

MITIGATED NEGATIVE DECLARATION (MND) and ARTS, PARKS, HEALTH, AGING AND RIVER COMMITTEE REPORT relative to California Environmental Quality Act (CEQA) Section 21151(c) appeal of certification of MND for the Griffith Park Performing Arts Center Project.

Recommendations for Council action:

1. DENY the appeal filed by Friends of Griffith Park, the Griffith J. Griffith Charitable Trust, and Sierra Club Angeles Chapter Griffith Park Task Force, in connection to the adoption of the Initial Study/MND by the Board of Recreation and Park Commissioners of the City of Los Angeles (Board) for the Griffith Park Performing Arts Center Project (E170202A).
2. CONCUR and ADOPT the Board of Recreation and Park Commissioners' (Board) action of April 2, 2014 in which the Board:
 - a. Reviewed, considered, and adopted the Initial Study/MND, on file in the Board office and on the Department of Recreation and Parks (RAP) website, www.laparks.org, for the proposed Griffith Park - Performing Arts Center (E170202A) project, finding that all potentially significant environmental effects of the project have been properly disclosed, evaluated and mitigated in compliance with the CEQA and the State and City CEQA Guidelines, and that the Initial Study/MND reflects the RAP's independent judgment and analysis.
 - b. Reviewed, considered, and adopted the Mitigation Monitoring and Reporting Plan detailed in Chapter Five of the Initial Study/MND, attached to the Council file, that specifies the mitigation measures to be implemented in accordance with the CEQA Guidelines (Section 15407(d)).
 - c. Adopted the Findings of Fact and the Statement of Overriding Considerations for the proposed project.
3. DIRECT staff of the BOE to file a Notice of Determination with the Los Angeles City Clerk and the Los Angeles County Clerk.

Fiscal Impact Statement: None submitted by the RAP. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary:

On August 11, 2014, your Committee considered a July 31, 2014 RAP report, Initial Study/MND (IS/MND), and May 2, 2014 Appeal from Chatten-Brown & Carstens, LLP relative to CEQA Section 21151(c) appeal of certification of MND for the Griffith Park Performing Arts Center Project. According to the RAP, on April 2, 2014, the Board adopted an MND for the Griffith Park Performing Arts Center project in Council District 4 (Board Report 14-062). On May 2, 2014, the City Clerk accepted an appeal to Council in connection to the Board's action in adopting the MND. This CEQA Section 21151(c) appeal was filed by The Friends of Griffith Park, the Griffith P. Griffith Charitable Trust, and the Sierra Club Angeles Chapter, Griffith Park Task Force (Chatten- Brown & Carstens,

LLP, Representative).

The CEQA appeal seeks to have an Environmental Impact Report (EIR) prepared for the project, and alleges the project will result in the following unmitigated significant environmental effects: biological resources; noise; aesthetics, historic resources; and, recreational resources. The RAP staff has reviewed the appeal and the existing MND and believes that the appellants have not presented substantial evidence to fairly argue that the alleged impacts will be significant, including those impacts already subject to mitigation in the Final MND.

After consideration and having provided an opportunity for public comment, the Committee moved to approve the recommendations as contained in the July 31, 2014 RAP report and detailed in the above recommendations. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

ARTS, PARKS, HEALTH, AGING AND RIVER COMMITTEE

MEMBER VOTE

O'FARRELL: YES

LABONGE: YES

BUSCAINO: YES

CEDILLO: YES

PRICE: ABSENT

ARL

8/11/14

-NOT OFFICIAL UNTIL COUNCIL ACTS-