

# Findings of Fact Mobility Plan 2035

Los Angeles, California  
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## TABLE OF CONTENTS

SECTION 1: INTRODUCTION.....	1
SECTION 2: ENVIRONMENTAL IMPACTS FOUND TO BE SIGNIFICANT AND UNAVOIDABLE.....	6
SECTION 3: ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT WITH MITIGATION.....	11
SECTION 4: ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT WITHOUT MITIGATION.....	15
SECTION 5: FEASIBILITY OF PROJECT ALTERNATIVES.....	21
SECTION 6: STATEMENT OF OVERRIDING CONSIDERATIONS.....	31

## SECTION 1: INTRODUCTION

### 1.1 - Background

In compliance with the requirements of the California Environmental Quality Act (CEQA) Public Resources Code Section 21000 et seq. and the CEQA Guidelines, the City of Los Angeles (City) has conducted an environmental review of the proposed Mobility Plan 2035 (MP 2035 or proposed project). A Notice of Preparation (NOP) was released for public review in April 2013. In February 2014, the Draft Environmental Impact Report (EIR) was released. Subsequently, in February 2015, a Recirculated Draft EIR was released. Public comments on both the Draft and Recirculated Draft EIR were incorporated into a document entitled Response to Comments on the Draft and Recirculated EIR (RTC). The RTC document includes the verbatim comments received on the Draft EIR, a list of persons, entities, and agencies providing comments, the City of Los Angeles's responses to the significant environmental points raised in the comment, review and consultation process, and the various written responses to the comments prepared by the City of Los Angeles's technical consultants and City staff. These Findings of Fact (Findings) are based upon the information contained in the record of proceedings, including the Final EIR, which includes the Draft and Recirculated Draft EIR and technical appendices, the RTC, the staff report, and the Mitigation Monitoring Plan.

CEQA provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would *substantially lessen* the significant environmental effects of such projects[.]" (Public Resources Code Section 21002 [emphasis added].) The procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed project and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." (Public Resources Code Section 21002.)

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.)

CEQA defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, legal, environmental, social and technological factors." (Public Resources Code Section 21061.1; CEQA Guidelines, 14 California Code of Regulations Section 15364.)

Because the MP 2035 Final EIR identified significant environmental effects that may occur as a result of the MP 2035, and in accordance with the provisions of CEQA and the CEQA Guidelines, the City of Los Angeles hereby adopts these Findings. For each of the significant environmental effects identified in Section 2, as set forth in greater detail in these Findings below, the City of Los Angeles makes the finding under Public Resources Code Section Public Resources Code Section 21081(a)(3). For each of the significant environmental effects identified in Section 3, as set forth in greater detail in these Findings below, the City of Los Angeles makes the finding under Public Resources Code Section Public Resources Code Section 21081(a)(1).

Section 15091 of the State CEQA Guidelines does not require specific findings to address environmental effects that an EIR identifies as having “no impact” or a “less than significant” impact. Nevertheless, Section 4 in these Findings fully account for all resource areas, including resource areas that were identified in the Final EIR to have either no impact or a less than significant impact on the environment.

In accordance with the provisions of CEQA and the CEQA Guidelines, the City Council of the City of Los Angeles has independently reviewed the Record of Proceedings (see list of contents in this section) and based on the evidence in the Record of Proceedings adopts these Findings of Fact.

## **1.2 - Project Location**

The arterials included in the MP 2035 as part of the Pedestrian Enhanced Districts (PEDs), Bicycle Enhanced Network (BEN), Neighborhood Enhanced Network (NEN), Transit Enhanced Network (TEN), and Vehicle Enhanced Network (VEN) are located within the jurisdictional limits of the City of Los Angeles. Within the City’s boundaries, are approximately 467 square miles of land area, including approximately 214 square miles of hills and mountains. The San Gabriel and Santa Susana Mountains bound the City on the north, the Santa Monica Mountains extend through the middle of the City and the Palos Verdes Hills and Pacific Ocean bound the City on the south and west. The City is geographically divided into 35 community planning areas and two special purpose districts.

## **1.3 - Project Characteristics**

The MP 2035 would update the current Transportation Element (1999) and would provide a transportation blueprint for the City of Los Angeles through the foreseeable future (at least 2035). The MP 2035 reflects current State and regional policies and programs aimed at balancing land use and transportation planning and reducing vehicle miles travelled and associated greenhouse gas (GHG) emissions. The MP 2035 identifies a full range of options to meet mobility needs, including bicycling, carpooling, driving, transit, and walking. The MP 2035 would lay the policy foundation for safe, accessible and enjoyable streets for pedestrians, bicyclists, transit users, and vehicles alike. The MP 2035 would be substantially consistent with the 1999 Transportation Element, updating policies to reflect recent State requirements and recent guidance on GHG emissions and mobility in urban areas. The MP 2035 is being prepared in compliance with the 2008 Complete Streets Act (Assembly Bill 1358), which mandates that the circulation element of the General Plan be modified to plan for a balanced, multi-modal transportation network that meets the needs of all users of streets, roads, and highways, defined to include motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods, and users of public

transportation, in a manner that is suitable to the rural, suburban, or urban context of the general plan. Compliance with the Complete Streets Act is expected to result in increased options for mobility; fewer GHG emissions; more walkable communities; and fewer travel barriers for active transportation and those who cannot drive such as children or people with disabilities. Complete streets play an important role for those who would choose not to drive if they had an alternative as well as for those who do not have the option of driving. The Complete Streets Act specifically encourages an increase in non-driving modes of travel. The MP 2035 is also consistent with the 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy. The MP 2035 includes:

- Policies – that support the goals and objectives described in the next section.
- A Map Atlas – that identifies<sup>1</sup>:
  - o an Enhanced Complete Street System that includes selected roadways for pedestrian, bicycle, transit, or vehicle enhancements and proposed and programmed projects from a variety of sources
  - o a Generalized Circulation System (Highways and Freeways Map)
  - o Scenic Highways
  - o a Goods Movement System.
- An Action Plan – that identifies programs that support implementation of the Plan's goals and policies and aids the City in achieving its objectives.

The MP 2035 is further supported<sup>1</sup> by the following documents (which have been assessed as part of the Project):

- A Complete Streets Design Guide – a living document that provides a compilation of design concepts and best practices that promote the major tenets of Complete Streets- safety and accessibility.
- An Update of Standard Plan S-470 to include an expanded suite of complete street arterials and nonarterials.
- A Five-Year Implementation Strategy – that prioritizes programs in the Action Plan for implementation within a defined five-year time period and identifies metrics upon which the success of each program should be evaluated. The Strategy is incumbent upon staff and funding availability.

The MP 2035 is a mix of policies and conceptual-level improvements to the transportation network. Specifically, the enhanced networks (TEN, BEN, NEN and VEN) are identified as a program in the Action Plan to the MP 2035 (Draft MP 2035 at p. 145). They are also

identified as concept maps (Draft MP 2035 at p. 145). None of the programs in the Action Plan, including the enhanced networks, are mandatory and they may be amended without a Plan Amendment (Draft MP 2035 at 146). Although any change would still need to comply with State planning law consistency requirements and therefore, meet the overall goals, objectives and policies of the MP 2035.<sup>2</sup> Based on the conceptual nature of the enhanced networks, detailed roadway designs for improvements to individual roadways or corridors are not yet available. Therefore, in the EIR, the MP 2035 was modeled within the regional transportation network on the basis of generalized assumptions that are appropriately summarized and discussed at the scale of APC areas rather than at the level of individual roadways or corridors in order to present a programmatic level analysis. (See Master Responses 1 and 22 in FEIR for a discussion of the methodology and scope of analysis in the EIR.) For purposes of the EIR analysis, the fact that the enhanced networks may be adjusted over time, based on future circumstances, is not expected to affect the Area Planning Commission level of detail analysis in the EIR. The RDEIR indicates that, “[s]hould an alternative street be determined to better serve the needs of the individual network (than the street originally identified), it is expected that the alternative would serve users similar to the originally selected street. The build-out strategy for the networks and districts ... is intended to provide for a flexible and iterative process based upon prioritization criteria, funding, roadway capacity, community support and political interest. It is reasonably expected that future alterations to the enhanced networks would operate similarly as the enhanced networks for purposes of environmental review and analysis and would have similar impacts at the programmatic City-wide level” (RDEIR at 3-7; page 3-10 of the Final EIR Project Description as revised). Any specific local impacts from such an alteration of an enhanced network would be speculative at this point. Finally, future projects to implement the MP 2035, including construction and interventions to improve City right of ways for the enhanced networks, including selecting alternative streets, would be required to be reviewed under CEQA, including under CEQA Guidelines 15162 to determine the appropriate form of subsequent environmental review.

## **1.4 – Project Objectives/Mobility Plan 2035 Goals**

The primary purpose/objective of the Project and the update to the City’s transportation element and the preparation of the draft Mobility Plan 2035 is to implement the State Complete Streets Act, increase multi-modal access for all Angelenos and reduce Vehicle Miles Travelled and associated GHG emissions.

The five goals of the MP 2035 and corresponding policy topics as identified in the Final EIR are as follows:

- **Safety First** – focuses on topics related to crashes, speed, protection, security, safety, education, and enforcement.
- **World Class Infrastructure** – focuses on topics related to the Complete Streets Network (walking, bicycling, transit, vehicles, green streets, goods movement), Great Streets, Bridges, Complete Street Design Guide, and demand management.

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<sup>2</sup> This may be contrasted with Street Designations in the MP 2035 which are not conceptual and would require a plan amendment to be redesignated (see Draft MP 2035 at 18).

- Access for all Angelenos – focuses on topics related to affordability, least cost transportation, land use, operations, reliability, demand management, and community connections.
- Collaboration, Communication & Informed Choices – focuses on topics related to real-time information, open source data, transparency, monitoring, reporting, emergency response, departmental and agency cooperation and data base management.
- Clean Environment and Healthy Communities – focuses on topics related to environment, health, clean air, clean fuels and fleets, and open street events.

## **1.5 - Record of Proceedings**

For purposes of CEQA and these Findings, the Record of Proceedings for the MP 2035 consists of the following documents and other evidence, at a minimum:

- The Notice of Preparation (NOP) and all other public notices issued by the City of Los Angeles in conjunction with the MP 2035.
- The Draft EIR, the Recirculated Draft EIR, and the technical appendices for the MP 2035.
- All written comments submitted by agencies, organizations, or members of the public during the public review comment period on the Draft and Recirculated Draft EIRs.
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the Draft and Recirculated Draft EIRs.
- The Final EIR for the MP 2035, which consists of the Draft and Recirculated Draft EIRs, the technical appendices, and the RTC.
- All written and verbal public testimony presented during a noticed public hearing for the MP 2035, where testimony was taken.
- The MMP.
- The documents, reports, and technical memoranda included or referenced in the technical appendices of the Draft and Recirculated Draft EIRs.
- All documents, studies, EIRs, or other materials incorporated by reference in the Draft and Recirculated Draft EIRs and.
- The Department of City Planning Recommendation Report
- The Resolution adopted by the City Council of the City of Los Angeles in connection with the proposed project, and all documents incorporated by reference therein.
- Any documents expressly cited in these Findings or in the resolution adopting these Findings.
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e) (excluding privileged materials).

## 1.6 - Custodian and Location of Records

The documents and other materials that constitute the administrative record for the City of Los Angeles's actions related to the proposed project are located at the City of Los Angeles City Clerk Office at 200 North Spring Street, Los Angeles, California 90012. Copies of these documents, which constitute the record of proceedings, are, and at all relevant times, have been and will be available upon request at the City of Los Angeles City Clerk Office. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and CEQA Guideline Section 15091(e).

## SECTION 2: ENVIRONMENTAL IMPACTS FOUND TO BE SIGNIFICANT AND UNAVOIDABLE

The Final EIR identified the following project-specific and cumulative impacts that cannot be mitigated to less-than-significant levels: circulation, neighborhood intrusion, congestion management plan (CMP) (freeways), emergency access, excessive noise and permanent noise increase (from buses), and special status species and habitat.

The City of Los Angeles finds, based on the facts set forth in the record, which include but are not limited to the facts as set forth below, those facts contained in the Draft and Recirculated Draft EIRs and the RTC, and any other facts set forth in materials prepared by the City of Los Angeles and/or City consultants, that there are no feasible mitigation measures, changes, or alterations available to reduce the identified significant impacts.

### 2.1 Transportation, Parking & Safety (Chapter 4.1, Impacts 4.1-2, 4.1-3, 4.1-4, 4.1-5)

#### Circulation, Neighborhood Intrusion, CMP (Freeways), Emergency Access

##### Significant and Adverse Impact

*The Final EIR found that the proposed project would have a significant impact to the circulation system, neighborhood intrusion, CMP (Freeways) and emergency access, as it would exceed the applicable thresholds established by the City.*

The MP 2035 would have a significant impact to the circulation system, neighborhood intrusion, Congestion Management Plan (freeways), and emergency vehicle access. (See EIR Chapters, 4.1, Impact discussions in 4.1-2, 4.1-3, 4.1-4 and 4.1-5). These impacts were found significant because the traffic analysis from the EIR found that the Project resulted in traffic conditions that exceeded established thresholds for neighborhood intrusion as a result of cut-through traffic, increases congestion/delay on the circulation system (arterials and freeways), results in inadequate emergency access (such that emergency vehicles are delayed), or increases the volume to capacity ratio on some freeway segments by greater than 2 percent. The inclusion of Mitigation Measures T1 through T5 in the MMP will help mitigate significant impacts on the circulation system, neighborhood intrusion, CMP (Freeways) and emergency access where feasible; however, these impacts, due to the aforementioned conditions, will remain significant and unavoidable.

##### 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 Final EIR.

### **Facts in Support of Finding**

The significant and adverse impacts to the circulation system, neighborhood intrusion, CMP (Freeways) and emergency access will be reduced by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the MMP.

- MM T1            Signal Timing. City of Los Angeles Department of Transportation (LADOT) will adjust traffic signal timing after the implementation of the MP 2035 (both along project routes and parallel roadways if traffic diversions have occurred as a result of the proposed project). This adjustment would be necessary, especially at the intersections where roadway striping would be modified. Signal timing adjustment could reduce traffic impacts at impacted intersections. (LADOT routinely makes traffic signal timing changes and signal optimization on an as-needed basis to accommodate the changes in traffic volumes to reduce congestion and delay in the City.)
- MM T2            Transportation Demand Management (TDM). For all projects the City shall implement appropriate TDM measures including potential trip-reducing measures such as bike share strategies, bike parking, expansion of car share programs near high density areas, bus stop improvements (e.g. shelters and “next bus” technologies), crosswalk improvements, pedestrian wayfinding signage, etc.

Since the implementation of Mitigation Measures T1 and T2 cannot be certain to reduce the level of impacts to less than significant, the MP 2035 would result in a significant and unavoidable impact related to level of service of roadways within the City based on current thresholds. However, the model-estimated changes in circulation system conditions reflect a likely worst-case, vehicle-centric estimate based on historical travel behavior patterns and do not account for additional changes that would lead to decreasing vehicular volumes. Under Senate Bill (SB) 743 there will be new criteria for determining the significance of transportation impacts. Since this guidance is not yet defined, it is possible that some or all of the impacts related to vehicular level of service (LOS) that are considered significant would no longer be considered significant if analyzed using the new criteria. Mitigation Measures T1 and T2 are also consistent with Great Streets for Los Angeles Strategic Plan developed by the Mayor’s Office and LADOT. With that said, under the existing threshold of significance, the results on traffic congestion, and its impacts to LOS in the City are significant. It is not known whether the identified significant impacts can be reduced to a less than significant level with MM T1 and MM T2 because it is not possible to quantify the effects of these measures at a city-wide level without design details. There are no other identified feasible mitigation measures that could reduce these impacts to less than significant.

- MM T3            Traffic Diversion and Calming. In areas where implementation of proposed project could potentially result in diversion of traffic to adjacent residential streets, LADOT shall monitor traffic on identified residential streets, upon request submitted through the Council Office, to determine if traffic diversion occurs. If traffic on residential streets is found to be significantly impacted, in accordance with LADOT’s Traffic Study Policies and procedures, LADOT will work with neighborhood residents to identify and implement appropriate traffic calming measures.

The implementation of Mitigation Measure T3 would reduce the level of impact related to neighborhood intrusion but impacts could remain significant. However, Mitigation Measure T3 is consistent with the Great Streets for Los Angeles Strategic Plan that identifies the need to protecting neighborhoods from traffic intrusion and vehicle speeding. There are no other identified feasible mitigation measures that could reduce these impacts to less than significant.

**MM T4** Inter-agency Coordination. In areas where the implementation of the proposed project could potentially affect transportation systems managed by other agencies, such as the California Department of Transportation or Los Angeles County Metropolitan Transportation Authority, or neighboring jurisdictions, the City of Los Angeles shall coordinate with these entities to identify transportation improvements in accordance with the goals and policies of Mobility Plan 2035 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.

The implementation of Mitigation Measure T4 would reduce the level of impact related to freeways and the CMP but impacts could remain significant. The MP 2035 could still have a significant impact related to CMP freeway segments as it could continue to exceed the established threshold. There are no other identified feasible mitigation measures that could reduce these impacts to less than significant.

**MM T5** Emergency Response Access. The LADOT, City of Los Angeles Fire Department (LAFD) and Department of City Planning (DCP) shall coordinate and review design plans involving lane reallocation to ensure that emergency response access is adequately maintained (for example by expanding the Fire Preemption System).

Because CEQA requires comparison to existing conditions, and a number of factors will contribute to the need for new LAFD facilities, including project actions, and because it is not possible to foresee all potential stressors to the fire protection system to which the project would contribute, in the interests of being conservative even with implementation of Mitigation Measure T5, impacts are considered potentially significant. There are no other identified feasible mitigation measures that could reduce these impacts to less than significant.

## **2.2 Noise & Vibration (Chapter 4.5, Impacts 4.5-1, 4.5-4)**

### **Excessive Noise or Vibration**

#### **Significant and Adverse Impact**

*The Final EIR found that the MP 2035 would expose persons or generate noise in levels in excess of standards established in the local general plan or noise ordinance, or in applicable standards of other agencies and would result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.*

Increased bus frequency with the implementation of the MP 2035 would result in a substantial permanent increase in ambient noise levels in the project vicinity, above levels existing without the project.

### **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 Final EIR.

### **Facts in Support of Finding**

No feasible mitigation measures were identified to reduce the significant impact related to increased operations - bus frequency- to make operating noise less than significant. Reducing bus frequency is not considered as a feasible mitigation measure because the action would not meet the goal of the proposed mobility improvement. Therefore, the MP 2035 would result in a significant and unavoidable impact related to bus noise.

## **2.3 Biological Resources (Chapter 4.6, Impacts 4.6-1, 4.6-3, 4.6-4)**

### **Special Status Species and Habitat**

#### **Significant and Adverse Impact**

*The Final EIR found that implementation of the MP 2035 could have a substantial adverse effect during construction either directly or indirectly on special status species, riparian habitat or other sensitive natural community, and federally protected wetlands.*

Implementation of the MP 2035 could result in a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS), and could also have a substantial adverse effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS. Implementation of the MP 2035 could have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means. The MP 2035 would result in potentially significant impact during construction and less than significant impacts during operation.

### **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 Final EIR.

### **Facts in Support of Finding**

The significant and adverse impact to special status species and habitat including wetlands will be reduced by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the MMP.

MM B1 Special Status Species and Habitat. For future enhancements occurring within 200 feet of a Significant Ecological Area designated by the County of Los Angeles or within 200 feet of areas containing native vegetation, such as open space and undeveloped areas, a project-specific biological resource survey and assessment shall be conducted and prepared that discloses any potential impacts to special status species and habitats, and mitigates, to the extent feasible, the impacts of the mobility improvements. In addition, prior to implementation of mobility improvements, all required permits must be obtained; permits for work in wetland and riparian habitats frequently require project specific measures to preserve resources.

Implementation of Mitigation Measure B1 would ensure that supplemental project-specific analysis would be completed for mobility improvements that occur outside existing right-of-way and are adjacent to protected riparian habitat or other sensitive natural community. It is anticipated that project-specific mitigation measures would be identified that would reduce potentially significant impacts related to protected riparian habitat or other sensitive natural communities to a less-than-significant level. However, since details of the projects and mitigation measures are unknown (and unknowable) at the present time this impact remains potentially significant.

MM B2 Wetland Habitat. For mobility improvements that extend into the Ballona wetlands, all applicable wetland permits shall be acquired. These permits include, but would not be limited to, a Section 404 Wetlands Fill Permit from the US Army Corps of Engineers, or a Report of Waste Discharge from the Regional Water Quality Control Board (RWQCB), and a Section 401 Water Quality Certification from the RWQCB. Additionally, a Section 1602 Streambed Alteration Agreement from the California Department of Fish and Wildlife (CDFW) would be required for development that would cross or affect any stream course.

Where feasible, the maximum amount of existing wetlands shall be preserved and minimum buffers around all sides of these features shall be established. In addition, the final project design shall not cause significant changes to the pre-project hydrology, water quality, or water quantity in the wetland that is to be retained. This shall be accomplished by avoiding or repairing any disturbance to the hydrologic conditions supporting these wetlands, as verified through wetland protection plans.

Where avoidance of the Ballona Wetlands is not feasible, then mitigation measures shall be implemented for the project-related loss of any existing wetlands on site, such that there is no net loss of wetland acreage or habitat value. Wetland mitigation shall be developed as a part of the Section 404 Clean Water Act permitting process, or for non-jurisdictional wetlands, during through the RWQCB, CDFW, and/or USFWS. Mitigation is to be provided prior to construction related impacts on the existing wetlands. The exact mitigation ratio is variable, based on the type and value of the wetlands affected by the project, but agency standards typically require a minimum of 1:1 for preservation and 1:1 for construction of new wetlands. In addition, a Wetland Mitigation and Monitoring Plan shall be developed that includes 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.
- 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 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 migration bank).

Implementation of Mitigation Measure B2 would ensure that for mobility improvements that extend into the Ballona Wetlands, that the wetlands would be altered in the least disrupted way possible and replacement wetlands are incorporated to reduce potentially significant impacts related to wetlands to less-than significant. However, since details of the projects and mitigation measures are unknown (and unknowable) at the present time this impact remains potentially significant. There are no other identified feasible mitigation measures that would reduce the impact to less than significant.

### **SECTION 3: ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT WITH MITIGATION**

The Final EIR identified potentially significant project-specific adverse impacts of the proposed project and proposed mitigation measures to avoid or substantially lessen those impacts. Those impacts and mitigation measures are identified in the following section. The City Council of the City of Los Angeles finds, based on the facts set forth in the record, which include but are not limited to the facts as set forth below, that the incorporation of the identified mitigation measures will mitigate the following identified significant project-specific impacts to a level that is considered less than significant.

#### **3.1 Transportation, Parking and Safety (Chapter 4.1, Impacts 4.1-8)**

##### **Construction**

###### **Potentially Significant Impact**

*The Final EIR indicates that while potentially significant, construction impacts generally would not be considered significant for the anticipated improvements due to their temporary nature and limited duration. Impacts such as closure of major and/or secondary highways, loss of regular vehicular or pedestrian access, or temporary loss of a bus stop or rerouting of a local bus route for more than a day would be reduced to a less than significant level by standard construction techniques identified in the Mitigation measure T6.*

###### **Finding**

Pursuant to CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the Plan, which avoid or substantially lessen the significant environmental effect.

## **Facts in Support of Finding**

The potential significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measure as identified in the Final EIR and incorporated into the project:

- MM T6            Construction activities will be managed through the implementation of a traffic control plan to mitigate the impact of traffic disruption and to ensure the safety of all users of the affected roadway. The plan will address construction duration and activities and include measures such as operating a temporary traffic signal or using flagmen adjacent to construction activities, as appropriate.

The mitigation measure is feasible and would avoid potentially significant construction impacts related to Transportation, Parking, and Safety to a less-than-significant level for the reasons set forth in the Final EIR. The City Planning Commission hereby directs this measure be adopted. Implementation of this measure, which has been required or incorporated into the MP 2035, and included in the MMP, would substantially lessen the severity of a potentially significant effect to a less-than-significant level.

## **3.2 Noise & Vibration (Chapter 4.5, Impact 4.5-1 (construction); Impact 4.5-2)**

### **Potentially Significant Impact**

*The Final EIR found that the MP 2035 could expose persons or generate noise in levels in excess of standards established in the local general plan or noise ordinance, or in applicable standards of other agencies from construction.*

The RDEIR found that construction activities would result in temporary increases in ambient noise levels on an intermittent basis. Additionally, it found that it is possible construction activities lasting more than one day would exceed noise levels by 10 dBA or more at any one noise sensitive use along a transportation corridor. (RDEIR at 4.5-8 to 10).

### **Finding**

Pursuant to CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the Plan, which avoid or substantially lessen the significant environmental effect.

## **Facts in Support of Finding**

The potential significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measure as identified in the Final EIR and incorporated into the project:

- MM N1            Construction activity that would last more than a day, that could increase ambient noise by more than 5 decibels (dBA), and would be located within 500 feet of a sensitive land use shall incorporate measures to reduce noise levels at sensitive receptors including, but not limited to, sound walls, sound blankets on impact equipment, and engine mufflers to reduce noise levels to acceptable levels. The noise reduction levels achieved by the measures shall limit noise increases to less than 5 dBA over the existing ambient levels.

Construction noise was determined to result in a significant impact without mitigation. Mitigation Measure N1 would reduce construction noise within 500 feet of sensitive land uses to less than a 5-dBA incremental increase from noise levels identified in established standards and reduce substantial temporary or periodic increases in ambient noise levels above existing noise levels. Therefore, the project will have a less than significant impact associated with construction noises exceeding adopted standards.

## **Vibration**

### **Potential Significant Impact**

*The Final EIR found that the MP 2035 could have a significant impact on Noise and Vibration if it would expose people to or generate excessive vibration or ground-borne noise levels.*

The MP 2035 would not include stationary sources of vibration, such as heavy equipment operations. Operational vibration in the project vicinity would be generated by vehicular travel on the local roadways. According to the Federal Transit Administration Transit Noise and Vibration Impact Assessment guidance document, vibration from traffic is rarely perceptible. Project-related traffic vibration levels would not be perceptible by sensitive receptors and effects would be less than significant during operation. During construction, implementation of the MP 2035 would result in potential significant impact related to vibration generated during construction where construction equipment was within 11 feet of adjacent buildings. However, as the Final EIR concluded, implementation of Mitigation Measure N2 would substantially lessen the severity of a potentially significant effect to a less-than-significant effect.

### **Finding**

Pursuant to CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the MP 2035, which avoid or substantially lessen the significant environmental effect.

### **Facts in Support of Finding**

The potential significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measure as identified in the Final EIR and incorporated into the project:

MM N2            Construction Vibration. A project-specific vibration analysis shall be completed if the City determines that construction equipment would be located within 11 feet of non-engineered timber and masonry buildings. Potential vibration impacts shall be mitigated to such that vibration levels do not exceed 0.3 inches per second at 11 feet. Methods to reduce vibration include, but are not limited to, choosing to use light weight equipment when an option between equipment types is available and avoiding impact equipment (e.g., jackhammers).

Mitigation Measure N2 would ensure that construction vibration requiring heavy-duty equipment would not exceed the significance threshold for activity. Mitigation Measure N2 would reduce temporary and periodic construction activity to less than significant. The City Planning Commission hereby directs this measure be adopted. Implementation of this measure, which has been required or incorporated into the MP 2035, and included in the

MMP, would substantially lessen the severity of a potentially significant effect to a less-than-significant level.

### **3.3 Biological Resources (Chapter 4.6, Impact 4.6-4)**

#### **Migratory Birds**

##### **Potentially Significant Impact**

*The Final EIR found that the MP 2035 could have a significant impact on migratory birds if it would interfere with the movement of native or migratory species, or with established wildlife corridors for such species, or impeded the use of native wildlife nursery sites.*

In general, existing roadways, sidewalks and public right-of-way, do not serve as wildlife corridors, movement pathways, or linkages of note between larger habitat areas for terrestrial wildlife. While, wildlife does sporadically find their way onto transportation infrastructure, the proposed mobility improvements would not create a condition that would increase the exposure. However, street trees within or immediately adjacent to the enhanced network right-of-ways could potentially support migratory birds. Accordingly, construction activities could result in conflicts with the Migratory Bird Treat Act (MBTA) and California Fish and Game Code (CFGC) through the removal or destruction an active nest or direct mortality or injury of individual birds, creating a potentially significant impact if no mitigation is implemented.

During operation, mobility improvements along the enhanced networks would not result in direct physical effects to migratory wildlife corridors as enhancements would occur on roadways, sidewalks, and right-of-way. The nature of the improvements would not substantially alter the existing transportation infrastructure from its current condition in such a way that could indirectly affect migratory wildlife corridors. Therefore, no significant impacts related to migratory wildlife corridors would occur.

##### **Finding**

Pursuant to CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the Plan, which avoid or substantially lessen the significant environmental effect.

##### **Facts in Support of Finding**

The potential significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measure as identified in the Final EIR and incorporated into the project:

MM B3            Migratory Birds. To prevent the disturbance of nesting native and/or migratory bird species, the City shall require that clearing of street trees or other vegetation should take place between September 1 and February 14. If construction is scheduled or ongoing during bird nesting season (February 15 to August 31), the City of Los Angeles shall require that a qualified biologist conduct a nesting bird survey within 250 feet of the construction activity, no less than 14 days and no more than 30 days 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 250 feet of the construction activity, no further mitigation is necessary. A copy of the pre-construction survey shall be submitted to the Department of City

Planning. If an active nest is identified, construction shall be suspended within 100 feet of the nest until the nesting cycle is complete, as determined by a qualified ornithologist or biologist.

Implementation of Mitigation Measure B3 would require that potential conflicts with the MBTA and CFGC are avoided as enhancements are implemented and impacts related to migratory birds would be reduced to less than significant. Implementation of this measure, which has been required or incorporated into the MP 2035, and included in the MMP, would substantially lessen the severity of a potentially significant effect to a less-than-significant level.

## **SECTION 4: ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT WITHOUT MITIGATION**

Section 15091 of the State CEQA Guidelines does not require specific findings to address environmental effects that an EIR identifies as have “no impact” or a “less than significant” impact. Nevertheless, these findings fully account for all resource areas, including resource areas that were identified in the EIR to have either no impact or a less than significant impact on the environment. The Proposed Project would have either no impact or a less than significant impact in the following resource areas:

### **4.1 Transportation, Parking and Safety (Chapter 4.1, Impacts 4.1-1, 4.1-6, 4.1-7): Plans and Policies, Public Transit, Bicycle and Pedestrian Facilities, Parking, Safety**

As the Final EIR concluded, the implementation of the MP 2035 would not have a significant impact related to certain components within the topic of Transportation, Parking and Safety. The MP 2035 does not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. In addition, the MP 2035 would not substantially disrupt existing public transit, bicycle, or pedestrian facilities or interfere with planned facilities. Lastly, the MP 2035 would not substantially harm transportation safety. None of the transportation system improvements proposed in the project would introduce new safety hazards at intersections or along roadway segments, as most would be designed to improve safety for all roadway users.

### **4.2 Land Use and Planning (Chapter 4.2, Impacts 4,2-1, 4.2-2): Consistency with Plans and Policies, Division of a Community**

As the Final EIR concluded, the implementation of the MP 2035 would not have a significant impact related to land use. Significant impacts related to land use only pertain to projects that: physically divide and established community, and/or conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. Additionally, the City of Los Angeles CEQA Thresholds Guidelines hold that the significance for land use impacts shall be made on a case-by-case basis, with the following factors to be considered in the evaluation of land use compatibility: land use type is incompatible with existing or proposed adjacent land uses; project includes features such as a highway or above ground infrastructure, or an easement that through an established neighborhood community that could cause a permanent disruption in the physical arrangement of that established

community or otherwise isolate an existing land use. City of Los Angeles CEQA Thresholds Guidelines provide the following factors for determining whether the MP 2035 is consistent with existing land use plans: whether the proposal is inconsistent with the adopted land use/density designation in the community plan, redevelopment plan or specific plan for the site, and whether the proposal is inconsistent with the General Plan or adopted environmental goals or policies contained in other applicable plans.

The Final EIR found that the MP 2035 would have less-than-significant impacts related to land use. Any construction related to the MP 2035 would be temporary, and the operation of the project would occur along existing developed streets. The PEDs, NEN, BEN, VEN, and TEN all showed less-than-significant impacts related to the division of a community and land use compatibility. However, while the VEN's indirect land-use effects due to on-street parking loss was found not to be significant, a suggested mitigation measure LU1 was still proposed, which included as follows:

MM LU1        Prior to the decision to remove on-street parking, the City of Los Angeles shall meet with the affected business and property owners to discuss the potential for the removal of on-street parking to affect the economic viability of the affected businesses. The City shall identify parking replacement options to businesses that do not have off-street parking and would be substantially affected by the permanent removal of on-street parking.

The MP 2035 was found to be consistent with all of the objectives of the Regional State Plans and Policies, and the City of Los Angeles General Plan Framework Element. While the MP 2035 would replace the 1999 Transportation Element, it builds upon many of the concepts, maintains designated scenic and truck routes, and is consistent with the Transportation Element that it would replace. Overall, the MP 2035 is consistent with many of the goals and objectives of the City of Los Angeles' community plans. Therefore, the implementation of the MP 2035 would have a less-than-significant impact on land use.

### **4.3 Air Quality (Chapter 4.3, Impacts 4.3-1, 4.3-2, 4.3-3, 4.3-4, 4.3-5): Conflict with Air Quality Plan, Plan, Violation of Air Quality Standards, Cumulative Increase in Criteria Pollutants, Objectionable Odors**

As the Final EIR concluded, the implementation of the MP 2035 would not have a significant impact with respect to air quality. In accordance with Appendix G of the State CEQA Guidelines, the MP 2035 would have a significant impact if it would: conflict with or obstruct implementation of the applicable air quality plan, violate any air quality standards or contribute substantially to an existing or projected air quality violation, result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard, expose sensitive receptors to substantial pollutant concentrations, and/or create objectionable odors affecting a substantial number of people. The MP 2035 is projected to reduce vehicle miles traveled (VMT) and associated mobile source emissions. Daily construction emissions would not exceed the South Coast Air Quality Management District (SCAQMD) localized significance thresholds, and the project as proposed will not change diesel-emitting truck travel patterns substantially. The plan does not include land uses or industrial operations that are known to cause objectionable odors. Therefore, the implementation of the MP 2035 would have a less-than-significant impact on air quality.

#### **4.4 Greenhouse Gases (Chapter 4.4, Impacts 4.4-1, 4.4-2): GHG Emissions, GHG Reduction Policies**

As the Final EIR concluded, the implementation of the MP 2035 would not have a significant impact with respect to Greenhouse Gases (GHG). In accordance with Appendix G of the State CEQA Guidelines, the MP 2035 does not have a significant impact because it neither generates GHG emissions that may have a significant impact on the environment, nor does it conflict with any application plan, policy, or regulation adopted for the purpose of reducing GHG emissions. The MP 2035, along with anticipated emissions controls, was found to incrementally decrease citywide GHG emissions compared to Existing and Future No Build conditions. Therefore, the implementation of the MP 2035 would have a less-than-significant impact on GHGs.

#### **4.5 Noise and Vibration (Chapter 4.5, Impacts 4.5-5, 4.5-6): Noise Near Airports and Airstrips**

Construction workers associated with the proposed project would be located within two miles of Van Nuys Airport, Hawthorne Municipal Airport, and Santa Monica Airport. Construction activity would not occur on airport property or directly adjacent to flight paths. It is not anticipated that airport-related noise levels would be louder than equipment noise levels at construction zones due to the distance from the airports to the construction workers. Airport-related noise levels are not hazardous at the proposed construction areas. There are no private airstrips located in the vicinity of the proposed enhancements. The proposed enhancements would not expose construction workers to excessive airport noise. Therefore, no impact would occur. The proposed enhancements would not develop residential or employee-related uses and would not expose people to excessive airport noise levels. Therefore, no impact would occur.

#### **4.6 Aesthetics (Chapter 6, Section 6.5)**

Scenic vistas and scenic resources, including trees and historic buildings, are found throughout the City of Los Angeles. The urban streetscape currently includes street furniture and lighting. Implementation of enhancements for particular major streets in mode-specific enhanced networks could result in physical changes to existing rights-of-way lanes. In general, it is anticipated that the physical changes would primarily involve the loss of travel lanes, but in some circumstances, parking could also be lost. Scenic highways would remain as identified in the existing Transportation Element and any modifications to a Scenic Highway to incorporate network enhancement features would not affect the scenic elements. No scenic resources would be impacted because all work would occur within existing rights-of-way. It is not anticipated that changes within existing rights-of-way would significantly impact a scenic vista, damage any scenic resources, change the visual character or quality of a particular area or transportation corridor, or substantially change the shading and lighting levels along a transportation corridor. Any removal of street trees would be done in accordance with City of Los Angeles policies regulating such removal. Accordingly, less-than-significant impacts would occur.

#### **4.7 Agriculture and Forestry Resources (Chapter 6, Section 6.5)**

The proposed modal enhancements would be implemented within and adjacent to the existing public rights-of-way and would not require substantial acquisition of properties, including those that support agricultural and forestry resources. Therefore, the proposed enhancements would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use, conflict with existing zoning for agricultural use, or a Williamson Act contract, or conflict with existing zoning for, or cause rezoning of, forest, timberland, or timberland zoned Timberland Production. Therefore, no impact related to agriculture and forestry resources would occur.

#### **4.8 Cultural Resources (Chapter 6, Section 6.5)**

The proposed enhancements to the City's pedestrian facilities, bikeway system, transit network, and street network resulting from the project would involve work within and adjacent to existing rights-of-way that have already been disturbed. Therefore, proposed enhancements are not anticipated to affect existing historic structures, as all work would occur within and immediately adjacent to existing rights-of-way. Minor additional right-of-way would be acquired to implement the proposed enhancements. Traditional methods of construction for pedestrian facilities, bikeways, transit improvements, and roadway improvements typically necessitate excavating to a depth no greater than 24 inches. As the proposed project would involve minimal ground disturbance during construction in areas where soil has already been disturbed as a result of construction of the existing roadways, impacts to subsurface historical resources, cultural resources, archaeological resources, or human remains are not anticipated; in cases where excavation could go beyond previously disturbed soils, site specific review would be required as appropriate. If unexpected archaeological resources were encountered along the enhancement corridors, it is the City's standard procedure that construction be halted and a qualified archaeologist would be required to review the project plans and, as appropriate, identify protective BMPs. With respect to unique paleontological resources or sites, paleontological resources typically would be located below the depth of expected soils disturbance. Therefore, the proposed enhancements identified in MP 2035 are not anticipated to significantly impact paleontological resources.

#### **4.9 Geology and Soils (Chapter 6, Section 6.5)**

The City of Los Angeles, like most of Southern California, is a region of high seismic activity and is, therefore, subject to risk and hazards associated with earthquakes. Several active faults within the region are considered capable of affecting property throughout the City. Implementation of the proposed enhancements would involve work within or immediately adjacent to existing street rights-of-ways. The design and construction of any structures associated with pedestrian, bikeway, transit, and street improvements would conform to applicable codes, including the California Building Code seismic standards and other codes as determined by the City of Los Angeles Department of Public Works to reduce the risk and hazards (e.g., ground shaking, liquefaction, settlement, subsidence, etc.) associated with seismic events, loss of topsoil and unstable soils. Therefore, less-than-significant impacts related to geology and soils would occur.

#### **4.10 Hazards and Hazardous Materials (Chapter 6, Section 6.5)**

The proposed enhancements would be developed within existing rights-of-way and would not require acquisition of surrounding properties except as development occurs and the abutting properties are required to dedicate land to bring a right-of-way up to standard.

These enhancements would include the development of bicycle and transit lanes and other street improvements to address pedestrian needs and safety and improve the through movement of vehicular traffic. Construction of the proposed project would involve the use of potentially hazardous materials, including vehicle fuels, oils, and transmission fluids. Compliance with all applicable local, State, and federal laws and regulations would regulate, control, or respond to hazardous waste, transport, store, disposal, and clean-up in order to ensure that hazardous materials do not pose a significant risk to nearby receptors, such as schools and residences. All hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with federal Occupational Safety and Health Administration (OSHA) and California OSHA standards and other applicable regulations. Operation of the proposed enhancements would not result in emissions or release of hazardous materials beyond existing conditions. Subsurface work could encounter unexpected contaminated soils; any such soils would be evaluated and handled in accordance with applicable regulations.

The proposed enhancements would be located throughout the City of Los Angeles and may be located in the vicinity of an airport (e.g., Los Angeles International Airport, Van Nuys Airport, and Burbank Bob Hope Airport). Additionally, there are numerous helicopter landing pads throughout the City. However, none of the proposed enhancements would add any feature over 40 feet tall and, accordingly, would not pose a hazard to approaching airplanes or helicopters. The proposed mobility improvements are located in or adjacent to existing transportation infrastructure and not located in areas identified as a wildland fire hazard area, according to Exhibit D Selected Wildfire Hazard Areas of the Safety Element. The proposed enhancements would not interfere with the City's Emergency Operations Master Plan and Procedures (potential interference with emergency vehicles is discussed in **Section 4.1 Transportation, Parking and Safety**). Therefore, less-than-significant impacts related to hazards and hazardous materials would occur.

#### **4.11 Hydrology and Water Quality (Chapter 6, Section 6.5)**

The proposed enhancements would include the development of bicycle and transit lanes and other street improvements to address pedestrian needs and safety and improve the through movement of vehicular traffic. As previously described, the project segments are located within existing public rights-of-way in an urbanized environment. Construction activities associated with these enhancements could include minor earth moving, maintenance/operation of construction equipment and handling/storage/disposal of materials, which may contribute to pollutant loading in storm water runoff. However, with conformance to applicable City of Los Angeles and regional regulations and requirements concerning storm water discharge, and implementation of source control and treatment best management practices (BMPs), the proposed enhancements would minimize or eliminate the discharge of potential pollutants from storm water runoff that could degrade water quality to the maximum extent practicable. In addition, the proposed enhancements would be implemented in areas currently developed with paved asphalt streets and sidewalks and would not alter existing drainage patterns place housing or structures in flood areas which would increase the risk of flooding or impede flood flow. Consequently, these enhancements would not measurably change the volume of storm water runoff. Similarly, since the proposed enhancements would be located within or immediately adjacent to existing rights-of-way, they would not increase the amount of area or the number of structures that maybe subjected to flooding or inundation. The proposed mobility improvements would not increase the exposure of persons to failure of a levee or dam, inundation by seiche, tsunami, or mudflow. Therefore, less-than-significant impacts related to hydrology and water quality would occur.

#### **4.12 Mineral Resources (Chapter 6, Section 6.5)**

The enhancement corridors consist of existing streets located in developed urbanized areas of the City of Los Angeles. These corridors are currently used for transportation uses and would continue to be used as such under the proposed project. Accordingly, the proposed enhancements would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state or the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. Therefore, no impact would occur.

#### **4.13 Population and Housing (Chapter 6, Section 6.5)**

The proposed enhancements would not develop residential uses and, therefore would not induce substantial population growth in an area, either directly or indirectly. The proposed enhancements would include the development of bicycle and transit lanes and other street improvements to address pedestrian needs and safety and improve the through movement of vehicular traffic and would not displace any residential units or on-site residents or housing, necessitating the construction of replacement housing elsewhere. Therefore, no impact would occur.

#### **4.14 Public Services (Chapter 6, Section 6.5)**

The proposed enhancements would be located within an existing urbanized area that is served by existing public services, including fire protection, police protection, parks, schools, or other public facilities. Because the proposed project would not induce growth or include the construction of new buildings, the proposed enhancements would not result in an increase in demand for fire and police services, schools, or other public facilities. As discussed in **Section 4.1 Transportation, Parking and Safety**, increasing congestion could significantly affect access of emergency service vehicles. However, any impact from construction of facilities related to adversely affected emergency service vehicles is speculative at this point in time. Therefore (other than the impact to access discussed under transportation), less-than-significant impacts related to public services would occur.

The proposed enhancements could result in the increased use of existing parks and other recreational facilities due to increased accessibility of these facilities by bicycles, transit, or pedestrian facilities along the existing and prospective enhancement corridors. However, the potential increase in use of existing parks and recreation facilities would be considered minor and would occur throughout the City and would not be concentrated on any particular facility. Therefore, less-than-significant impacts related to public services would occur.

#### **4.15 Recreation (Chapter 6, Section 6.5)**

As discussed above, the proposed enhancements would not induce population growth. No residential uses would be developed under the proposed project. The proposed enhancements would not include the construction or expansion of recreational facilities or contribute to a need that would necessitate the development of parks or other recreational facilities. The proposed enhancements could result in the increased use of existing neighborhood and regional parks and other recreational facilities that include bicycle facilities. However, any increase in use of existing parks and recreation facilities would occur throughout the City and would not be concentrated on any particular facility. Therefore, less-than-significant impacts related to recreation would occur.

## 4.16 Utilities and Service Systems (Chapter 6, Section 6.5)

The proposed enhancements would include the development of bicycle and transit lanes and other street improvements to address pedestrian needs and safety and improve the through movement of vehicular traffic and would not connect to the public sewer system. Accordingly, these enhancements would not require or result in the construction of new water or wastewater treatment or storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. In addition, operation of the proposed enhancements would not generate any solid waste or require additional water supply. There is the potential for utilities within streets to be severed by work; however, standard safety procedures would serve to avoid this potential impact. Therefore, less-than-significant impacts to utilities and service systems would occur.

## SECTION 5: FEASIBILITY OF PROJECT ALTERNATIVES

CEQA requires that 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 MP 2035 will result in significant impacts that are considered unavoidable.

The following section identifies the alternatives to the proposed project that were considered and evaluated.

### 5.1 Alternative 1 - No Project Alternative

The No Project Alternative is required by Section 15126.6 (e)(2) of the CEQA Guidelines and assumes that the MP 2035 would not be implemented.

#### Impact Analysis

**Consistency with Land Use Plans, Policies:** The No Project Alternative would be inconsistent with the most recent applicable plans and policies related to mobility. Therefore, a significant impact could occur related to consistency with applicable plans and policies.

**Congestion Management Program:** Under Alternative 1, cumulative growth would result in a 9.8 percent increase in daily VMT when compared to Existing conditions and a 2.2 percent increase in VMT when compared to the MP 2035. Alternative 1 would result in a potentially significant impact compared to Existing conditions. Since a demand model does not exist for capturing the benefits of the MP 2035, impacts related to the CMP would be less than the MP 2035 because the No Project Alternative diverts less people onto the freeway system.

**Emergency Access:** Similar to the MP 2035, Alternative 1 would result in potentially significant impacts to emergency access. In some instances, emergency access under Alternative 1 would be more affected than the MP 2035 in areas where no center turn lanes

are implemented and significant impacts related to emergency access would be similar or worse than the MP 2035.

**Conflict with AQ Plan:** The lack of adequate transportation infrastructure or measures to reduce VMT that would occur under Alternative 1 could conflict with the SCAQMD goals of accommodating growth and reducing VMT.

**GHG Reduction Policies:** From a cumulative perspective, Alternative 1 continues the status quo and would not contribute directly towards the regional goal of reducing the Basin's cumulative impact for ozone (O<sub>3</sub>), particulate matter 2.5 microns or smaller in diameter (PM<sub>2.5</sub>), particulate matter 10 microns or smaller in diameter (PM<sub>10</sub>), or lead (Pb). Alternative 1 would not include the implementation of multi-modal mobility enhancements and, therefore, would not be consistent with these GHG reduction policies. Therefore Alternative 1 would result in more GHG emissions compared to the MP 2035.

### **FINDINGS ON ALTERNATIVE 1 - NO PROJECT ALTERNATIVE:**

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

1. This Alternative would not avoid significant impacts compared to the project with respect to circulation, neighborhood intrusion, CMP, emergency access, noise, and biology. Additionally, it would have additional significant impacts than the project, based on its violation of transportation plans and policies, and its failure to implement GHG reduction policies (RDEIR at 5-5 to 5-9).
2. Alternative 1 would not meet the primary purpose and goal of the project to implement the Complete Street Act because it would not increase multi-modal access (RDEIR at 5-3 to 5-9).
3. Alternative 1 would not meet the MP 2035 goal to improve safety because it would not implement Vision Zero safety objectives (RDEIR at 5-3 to 5-9).
4. Alternative would not meet the primary purpose and goal of the project and the MP 2035 to decrease per capita vehicle miles traveled (RDEIR at 503 to 5-9).

## **5.2 Alternative 2 – Fewer Comprehensive Enhancements.**

Alternative 2 reflects an alternative with overall more moderate mobility improvements as compared to the proposed project. The more moderate enhancements (in Alternative 2 most TEN enhancements would be Moderate as compared to the greater extent of Moderate Plus or Comprehensive lane miles under the proposed project) associated with this alternative would therefore result in fewer lane conversions on the TEN, which could result in potentially fewer impacts to the vehicular circulation system and biological resources. The proposed project would result in increased benefits compared to Existing conditions, related to multi-modal mobility and consistency with adopted plans and policies, but fewer benefits as compared to the proposed project. Alternative 2 would result in similar congestion as compared to the proposed project. Alternative 2 would result in less intervention and similar congestion but would have fewer multi-modal benefits.

## Impact Analysis

**Circulation System.** Daily VMT under Alternative 2 would be 7.9 percent greater than existing conditions and 0.4 percent greater than the MP 2035. The increase in VMT would result in potentially significant impacts related to the circulation system. However, fewer vehicle lanes would be converted under the BEN and TEN for Alternative 2 than the MP 2035, which would provide additional capacity for vehicle travel compared to the MP 2035.

**Neighborhood Intrusion.** Alternative 2 would result in a potentially significant impact related to neighborhood intrusion. As with the proposed project, the greater projected VMT, along with the additional bicycle lane capacity, would result in similar congestion as the MP 2035. This would result in a greater likelihood for cut-through traffic. Therefore, Alternative 2 would have similar effects related to neighborhood intrusion when compared to the MP 2035.

**Congestion Management Program.** As described above, daily VMT under Alternative 2 would be approximately 0.4 percent greater than the VMT for the MP 2035. However, fewer vehicle lanes would be converted under the BEN and TEN for Alternative 2 than the MP 2035, which would provide additional capacity for vehicle travel compared to the MP 2035. Therefore, the amount of congestion would be similar to the MP 2035 and Alternative 2 would have similar effects related to the CMP compared to the MP 2035.

**Emergency Access.** Alternative 2 would result in similar congestion as the MP 2035, which could impede and result in potentially significant impacts to emergency access. Moderate enhancements are less likely to provide additional room for emergency vehicles. Therefore, the significant impacts for Alternative 2 could be similar or worse than the MP 2035.

**Expose Persons or Generate Excessive Noise or Vibration Levels Above Standards.** As with the proposed project, construction activity associated with the enhanced networks under Alternative 2 would mainly include reconfiguration of roadway striping and would not include excavation or construction. Limited heavy-duty equipment is anticipated to construct the proposed enhancements (e.g., small loaders for sidewalk widening or asphalt paving equipment). It is possible that construction activities lasting more than one day would exceed existing ambient noise levels by 10 dBA or more at any one point source; it is not anticipated that construction activities lasting more than ten days in a three-month period would exceed existing ambient noise levels by 5 dBA or more at any one point source, and/or it is not anticipated that construction activities would exceed the ambient noise level by 5 dBA at any point source between the hours of 9:00 p.m. and 7:00 a.m. Monday through Friday, before 8:00 a.m. or after 6:00 p.m. on Saturday, or anytime on Sunday. With implementation of mitigation, Alternative 2 would result in less-than-significant impacts related to the generation of excessive noise levels during construction. The mobility enhancements under Alternative 2 would result in similar noise effects during construction as compared to the proposed project.

**Substantial Permanent Increase in Ambient Noise Levels.** As with the proposed project, Alternative 2 would result in significant impacts related to permanent increases in bus noise. The lower intensity mobility enhancements under Alternative 2 would result in fewer effects related to substantial increases in ambient noise levels as compared to the proposed project.

**Adverse Effect on Sensitive Species, Sensitive Habitats, or Wetlands.** As with the MP 2035, under Alternative 2, mobility improvements could require widening outside the right-of-way that could have the potential to affect sensitive species, sensitive habitats, or wetlands.

Therefore, a potentially significant impact related to an adverse effect on sensitive species, sensitive habitats, or wetlands would occur.

***Adverse Effect on Migratory Species or Wildlife Corridor.*** While, wildlife does sporadically find its way onto transportation infrastructure, the proposed mobility improvements would not create a condition that would increase the exposure. However, street trees within or immediately adjacent to the enhanced network right-of-ways could potentially support migratory birds. Accordingly, as with the MP 2035, construction activities associated with Alternative 2 could result in conflicts with the MBTA and CFGC through the removal or destruction of an active nest or direct mortality or injury of individual birds, creating a potentially significant impact.

## **FINDING ON ALTERNATIVE 2 – FEWER COMPREHENSIVE ENHANCEMENTS**

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

1. Alternative 2 would not avoid the significant unavoidable impacts from the project (RDEIR at 5-9 to 5-15).
2. Alternative 2 would not as fully meet the goals and objectives of the project. Alternative 2 would result in less intervention and similar congestion compared to the MP 2035, but would have fewer multi-modal benefits. In the long run, it is anticipated that a more robust multi-modal network as would occur under the MP 2035, could be more beneficial to the City as mode shift choices continue to evolve, i.e. as more people choose alternative modes to vehicles, greater choice would be provided by the MP 2035 (as compared to Alternative 2) because alternative modes (e. g., transit, bicycles and pedestrian) would have more interconnected networks potentially accelerating mode shifts to modes other than vehicles. Alternative 2 would have similar impacts to the project but would not achieve the same benefits (RDEIR at 5-9 to 5-15).
3. Alternative 2 would not as fully meet project objectives to increase multi-modal access and decrease per capita VMT and GHG emissions (RDEIR at 5-9 to 5-15).

### **5.3 Alternative 3 – Project without Bike Lanes outside of the BEN and Fewer Miles of Transit Improvements**

Alternative 3 includes the same roadway and transit assumptions (intensity of infrastructure and enhancements) as for the MP 2035 except that it does not include the conservative analysis of the planned bicycle lanes for roadways that are not part of the BEN.

#### **Impact Analysis**

***Circulation System.*** Daily VMT under Alternative 3 would be 7.6 percent greater than Existing conditions and about the same (less than 0.1 percent greater) as the VMT for the MP 2035. However, the analysis of Alternative 3 assumes that no vehicle lanes would be converted to bicycle lanes in the Bicycle Lane Network, which would provide additional capacity for vehicle travel compared to the MP 2035. Nonetheless, the amount of congestion generally would be similar to the MP 2035 and Alternative 3 would result in a similar significant impact related to congestion and the vehicular transportation network.

**Neighborhood Intrusion.** Along roadways where Alternative 3 would cause increases in traffic congestion, diversion of trips could occur onto adjacent parallel routes. It is anticipated that increased traffic could occur on roadways through neighborhoods. However, the model-estimated changes in circulation system conditions for the project, and alternatives that include increased facilities for bicyclists, pedestrians and transit users, are conservative. They are vehicle-centric estimates based on historical travel behavior patterns and do not account for changes in demographics, vehicle ownership patterns, energy prices, and migration to alternate modes (pedestrian, bicycle and transit) that would lead to decreasing vehicular volumes. Transportation demand models are largely dependent on historical travel patterns and mode choices when forecasting future traffic projections and are not able to capture the benefits of a shift to multi-modal options. As with the project, Alternative 3 would result in a potentially significant impact related to neighborhood intrusion. As described above, the greater VMT, along with additional vehicle lane capacity would result in similar congestion as the proposed project, which would result in a similar likelihood for cut-through traffic. Therefore, Alternative 3 would have similar effects related to neighborhood intrusion as compared to the proposed project.

**Congestion Management Program.** Daily VMT under Alternative 3 would be approximately 0.1 percent greater than the VMT for the MP 2035. However, fewer vehicle lanes were assumed to be converted to bicycle lanes under Alternative 3 than the MP 2035, which would provide additional capacity for vehicle travel than the MP 2035. Nonetheless, overall, the amount of congestion would be similar and Alternative 3 would have similar effects related to the CMP compared to the MP 2035.

**Emergency Access.** As with the MP 2035, Alternative 3 would result in increased congestion compared to Existing conditions, which could impede emergency access. Similar to the MP 2035, Alternative 3 would result in potentially significant impacts to emergency access. The significant impact related to emergency access for Alternative 3 would be similar to the MP 2035.

**Expose Persons or Generate Excessive Noise or Vibration Levels Above Standards.** Alternative 3 would have similar noise impacts as compared to the proposed project. As with the proposed project, Alternative 3 would result in a potentially significant impact related to bus noise. As with the proposed project, implementation of mitigation would reduce potential impacts on construction noise and construction vibration to less than significant.

**Substantial Permanent Increase in Ambient Noise Levels.** As with the proposed project, Alternative 3 would result in significant impacts related to permanent increases in bus noise. However, with fewer miles on the TEN, fewer people may be exposed to these increased noise levels.

**Adverse Effect on Sensitive Species, Sensitive Habitats, or Wetlands.** As with the proposed project, under Alternative 3, mobility improvements could require widening outside the right-of-way that could have an impact on sensitive species, sensitive habitats, and/or wetlands. Therefore, as with the proposed project, Alternative 3 would result in a significant impact to sensitive species, sensitive habitats, or wetlands.

### **FINDING ON ALTERNATIVE 3 – PROJECT WITHOUT BIKE LANES AND FEWER MILES OF TRANSIT IMPROVEMENTS**

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

1. Alternative 3 would not avoid the significant impacts of the project (RDEIR at 5-15 to 5-19). In terms of intervention to the roadway system, Alternative 3 lies between the MP 2035 and Alternative 2. Alternative 3 reflects an alternative with similar comprehensive mobility improvements as the MP 2035 that would, in turn, result in similar environmental (traffic) impacts. The primary difference between Alternative 3 and the MP 2035 is that Alternative 3 does not include the analysis of the potential vehicle impacts of the Bicycle Lane Network resulting from vehicle-lane conversions to provide available roadway space for bicycle lanes. Alternative 3 does not include additional miles added to the TEN after the Draft EIR was circulated. The resulting outcome of the inclusion of bike lanes into the MP 2035 provides a multi-modal transportation network with increased connectivity, but the conservative analysis of the project bike lanes results in greater congestion impacts compared to Alternative 3.
2. Alternative 3 would not as fully meet the project's primary purpose, objectives and goal to provide multi-modal access to all Angelenos. With less investment in the Bicycle Lane Network and Transit Enhanced Network, Alternative 3 would not as fully address the network accessibility, safety and reduced GHG goals of the MP 2035 or fully incorporate the City's Bicycle Plan (RDEIR at 5-15 to 5-19).

#### **5.4 Alternative 4 – Project with Priority Bike Lanes Only** (in general those bike lanes that have been identified to be implemented in the short-term).

Alternative 4 includes the same roadway enhancements as for the MP 2035 except that it only includes priority bike lanes on the BEN.

#### **Impact Analysis**

**Circulation System.** Daily VMT under Alternative 4 would be greater than Existing conditions and greater than the MP 2035 (since Alternative 4 includes fewer bicycle enhancements). However, fewer vehicle lane conversions would occur under Alternative 4, which would provide additional capacity for vehicle travel compared to the MP 2035. This would result in slightly less congestion and an incremental decrease in impacts to the circulation system compared to the MP 2035.

**Neighborhood Intrusion.** Along roadways where Alternative 4 would cause increases in traffic congestion, diversion of trips could occur onto adjacent parallel routes. It is anticipated that increased traffic could occur on roadways through neighborhoods. However, the model-estimated changes in circulation system conditions for the project, and alternatives that include increased facilities for bicyclists, pedestrians and transit users, are conservative. They are vehicle-centric estimates based on historical travel behavior patterns and do not account for changes in demographics, vehicle ownership patterns, energy prices, and migration to alternate modes (pedestrian, bicycle and transit) that would lead to decreasing vehicular volumes. Transportation demand models are largely dependent on historical travel patterns and mode choices when forecasting future traffic projections and are not able to capture the benefits of a shift to multi-modal options. As for the project, Alternative 4 would result in a potentially significant impact related to neighborhood intrusion. As described above, the slightly greater VMT, along with fewer vehicle lane conversions, would result in slightly less congestion than the MP 2035, which would result in a slightly less likelihood for cut-through traffic. Therefore, Alternative 4 would have more incrementally fewer effects related to neighborhood intrusion than compared to the MP 2035.

**Congestion Management Program.** VMT under Alternative 4 would be greater than Existing conditions and greater than the MP 2035. The greater VMT under Alternative 4, along with fewer vehicle lane conversions would result in slightly less congestion than the MP 2035 and a slightly lower demand to capacity ratio than the MP 2035. Therefore, Alternative 4 would have incrementally fewer effects related to CMP than compared to the MP 2035.

**Emergency Access.** As with the MP 2035, Alternative 4 would result in increased congestion, which could impede emergency access resulting in potentially significant impacts to emergency access. Therefore, the significant impacts related to emergency access for Alternative 4 would be similar to the MP 2035.

**Expose Persons or Generate Excessive Noise or Vibration Levels Above Standards.** As with the proposed project, Alternative 4 would result in a potentially significant impact related to construction noise and construction vibration; with implementation of mitigation, these impacts could be reduced to less than significant. As with the proposed project, noise impacts related to increased bus movements and changes to the TEN could result in significant impacts related to increased bus noise.

**Substantial Permanent Increase in Ambient Noise Levels.** As with the proposed project, Alternative 4 would result in significant impacts related to permanent increases in bus noise.

**Adverse Effect on Sensitive Species, Sensitive Habitats, or Wetlands.** As with the proposed project, under Alternative 4, mobility improvements could require widening outside the right-of-way that would have the potential to affect sensitive species, sensitive habitats, and/or wetlands. Therefore, as with the proposed project, a potentially significant impact related to an adverse effect on sensitive species, sensitive habitats, and/or wetlands would occur.

#### **FINDING ON ALTERNATIVE 4 – PROJECT WITH PRIORITY BIKE LANES ONLY**

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

1. Alternative 4 would not avoid the significant and unavoidable impacts of the project (RDEIR at 5-19 to 5-22). In terms of intensity, Alternative 4 lies between the MP 2035 and Alternative 3. Alternative 4 reflects an alternative with similar comprehensive mobility improvements as the MP 2035 that would, in turn, result in similar environmental impacts.
2. Alternative 4 would not as fully meet the primary purpose, objectives and goals of the project to implement the Complete Streets Act and provide multi-modal access to all Angelenos. The primary difference between Alternative 4 and the MP 2035 is that Alternative 4 includes only priority lanes (in general those bike lanes that have been identified to be implemented in the short-term) on the bicycle network. The resulting outcome of the inclusion of priority bike lanes only in Alternative 4 provides a multi-modal transportation network with increased connectivity compared to Alternative 3 and less connectivity compared to the MP 2035.
3. Alternative 4 would not as fully implement the goals and objectives of the project (safety first, world class infrastructure, access for all Angelenos, clean environment and healthy communities) and it would not as fully incorporate the City's Bicycle Plan (RDEIR at 5-19 to 5-22).

## 5.5 Alternative 5 – Increased Comprehensive Enhancements, Transit Only Lanes

Alternative 5 includes the same roadway enhancements as for the MP 2035 except that it assumes that all streets on the TEN have exclusive bus lanes for the whole day.

### Impact Analysis

**Circulation System.** Daily VMT under Alternative 5 would be less than the proposed project. Alternative 5 would result in greater vehicle lane conversions and, therefore, in more potentially significant impacts related to the circulation system as compared to the proposed project. The conversion of lanes to all day bus only lanes on the TEN would likely increase vehicle congestion compared to the proposed project. This would result in more congestion and an increase in impacts to the circulation system compared to the proposed project.

**Neighborhood Intrusion.** Alternative 5 would cause increases in traffic congestion along roadways compared to the proposed project; therefore, increased diversion of trips could occur onto adjacent parallel routes and through neighborhoods. However, the model-estimated changes in circulation system conditions for the project, and alternatives that include increased facilities for bicyclists, pedestrians and transit users, are conservative. They are vehicle-centric estimates based on historical travel behavior patterns and do not account for changes in demographics, vehicle ownership patterns, energy prices, and migration to alternate modes (pedestrian, bicycle and transit) that would lead to decreasing vehicular volumes. Transportation demand models are largely dependent on historical travel patterns and mode choices when forecasting future traffic projections and is not able to capture the benefits of a shift to multi-modal options. As with the proposed project, Alternative 5 would result in a potentially significant impact related to neighborhood intrusion (impacts would be greater than the proposed project).

**Congestion Management Program.** VMT under Alternative 5 would be less than the proposed project. However, the conversion of vehicle lanes to all day bus only lanes on the TEN would likely increase vehicle congestion compared to the proposed project. This would result in more congestion and an increase in impacts to the CMP compared to the proposed project.

**Emergency Access.** As with the proposed project, Alternative 5 would result in increased congestion, which could impede emergency access. It is likely that the all-day bus only lanes would provide additional movement opportunities for emergency vehicles. Therefore, the significant impacts related to emergency access for Alternative 5 would be less than the proposed project. Nonetheless, this impact could remain significant because of the number of areas of the city without bus only lanes.

**Expose Persons or Generate Excessive Noise or Vibration Levels Above Standards.** As with the proposed project, Alternative 5 would result in a potentially significant impact related to construction noise and construction vibration; with implementation of mitigation, these impacts could be reduced to less than significant. Increased transit enhancements could result in a greater impact on bus noise as compared to the proposed project and this impact would be significant as with the proposed project.

***Substantial Permanent Increase in Ambient Noise Levels.*** As with the proposed project, Alternative 5 would result in significant impacts related to a permanent increase in bus noise (the impact could be greater than the MP 2035 because of the increased bus facilities).

***Adverse Effect on Sensitive Species, Sensitive Habitats, or Wetlands.*** As with the proposed project, Alternative 5 could require widening outside the right-of-way that could have to potential to affect sensitive species, sensitive habitats, and/or wetlands. Therefore, as with the proposed project, a significant impact related to an adverse effect on sensitive species, sensitive habitats, and/or wetlands could occur

### **FINDING ON ALTERNATIVE 5 – INCREASED COMPREHENSIVE ENHANCEMENTS, TRANSIT ONLY LANES**

The City rejects this alternative for any and all of the following reasons:

1. Alternative 5 would not avoid any significant unavoidable impacts from the project (RDEIR at 5-22 to 5-26). The primary difference between Alternative 5 and the proposed project is that Alternative 5 includes mostly Comprehensive enhancements to the TEN, which involves all-day lane conversions to bus only lanes. Alternative 5 encompasses all of the multi-modal improvements as the MP 2035 and has greater benefits to the project but also has greater adverse significant impacts (greater congestion, neighborhood intrusion, CMP freeway impacts and emergency access).

## **5.6 Environmentally Superior Alternative**

Section 15126(e)(2) of the CEQA Guidelines requires an EIR to identify an “environmentally superior alternative.” If the No Project Alternative is the environmentally superior alternative, the EIR must also identify an environmentally superior alternative from among the other alternatives. Based on the Final EIR there are no alternatives that would eliminate the significant impacts associated with the MP 2035 and satisfy a majority of project goals and objectives. Even the No Project Alternative results in many of the same impacts as the project because of the anticipated increased development between now and 2035. The No Project Alternative may not have the noise impact associated with buses or the biological impact associated with widening of roadways, but it would have additional impacts related to inconsistency with land use and air quality plans.

The alternatives evaluated would satisfy project goals and objectives and vary incrementally in the intensity of environmental effects. The proposed project and Alternatives 2, 3, 4, and 5 would result in significant impacts to circulation, neighborhood intrusion, CMP, emergency access, bus noise, sensitive species, sensitive habitats, and wetlands. Although the impacts anticipated under Alternative 2 would be similar to Alternatives 3, 4, and 5, and the proposed project, Alternative 2 would result in an incrementally lower level of effect due to the lower intensity of physical changes to the enhanced networks (reduced intervention with existing roadways) while at the same time achieving project objectives (albeit to a lesser degree than the project). Therefore, Alternative 2 is considered to be the environmentally superior alternative due to a lower level of environmental impacts.

It should be noted, however, that the model-estimated changes in circulation system conditions for the project, and alternatives that include increased facilities for bicyclists, pedestrians and transit users, are conservative with respect to vehicle impacts. That is, they are vehicle-centric estimates based on historical travel behavior patterns and do not account

for changes in demographics, vehicle ownership patterns, energy prices, and migration to alternate modes (pedestrian, bicycle and transit) that would lead to decreasing vehicular volumes. Transportation demand models are largely dependent on historical travel patterns and mode choices when forecasting future traffic projections and are not able to capture the benefits of a shift to multi-modal options. For example, the percentage of people traveling by bicycle have grown in the cities that have also invested in low stress bicycle network facilities that are similar in scale as proposed by the BEN in the MP 2035. An earlier analysis of the 2010 Bicycle Plan found that completion of the 1,684 miles of bikeways proposed in that Plan would be projected to achieve 3.6 percent bicycle commute mode share, which was based on a study of 43 large cities across the country that implemented standard bicycle facilities.<sup>3</sup> However, this projection did not factor in the low stress facilities in the MP 2035, which would attract a much larger demographic than standard bicycle lanes. The experience of other U.S. cities show protected bicycle lanes results in faster adoption of bicycle commuting by a greater portion of the population than standard facilities. Bicycle commuting doubled in just five years (2008-2013) in New York City and Washington D.C., the two cities that first started building modern protected bicycle lanes,<sup>4</sup> and the average protected bike lane shows bike counts increase by 75 percent in the first year.<sup>5</sup> A protected bicycle lane in New York City saw 190 percent increase in weekday ridership, and 32 percent of those biking were under 12 years.<sup>6</sup> In 2012, bicycle trips were 36 percent of commute trips in Copenhagen<sup>7</sup>, a city that has invested in a high-density network of protected bicycle lanes.

The proposed project would achieve more multi-modal mobility improvements and, in the long run, it is anticipated that a more robust multi-modal network as would occur under the proposed project, could be more beneficial to the City. As more people choose alternative modes to vehicles, greater choice would be provided by the proposed project (as compared to Alternative 2) because alternative modes (transit, bicycles and pedestrian) would have more interconnected networks, potentially accelerating shifts to modes other than vehicles and thereby further reducing impacts (e.g. air emissions, GHG emissions) beyond those presented in the Final EIR.

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<sup>3</sup> Dill, Jennifer and Theresa Carr. 2003. Bicycle Commuting and Facilities in Major Cities: If You Build Them, Commuters Will Use Them. Transportation Research Record 1828:116-123

<sup>4</sup> People for Bikes website. <http://www.peopleforbikes.org/blog/entry/nyc-and-dc-protected-lane-pioneers-just-doubled-biking-rates-in-4-years> Accessed May 7, 2015

<sup>5</sup> Monsere, C., et al., 2014. *Lessons from the Green Lanes: Evaluating Protected Bike Lanes in the U.S.*. National Institute for Transportation and Communities. <http://www.peopleforbikes.org/blog/entry/everywhere-they-appear-protected-bike-lanes-seem-to-attract-riders> access on May 7, 2015

<sup>6</sup> NYC DOT, 2012. *Prospect Park West: Traffic Calming & Bicycle Path*. [http://www.nyc.gov/html/dot/downloads/pdf/2012\\_ppw\\_trb2012.pdf](http://www.nyc.gov/html/dot/downloads/pdf/2012_ppw_trb2012.pdf) accessed on May 7, 2015

<sup>7</sup> Copenhagen Bicycle Account 2012, Cycling Embassy of Denmark. <http://www.cycling-embassy.dk/2013/06/03/6995/> website accessed May 7, 2015

## SECTION 6: STATEMENT OF OVERRIDING CONSIDERATIONS

The MP 2035 Final EIR identifies unavoidable significant impacts that would result from implementation of the MP 2035. Section 21081 of the California Public Resources Code and Section 15093(b) of the CEQA Guidelines provide that when a public agency approves a project that will result in the occurrence of significant impacts that are identified in the Final EIR but are not avoided or at least substantially lessened, the agency must state in writing the reasons to support its action based on the certified Final EIR and/or other information in the record. Section 21081 of the California Public Resources Code and Section 15093(b) of the CEQA Guidelines require that the decision maker adopt a Statement of Overriding Considerations at the time of approval of a project if it finds that significant adverse environmental effects have been identified in the Final EIR which cannot be avoided or substantially mitigated to an insignificant level. These findings and the Statement of Overriding Considerations are based on substantial evidence in the record, including but not limited to the Final EIR, and documents, testimony, and all other materials that constitute the record of proceedings.

The MP 2035 Final EIR concluded that, despite the adoption of feasible mitigation measures, the MP 2035 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, congestion management plan and emergency access); noise and vibration (excessive noise from buses and permanent noise increase from buses); and biological resources (sensitive species/habitats, Wetlands).

Accordingly, the City Council adopts the following 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 MP 2035 for the reasons discussed above, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the Plan, including region-wide or statewide environmental benefits, against the Plan's significant and unavoidable impacts, the City Council hereby finds that the benefits of the MP 2035 outweigh and override the significant unavoidable impacts for the reasons stated below.

The following reasons summarize the benefits, goals and objectives of the MP 2035, and provide, in addition to the adopted findings, the rationale for the City Council's determination that the benefits of the MP 2035 outweigh its significant and unavoidable adverse impacts. These overriding considerations of the economic, social, aesthetic, and environmental benefits justify adoption of the MP 2035. Any of these overriding considerations individually would be sufficient to outweigh the adverse environmental impacts of the MP 2035 and justify its approval. In particular, achieving the underlying purposes for the MP 2035 would be sufficient to override the significant environmental impacts of the MP 2035.

The City Council, having considered all of the foregoing, finds that the following specific overriding economic, legal, social, technological, or other benefits of the MP 2035 outweigh the identified unavoidable significant adverse impacts on the environment. The City Council expressly finds that the following benefits, individually or collectively, would be sufficient to reach this conclusion:

1. The MP 2035 promotes a balanced transportation system that would accommodate anticipated population growth and guide physical development towards a desired image that is consistent with the social, economic and aesthetic

values of the City.

2. The Final EIR provides a programmatic mitigation framework to guide transportation projects in order to reduce environmental impacts of future plans and projects.
3. The MP 2035 brings the City's General Plan in to compliance with the Complete Streets Act.
4. The MP 2035 supports the policies and goals of the 2012-2013 RTP/SCS and the General Plan Framework, and allows the City to meet future needs for the growth in population projected for the year 2035 by the Southern California Association of Governments.
5. The MP 2035 would improve local mobility through development of a balanced, multi-modal transportation network.
6. The MP 2035 is consistent with SB 375. The MP 2035 focuses on multi-modal improvements, consistent with SB 375 and the Sustainable Communities Strategy, and therefore would be expected to contribute to decreasing regional vehicle miles traveled, vehicle trips, and greenhouse gas emissions.
7. The MP 2035 is designed to increase the person carrying capacity of City streets. 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 +170 percent, Transit +56 percent, Walking +38 percent. Forecast increases in transit boardings would be 32 percent greater than the Future No Project, which equates to over 400,000 more transit boardings every day.
8. The MP 2035 would convert over 560 miles of general purpose travel lanes to BEN or TEN lanes, resulting in (using a vehicle-centric analysis) an overall reduction in trips (219,00 per day) and VMT (1.7 million fewer miles per day) relative to Business as Usual (Future No Project). Per capita VMT would be 2.1 percent lower than Business as Usual.
9. The MP 2035 would result in more than 95 percent of the City's population and employment being within one mile of a high-quality bicycle facility, serving an additional 2 million residents and 780,000 jobs relative to the Future No Project. Approximately 70 percent of jobs and 65 percent of residents would be within one-quarter mile of a high-quality bicycle facility under the proposed project.
10. The MP 20135 would result in more than 80 percent of the City's population and 85 percent of its employment being within one mile of a high-quality transit facility, serving an additional 1.1 million residents and 370,000 jobs relative to the Future No Project. Accessibility to high-quality transit facilities within a quarter mile would increase more than three-fold for population and would more than double for employment between the Future No Project and Project conditions.
11. The MP 2035 promotes active transportation modes (i.e., bicycling and walking) by providing lanes for bicycles and pedestrian enhancements. In general in the

region (according to the 2012 RTP/SCS), active transportation spending is expected to increase the region's bikeways from 4,315 miles to 10,122 miles and bring significant portions of deficient sidewalks into compliance with the Americans with Disabilities Act (ADA), along with implementing other safety improvements. The Plan's emphasis on transit and active transportation will allow the City's residents to lead a healthier and active lifestyle.

12. The MP 2035 provides air quality and public health benefits by reducing regional trips, and therefore reducing regional air quality as compared to a mobility plan focused on single-occupancy vehicles. Compared to Existing conditions reactive organic gases (ROG), carbon monoxide (CO) and nitrogen oxides (NO<sub>x</sub>) would be substantially less than today (as a result of Statewide emission controls).
13. The MP 2035 promotes safety by designing city streets to prioritize the safety of the most vulnerable road user. The Plan's emphases on designing for target operating speeds and enhanced bicycle and pedestrian facilities will help achieve the objective to eliminate traffic-related pedestrian and bicycle fatalities by 2035.
14. The MP 2035 would reduce GHG emissions, and would be consistent with policies included in the 2012-2035 RTP/SCS promoting alternative transportation that would reduce VMT as compared to what could occur without the MP 2035.
15. The MP 2035 encourages and creates incentives for energy efficiency by reducing VMT and therefore consumption of transportation fuel.
16. The MP 2035 could reduce annual household costs associated with driving.
17. The MP 2035 balances the policy goals and objectives of the City better than the alternatives, as discussed in Section 5, Feasibility of Project Alternatives.

For the above-mentioned reasons, the City of Los Angeles City Council hereby concludes that the benefits of the MP 2035 outweigh and override any adverse environmental impacts associated with the proposed project.