.5-20)

- The level of noise that would be generated by buses would vary depending upon the fuel source, phase of operations (e.g., idle, acceleration, wide-open-throttle, etc.), and speed. For purposes of this EIR, it is conservatively estimated that the buses that would be in operation would be conventional diesel or CNG buses. Curb-running BRT could increase noise levels at some sensitive land uses by more than 3 dBA. Therefore, noise levels from improvements to bus service, particularly curb-running BRT, would be a potentially significant impact. (See Draft EIR p. 4.5-20 to 4.5-21).

Mitigation Measures

There are no feasible mitigation measures to reduce the potential noise impact associated with increased bus service.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Project EIR.

Facts in Support of Finding:

For the following reasons, there are no feasible mitigation measures to reduce the potential operational noise impact associated with increased bus service.

- Reducing bus frequency is not considered to be feasible because reduced frequency would not meet the primary project objectives, which include providing transportation options and accommodations for multiple modes of travel, including transit (i.e., buses), and producing fewer auto trips per capita. (See Draft EIR Impact 4.5-1)

- Reducing bus frequency is not considered to be feasible because reduced frequency would be inconsistent with the General Plan Mobility Plan 2035 policy of improving the performance and reliability of existing and future bus service. Reducing bus frequency would also be inconsistent with the following Mobility Plan 2035 bus frequency objectives:

  - *Establish an off-peak 5 minute bus frequency on 25% of the Transit Enhanced Network by 2035.*
  - *Establish an off-peak 10 minute bus frequency on 50% of the Transit Enhanced Network by 2035.*
  - *Establish an off-peak 15 minute bus frequency on 100% of the Transit Enhanced Network by 2035.*

- While electric trolleybuses and battery-electric buses have notably lower noise levels than other technologies (Ross and Staiano, 2007), replacing all buses with quieter vehicles such as electric trolleybuses or battery-electric buses is not considered to be a feasible mitigation measure. Electric trolleybuses would require a substantial amount of new infrastructure, including exclusive right-of-way, and would require use of City resources, that the City desires to use for other public purposes. Implementing electric trolleybus service would result in new environmental impacts not associated with the Proposed Project. Battery-electric buses are not yet widely in use. It is not technologically feasible at this time to consider an all-battery-electric bus fleet as mitigation for potential noise impacts. (See Draft EIR Impact 4.5-1).

Temporary or Periodic Increase in Ambient Noise Above Levels Existing Without the Proposed Project

(Draft EIR Impact 4.5-4)

Potentially Significant and Unavoidable Impact for Construction and Operations

The Project EIR found that construction of the improvements included on the Proposed Project's list of improvements could result in temporary increases in noise levels at some sensitive land uses.

Evidence in Record

Construction of the proposed transportation improvements could result in temporary increases in noise levels generated by construction equipment, construction-related truck trips, and worker commute trips. Construction noise levels would fluctuate depending on the construction activities, equipment type, duration of activity, distance between the noise source and receptor, and presence of barriers that attenuate noise.

Even with adherence to the LAMC requirements for reducing construction noise, construction activities could exceed ambient noise levels by 10 dBA or more for more than one day at a noise sensitive use or exceed ambient noise levels by 5 dBA or more for more than ten days over a three month period at a noise sensitive use. Construction noise impacts were determined to be potentially significant for the following reasons:

- Many of the medium construction intensity projects, such as streetscape improvements, cycle tracks, bike transit centers, and traffic calming features, would occur curb side, which could be close to noise sensitive receptors. As shown in Table 4.5.14 in the DEIR, these transportation improvements may at times generate noise levels exceeding 90 dBA at 50 feet. In many cases, construction of these improvements may occur over a period of just a few days in any one location; nevertheless, if located within a right-of-way that is right in front of a sensitive use, such as an apartment building, the activity could exceed ambient noise levels by 10 dBA or more for more than one day, without mitigation. This would be a potentially significant impact. (See Draft EIR Impact 4.5-1 and Table 4.5-14).

- Construction of the center-running BRT platforms along Lincoln and Sepulveda boulevards, and the I-10 Ramp Reconfiguration at Bundy Drive would involve a high level of construction activity over a lengthy construction period (assumed to be 24 months for purposes of the EIR analysis). As stated previously, the specific design features associated with these projects, such as the BRT platform locations or the exact ramp configuration, have not yet been determined. Depending on the platform locations, construction could occur within 50 feet of a residential use. At this distance, as shown in Table 4.5-12 in the DEIR, construction equipment could result in noise levels over 97 dBA. Construction of the I-10/Bundy Drive ramp reconfiguration could have greater construction impacts; if the eastern leg of the off ramp were reconfigured, construction could occur within 40 feet of residences on W. Ayres Way. Construction of the Lincoln Boulevard and Sepulveda Boulevard BRTs and the I 10/Bundy Drive Ramp Reconfiguration could exceed ambient noise levels by 10 dBA or more for more than one day at a noise sensitive use. Because of the duration and construction intensity of the project, construction could also exceed ambient noise levels by 5 dBA or more at a noise sensitive use for more than ten days over a three month period. Construction-related noise levels associated with the Lincoln Boulevard and Sepulveda Boulevard BRTs and the I-10 Ramp Reconfiguration at Bundy Drive would be a potentially significant impact. (See draft EIR Impact 4.5-1).

- The Lincoln Boulevard Bridge Enhancement project would likely take over 18 months and would also involve a high level of construction activity. In addition to widening the Lincoln Bridge over Ballona Channel, the project would require widening Lincoln Boulevard south of the bridge. Construction activities related to the bridge widening would occur approximately 100 to 400 feet from the nearest residence. Widening of Lincoln Boulevard south of the bridge would involve construction within approximately 60 feet of multi-family residences. In addition, the bridge widening may involve intermittent use of a pile driver, which could generate high noise levels for a short duration (likely less than six weeks). Overall, as shown in Table 4.5-13 of the Draft EIR, the Lincoln Boulevard Bridge Enhancement would require operation of construction equipment at times that could result in noise levels exceeding 90 dBA at 60 feet without mitigation. This improvement would exceed ambient noise levels by 10 dBA or more for more than one day at a noise sensitive use. Moreover, because of the duration and construction intensity of the project, construction would also exceed ambient noise levels by 5 dBA or more at a noise sensitive use for more than ten days over a three month period. This would be a potentially significant impact. (See draft EIR Impact 4.5-1).

Mitigation Measures

The significant noise impacts due to construction-related activity will be reduced by mitigation measures as identified in the Final EIR and incorporated into the MMP.

MM-N-1: *Construction Noise.* Prior to construction, a noise control plan (NCP) shall be developed by a qualified noise specialist, as approved by the City of Los Angeles Department of Building and Safety. The NCP shall identify the procedures for predicting construction noise levels at sensitive receptors and shall describe the reduction measures required to minimize construction noise. Construction activity lasting more than one day and increasing ambient noise by more than 10 dBA or more at a noise sensitive use, or resulting in increases in ambient noise of 5 dBA or more at a noise sensitive use more than ten days in a three-month period, shall incorporate noise reducing measures. These measures may include, but are not limited to:

- Install temporary sound barriers (e.g., soundwall) between the construction site and sensitive receptors and/or place portable sound blankets around sandblasting and jackhammering operations, as well as around construction activities that involve vibratory rollers.

- Equip construction equipment with the most effective locally available commercial mufflers, along with any other suitable noise attenuation devices (e.g., acoustically attenuating shields, shrouds, or enclosures). Contractor shall be responsible for maintaining equipment consistent with the manufacturers' standards to assure that no additional noise would be generated due to improperly maintained and worn parts.

- Scheduling operations of high impact equipment (e.g., pile driver, vibratory roller, tractor/loader/backhoe, haul trucks) during the middle of the day so as to reduce early morning and late evening impacts when residents are likely to be home;

- Placing stationary construction equipment (e.g., compressors, generators) as far away from sensitive land uses, as feasible;

- Unnecessary idling of equipment and vehicles shall be prohibited. Idling of haul trucks shall be limited to five minutes or less, as required by the South Coast Air Quality Management District rules;

- The public shall be kept informed of the construction hours and days, especially those of pile driving. The public information shall provide contact information for complaints. Noise complaints shall be logged and construction activities shall be evaluated to determine if additional noise mitigation is necessary and feasible;

- A pre-construction meeting with contractors and project managers shall be conducted to confirm that noise mitigation procedures are in place.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Project EIR.

Facts in Support of Finding:

To meet the goals and policies of the City of Los Angeles Noise Element, noise from construction of the proposed transportation improvements would be minimized, as feasible. Implementation of mitigation measure MM-N-1 would reduce construction noise to the extent feasible. However, even with the implementation of the above construction noise mitigation measure, it is anticipated that construction of some transportation improvements could still result in a significant temporary noise impact for the following reasons:

- All construction activities would be subject to the general noise provisions of the LAMC found in Section 41.40, which limits construction within 500 feet of residential uses to the hours of 7:00 a.m. to 9:00 p.m. on weekdays and 8:00 a.m. to 6:00 p.m. on Saturdays and national holidays, and prohibits construction activity on Sundays. In addition, Section 112.05 of the LAMC prohibits the use of powered equipment within 500 feet of a residential zone that produces a maximum noise level exceeding 75 dBA at 50 feet without the use of noise abatement technologies, such as mufflers and sound barriers, to meet this level, unless technically infeasible. However, even with adherence to the LAMC, construction activities associated with the Proposed Project could exceed ambient noise levels thresholds at a noise sensitive use. (Draft EIR Impact 4.5-1 and Section 5.4.2 Regulatory Framework).

- Sound barriers are effective in reducing sound levels by 3 dBA up to 15 dBA. However, if a barrier is not able to break the line-of-sight from the source to the receiver, its effectiveness is greatly reduced. Due to the proximity of some of the improvements to nearby sensitive receptors, it is expected that sound walls would only be effective in reducing construction noise impacts at the ground level of nearby buildings. It would not be technically feasible to construct a noise barrier that would effectively reduce the construction-related noise at the upper floors of nearby apartment buildings or multi-story homes. Therefore, noise impacts at some locations would remain significant and unavoidable. (See Draft EIR p. 4.5-22)

- Noise level reductions attributable to noise shielding, muffling device, and limited idling, although not easily quantifiable, would also reduce noise impacts associated with construction activities to the extent practicable. Noise impacts associated with the majority of the construction activities would be infrequent and of short

duration and would only affect a small number of sensitive receptors. However, even with mitigation, noise impacts at some locations would remain significant and unavoidable. (See Draft EIR p. 4.5-22)

Generate Excessive Groundborne Vibration or Groundborne Noise Due to Construction

(Draft EIR Impact 4.5-2)

Significant and Unavoidable Temporary Construction-Related Impact

The Project EIR found that the construction of improvements associated with the Proposed Project has the potential to result in vibration levels at sensitive receptor locations that would exceed the City's vibration thresholds for human annoyance. Exceeding the human annoyance vibration threshold could cause a temporary significant adverse impact.

Evidence in Record

Potential vibration impacts were estimated based on anticipated construction activity as equipment, such as dozers and hammers, could generate vibrations that may affect nearby sensitive receptors. It was assumed that construction of a typical improvement project would involve a front end loader, a truck, a jackhammer, a concrete mixer, and a paver. The higher intensity construction projects were assumed to require additional construction equipment (list provided in the Draft ERI, Table 4.1-8 in Section 4.1, Air Quality). For purposes of the noise analysis, it was also assumed that construction of the Lincoln Bridge Enhancement Project could involve a drill or hammer type of pile driving.

Construction-related vibration impacts resulting in human annoyance were determined to be potentially significant for the following reasons:

- The vibration levels produced by the construction equipment associated with the Lincoln Boulevard and Sepulveda Boulevard BRT platforms and the I-10 Ramp Reconfiguration at Bundy Drive are equivalent to the significance threshold associated with frequent vibration events. If the heavy construction activities for these three projects were to occur less than 175 feet from a residence, the human annoyance vibration threshold for frequent events would be exceeded. Therefore, construction of these three improvements is a potentially significant impact. (See Draft EIR Section 4.5.5 and Impact 4.5-2).

- Construction of the Lincoln Boulevard Bridge Enhancement may require pile driving in addition to use of other heavy equipment. Although pile driving, if used at all, would be infrequent, sensitive receptors that are located less than 315 feet from the pile driving activity would experience vibration levels exceeding the human annoyance threshold. Vibration levels associated with human annoyance could result in significant impacts to the nearby residences. Furthermore, where Lincoln Blvd south of the bridge would require widening, other equipment that may be used for construction could result in excessive vibration at sensitive receptors. Because the project has the potential to result in vibration levels that would exceed thresholds for human annoyance, vibration associated with construction of the Lincoln Boulevard Bridge Enhancement would be a potentially significant impact. (See Draft EIR Section 4.5.5 and Impact 4.5-2).

- Construction of other transportation improvements will require trucks and jackhammers. Use of this equipment within 81 feet or less from a sensitive land use would exceed the human annoyance vibration threshold for frequent events. This would be a potentially significant impact. (See Draft EIR Section 4.5.5 and Impact 4.5-2)

Mitigation Measures

The significant groundborne vibration and groundborne noise impacts due to construction-related activity will be reduced by mitigation measures as identified in the Project EIR and incorporated into the MMP.

MM-N-2 *Construction Vibration*. An evaluation of project-specific vibration levels shall be completed by a qualified vibration specialist, as determined by the City of Los Angeles Department of Building and Safety for any project that is less than 81 feet from a residence. Vibration reducing measures, such as use of lighter weight equipment or use of equipment that produces less vibration, shall be implemented for potentially significant vibration impacts, if technically feasible. In addition, operation of high vibration impact equipment in proximity to sensitive receptors shall be scheduled during the middle of the day so as to reduce human annoyance in the early morning and late evening when residents are likely to be home.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Project EIR.

Facts in Support of Finding:

Human annoyance impacts from vibration associated with the majority of construction activities would be infrequent and of short duration and would only affect a small number of sensitive receptors. Implementation of mitigation measure MM-N-2 is anticipated to reduce human annoyance impacts associated with vibration to the extent feasible; however, even with mitigation, vibration impacts at some locations would remain significant and unavoidable. (See Draft EIR Section 4.5)

Cumulatively Considerable Noise and Vibration Impacts Due to Construction and Operation

(Draft EIR section 5.1.2.5, pages 5-10 to 5-11)

Cumulatively Considerable Impact

The Project EIR found that, while specific project timelines and implementation schedules are not known, construction-related noise and vibration levels could result in significant cumulative impacts and the Proposed Project's contribution to these significant cumulative impacts would be cumulatively considerable. The Project EIR also found that, while operational details about other transportation and development projects are not known, noise levels related to operations could result in significant cumulative impacts and the Proposed Project's contribution to this significant cumulative impact would be cumulatively considerable.

Evidence in Record

A cumulatively considerable impact occurs when the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects (PRC Section 21083, State CEQA Guidelines Section 15064[h][1]). Current and probable projects analyzed for cumulative impacts include the Mobility Plan 2035 and the Exposition Corridor Transit Neighborhood Plan (ECTNP). (See Draft EIR Section 5.1.1).

The Proposed Project was determined to have cumulatively considerable construction impacts for the following reasons:

- As discussed in Section 4.5 of the DEIR, *Noise and Vibration*, even with mitigation, construction-related noise and vibration impacts from the transportation improvements associated with the Proposed Project would be significant and unavoidable.

- As described in the Draft EIR (Section 5.1.2.5), cumulative projects with the potential to contribute to cumulative construction-related noise and vibration impacts would be those under construction at the same time and in the same general vicinity as the project-related improvements. If projects located in proximity to the same sensitive receptors were to occur concurrently, cumulative noise and vibration impacts could result. While schedules and phasing plans have not been determined for the transportation improvements identified as part of the Proposed Project, construction activities related to the transportation improvements in MP 2035, the development proposed in the ECTNP, and anticipated growth and development in the RTP/SCS could occur concurrently with construction related to the Proposed Project within the project area. Construction-related activities from the Proposed Project and from cumulative development could individually result in significant noise and vibration impacts.

The Proposed Project was determined to have cumulatively considerable operational impacts for the following reasons:

- As discussed in Section 4.5, *Noise and Vibration,* of the DEIR, curb-running BRT operations may increase noise levels at some sensitive land uses by more than 3 A-weighted decibels (dBA). This would be a significant impact that could not be mitigated. (See Draft EIR Section 5.1.2.5).

- Operational impacts associated with the MP 2035 would include the implementation of transportation improvements in addition to those associated with the Proposed Project. Introducing additional transit operations, particularly bus operations associated with the MP 2035, could result in noise impacts to

sensitive uses that are located in close proximity to these operations. Noise from BRT operations associated with the Proposed Project, combined with other local sources of noise from the MP 2035, could increase cumulative noise in certain areas. (See Draft EIR Section 5.1.2.5).

- Under the ECTNP, land use designations would be changed to create mixed use areas and infill development around transit stations. The development of mixed land uses in proximity to one another could result in noise impacts to sensitive uses. In addition, these changes in land use designations could place noise-sensitive land use in proximity to bus operations that would be implemented as part of the Proposed Project. (See Draft EIR Section 5.1.2.5).

- While details about the projects associated with the MP 2035, or specific development that could occur with implementation of the ECTNP, are not known, for purposes of this EIR, it is assumed that noise levels related to operations could result in significant cumulative impacts and the Proposed Project's contribution to this significant cumulative impact would be **cumulatively considerable**. (See Draft EIR Section 5.1.2.5).

Mitigation Measures

MM-N-1: *Construction Noise.* (Refer to MM-N-1 above)

MM-N-2 *Construction Vibration.* (Refer to MM-N-2 above)

There are no feasible mitigation measures to reduce the Proposed Project's contribution to cumulatively considerable operational noise impacts because the Proposed Project' potential contribution is associated with increased bus service and reducing bus service is not a feasible mitigation.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Project EIR.

Facts in Support of Finding:

As discussed in the DEIR Section 4.5, *Noise and Vibration*, even with mitigation, construction-related noise and vibration impacts from the transportation improvements associated with the Proposed Project would be cumulatively considerable for the following reasons:

- While potential cumulative noise and vibration levels would be intermittent, temporary, and would comply with the time restrictions and other relevant provisions in the Los Angeles Municipal Code, it could still be cumulatively considerable (See Draft EIR Section 5.1.2.5).

- Each project that would result in high noise and/or vibration levels at nearby sensitive receptors would be required to comply with mitigation measures identified in their respective environmental documents. Even with these measures, concurrent construction activities from nearby related projects would generate noise and vibration at each site and cumulative construction activities may exceed thresholds of significance for noise and vibration at nearby sensitive land uses. (See Draft EIR Section 5.1.2.5).

- Specific project timelines and implementation schedules are not known. Therefore, for purposes of this EIR, it is assumed that construction-related noise and vibration levels could result in significant cumulative

impacts and the Proposed Project's contribution to these significant cumulative impacts would be cumulatively considerable. (See Draft EIR Section 5.1.2.5).

As discussed in the DEIR Section 4.5, *Noise and Vibration*, there are no feasible mitigation measures to reduce the potential operational noise impact associated with increased bus service.

4.3 TRANSPORTATION

Implementation of the Proposed Project would result in permanent, significant and unavoidable operational circulation system impacts. Construction of the transportation improvements would result in localized circulation impacts that would be temporary in duration.

Circulation system from vehicle traffic

(Draft EIR Impact 4.6-2)

Significant and Unavoidable Impact

The Project EIR found that implementation of the Proposed Project would exceed Level of Service (LOS) thresholds and volume to capacity (V/C) ratio thresholds relating to operation of the vehicular circulation system. This would be a significant and unavoidable impact.

Evidence in Record

The proposed Specific Plan amendments include updating the list of transportation improvements funded in part by the traffic impact fees in each specific plan area. The updated project lists are aimed at improving the transportation network, enhancing system capacity, reducing vehicle trips and VMT, and improving transit connectivity. Some improvements could alter roadway capacity and thus could impact the circulation system. Improvement projects that could potentially change the vehicle capacity of the existing roadway network and the modeling assumptions used to quantify potential impacts of those improvements are noted in Table 4.6-12 of the Draft EIR.

As described on page 4.6-45 of the Draft EIR, the Proposed Project is determined to have a significant impact if the Proposed Project causes changes to the circulation system that exceed the following thresholds of significance:

- Increases in the number of roadway segments projected to operate at unsatisfactory levels of service (LOS E or F) and/or
- Increases in the volume-weighted average V/C ratio.

As described under Draft EIR Impact 4.6-2 and supported by the analysis described in Draft EIR Appendix F *Model Development Report*, the Proposed Project is determined to have significant impacts for the following reasons:

- Implementation of the Proposed Project will cause an increase in the percent of roadway segments in the plan area operating at LOS E or F during the AM and PM peak periods.
- Implementation of the Proposed Project will cause an increase in the share of roadway links projected to operate at LOS E or F in both the AM and PM peak periods.
- Implementation of the Proposed Project will cause an increase in the weighted average of the V/C ratio for all of the analyzed roadway segments in both the AM and PM peak periods.

Mitigation Measures

The significant and adverse impacts to the circulation system will be reduced by mitigation measures as identified in the Final EIR and incorporated into the MMP.

MM-T-1: *Technology Upgrades and Intersection Improvements.* As the City of Los Angeles implements projects in the updated project lists that would impact vehicular operations by resulting in the removal of a vehicular travel lane along a roadway or the removal of a through lane or turn-lane at an intersection, LADOT shall implement ITS signal and corridor upgrades, major intersection improvements such as turn-lane or safety improvements, and/or congestion monitoring technology upgrades both along project routes and parallel roadways if traffic diversions have occurred as a result of the Proposed Project. Improvements to be implemented shall be determined based on an analysis of project-specific impacts conducted according to LADOT Traffic Study Policies and Procedures guidelines.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Project EIR.

Facts in Support of Finding

Implementation of MM-T-1 would ensure that mitigation measures would be completed to reduce the level of impacts and that detailed analyses would be completed for individual projects that could result in transportation impacts. However, the implementation of MM-T-1 cannot be certain to reduce the level of impacts to less than significant. For the following reasons, even with mitigation, the Proposed Project would exceed current thresholds for roadway LOS and V/C and result in a significant and unavoidable impact:

- Regional growth is expected to increase overall activity levels and travel demands in the study area with or without implementation of the Proposed Project (See section 4.6 of the Draft EIR). It is not feasible or practical to mitigate the LOS and V/C circulation impacts caused by regional growth to a level that is less than significant.

- The model estimated changes in circulation system conditions reflect a likely worst-case, vehicle-centric estimate based on historical travel behavior patterns and do no account for additional changes that would lead to decreasing vehicular volumes (see Draft EIR Section 4.6.4). Furthermore, the model is not sensitive to improvements at the intersection level of detail, such as signal timing changes or an additional turn lane, nor is it sensitive to corridor ITS improvements. Consequently, the operational benefits of several of the projects included in the updated project lists are not captured in the Future with Project operational results. (See Draft EIR Section 4.6 and Append F). Such projects include major intersection improvements, ITS corridor & signal upgrades, congestion monitoring, and transportation demand management (TDM).

- Under Senate Bill (SB) 743 there will be new criteria for determining the significance for transportation impacts. It is possible that some or all of the impacts related to vehicular LOS that are considered significant under the current legal and policy framework would no longer be considered significant if analyzed using the new criteria. (See Draft EIR Section 4.6)

- There are no other identified feasible mitigation measures that could reduce these impacts to less than significant while also meeting the stated purposes of the proposed Specific Plans and the adopted goals, objectives and policies of the City's General Plan (MP 2035).

- Mitigating circulation system impacts by widening streets is not feasible; furthermore it is not clear that this strategy reduces impacts. As discussed in the FEIR, Master Response 1, the addition of new right-of-way to the City's street network is determined to be inconsistent with the Mobility Plan 2035 goals and policies regarding the use of existing right-of-way and the reduction of VMT. Furthermore, as discussed under Alternative 1 in Chapter 6 of the Draft EIR, roadway capacity improvements would require acquisition of right-of-way, including the demolition of buildings on parcels adjacent to existing roadways. Acquisition could occur either through development dedications (which would occur gradually over time as parcels are redeveloped) or if the City of Los Angeles were to acquire portions or whole parcels. For the most part, acquired parcels would consist of commercial and retail uses, although some residential uses may also require acquisition. Demolition of commercial and retail uses would be disruptive and would physically alter the makeup of existing communities. In addition, elimination of neighborhood commercial uses could result in residents traveling greater distances to access necessary amenities. Acquisition of private property to enable the roadway widenings would also be very costly. Additionally, research has shown that adding roadway capacity does not reduce congestion, but rather induces more vehicle travel as well as GHG emissions associated with that additional vehicle travel[2].

[2] Handy, Susan. 2015, October. *Increasing Highway Capacity Unlikely to Relieve Traffic Congestion*. National Center for Sustainable Transportation Policy Brief. Department of Environmental Science and Policy, University of California, Davis. Available: http://www.dot.ca.gov/research/researchreports/reports/2015/10-12-2015-NCST_Brief_InducedTravel_CS6_v3.pdf. Accessed on May 24, 2016.

Neighborhood traffic intrusion

(Draft EIR Impact 4.6-3)

Significant and Unavoidable Impact

The Project EIR found that implementation of the Proposed Project would exceed thresholds related to neighborhood traffic intrusion. This would be a significant and unavoidable impact.

Evidence in Record

As described in Section 4.6.5 *Thresholds of Significance* in the Draft EIR, the Proposed Project would have a significant impact related to neighborhood intrusion if it would significantly increase the average daily traffic (ADT) volume on a local residential street. The Proposed Project could increase ADT volume on local residential streets in amounts equal to or greater than the City's thresholds of significance for the following reasons:

- Under Future with Project conditions, the share of roadway links projected to operate at LOS E or F exceeds the share for both Existing and Future without Project conditions in both the AM and PM peak periods. Although some of this increase is offset by a reduction in vehicular traffic due to shifts to other modes and routes, congestion could increase on certain roadways in the study area.

- Along roadways where the Proposed Project would cause significant traffic congestion, diversion of trips could occur onto adjacent parallel routes. The extent to which trips would divert to adjacent local roadways, and specific roadway segments that may experience an increase in trips due to diversion from parallel routes, cannot be precisely defined given the uncertainty around the final design options that may be implemented. However, it is anticipated that for the street segments where the LOS would degrade from D to E or F, some trips could divert to adjacent streets to avoid longer travel times through congested locations.

- Regional growth is expected to increase overall activity levels and travel demands in the study area.

Mitigation Measures

The significant and adverse neighborhood traffic intrusion impacts will be reduced by mitigation measures as identified in the Final EIR and incorporated into the MMP.

MM-T-2 *Neighborhood Protection Program.* As the City of Los Angeles implements projects in the updated project lists that would impact vehicular operations by resulting in the removal of a vehicular travel lane along a roadway that could potentially result in diversion of traffic to adjacent residential streets, LADOT shall implement the Neighborhood Protection Program on the impacted residential streets based on an analysis of project-specific impacts conducted according to LADOT Traffic Study Policies and Procedures guidelines.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Project EIR.

Facts in Support of Finding:

As discussed in the Draft EIR (pages 4.6-56 to 4.6-58), the Proposed Plan includes provisions and improvements that aim to reduce neighborhood traffic intrusion. However, it is not anticipated that these strategies could reduce neighborhood traffic intrusion to a significant and unavoidable level.

- The proposed WLA TIMP and CTCSP amendments require future developments to complete the required Traffic Study and Traffic Impact procedures as described in the LADOT Traffic Study Policies and Procedures guidelines. Per the guidelines, a plan to reduce project traffic from traveling through nearby residential areas, referred to as the Residential Neighborhood Traffic Management (NTM) Program, may be required as part of the mitigation program for future development project prior to approval. If NTM measures are required to offset potential residential street impacts, then, prior to project occupancy, the applicant shall conduct public outreach and develop a NTM plan, in consultation with LADOT, the affected Council District office and the affected neighborhood. The NTM plan shall be prepared in conformance with the guidelines established by LADOT. While the NTM plans can alleviate neighborhood traffic intrusion from individual developments within the Specific Plan areas, regional growth and associated increases in activity levels may still result in vehicles diverting to residential roadways. (Draft EIR pages 4.6-56 to 4.6-58)

- Streets identified as part of the Neighborhood Enhanced Network (NEN) in the potential lists of transportation projects and MP 2035 could receive treatments to calm vehicle travel and reduce travel speeds on neighborhood roadways. (Draft EIR pages 4.6-56 to 4.6-58)

Even with implementation of the Mitigation Measure identified in the Project EIR and above, it is anticipated that neighborhood traffic intrusion would remain significant and unavoidable. MM-T-2 requires that the Neighborhood Protection Program included as part of the updated project lists be implemented when any loss of vehicular capacity results from other multimodal projects being implemented diverts traffic onto adjacent residential streets as determined through further project-specific traffic impact studies based on LADOT Traffic Study Policies and Procedures guidelines. The implementation of MM-T-2 would reduce the level of impact related to neighborhood traffic intrusion but impacts could remain significant since the mitigation measure cannot be guaranteed to reduce residential traffic volumes below the City's current thresholds. In addition, regional growth is expected to increase overall activity levels and travel demand in the study area. Therefore, the impact of the Proposed Project on neighborhood traffic would be significant and unavoidable. (Draft EIR pages 4.6-56 to 4.6-58)

There are no other identified feasible mitigation measures that could reduce these impacts to less than significant while also meeting the stated purposes of the proposed Specific Plans and the adopted goals, objectives and policies of the City's General Plan (MP 2035).

Congestion management program and state freeway segments

(Draft EIR Impact 4.6-4)

Significant and Unavoidable Impact

The Project EIR found that implementation of the Proposed Project could exceed thresholds related to volume to capacity ratio on some CMP and state freeway segments. This would be a significant and unavoidable operational impact.

Evidence in Record

- As described in the Draft EIR, a significant CMP impact occurs when a project increases traffic demand on a CMP facility by 2 percent of capacity (V/C ≥ 0.02), causing LOS F (V/C > 1.00); if the facility is already at LOS F, a significant impact occurs when a project increases traffic demand on a CMP facility by 2 percent of capacity (V/C ≥ 0.02)

- As shown in Table 4.6-18 of the Draft EIR, most CMP freeway segments in the study area operate at LOS E or F during at least one peak hour (AM and/or PM) peak hour under Existing conditions and at LOS F during at least one peak hour under Future with Project conditions.

- As discussed in the Draft EIR (Pages 4.6-58 to 4.6-62), bottlenecks in the freeway network may result in artificially low vehicle counts at some CMP monitoring stations and vehicle LOS experienced by drivers may be worse than reported based on the CMP methodology. Therefore, increases in V/C ≥ 0.02 for facilities shown to be operating at LOS E or better may also experience a significant impact resulting from the Proposed Project.

- On a regional level, traffic in the study area is anticipated to increase in conjunction with regional population, housing, and employment growth projected to occur in the future by SCAG. This growth will occur with or without implementation of the Proposed Project. The background growth influences the transportation analysis by accounting for the increased activity levels under Future with Project conditions, although those increases would occur with or without the Proposed Project. Consequently, when comparing traffic operations on the freeway system under Future with Project conditions to Existing conditions, peak period congestion continues to increase as a result of background growth. (Draft EIR pages 4.6-58 to 4.6-62)

Mitigation Measures

The significant and adverse impacts to CMP and state freeway segments will be reduced by mitigation measures as identified in the Project EIR and incorporated into the MMP.

MM-T-3: Coordination with Other Agencies on Transportation Improvements and Funding. As the City of Los Angeles implements projects in the updated project lists that could potentially impact vehicular operations as determined by LADOT on transportation systems managed by other agencies, such as Caltrans or Metro, or neighboring jurisdictions, the City of Los Angeles shall coordinate with these entities to identify transportation improvements and seek opportunities to jointly pursue funding. Mobility solutions shall be focused on safety, enhancing mobility options, improving access to active modes, and implementing TDM measures to achieve both local and regional transportation and sustainability goals.

Finding

Pursuant to CEQA Guidelines Section 15091(a)(2), changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding and such changes have been adopted by such other agency or can and should be adopted by such other agency; and

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Project EIR.

Facts in Support of Finding:

The implementation of MM-T-3 would reduce the level of impact related to freeways and the CMP but impacts could remain significant for the following reasons (which are also described in the Draft EIR on page 4.6-62):

- The mitigation measure cannot be guaranteed to occur prior to certain freeway or roadway segments experiencing increases in traffic volumes in exceedance of the current CMP thresholds.
- It cannot be guaranteed that feasible improvements, such as widening existing roadways or freeway segments, are available to reduce the impact to a less than significant level.
- Improvements to freeways are within the jurisdiction of Cal Trans and there is no plan or fee program available that the City is aware of to address impacts to freeways from the Project.
- Regional growth is expected to increase overall activity levels and travel demands in the study area.
- The roadway and ITS projects included in the updated CTCSP and WLA TIMP project list (including the I-10 Bundy Drive interchange, improvements to the Lincoln Bridge over the Ballona Creek, the ITS signal upgrades, and CMP monitoring stations along major corridors providing access to the freeway system) could improve vehicular flows for those traveling to/from state highway facilities and would help to alleviate congestion on state highway facilities. However, these improvements cannot be guaranteed to reduce impacts to a less than significant level. (Draft EIR Pages 4.6-58 to 4.6-62).
- Draft EIR Table 4.6-19 (page 4.6-61) presents the freeway segment LOS for each of the CMP freeway monitoring locations within the study area under both Future without Project and Future with Project conditions. This analysis shows that no CMP freeway monitoring segments experience a change in V/C ≥ 0.02 with the implementation of the potential transportation improvements under Future with Project conditions when compared to Future without Project conditions. However, since project impacts are based on Future with Project conditions in comparison to Existing conditions, under current CEQA guidelines and City thresholds, this is considered a significant impact.

There are no other identified feasible mitigation measures that could reduce these impacts to less than significant while also meeting the stated purposes of the proposed Specific Plans and the adopted goals, objectives and policies of the City's General Plan (MP 2035). Therefore, the impact of the Proposed Project on CMP and state freeway facilities would be **significant and unavoidable.**

Disruption to traffic during construction

(Draft EIR Impact 4.6-8)

Significant and Unavoidable Temporary Impact from Construction

The Project EIR found that while the Proposed Project would not, itself, entitle or otherwise approve any transportation projects for construction, impacts related to construction could occur from the projects with longer construction durations.

Evidence in Record

Implementation of on-street improvements identified in the updated project lists would mostly consist of roadway restriping and limited changes to the physical configuration of curbs, and thus, would likely be short in duration lasting up to a few weeks while other projects, such as the Lincoln Bridge improvements or center-running BRT corridors would require longer construction duration. Temporary construction related impacts could occur from the projects with longer construction durations. The City implements standard construction techniques to manage construction related traffic impacts. Examples of these include preparation of traffic control plans, requiring flagmen and preparing detours. If unusual circumstances exist (e.g., multiple construction projects occurring around the same location), there may be significant impacts.

Mitigation Measures

MM-T-4 Construction activities that may result from the buildout of improvements on the proposed project lists will be evaluated on a project-by-project basis by LADOT for construction-related impacts to traffic. Construction activities will be managed through the implementation of a traffic control plan, approved by LADOT, to mitigate the impact of traffic disruption and to ensure the safety of all users of the affected roadway, including, as appropriate, through the use of temporary traffic signals, detours, or the use of flagmen adjacent to construction activities.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Project EIR.

Facts in Support of Finding:

Implementation of MM-T-4 would be expected to reduce impacts to transportation related to construction. However, as detailed plans are not available it is not feasible to determine if all impacts can be reduced to less than significant with implementation of this measure, therefore significant impacts may result. Therefore, construction-related impacts would remain significant and unavoidable.

Cumulatively considerable transportation impacts due to construction and operations

(Draft EIR section 5.1.2.6, pages 5-11 to 5-13)

Cumulatively Considerable Impact

The Project EIR found that cumulative construction impacts would be significant and the Proposed Project's contribution to this significant cumulative impact would be cumulatively considerable.

Evidence in Record

A cumulatively considerable impact occurs when the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects (PRC Section 21083, State CEQA Guidelines Section 15064[h][1]). (See Draft EIR Section 5.1.1).

Cumulative traffic impacts from construction are discussed as follows on page 5-11 to 5-12 of the Draft EIR:

- Construction impacts related to implementation of the transportation improvements under the Proposed Project would be short-term and significant. Standard construction techniques (e.g., preparation of a traffic control plan, flagmen, etc.) would reduce construction-related impacts associated with the Proposed Project, however, even with implementation of mitigation, it is expected that project-related construction impacts to transportation would be significant and unavoidable.

- Concurrent construction activity from nearby projects related to the MP 2035, ECNTP, and other development projected in the RTP/SCS would result in cumulative traffic impacts. In general, cumulative construction-related traffic impacts would be localized and short-term. Nevertheless, despite the short-term nature of cumulative construction-related traffic effects and the fact that each cumulative project in the area would be required to mitigate construction-related traffic and parking impacts, it is anticipated that cumulative construction impacts would be significant and the Proposed Project's contribution to this significant cumulative impact would be cumulatively considerable.

Cumulative impacts related to vehicular traffic are discussed as follows on page 5-12 of the Draft EIR:

- As described in Section 4.6 of the Draft EIR, Transportation, potential impacts to the circulation system associated with the Proposed Project were analyzed for transportation improvements included in the updated project lists. Volume-to-capacity (V/C) ratios and level of service (LOS) calculations were prepared for Existing, Future without Project, and Future with Project conditions. The "volume-weighted" average of the V/C ratio under Future with Project conditions for all of the analyzed roadway segments would exceed that of existing conditions (0.80 to 0.85 during the AM peak hour and 0.86 to 0.93 during the PM peak hour) and Future without Project conditions (0.83 to 0.85 during the AM peak hour and 0.90 to 0.93 during the PM peak hour). The number of roadway links projected to operate at unsatisfactory levels of service (LOS E or F) under Future with Project conditions exceed the number for existing conditions (21 percent to 29 percent during the AM peak hour and 29 percent to 40 percent in the PM peak hour) and Future without Project conditions (24 percent to 29 percent during the AM peak hour and 34 percent to 40 percent in the PM peak hour).

- With the implementation of MP 2035, many of the projects included in the Proposed Project's updated project lists would be extended outside of the Specific Plan boundaries, resulting in a more robust multi-modal network throughout the City of Los Angeles. Full buildout of MP 2035 would also likely require the conversion

of additional vehicular travel lanes both within and outside of the Specific Plan boundaries into transit-only lanes or bicycle facilities. The additional growth that would potentially occur with implementation of the ECTNP may worsen congestion in portions of the Specific Plan boundaries beyond the levels identified in the Future with Project conditions. Under current CEQA guidelines and City thresholds, this is considered to be a significant impact. The contribution of the Proposed Project to this cumulative traffic impact would be cumulatively considerable.

Cumulative impacts related to neighborhood traffic intrusion are discussed as follows on page 5-12 to 5-13 of the Draft EIR:

- The EIR modeling analysis conducted for the Proposed Project accounts for potential redistribution of vehicular traffic from highly congested links to links that have more available capacity. Along roadways where the Proposed Project would cause significant traffic congestion, diversion of trips could occur onto adjacent parallel routes. It is anticipated that diversion would not occur on streets that operate at LOS D or better during peak periods because the average delay is not substantial. However, for the street segments where the LOS would degrade from D to E or F, some trips could divert to adjacent streets to avoid longer travel times through congested locations. While the Residential Neighborhood Traffic Management (NTM) plans required by LADOT can alleviate neighborhood traffic intrusion from individual developments within the Specific Plan areas, regional growth and associated increases in activity levels may still result in vehicles diverting to residential roadways.

- On a regional level, traffic in the study area is anticipated to increase in conjunction with regional population, housing, and employment growth projected to occur in the future by SCAG. This growth will occur with or without implementation of the Proposed Project and cumulative projects. The background growth influences the transportation analysis by accounting for the increased activity levels under Future with Project conditions, although, as stated, those increases will occur with or without the project.

- It is possible that diversions evaluated under the Future with Project conditions could increase with implementation of the MP 2035, as full buildout of that program would remove additional travel lanes in the Specific Plan area.

- Therefore, the diversion of traffic associated with cumulative conditions would be a significant cumulative impact and the contribution of the Proposed Project to neighborhood intrusion impacts would be cumulatively considerable.

Cumulative impacts related to Congestion Management Program (CMP) freeway segments are discussed as follows on page 5-13 of the Draft EIR:

- As defined by the Congestion Management Program (CMP), a significant impact would occur when a project would increase traffic demand on a CMP facility by 2 percent of capacity (V/C ≥ 0.02), causing LOS F (V/C > 1.00); if the facility is already at LOS F, a significant impact would occur when a project would increase traffic demand on a CMP facility by 2 percent of capacity (V/C ≥ 0.02).

- On a regional level, traffic in the study area is anticipated to increase in conjunction with regional population, housing, and employment growth projected to occur in the future by SCAG. This growth will occur with or without implementation of the Proposed Project and cumulative projects. The background growth influences the transportation analysis by accounting for the increased activity levels under Future with Project

conditions, although, as stated, those increases will occur with or without the project. Consequently, when comparing traffic operations on the freeway system under Future with Project conditions to existing conditions, peak period congestion would continue to increase as a result of background growth.

- As stated in Section 5.1.1 of the Draft EIR, with the addition of the cumulative projects, future VMT in the region would be expected to decrease compared to Future without Project conditions. Nevertheless, total future VMT with background growth and cumulative projects would be greater than existing conditions. Therefore, cumulative contributions to CMP freeway segment impacts would be a significant cumulative impact and the Proposed Project's contribution would be cumulatively considerable.

Mitigation Measures

MM-T-1: Technology Upgrades and Intersection Improvements. (Refer to MM-T-1 above)

MM-T-2 Neighborhood Protection Program. (Refer to MM-T-2 above)

MM-T-3: Coordination with Other Agencies on Transportation Improvements and Funding. (Refer to MM-T-3 above)

MM-T-4 Traffic Control Plan. (Refer to MM-T-4 above)

There are no feasible mitigation measures to reduce the Proposed Project's contribution to cumulatively considerable transportation impacts to less than significant while also meeting the stated purposes of the proposed Specific Plans and the adopted goals, objectives and policies of the City's General Plan (MP 2035).

Finding

Pursuant to CEQA Guidelines Section 15091(a)(2), changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding and such changes have been adopted by such other agency or can and should be adopted by such other agency; and

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Project EIR.

Facts in Support of Finding:

- Regional growth is expected to increase overall activity levels and travel demands in the study area with or without implementation of the Proposed Project (See section 4.6 of the Draft EIR). It is not feasible or practical to mitigate the cumulative impacts caused by regional growth to a level that is less than significant.

- The model estimated changes in circulation system conditions reflect a likely worst-case, vehicle-centric estimate based on historical travel behavior patterns and do no account for additional changes that would lead to decreasing vehicular volumes (see Draft EIR Section 4.6.4). Furthermore, the model is not sensitive to improvements at the intersection level of detail, such as signal timing changes or an additional turn lane, nor is it sensitive to corridor ITS improvements. Consequently, the operational benefits of several of the projects included in the updated project lists are not captured in the Future with Project operational results. (See Draft EIR Section 4.6 and Append F). Such projects include major intersection improvements, ITS corridor & signal upgrades, congestion monitoring, and transportation demand management (TDM).

- Under Senate Bill (SB) 743 there will be new criteria for determining the significance for transportation impacts. It is possible that some or all of the impacts related to vehicular LOS that are considered significant under the current legal and policy framework would no longer be considered significant if analyzed using the new criteria. (See Draft EIR Section 4.6)

- There are no other identified feasible mitigation measures that could reduce these cumulative transportation impacts to less than significant while also meeting the stated purposes of the proposed Specific Plans and the adopted goals, objectives and policies of the City's General Plan (MP 2035).

- Mitigating circulation system impacts by widening streets is not feasible; furthermore it is not clear that this strategy reduces impacts. As discussed in the FEIR, Master Response 1, the addition of new right-of-way to the City's street network is determined to be inconsistent with the Mobility Plan 2035 goals and policies regarding the use of existing right-of-way and the reduction of VMT. Furthermore, as discussed under Alternative 1 in Chapter 6 of the Draft EIR, roadway capacity improvements would require acquisition of right-of-way, including the demolition of buildings on parcels adjacent to existing roadways. Acquisition could occur either through development dedications (which would occur gradually over time as parcels are redeveloped) or if the City of Los Angeles were to acquire portions or whole parcels. For the most part, acquired parcels would consist of commercial and retail uses, although some residential uses may also require acquisition. Demolition of commercial and retail uses would be disruptive and would physically alter the makeup of existing communities. In addition, elimination of neighborhood commercial uses could result in residents traveling greater distances to access necessary amenities. Acquisition of private property to enable the roadway widenings would also be very costly. Additionally, research has shown that adding roadway capacity does not reduce congestion, but rather induces more vehicle travel as well as GHG emissions associated with that additional vehicle travel[3].

[3] Handy 2015.

SECTION 4: ALTERNATIVES CONSIDERED AND REJECTED

CEQA requires than an EIR include an analysis of a reasonable range of feasible alternatives to a Proposed Project capable of avoiding or substantially lessening any significant adverse environmental impact associated with the project. The discussion of alternatives is required to include the "No Project" alternative. CEQA requires further that the City of Los Angeles identify an environmentally superior alternative. If the "No Project alternative is the environmentally superior alternative, an environmentally superior alternative must be identified from among the other alternatives. (CEQA Guidelines, section 15126.6.)

As set forth in these Findings, the implementation of the Proposed Project will result in significant impacts that are considered unavoidable.

4.2 Alternative Rejected From Further Analysis

In accordance with the State CEQA Guidelines, an EIR should identify any alternatives that were considered by the lead agency but were rejected as infeasible and briefly explain the reasons underlying the lead agency's determination. Section 15126.6(c) of the State CEQA Guidelines states the following:

> The EIR should identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination...Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.

The Decisionmaker finds the following alternatives were properly rejected from further analysis in the EIR (described in Section 6.5 of the Draft EIR) due to failure to meet project objectives, infeasibility, or inability to avoid significant impacts and rejects all of these alternatives as provided below:

Residential Fee Exemption Alternative – This alternative would continue the TIA fee exemption on new residential development, resulting in fewer fees collected. There would be no change to the proposed projects lists under the Residential Fee Exemption Alternative. (Described in Draft EIR Section 6.5, pages 6-7 to 6-8.)

- This alternative would not meet the primary project objective of ensuring the costs for transportation improvements within the study area are fairly distributed among all future land uses that will contribute to transportation impacts because new residential development would be contributing to cumulative transportation impacts but would not be contributing a fair-share towards enhancing the transportation network. (Project Objectives are described on pages 2-5 to 2-7 of the Draft EIR.)

- This alternative would not reduce or avoid any of the significant environmental effects associated with the Proposed Project, because:

    - The same transportation improvements that would be implemented under the Proposed Project would be implemented under this alternative.

- Neither the proposed fee amounts nor any exemption from that fee, such as a residential fee exemption, have environmental effects. As discussed in Section 4.4 of the Draft EIR (pages 4.4-21), a fee study and an economic feasibility study (Appendix B of the Draft EIR) were conducted to ascertain whether the proposed fee updates would alter land use patterns in the Specific Plan areas. The economic analysis found that, given the overall magnitude of development costs, the proposed TIA fees would be unlikely to materially affect market dynamics or deter feasible development from taking place in the CTCSP and WLA TIMP. TIA fees on new development along with TIA fee credits are not expected to change the broader fundamental economics of new development. Therefore, the fees associated with the Proposed Project or fees of lesser amounts, such as the fees included in this alternative, would not foreseeably affect the type of land uses within the study area (Draft EIR pages 4.4-23 to 4.4-24).

Reduced Fee Alternative[4] – The Reduced Fee Alternative would reduce the proposed TIA fees associated with the Proposed Project by either exempting certain uses from paying a fee (such as residential uses) from paying a fee, selectively reducing fees for certain land uses, including additional fee credits, or capping fees at a specified amount. Under this alternative, fewer fees would be collected over the lifetime of the Specific Plans but there would be no change to the proposed transportation improvement lists. Since Assembly Bill 1600 requires all users to pay their fair share, the lost revenues under this alternative could not be made up by increasing the fees on other uses; therefore, backfill funding from other sources would be required as the TIA fees would fund a lower percentage of the project costs. (Described in Draft EIR section 6.5, pages 6-8.)

- This alternative would not avoid or substantially lessen any of the significant effects of the Proposed Project. The alternative was not carried forward for analysis in the EIR as the analysis would not differ from the analysis of the Proposed Project and is not a true CEQA alternative.

- Exempting certain uses, such as residential uses, from paying fees, would not meet the primary project objective of ensuring the costs for transportation improvements within the study area are fairly distributed among all future land uses that will contribute to transportation impacts.

Maintain Existing Lincoln Bridge Alternative – Under this alternative, the Lincoln Bridge would not be widened as is proposed in the Proposed Project (i.e., Lincoln Bridge Widening project would be eliminated from the CTCSP proposed transportation improvement list). (Described in Draft EIR section 6.5, pages 6-8.)

- This alternative would not reduce or avoid any of the significant environmental effects associated with the Proposed Project.

  - This alternative does not reduce transportation impacts related to the circulation system, neighborhood traffic intrusion, or a conflict with the CMP. Traffic congestion and impacts to the circulation system would be worse under the existing bridge configuration as compared to the Proposed Project. The existing Lincoln Bridge is a bottleneck in traffic flow, primarily in the southbound direction where Lincoln

[4] Rejection of the Reduced Fee Alternative does not preclude the City from adopting to modify fee amounts that are lowered so as to remain compatible with the City's other impact fees.

Boulevard reduces from three to two travel lanes over the bridge. The Proposed Project relieves this bottleneck while this alternative does not.

- This alternative does not reduce operational noise impacts; noise impacts due to curb running BRT may still occur (Draft EIR section 4.5-15 to 4.5-23).

- This alternative does not reduce impacts associated with construction of the other projects on the list of proposed improvements such as the BRT projects or the Bundy I-10 ramp improvements. Temporary construction impacts to major corridors (Draft EIR pages 4.6-67 to 4.6-68), temporary localized noise impacts (Draft EIR pages 4.5-15 to 4.5-23), temporary localized air quality impacts (Draft EIR pages 4.1-32 to 4.1-36), and cumulative air quality impacts (Draft EIR pages 4.1-31 to 4.1-32) associated with construction of the other projects on the list of proposed improvements will all occur under this alternative and under the Proposed Project.

- This alternative would not meet the primary objective to provide transportation options and accommodations for multimodal modes of travel (transit, bicycle, pedestrian, and vehicle) transportation options along this major corridor. The existing bridge is not wide enough to accommodate multimodal transportation options, including transit, bicycle facilities, or pedestrian access. Elimination of the bridge widening from the proposed transportation improvement list would foreclose the option of accommodating a transit only lane, bicycle facilities and sidewalks on the bridge. (Project Objectives are described on pages 2-5 to 2-7 of the Draft EIR.)

- This alternative would not meet the primary objective of enhancing mobility along key transportation corridors, particularly by planning for dedicated transit lines that serve north-south corridors. Under this alternative, a transit lane for future BRT could not be accommodated on the bridge. (Project Objectives are described on pages 2-5 to 2-7 of the Draft EIR.)

- This alternative would not meet the primary objective to encourage walking and bicycling. Under this alternative, sidewalks and bicycle facilities could not be accommodated on the bridge. (Project Objectives are described on pages 2-5 to 2-7 of the Draft EIR.)

- This alternative would not meet the primary objectives of 1) decreasing vehicle miles traveled (VMT) per capita by increasing multimodal transportation options and 2) reducing greenhouse gas emissions (GHG) by reducing automobile dependence and offering multiple modes of transportation. The VMT benefits and the related GHG emission reduction benefits associated with the provision of multimodal transportation options that would be accommodated by the bridge widening would not be realized under this alternative. (Project Objectives are described on pages 2-5 to 2-7 of the Draft EIR.)

Light Rail Transit (LRT) on Sepulveda Boulevard and Lincoln Boulevard Alternative – Under this alternative, LRT instead of BRT would be provided on Sepulveda and on Lincoln boulevards. (Described in Draft EIR section 6.5, pages 6-9.)

- Costs under this alternative would be substantially higher than the Proposed Project because LRT is substantially more costly than BRT. The total costs for the CTCSP and WLA TIMP proposed improvements lists are approximately $335 million and $248 million respectively. The recently completed Expo Phase 2 LRT, a

comparable project in size and geography to a Sepulveda LRT or Lincoln LRT, had a budget of over $1.5 billion[5]. An LRT project would cost approximately 4 to 6 times the cost of all the improvements included in the Proposed Project. This alternative is not financially feasible in the context of a development impact fee program.

- Including LRT projects on the Proposed Project list would result in either of the following:

  - *Substantially higher fees.* Substantially higher fees cannot feasibly be absorbed by new development. Higher fees could significantly stifle or alter development patterns thereby causing a significant land use impact under CEQA.

  - *Implementation of fewer transportation improvements within the planning horizon.* If this alternative were implemented without adjusting the fee amount, costs associated with LRT on Sepulveda Boulevard and Lincoln Boulevard would be so high as to hinder the TIA fee program's ability to help fund the build out of a comprehensive multimodal transportation network on the Westside. If fewer projects were implemented, other project objectives may not be realized, with the potential for environmental impacts to occur, such as increased air quality and greenhouse gas emissions from greater vehicular traffic on other corridors in the absence of proposed transportation improvements.

Westwood Boulevard Transit or Bike Lanes with Travel Lane Removal Alternative – This alternative would include transit and/or bike lanes on Westwood Boulevard to provide for multimodal travel options by removing a travel lane(s) on Westwood Boulevard. (Described in Draft EIR section 6.5, pages 6-9.)

- The elimination of vehicular travel lanes would result in greater traffic congestion and impact to the circulation system along Westwood Boulevard compared to the Proposed Project.

- This alternative would not eliminate or reduce any significant impacts associated with the Proposed Project.

Reduced Bicycle Enhancement Alternative – This alternative would exclude bicycle enhancements that would require the elimination of vehicle lanes. (Described in Draft EIR section 6.5, pages 6-10.)

- This alternative would not achieve the primary project objective of increasing modal opportunities consistent with the City's Mobility Plan 2035. Systematically prioritizing vehicle facilities over bicycle facilities conflicts with the goals and policies of Mobility Plan 2035 including the following:

  Policy 1.1 Roadway User Vulnerability: Design, Plan, and operate streets to prioritize the safety of the most vulnerable roadway user.

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[5] Exposition Metro Line Construction Authority, *Phase 2 Exposition Metro Line Project Monthly Project Status Report – February through April 2012.* http://media.metro.net/docs/Monthly%20Metro%20Report%20February-April.pdf (retrieved on August 5, 2016).

Policy 1.2 Complete Streets: Implement a balanced transportation system on all streets, tunnels, and bridges using complete streets principles to ensure the safety and mobility of all users.

Policy 2.6 Bicycle Networks: Provide safe, convenient, and comfortable local and regional bicycling facilities for people of all types and abilities.

Policy 2.9 Multiple Networks: designing a street that includes multiple modes. Consider the role of each enhanced network when designing a street that includes multiple modes.

- By systematically prioritizing vehicle facilities over bicycle facilities, this alternative would not achieve the primary project objective of encouraging bicycling as a means to safely and conveniently access transit and circulate within and between neighborhoods. (Project Objectives are described on pages 2-5 to 2-7 of the Draft EIR.)

- This alternative would not achieve the primary project objective of improving regional transit connectivity and "first mile-last mile" solutions (such as improved bicycle facilities). (Project Objectives are described on pages 2-5 to 2-7 of the Draft EIR.)

Reduced Bus Improvement Alternative – The curb-running bus improvements associated with the Proposed Project could potentially result in significant operational noise impacts from increased bus operations in proximity to sensitive receptors. This alternative would eliminate curb-running bus improvements that would result in significant operational noise impacts. This could be accomplished by either eliminating curb-running bus projects from selected corridors where impacts to sensitive receptors could occur or by limiting the frequency of new bus activity along these corridors to a level that would ensure that increases in operational noise would not exceed significance thresholds at sensitive receptors. (Described in Draft EIR section 6.5, pages 6-10.)

- This alternative would not achieve the primary project objective of increasing modal opportunities. (Project Objectives are described on pages 2-5 to 2-7 of the Draft EIR.)

- This alternative would not achieve the primary project objectives of reducing vehicle trips and VMT per Capita, and reducing GHG. Improvements to bus service—including curb-running bus service, BRT, expanded service routes and frequency, and other improvements—are a key to the mobility improvements associated with the Proposed Project, and represent the greatest factor in achieving reduced VMT and reduced VMT per Capita in the future compared to Future without Project conditions. (Project Objectives are described on pages 2-5 to 2-7 of the Draft EIR.)

- The alternative would not achieve the following Mobility Plan 2035's policies:

  Policy 2.9 Multiple Networks: designing a street that includes multiple modes. Consider the role of each enhanced network when designing a street that includes multiple modes.

  Policy 2.9 Transit Network: Improve the performance and reliability of existing and future bus service.

4.3 Alternative Analyzed But Rejected

The Decisionmaker finds in its independent judgment based on the whole of the record of proceedings that the alternatives analyzed in the Project EIR are infeasible for the reasons and evidence identified below and are rejected; and makes the following findings in relation to all significant impacts identified in Section 3:

> Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Project EIR.

Alternative 1 – No Project

(Draft EIR sections 6.4 and section 6.7.1)

Section 15126.6(e) of the State CEQA Guidelines requires evaluation of the No Project Alternative. As described in the State CEQA Guidelines, the purpose of describing and analyzing the No Project Alternative is to allow decision makers to compare the impacts of approving the Proposed Project with the impacts of not approving the Proposed Project. Therefore, as required by the State CEQA Guidelines, the No Project Alternative consists of conditions that might be expected to occur in the foreseeable future if the Proposed Project was not approved.

The No Project Alternative assumes continued implementation of the current CTCSP and WLA TIMP Specific Plans, with continuation of current fees (with annual adjustments) and implementation of existing project lists. Under the No Project Alternative, select roadway widenings and intersection improvements would continue to remain on the project lists, and more projects aimed at increasing vehicle capacity in the Westside would be considered for implementation.

Finding on the No Project Alternative:

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Project EIR.

This City rejects this Alternative for any and all of the following reasons:

- This alternative would not meet the fundamental purpose of the Proposed Project.
- This alternative would not meet the project objective of providing transportation options and accommodations for multiple modes of travel (i.e., transit, bicycle, pedestrian, vehicle), within existing available right-of-way, as part of a transportation system that is consistent with the General Plan. As compared to the Proposed Project, fewer multimodal transportation improvements would be added to the Westside. The No Project Alternative would provide greater vehicle roadway capacity but less transit capacity, less multimodal connectivity, and fewer active transportation options throughout the study area; vehicle improvements would be prioritized over other modes. Additionally, the vehicle capacity projects assumed under this alternative would require acquisition of right-of-way, including the demolition of buildings on parcels adjacent to existing roadways.

- This alternative would not meet the project objective of enhancing mobility along key Westside transportation corridors within the Specific Plan areas, particularly by planning for dedicated transit lines that serve north-south corridors and provide connections to planned east-west transit lines. Under this alternative, dedicated transit improvements such as Lincoln BRT and Sepulveda BRT would not be implemented.

- This alternative would not meet the project objectives of enhancing regional transit connectivity, providing "first mile-last mile" solutions (such as better pedestrian conditions, bike share/improved bicycle facilities, and circulator bus service) and encouraging walking and bicycling. Under this alternative, the bicycle facilities, pedestrian enhancements, and streetscape improvements under the Proposed Project would not be implemented.

- This alternative would not help implement the Mobility Plan 2035's enhanced networks and would be inconsistent with the following goals and policies of the General Plan's MP 2035:

  Policy 1.2 Complete Streets: Implement a balanced transportation system on all streets, tunnels, and bridges using complete streets principles to ensure the safety and mobility of all users.

  Policy 2.9 Multiple Networks: Consider the role of each enhanced network when designing a street that includes multiple modes.

  Policy 3.4 Transit Services: Provide all residents, workers and visitors with affordable, efficient, convenient, and attractive transit services.

  Policy: 3.5 Multi-Modal Features: Support "first-mile, last-mile solutions" such as multi-modal transportation services, organizations, and activities in the areas around transit stations and major bus stops (transit stops) to maximize multi-modal connectivity and access for transit riders.

  Policy: 5.1 Sustainable Transportation: Encourage the development of a sustainable transportation system that promotes environmental and public health.

- This alternative would not meet the project objectives of reducing VMT or GHG emissions and would not be consistent with or the Mobility Plan 2035's Policy 5.2 regarding reducing VMT. Research has shown that adding roadway capacity, as is assumed under the No Project Alternative, does not reduce congestion and also induces more vehicle travel as well as GHG emissions associated with that additional vehicle travel[6]. Additionally the acquisition of right of-way needed for adding roadway capacity could result in the elimination of neighborhood commercial uses could result in residents traveling greater distances to access necessary amenities which could produces increased VMT. (Described in more detail in the Final EIR's Master Response #1, "Project Objectives.")

- Construction related noise impacts, transportation impacts, and air quality impacts would be worse under the No Project Alternative because the No Project Alternative would result in major construction on a substantially greater number of roadways in the Specific Plan areas. In addition, the level of construction activity along the roadways to be widened would be greater than would occur under the Proposed Project as projects under

[6] Handy 2015

the No Project Alternative would require additional right-of-way, and would involve demolition of adjacent land uses.

Alternative 2A – No Sepulveda Boulevard BRT

(Draft EIR section 6.4 and section 6.7.2)

Under Alternative 2A, the proposed BRT on Sepulveda Boulevard would be eliminated from the CTCSP and WLA TIMP proposed transportation improvement lists. The current lane configuration on Sepulveda Boulevard would be maintained (i.e., no loss of vehicular capacity). All elements of the Proposed Project other than the Sepulveda Boulevard BRT are included in Alternative 2A. This alternative is not expected to eliminate any significant impacts but is expected to result in a reduction to the following significant impacts from the Proposed Project: (1) operational traffic along Sepulveda Boulevard in the project area by maintaining existing vehicular capacity, (2) neighborhood traffic intrusion, and (3) air quality, noise and vibration, and traffic impacts related to construction in the area around Sepulveda Boulevard.

Finding on the No Sepulveda Boulevard BRT Alternative:

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Project EIR.

This City rejects this Alternative for any and all of the following reasons:

- This alternative would not meet the project objective of enhancing mobility along key Westside transportation corridors by planning for dedicated transit lines that serve north-south corridors and providing connections to planned east-west transit lines because Alternative 2A would not provide an alternate dedicated north/south transit lane to serve the Westside and connect to existing and planned east/west transit such as the Expo Line.

- This alternative would not meet the project objectives of providing transportation options and accommodations for multiple modes of travel or enhancing the transportation system by planning for better regional transit connectivity. Alternative 2A would have comparatively more vehicle capacity along Sepulveda Boulevard but less transit capacity and fewer multimodal connections to intersecting corridors.

- This alternative would not meet the project objective of producing fewer auto trips per capita and decrease vehicle miles traveled (VMT) per capita. Under Alternative 2A, the combination of lower transit capacity and greater vehicle capacity along Sepulveda Boulevard would result in more VMT in the study area as compared to the Proposed Project.

Alternative 2B – No Lincoln Boulevard BRT

(Draft EIR sections 6.4 and section 6.7.3)

Under Alternative 2B, the proposed BRT on Lincoln Boulevard would be eliminated from the CTCSP proposed transportation improvement list. The current lane configuration on the majority of Lincoln Boulevard would be maintained (i.e., no loss of vehicular capacity). Under this alternative, the Lincoln Boulevard Bridge would still be widened to accommodate additional vehicle lanes, bicycle lanes, and pedestrian access. All elements of the Proposed Project other than the Lincoln Boulevard BRT are included in Alternative 2B. This alternative is not

expected to eliminate any significant impacts but is expected to result in a reduction to the following significant impacts from the Proposed Project: (1) operational traffic along Lincoln Boulevard in the project area by maintaining existing vehicular capacity, (2) neighborhood traffic intrusion, and (3) air quality, noise and vibration, and traffic impacts related to construction in the area around Lincoln Boulevard.

Finding on the No Lincoln Boulevard BRT Alternative:

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Project EIR.

This City rejects this Alternative for any and all of the following reasons:

- This alternative would not meet the project objective of enhancing mobility along key Westside transportation corridors by planning for dedicated transit lines that serve north-south corridors and providing connections to planned east-west transit lines because Alternative 2B would not provide an alternate dedicated north/south transit lane to serve the Westside and connect to existing and planned east/west transit such as the Expo Line.

- This alternative would not meet the project objectives of providing transportation options and accommodations for multiple modes of travel or enhancing the transportation system by planning for better regional transit connectivity. Alternative 2B would have comparatively more vehicle capacity along Lincoln Boulevard but less transit capacity and fewer multimodal connections to intersecting corridors.

- This alternative would not meet the project objective of producing fewer auto trips per capita and decrease vehicle miles traveled (VMT) per capita. Under Alternative 2B, the combination of lower transit capacity and greater vehicle capacity along Lincoln Boulevard would result in more VMT in the study area as compared to the Proposed Project.

Alternative 3A – Reduced Parking

(Draft EIR sections 6.4 and section 6.7.4)

The Proposed Project assumes that when additional right-of-way for projects (such as BRT and bicycle facilities) is needed, it would be provided through a combination of vehicular capacity reductions (lane conversions) along with on-street parking removal. Under the Reduced Parking Alternative, when additional right-of-way is required, it would be provided solely by removing street parking, with no conversion of vehicle travel lanes. All of the transportation improvements associated with the Proposed Project are included in this alternative; this alternative offers a distinction as to how right-of-way would be utilized in order to implement the proposed transportation improvements. This alternative is not expected to eliminate any significant impacts but is expected to result in a reduction to the following significant impacts from the Proposed Project: (1) operational traffic along certain corridors in the Specific Plan areas by maintaining existing vehicular capacity, and (2) neighborhood traffic intrusion.

Finding on the Reduced Parking Alternative:

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Project EIR.

This City rejects this Alternative for any and all of the following reasons:

- This alternative does not meet MP2035 policies which require context specific consideration of street parking and street design. The following polices do not support the systematic prioritization of vehicle travel lanes over on-street parking as would occur under this alternative.

  4.13 Parking and Land Use Management: Balance on-street and off-street parking supply with other transportation and land use objectives.

  2.9 Multiple Networks: Consider the role of each mode enhanced network when designing a street that includes multiple modes.

  2.14 Street Design: Designate a street's functional classification based upon its current dimensions, land use context, and role.

Alternative 3B – Reduced Vehicle Capacity

(Draft EIR sections 6.4 and section 6.7.5)

The Proposed Project assumes that when additional right-of-way for projects (such as BRT and bicycle facilities) is needed, it would be provided through a combination of vehicular capacity reductions (lane conversions) along with on-street parking removal. Under this alternative, when additional right-of-way is required, it would be provided solely by converting vehicle travel lanes into transit/bicycle facilities, with no removal of on-street parking. All of the transportation improvements associated with the Proposed Project are included in this alternative; this alternative offers a distinction as to how right-of-way would be utilized for the proposed transportation improvements. This alternative would not reduce or eliminate any significant impacts associated with the Proposed Project. This alternative was selected in order to provide decision makers and the public with a choice in transportation priorities.

Finding on the Reduced Vehicle Capacity Alternative:

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Project EIR.

This City rejects this Alternative for any and all of the following reasons:

- This alternative would result in greater impacts to transportation for neighborhood intrusion and circulation system performance standards than the Project.

- This alternative systematically prioritizes the preservation of on-street parking over the preservation of vehicle travel lanes. This alternative does not meet the following MP2035 policies which require context specific consideration of street design and street parking.

  4.13 Parking and Land Use Management: Balance on-street and off-street parking supply with other transportation and land use objectives.

  2.9 Multiple Networks: Consider the role of each mode enhanced network when designing a street that includes multiple modes.

2.14 Street Design: Designate a street's functional classification based upon its current dimensions, land use context, and role.

SECTION 5: STATEMENT OF OVERRIDING CONSIDERATIONS

The Project EIR for the Project identifies unavoidable significant impacts that would result from implementation of the updated CTCSP and WLA TIMP (CTCSP/WLATIMP or Proposed Project). Potential long-term, operational impacts were identified for two resources areas, *Noise and Vibration* and *Transportation*. Potential short-term, temporary impacts associated with the construction activities for some of the proposed improvements were identified for three resources areas, *Air Quality, Noise and Vibration*, and *Transportation*. Section 21081(b) of the California Public Resources Code and Section 15093 of the CEQA Guidelines provide that when a public agency approves a project that will result in significant unavoidable impacts identified in the EIR, the agency must state in writing the specific overriding economic, legal, social, technological, or other benefits of the project that outweigh the significant effects on the environment. This "Statement of Overriding Considerations" must be adopted by the decisionmaker and be based on substantial evidence.

The Project EIR concluded that, despite the adoption of all feasible mitigation measures, the Proposed Project would result in the following unavoidable significant adverse impacts that are not able to be mitigated to a less-than-significant level: transportation (circulation, neighborhood intrusion, and congestion management plan); noise and vibration (localized and temporary construction noise and vibration, and excessive noise from buses and permanent noise increase from buses); and air quality resources (localized and temporary construction impacts).

The Project alternatives were found to be infeasible pursuant to CEQA Guidelines Section 15091(a)(3). Accordingly, the Decisionmaker is required to adopt a Statement of Overriding Considerations to approve the Proposed Project. Below is a **draft** Statement of Overriding Considerations prepared by City Planning that may be adopted as prepared or amended, in whole or in part, prior to Project approval.

Statement of Overriding Considerations:

The City recognizes that significant and unavoidable impacts would result from implementation of the Proposed Project. Having (i) adopted all feasible mitigation measures, (ii) rejected alternatives to the Proposed Project for the reasons discussed above, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the Proposed Project, including region-wide or statewide environmental benefits, against the Proposed Project's significant and unavoidable impacts, the Decisionmaker hereby finds that the benefits of the Project outweigh and override the potentially significant unavoidable impacts for the reasons stated below.

After balancing the specific economic, legal, social, technological, and other benefits of the Proposed Project, the City of Los Angeles has determined that the unavoidable adverse environmental impacts identified above may be considered "acceptable" due to the following specific considerations, which outweigh the unavoidable adverse environmental impacts of the Proposed Project. The Decisionmaker finds that each one of the following overriding considerations independently, grouped by overarching theme, or collectively, is/are sufficient to outweigh the significant and unavoidable impacts of the Proposed Project:

1. The Proposed Project updates promote a balanced transportation system that would accommodate anticipated development and population growth and guide the development of a transportation system towards a desired image that is consistent with the social, economic and aesthetic values of the City.

2. The Proposed Project update establishes implementation strategies and funding mechanisms to realize the vision of MP 2035 in a specific geography of the City (the Westside). The Proposed Project funds a range of multimodal transportation improvements for the Westside that implement the MP2035 mobility networks and policies.

3. The Proposed Project supports the policies and goals of the 2016 RTP/SCS and the General Plan Framework, and allows the City to meet future mobility needs for the growth in population projected for the year 2035 by the Southern California Association of Governments.

4. The Proposed Project would improve local mobility through development of a balanced, multi-modal transportation network.

5. The Proposed Project is consistent with SB 375. The CTCSP/WLA TIMP update focuses on multi-modal improvements, consistent with SB 375, the Sustainable Communities Strategy, and MP2035 and therefore would be expected to contribute to decreasing regional vehicle miles traveled, vehicle trips, and greenhouse gas emissions.

6. The improvements that may be funded through the CTCSP/WLA TIMP update are expected to increase the person carrying capacity of streets on the Westside. This increase in multimodal network capacity is forecast (using a vehicle-centric method) to result in increased active transportation and transit travel compared to Existing Base levels: Bicycling +129 percent, Transit +37 percent, Walking +21 percent. Forecast increases in transit boardings would be 43% percent greater than the Future No Project, which equates to over 63,400 more transit boardings every day.

7. The multimodal improvements that could be partially funded under the proposed Proposed Project would result in, using a vehicle-centric analysis, an overall reduction in trips (37,000 per day) and VMT (208,000 fewer miles per day) relative to Business as Usual (Future No Project). Per capita VMT would be 3.4 percent lower than Business as Usual.

8. The Proposed Project promotes active transportation modes (i.e., bicycling and walking) by providing lanes for bicycles and pedestrian enhancements. The Proposed Project's emphasis on transit and active transportation will allow those who live and work on the Westside to lead a healthier and active lifestyle.

9. The Proposed Project provides air quality and public health benefits by reducing regional trips, and therefore improves regional air quality as compared to a plan focused on single-occupancy vehicles. Compared to Existing conditions, there would be substantially fewer carbon monoxide (CO) and volatile organic compounds (VOC), nitrogen oxides (NOx) and particulate matter (PM10 and PM2.5) than today (as a result of statewide emission controls).

10. The Proposed Project promotes the safety of the most vulnerable road user. The Proposed Project's emphases on enhanced bicycle and pedestrian facilities will help achieve the City's objective to eliminate traffic-related pedestrian and bicycle fatalities by 2035. Through the City's Vision Zero initiative, the City has identified a High Injury Network which spotlights streets with a high concentration of traffic collisions that result in severe injuries and deaths, with an emphasis on collisions involving people walking and bicycling. The Proposed Project identifies safer bicycle and pedestrian facilities for many of the High Injury Network streets segments within the Plan areas.

11. The Proposed Project would reduce GHG emissions, and would be consistent with policies included in the 2012-2035 RTP/SCS and 2016-2040 RTP/SCS promoting alternative transportation that would reduce VMT as compared to what could occur without the Proposed Project.

12. The Proposed Project update encourages and creates incentives for energy efficiency by reducing VMT and therefore consumption of transportation fuel.

13. The Proposed Project could reduce annual household costs associated with driving.

For the above-mentioned reasons, the City of Los Angeles decisionmaker hereby concludes that the benefits of the Proposed Project outweigh and override any adverse environmental impacts associated with the Proposed Project.

Exhibit C3.III
Mitigation Monitoring Program

Coastal Transportation Corridor Specific Plan (CTCSP) and West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP) Amendments

CPC-2014-1456-SP
CPC-2014-1457-SP

CHAPTER 3
MITIGATION MONITORING PROGRAM

Public Resources Code (PRC) Section 21081.6 and California Environmental Quality Act (CEQA) Guidelines Section 15097 require adoption of a Mitigation & Monitoring Plan (MMP) for all projects for which an Environmental Impact Report (EIR) has been prepared. This requirement was originally mandated by Assembly Bill (AB) 3180, which was enacted on January 1, 1989 to ensure the implementation of all mitigation measures adopted through the CEQA process. Specifically, PRC Section 21081.6 states that "…the agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment…[and that the program]…shall be designed to ensure compliance during project implementation."

AB 3180 provided general guidelines for implementing monitoring and reporting programs, which are enumerated in more detail in State CEQA Guidelines Section 15097. However, specific reporting and/or monitoring requirements to be enforced during project implementation shall be defined prior to final approval of the City of Los Angeles Coastal Transportation Corridor Specific Plan (CTCSP) and West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP) Specific Plans Amendment Project (referred to as the "Proposed Project") by the decision-maker. In response to established CEQA requirements, the MMP shall be submitted to the City of Los Angeles (Lead Agency) for consideration prior to certification of the EIR. Although the Lead Agency may delegate monitoring responsibilities to other agencies or entities, the Lead Agency "…remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program."

The MMP describes the procedures for the implementation of the mitigation measures to be adopted for the Proposed Project as identified in the Draft EIR and the Final EIR. The MMP for the Proposed Project will be in place through the planning horizon of the CTCSP (2035) and WLA TIMP (2035) or until the Plans and EIR are updated again. The City of Los Angeles Department of Transportation (LADOT) and Department of City Planning (DCP) shall be responsible for administering the MMP activities or delegating them to staff, other City departments (e.g., Department of Building and Safety [DBS], Department of Public Works [DPW], etc.), consultants, or contractors. The City may choose to designate one or more environmental monitor(s) (e.g. City building inspector, project contractor, certified professionals, etc., depending on the provision specified below).

Each mitigation measure is identified in Table 3-1 below (Mitigation Monitoring Program) and is categorized by environmental topic and corresponding number, with identification of:

- The Implementing Agency
- The Enforcement Agency and Monitoring Agency – this is the agency or agencies that will monitor the measure and ensure that it is implemented in accordance with this MMP
- Monitoring Phase/Monitoring Actions—these are the criteria that would determine when the measure has been accomplished and/or the monitoring actions to be undertaken to ensure the measure is implemented

All agencies and departments are in the City of Los Angeles, unless otherwise noted. The implementing, enforcement, and monitoring agencies have authority to determine the applicability and compliance of all mitigation measures in their reasonable discretion.

PRC Section 21002 requires the City to adopt feasible mitigation measures (or feasible environmentally superior alternatives) in order to substantially lessen or avoid the otherwise significant adverse environmental impacts of proposed projects. Mitigation measures are to be capable of substantially lessening or avoiding the otherwise significant adverse environmental impacts of the proposed project.

As this is a long term project and technology and circumstances may change, the Implementing and Enforcement Agency may waive a mitigation measure, consistent with the requirements of CEQA (including case law) where the agency finds, based on substantial evidence, that the mitigation measure is no longer necessary to mitigate the identified significant impact (e.g., another regulatory agency requires an equal or more effective requirement; the City has adopted equally or more effective regulations that are applicable to the subsequent project; the particulars of the subsequent project makes the standard unnecessary to address the impact intended to be mitigated; or new technology has made the standard unnecessary to mitigate the impact) or is impossible or infeasible to implement. The agency shall document the finding in writing, and where the mitigation is found infeasible or impossible, consider whether subsequent CEQA analysis is necessary under State CEQA Guidelines Section 15162. Nothing in this paragraph is intended to modify the requirements of CEQA.

Table 3-1 Mitigation Monitoring Program

NO.	Mitigation Measure	Implementing Agency	Enforcement and Monitoring Agency	Monitoring Phase/ Monitoring Actions
Air Quality				
MM-AQ-1	**Tier 3 Emission Standards and Diesel Particulate Filters.** All off-road diesel-powered construction equipment greater than 50 horsepower shall meet USEPA Tier 3 emission standards when used during construction of the Lincoln Boulevard and Sepulveda Boulevard BRTs, Lincoln Boulevard Bridge Enhancement, reconfiguration of the I-10 ramps at Bundy Drive, and other projects that are demonstrated to result in significant impacts by project-specific modeling. If the contractor can demonstrate that a specific piece of Tier 3 equipment cannot be reasonably obtained, the contractor shall use equipment that meets USEPA Tier 2 emission standards and be equipped with a CARB-verified Diesel Emissions Control Strategies (VDECS). [Applies to Lincoln Boulevard Bridge Enhancement, Lincoln Boulevard BRT, Sepulveda Boulevard BRT, and I-10 Ramp Reconfiguration at Bundy Drive]	Department of Transportation; Department of Building and Safety; Department of Public Works Bureau of Engineering	Department of Building and Safety	*Pre-construction:* Approval of equipment prior to initiation of construction. Construction: Compliance with specified construction-phase measures.
MM-AQ-2	**Fugitive Dust Control.** In order to ensure compliance with, or exceedance of, the requirements associated with SCAQMD Rule 403, construction activities shall include watering disturbed soil at least 3 times daily, or as often as necessary to maintain or exceed a soil moisture content of approximately 12 percent. Additional steps shall be taken, if necessary, to stabilize disturbed soil and stock piles to eliminate visible dust emissions. [Applies to Lincoln Boulevard Bridge Enhancement, Lincoln Boulevard BRT, Sepulveda Boulevard BRT, and I-10 Ramp Reconfiguration at Bundy Drive]	Department of Transportation; Department of Building and Safety; Department of Public Works Bureau of Engineering	Department of Building and Safety	*Construction:* Compliance with specified construction-phase measures.
MM-AQ-3	**Construction Electricity.** Electricity for construction activities shall be obtained from power poles or portable diesel-fueled generators using "clean burning diesel" fuel and exhaust emission controls. [Applies to Lincoln Boulevard Bridge Enhancement, Lincoln Boulevard BRT, Sepulveda Boulevard BRT, and I-10 Ramp Reconfiguration at Bundy Drive]	Department of Transportation; Department of Building and Safety; Department of Public Works Bureau of Engineering	Department of Building and Safety	*Pre-construction:* Coordination with Department of Water and Power regarding access to grid power; alternately, approval of equipment prior to initiation of construction. Construction: Compliance with specified construction-phase measures.
Biological Resources				
MM-BR-1	**Migratory Birds.** To prevent the disturbance of nesting native and/or migratory bird species during construction, the City shall require that clearing of street trees or other vegetation take place between September 1 and January 30. If construction is scheduled or ongoing during bird or raptor nesting season (January 31 to August 31), the City of Los Angeles shall require that a qualified biologist conduct two nest surveys, one 15 days and the second 72 hours prior to	Department of City Planning; Department of Transportation	Department of City Planning; Department of Transportation	*Pre-construction:* Biological survey of street trees and other vegetation for construction during nesting season.

NO.	Mitigation Measure	Implementing Agency	Enforcement and Monitoring Agency	Monitoring Phase/ Monitoring Actions
	the commencement of construction activities. Surveys shall be conducted in accordance with CDFW protocols, as applicable. If no active nests are identified on or within 200 feet of the construction activity, no further mitigation is necessary. A copy of the preconstruction survey shall be submitted to the Department of City Planning. If an active nest is identified, construction shall be suspended within 200 feet of the nest, or an alternative distance determined to be appropriate by a qualified ornithologist or biologist, until the nesting cycle is complete, as determined by a qualified ornithologist or biologist.			
MM-BR-2	**Special-Status Species and Habitat.** For CTCSP and WLA TIMP transportation improvement projects that would be constructed within 200 feet of a Significant Ecological Area designated by the County of Los Angeles, a project-specific biological resource survey and assessment shall be conducted by a qualified biologist and prepared prior to project construction that identifies the biological resources within 200 feet and any potential impacts to special status species and habitats. If it is determined during these biological resources surveys that special status species could occur and be impacted by the Proposed Project, focused surveys shall be conducted by a qualified or permitted biologist, as required, in coordination with USFWS and/or CDFW. If potential impacts are identified that cannot be avoided through modification of project design, species- and habitat-specific mitigation measures shall be developed to avoid or reduce project-related impacts. Such measures could include seasonal restrictions on construction, monitoring by a qualified biological monitor during construction, salvage and replacement of native plants, and restoration of sensitive natural communities or habitat following construction. These measures shall be established through the permitting process under Federal and State Endangered Species Acts, as appropriate.	Department of Transportation	Department of Transportation, United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW)	*Pre-construction:* A biological resource survey, prepared by a qualified biologist, for all improvement projects within 200 feet of a Significant Ecological Area. *Construction:* Adherence to measures identified in survey, such as monitoring by a qualified biological monitor during construction.
MM-BR-3	**Wetlands and Jurisdictional Waters.** For transportation improvements that may result in temporary or permanent impacts to federal and/or state jurisdictional waters or wetlands, all applicable permits shall be acquired. These permits include, but would not be limited to, Section 404 and Section 408 permits, a Section 401 Water Quality Certification, a Section 10 permit, and a Streambed Alteration Agreement. During design of the Lincoln Boulevard Bridge Enhancement, encroachment into jurisdictional waters and wetlands shall be minimized to the greatest extent feasible. All conditions of the Section 408 permit shall be met to address the alteration of the Ballona Creek flood control channel to ensure there would be no significant changes to the pre-project hydrology in order to maintain its capacity for flood management. All conditions of the Section 404 permit from the USACE and Streambed Alteration Agreement from the CDFW shall be met. As part of this compliance, compensatory mitigation may be required to offset the impact related to	Department of Transportation	Department of Transportation, United States Army Corps of Engineers (USACE), California Department of Fish and Wildlife (CDFW)), Los Angeles Regional Water Quality Control Board (LARWQCB)	*Pre-construction:* Preparation and completion of permitting applications/process. *Construction:* Adherence to conditions and mitigation requirements set in the permits. *During Operations:* Mitigation monitoring over a period of five to ten years following completion of construction of the compensatory mitigation project, if required.

NO.	Mitigation Measure	Implementing Agency	Enforcement and Monitoring Agency	Monitoring Phase/ Monitoring Actions
	placement of permanent fill in jurisdictional waters. The exact compensatory mitigation ratio will be determined at the time the permit is issued and would be based on the type and value of the wetlands affected by the project; agency standards typically require a minimum of 1:1 for restoration and 3:1 for construction of new wetlands. In addition, all conditions of the Wetland Mitigation and Monitoring Plan as required by USACE for federal jurisdictional waters and CDFW for state jurisdictional waters shall be met. The Wetland Mitigation and Monitoring Plan shall include the following: ▪ Descriptions of the wetland types, and their expected functions and values. ▪ Performance standards and monitoring protocol to ensure the success of the mitigation wetlands over a period of five to ten years following completion of construction of the compensatory mitigation project. ▪ Engineering plans showing the location, size and configuration of 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 and proof of legal protection measures for the preserved wetlands (i.e., dedication of fee title, conservation easement, and/ or an endowment held by an approved conservation organization, government agency or mitigation bank). [Applies to Lincoln Boulevard Bridge Enhancement]			
Noise and Vibration				
MM-N-1	**Construction Noise.** Prior to construction, a noise control plan (NCP) shall be developed by a qualified noise specialist, as approved by the City of Los Angeles Department of Building and Safety. The NCP shall identify the procedures for predicting construction noise levels at sensitive receptors and shall describe the reduction measures required to minimize construction noise. Construction activity lasting more than one day and increasing ambient noise by more than 10 dBA or more at a noise sensitive use, or resulting in increases in ambient noise of 5 dBA or more at a noise sensitive use more than ten days in a three-month period, shall incorporate noise-reducing measures. These measures may include, but are not limited to: ▪ Install temporary sound barriers (e.g., soundwall) between the construction site and sensitive receptors and/or place portable sound blankets around sandblasting and jackhammering operations, as well as around construction activities that involve vibratory rollers. ▪ Equip construction equipment with the most effective locally available commercial mufflers, along with any other suitable noise attenuation devices	Department of Transportation; Department of Building and Safety	Department of Building and Safety	*Pre-construction:* Preparation of noise study and meeting with contractors and project managers. *Construction:* Adherence to measures; communication with the public.

NO.	Mitigation Measure	Implementing Agency	Enforcement and Monitoring Agency	Monitoring Phase/ Monitoring Actions
	(e.g., acoustically attenuating shields, shrouds, or enclosures). Contractor shall be responsible for maintaining equipment consistent with the manufacturers' standards to assure that no additional noise would be generated due to improperly maintained and worn parts. ▪ Scheduling operations of high impact equipment (e.g., pile driver, vibratory roller, tractor/loader/backhoe, haul trucks) during the middle of the day so as to reduce early morning and late evening impacts when residents are likely to be home. ▪ Placing stationary construction equipment (e.g., compressors, generators) as far away from sensitive land uses, as feasible. ▪ Unnecessary idling of equipment and vehicles shall be prohibited. Idling of haul trucks shall be limited to five minutes or less, as required by the South Coast Air Quality Management District rules. ▪ The public shall be kept informed of the construction hours and days, especially those of pile driving. The public information shall provide contact information for complaints. Noise complaints shall be logged and construction activities shall be evaluated to determine if additional noise mitigation is necessary and feasible. ▪ A pre-construction meeting with contractors and project managers shall be conducted to confirm that noise mitigation procedures are in place.			
MM-N-2	**Construction Vibration.** An evaluation of project-specific vibration levels shall be completed by a qualified vibration specialist, as determined by the City of Los Angeles Department of Building and Safety for any project that is less than 81 feet from a residence. Vibration reducing measures, such as use of lighter weight equipment or use of equipment that produces less vibration, shall be implemented for potentially significant vibration impacts, if technically feasible. In addition, operation of high vibration impact equipment in proximity to sensitive receptors shall be scheduled during the middle of the day so as to reduce human annoyance in the early morning and late evening when residents are likely to be home.	Department of Transportation; Department of Building and Safety	Department of Building and Safety	*Pre-construction:* Preparation of noise study. *Construction:* Adherence to measures.
Transportation				
MM-T-1	**Technology Upgrades and Intersection Improvements.** As the City of Los Angeles implements projects in the updated project lists that would impact vehicular operations by resulting in the removal of a vehicular travel lane along a roadway or the removal of a through lane or turn-lane at an intersection, LADOT shall implement ITS signal and corridor upgrades, major intersection improvements such as turn-lane or safety improvements, and/or congestion monitoring technology upgrades both along project routes and parallel roadways if traffic diversions have occurred as a result of the Proposed Project. Improvements to be	Department of Transportation	Department of Transportation	*Pre-construction or prior to operation:* Coordination between the Departments of City Planning and Transportation to identify and implement appropriate signal timing based on the

NO.	Mitigation Measure	Implementing Agency	Enforcement and Monitoring Agency	Monitoring Phase/ Monitoring Actions
	implemented shall be determined based on an analysis of project-specific impacts conducted according to LADOT Traffic Study Policies and Procedures guidelines.			characteristics of the mobility improvement.
MM-T-2	**Neighborhood Protection Program.** As the City of Los Angeles implements projects in the updated project lists that would impact vehicular operations by resulting in the removal of a vehicular travel lane along a roadway that could potentially result in diversion of traffic to adjacent residential streets, LADOT shall implement the Neighborhood Protection Program on the impacted residential streets based on an analysis of project-specific impacts conducted according to LADOT Traffic Study Policies and Procedures guidelines.	Department of Transportation	Department of Transportation	*Periodic monitoring during operation:* Conduct traffic counts and assess whether traffic diversion triggered by the proposed mobility improvements requires traffic calming measures to reduce significant impacts to residential neighborhoods.
MM-T-3	**Coordination with Other Agencies on Transportation Improvements and Funding.** As the City of Los Angeles implements projects in the updated project lists that could potentially impact vehicular operations as determined by LADOT on transportation systems managed by other agencies, such as Caltrans or Metro, or neighboring jurisdictions, the City of Los Angeles shall coordinate with these entities to identify transportation improvements and seek opportunities to jointly pursue funding. Mobility solutions shall be focused on safety, enhancing mobility options, improving access to active modes, and implementing TDM measures to achieve both local and regional transportation and sustainability goals.	Department of Transportation, Department of City Planning	Department of Transportation	*Pre-construction and periodic monitoring during operation:* Coordination and identification of improvements that could be implemented with joint funding.
MM-T-4	**Traffic Control Plan.** Construction activities that may result from the buildout of improvements on the Proposed Project lists will be evaluated on a project-by-project basis by DOT for construction-related impacts to traffic. Construction activities will be managed through the implementation of a traffic control plan, approved by DOT, to mitigate the impact of traffic disruption and to ensure the safety of all users of the affected roadway, including, as appropriate, through the use of temporary traffic signals, detours, or the use of flagmen adjacent to construction activities.	Department of Transportation	Department of Transportation	*Pre-construction:* Preparation of traffic control plan to identify potential construction traffic impacts, and the identification of measures to minimize construction impacts and ensure the safety of proposed improvements. *Construction:* Adherence to measures.