

**Findings of Fact and Statement of Overriding Considerations  
for Adoption of a  
Final Environmental Impact Report**

**Paseo Del Mar Permanent Restoration  
Project**

*State Clearinghouse No. 2016101016*



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# 1.0 INTRODUCTION

## 1.1 INTRODUCTION

The *California Environmental Quality Act (CEQA)* (*Public Resources Code* Section 21081) and the CEQA Guidelines (Section 15901) require that no public agency approve or carry out a project for which an Environmental Impact Report (EIR) has been certified which identifies one or more significant effects of the project on the environment unless both of the following occur:

(a) The public agency makes one or more of the following possible findings with respect to each significant effect:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
2. Changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

As required by CEQA, the City of Los Angeles Department of Public Works, Bureau of Engineering (BOE) expressly finds that the Final EIR for the Paseo Del Mar Permanent Restoration Project (proposed project) reflects BOE's independent review and judgment. In accordance with the provisions of CEQA and the CEQA Guidelines, BOE adopts these Findings as part of its certification of the Final EIR.

In conjunction with its adoption of these Findings, BOE has reviewed and considered a substantial amount of material, including, but not limited to, the following:

- Paseo Del Mar Permanent Restoration Project Initial Study;
- Paseo Del Mar Permanent Restoration Project Draft EIR and all appendices and technical reports thereto; and
- Comments and Responses to Comments on the Paseo Del Mar Permanent Restoration Project Draft EIR.

## 1.2 ORGANIZATION OF CEQA FINDINGS OF FACT

The content and format of this CEQA Findings of Fact and Statement of Overriding Considerations is designed to meet the latest CEQA Statutes and Guidelines. The document is organized into the following sections:

**Chapter 1, Introduction**, outlines the organization of this document and identifies the location and custodian of the record of proceedings.

**Chapter 2, Project Description**, describes the location and existing setting, objectives, characteristics, and the required permits and approvals for the proposed project.

**Chapter 3, CEQA Review and Public Outreach**, describes the steps BOE has undertaken to comply with the CEQA Guidelines as they relate to public input, review, and participation during the preparation of the Draft and Final EIRs.

**Chapter 4, Findings of No Environmental Effects**, provides a summary of those environmental issue areas where no reasonably foreseeable impacts would occur.

**Chapter 5, Findings of Less Than Significant Environmental Effects without Mitigation**, provides a summary of impacts determined to be below the threshold of significance without the incorporation of mitigation measures.

**Chapter 6, Findings of Less Than Significant Environmental Effects with Mitigation**, provides a summary of potentially significant environmental effects for which implementation of identified feasible mitigation measures would avoid or substantially reduce the environmental effects to less than significant levels.

**Chapter 7, Findings of Significant Environmental Effects**, provides a summary of potentially significant environmental effects for which no feasible mitigation measures are identified or for which implementation of identified feasible mitigation measures would not avoid or substantially reduce the environmental effects to less than significant levels.

**Chapter 8, Findings Regarding Project Alternatives**, provides a summary of the alternatives considered for the proposed project.

**Chapter 9, Findings on Mitigation Monitoring and Reporting Program**, provides a brief discussion of the project's compliance with the CEQA Guidelines regarding the adoption of a program for reporting and monitoring.

**Chapter 10, Findings on Changes to the Draft EIR and Recirculation**, provides a summary of the changes to the Draft EIR in response to public comments received and findings that changes to the Draft EIR do not require recirculation of the Draft EIR for public review.

**Chapter 11, Statement of Overriding Considerations**, presents the Statement of Overriding Considerations for the significant adverse effects that cannot be avoided, even with the implementation of proposed mitigation measures.

## **1.3 RECORD OF PROCEEDINGS**

The documents and other materials that constitute the record of proceedings upon which project approval is based are located at 1149 South Broadway, Suite 600, Los Angeles. The City of Los Angeles Department of Public Works, Bureau of Engineering, Environmental Management Group is the custodian of such documents and other materials that constitute the record of proceedings. The record of proceedings is provided in compliance with *Public Resources Code* Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e).

## **2.0 PROJECT DESCRIPTION**

### **2.1 PROJECT LOCATION AND SETTING**

The project site includes a landslide area located on a portion of Paseo Del Mar in the San Pedro community of the City of Los Angeles. Paseo Del Mar provides east-west access to motor vehicles, bicycles, and pedestrians in the southernmost portion of the San Pedro community. At this location, Paseo Del Mar is bounded on the north by the White Point Nature Preserve, which is owned by the City of Los Angeles Department of Recreation and Parks; on the east by Weymouth Avenue; on the south by property owned by the Los Angeles County Department of Beaches and Harbors, then further south by the Pacific Ocean; and on the west by White Point-Royal Palms County Beach Park. Interstate 110 (I-110, Harbor Freeway) is oriented in a north-south direction in this area of the City, and is located approximately 2.65 miles northeast of the project site. The White Point Nature Preserve encompasses the former White Point Reservation area of the Fort MacArthur Military Base and includes the decommissioned Nike Missile Silo Area. State Route 47 (SR 47, Seaside Freeway) is oriented in an east-west direction and is also located approximately 2.65 miles northeast of the project site.

The project site includes an approximately 400-foot-long segment of the Paseo Del Mar Right-Of-Way (ROW) that was damaged by the 2011 landslide event near the White Point area of the Palos Verdes Peninsula. In the project area, Paseo Del Mar is a two-lane roadway with shoulders on the north and south sides, a Tier II bike lane, and a sidewalk along the cliff side (south side). The Paseo Del Mar ROW has a curb to curb roadway width of 46 feet, with a 13-foot-wide sidewalk. The current total ROW street width is 70 feet. Based upon the ROW width, Paseo Del Mar is a designated secondary highway. Emergency measures have been implemented to stabilize the project site. A cul-de-sac has been developed at the intersection of Paseo Del Mar and Weymouth Avenue to the east of the project site, and the western end of the project site has been fenced off, thereby prohibiting all vehicular and pedestrian traffic through the project site. As construction activities would occur within the existing landslide area, the project site also encompasses that area.

### **2.2 PROJECT OBJECTIVES**

The fundamental purpose of the proposed project is to restore the section of roadway that collapsed in the 2011 landslide event to its original function. Specific objectives related to this fundamental purpose include:

- Design, construct, and operate a geotechnically stable roadway in the landslide area to restore continued access along Paseo Del Mar.
- Limit the amount of earthwork and grading activities required to restore roadway access along Paseo Del Mar.
- Develop and implement a vegetation plan on the seaward side of the Paseo Del Mar ROW to further stabilize the area that was disturbed by the landslide.

### **2.3 SUMMARY OF THE PROPOSED PROJECT**

In the EIR, BOE considered three build alternatives for the permanent restoration of the collapsed portion of the Paseo Del Mar roadway, including one bridge alternative, and two

alternatives using either a reinforced embankment or a retaining wall. The analysis in the EIR identified Alternative 1 – Bridge Spanning Over Landslide, as the Environmentally Superior Alternative as it would result in the fewest environmental impacts overall when compared to the other alternatives considered, and would result in no permanent environmental impacts. Thus, Alternative 1 has been selected as the preferred alternative for the proposed project and is further described below.

Alternative 1 would seek to limit major earthwork and remediation of the existing landslide area by constructing a single long-span bridge supported on stable ground outside of the limits of the landslide area. Paseo Del Mar would be located on a bridge structure that spans over the landslide area. A cast-in-place concrete box girder or double box girder bridge superstructure would be utilized supported by seat abutments. The bridge span would be approximately 400 feet long and 63 feet 5 inches wide. The bridge proposed under this preferred alternative would be located approximately 130 feet above the beach level. Stone patterning may potentially be considered for the bridge wingwalls as an aesthetic, architectural element. The proposed project would include the possibility of a sidewalk, up to 5 feet wide on the north side of the roadway, in addition to the sidewalk of up to 15 feet wide on the south side of the roadway. Standard barriers would be installed on each edge of the bridge. These barriers may potentially include additional architectural features, such as concrete staining, cobble stone patterning, or decorative railing.

As the abutment pile supports for the bridge would be set back approximately 150 feet from the shoreline, protection against erosion would not immediately be required. However, like any structure proximal to the shoreline, ongoing monitoring would be needed and, should substantial erosion occur, protective measures would be implemented during the operation of this alternative.

Roadway and drainage design for Alternative 1 would conform to BOE standard specifications. Signing, striping, and any traffic signal modifications, if needed, would be implemented in accordance with the City of Los Angeles Department of Transportation standards. Additionally, Alternative 1 would include the planting of native vegetation on the seaward side of Paseo Del Mar to further stabilize the surface of the landslide area by reducing erosion.

## **2.4 DISCRETIONARY ACTIONS**

An EIR is a public document used by a public agency to analyze the significant environmental effects of a proposed project, to identify alternatives, and to disclose possible ways to reduce or avoid environmental damage (CEQA Guidelines, Section 15121). As an informational document, an EIR does not recommend for or against approving a project. The main purpose of an EIR is to inform governmental decision makers and the public about potential environmental impacts of the project.

The EIR prepared for the Paseo Del Mar Permanent Restoration Project will be used by BOE, as the lead agency under CEQA, in making decisions with regard to the adoption of the proposed project and the subsequent construction and development of Alternative 1 (preferred alternative), described above. Various permits and approvals would be required in order to approve and implement the project. These may include but may not be limited to, the following:

**United States Army Corps of Engineers**

- Permit for any grading or permanent changes in the area of impacts near the high water elevation
- *Clean Water Act* (CWA) Section 404 Permit

**California Coastal Commission**

- Coastal Development Permit

**State of California, Los Angeles Regional Water Quality Control Board**

- National Pollutant Discharge Elimination System Permit for stormwater discharge
- (CWA) Section 401 Water Quality Certification

**Los Angeles County Department of Beaches and Harbors**

- Permit for work that disturbs or intrudes upon the County beach area

**Los Angeles County Flood Control District**

- Storm Drain Connection Permit

**City of Los Angeles Department of Building and Safety**

- Building Permit
- Grading Permit

**City of Los Angeles**

- Permits for disposal of materials and haul routes

**City of Los Angeles Department of Transportation**

- Traffic Signal Design Plan approval for any new traffic signals
- Crosswalk Design Plan approval for any new crosswalks

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### **3.0 CEQA REVIEW AND PUBLIC OUTREACH**

BOE has complied with the CEQA Guidelines during the preparation of the EIR for the proposed project. The Draft EIR, dated April 2017, was prepared after soliciting input from the public, responsible agencies, and affected agencies through the EIR scoping process. The “scoping” of the EIR was conducted utilizing several of the tools available under CEQA. In accordance with Section 15063 of the CEQA Guidelines, a Notice of Preparation (NOP) and Initial Study were prepared and distributed to the State Clearinghouse, responsible agencies, affected agencies, and other interested parties on October 6, 2016. The NOP was posted in the Los Angeles County Clerk’s office for 30 days; however comments on the NOP were accepted through November 10, 2016. A public scoping meeting was held on October 26, 2016 at The Plaza at Cabrillo Marina in the San Pedro community, to solicit input on the proposed project. The NOP was also submitted to the California Office of Planning and Research (State Clearinghouse) to officially solicit participation in determining the scope of the EIR. Information requested and input provided during the NOP comment period regarding the scope of the EIR are included in the EIR.

The Draft EIR was circulated for an extended 60-day public review and comment period starting on April 6, 2017 and concluding on June 5, 2017. The public review period was conducted pursuant to CEQA and its implementing guidelines, which requires a 45-day review period. The 60-day review period provided interested public agencies, organizations, and individuals additional opportunity to comment on the contents and accuracy of the document. The document and the Notice of Completion (NOC) were distributed to the California Office of Planning and Research, State Clearinghouse. Relevant agencies also received copies of the document. A Notice of Availability (NOA) was distributed to approximately 136 relevant legislators, agencies, and community stakeholders, and approximately 210 individuals. The NOA informed them of where they could view the document and how to comment. Copies of the Draft EIR document were made available to the public for review at two local libraries, the Council District 15 Harbor District Office, and BOE Headquarters. An electronic copy of the document was also posted online. The NOA was filed with the County Clerk on April 6, 2017.

A public meeting was held during the Draft EIR public review period to solicit comments from interested parties on the content of the Draft EIR. Information regarding the public meeting was included in the NOA, which was widely distributed, as described above. The meeting was held on May 3, 2017, also at The Plaza at Cabrillo Marina in the San Pedro community.

A Final EIR has been completed and includes written comments received by mail and electronic-mail on the Draft EIR, oral comments received at the Draft EIR public meeting, written responses to the written and oral comments received, and the associated changes to the Draft EIR.

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## 4.0 FINDINGS OF NO ENVIRONMENTAL EFFECTS

Based on the Final EIR and the record of proceedings, BOE finds that Alternative 1 (preferred alternative) would have no impacts associated with agriculture and forestry resources; geology and soils (alternative wastewater disposal systems); hazards and hazardous materials (public airport, and private airstrip); hydrology and water quality (housing or structures within a 100-Year flood hazard area and flooding from failure of a levee or dam); land use and planning (division of an established community); mineral resources; noise (public airport, private airstrip); population and housing; public services (schools, parks, and other public facilities); and transportation and traffic (changes in air traffic patterns, hazardous design features, and alternative transportation). Because the finding of No Impact was made in the Initial Study and because no further information was received or identified during the scoping process, these environmental issue areas were not carried forward for detailed analysis in the EIR. Additionally, the environmental analysis in the EIR determined that Alternative 1 would have no impacts associated with aesthetics (scenic resources within a state scenic highway); biological resources (wetlands, local polices or ordinances protecting biological resources, and habitat or natural community conservation plans); geology and soils (expansive soil); greenhouse gas (GHG) emissions (plans, policies, or regulations regarding the reduction of GHG emissions); land use and planning (habitat or natural community conservation plans); and noise (cumulative impacts).

### 4.1 AESTHETICS – Scenic Resources within a State Scenic Highway

Construction activity associated with Alternative 1 would occur within the roadway ROW and above and adjacent to seaside cliffs. The ROW does not include scenic resources, such as trees, rock outcroppings, or historic buildings. The seaside cliff is considered a scenic resource that would be altered during construction activity. However, the contrast to the natural environment is low. In addition, Paseo Del Mar is not a state designated scenic highway. Operational activity would be limited to the use of the roadway and sidewalks. Therefore, Alternative 1 would result in no impact to scenic resources within a state scenic highway.

#### 4.1.1 FINDINGS

Based on the Initial Study, Draft EIR, Final EIR, all reference documents, responses to comments, and the whole of the record, BOE finds that Alternative 1 would result in no reasonably foreseeable impacts relating to scenic resources within a state scenic highway.

### 4.2 AGRICULTURE AND FORESTRY RESOURCES

The project site is not designated as prime or unique farmland, or farmland of statewide importance on the “California Important Farmland Finder” map provided by the California Department of Conservation. No *Williamson Act* contract land is near the project site, as the nearest Williamson Act contract land is on Santa Catalina Island, approximately 20 miles to the southwest. The project site is designated as Open Space land use and zoned OS, which permits natural resource preserves for the managed production of resources, including but not limited to agricultural lands used for food and plant production. While the OS zone permits agricultural uses, the project site and its surroundings are currently developed with the Paseo Del Mar ROW and the White Point Nature Preserve, and do not include agricultural uses. Alternative 1, therefore, would not impact prime or unique farmland, or farmland of statewide

importance, and would not conflict with or cause conversion of agricultural zoning or Williamson Act land.

The OS Zone allows for natural resource preserves for the managed production of resources, including forest lands. However, the project site is not currently used for any forestry activities, nor does the project site contain any forestry resources. Alternative 1 would occur within the Paseo Del Mar ROW, and would therefore not conflict with existing zoning or cause rezoning of forest land or timberland.

#### **4.2.1 Findings**

Based on the Initial Study, Draft EIR, and the whole of the record, BOE finds that Alternative 1 would result in no reasonably foreseeable impacts relating to agricultural and forestry resources.

### **4.3 BIOLOGICAL RESOURCES – Wetlands/Local Policies or Ordinances Protecting Biological Resources/Habitat or Natural Community Conservation Plans**

No field indicators reflecting the potential presence of non-tidal waters of the U.S. or State were observed in the Biological Study Area (BSA). Additionally, Alternative 1 would not require shoreline protection, and would not impact jurisdictional tidal waters.

A single western sycamore tree was identified within the BSA; however, it is located outside of the project site. It is not anticipated that this tree would be removed as part of the proposed project. However, if it is determined during project implementation that this tree needs to be removed, BOE would comply with the requirements of the City of *Los Angeles Tree Ordinance* and the project would not conflict with local policies or ordinances protecting biological resources.

There are no adopted habitat or natural community conservation plans applicable to the project site. The closest conservation plan area is that of the Rancho Palos Verdes Natural Community Conservation Plan/Habitat Conservation Plan in the City of Rancho Palos Verdes, approximately 1.2 miles northwest of the project site. Due to the distance of the project site from the nearest conservation plan area, development of Alternative 1 would not disturb lands within the boundaries of the plan area. Therefore, Alternative 1 would have not a substantial adverse effect on federally protected wetlands, conflict with local policies or ordinances protecting biological resources, or conflict with the provisions of a habitat or natural community conservation plans.

#### **4.3.1 FINDINGS**

Based on the Initial Study, Draft EIR, Final EIR, all reference documents, responses to comments, and the whole of the record, BOE finds that Alternative 1 would result in no reasonably foreseeable impacts relating to wetlands, local policies or ordinances protecting biological resources, or habitat or natural community conservation plans.

#### **4.4 GEOLOGY AND SOILS – Alternative Wastewater Disposal Systems/Expansive Soil**

Alternative 1 does not include any septic tanks or alternative wastewater disposal systems. Additionally, the soils within the project area are generally characterized as silts, sands, and cobbles; thus the potential for expansive soil hazards is negligible. No impact would occur.

##### **4.4.1 Findings**

Based on the Initial Study, Draft EIR, and the whole of the record, BOE finds that Alternative 1 would result in no reasonably foreseeable impacts relating to the use of alternative wastewater disposal systems, or expansive soil.

#### **4.5 GREENHOUSE GAS EMISSIONS – Plans, Policies, or Regulations regarding the Reduction GHG Emissions**

The measures in the City of Los Angeles' Climate Action Plan do not directly relate to the purpose and objectives of the proposed project. Alternative 1 would not conflict with the California Air Resources Board (CARB) Scoping Plan update or any other plans, policies, or regulations for the purpose of reducing GHG emissions. Alternative 1 would also not generate GHG emissions that would have a significant impact on the environment. Therefore, Alternative 1 would not conflict with any applicable plan, policy, or regulation for the purpose of reducing GHG emissions.

##### **4.5.1 FINDINGS**

Based on the Initial Study, Draft EIR, Final EIR, all reference documents, responses to comments, and the whole of the record, BOE finds that Alternative 1 would result in no reasonably foreseeable impacts relating to plans, policies, or regulations regarding the reduction of GHGs.

#### **4.6 HAZARDS AND HAZARDOUS MATERIALS – Public Airport/Private Airstrip**

The nearest public airport is Zamperini Field Airport, located 5.5 miles north of the project site. The nearest private airport is the Goodyear Blimp Base Airport, located approximately 9.75 miles to the north of the project site. Therefore, Alternative 1 would not be located within a public airport or private airstrip resulting in a safety hazard for people residing or working in the project area.

##### **4.6.1 FINDINGS**

Based on the Initial Study, Draft EIR, and the whole of the record, BOE finds that Alternative 1 would result in no reasonably foreseeable impacts relating to public airports or private airstrips.

## **4.7 HYDROLOGY AND WATER QUALITY – Housing or Structures within a 100-Year Flood Hazard Area/Flooding from Failure of a Levee or Dam**

Alternative 1 would not construct any new permanent or temporary housing, nor would it displace or relocate housing. The project site is located outside of the 100-year flood zone designated by the Federal Emergency Management Agency. Additionally, there are no levees within the project area, and the project site is not identified as a potential inundation zone by the City of Los Angeles. Therefore, Alternative 1 would not be placed within a 100-year flood zone, or expose people or structures to flooding from failure of a levee or dam.

### **4.7.1 FINDINGS**

Based on the Initial Study, Draft EIR, and the whole of the record, BOE finds that Alternative 1 would result in no reasonably foreseeable impacts relating to flooding within a 100-year flood hazard area or failure of a levee or dam.

## **4.8 LAND USE AND PLANNING – Division of an Established Community/Habitat or Natural Community Conservation Plans**

The area surrounding the project site is primarily residential to the east and open space to the south, west, and north. Alternative 1 would restore access along the portion of the Paseo Del Mar ROW that was destroyed by the landslide event in November 2011. The connection between the residential areas to the east and west of the project site would be re-established by Alternative 1, removing the existing division created by the landslide event. Furthermore, no streets or sidewalks would be closed by Alternative 1, and no separation of uses or disruption of access between land use types would occur. The remainder of the area around the Paseo Del Mar ROW would remain open space, and Alternative 1 would not construct any large structures or buildings that would divide the nearby residential communities. Additionally, there are no adopted habitat or natural community conservation plans applicable to the project site. Therefore, Alternative 1 would not divide an established community, or conflict with the provisions of a habitat or natural community conservation plan.

### **4.8.1 FINDINGS**

Based on the Initial Study, Draft EIR, and the whole of the record, BOE finds that Alternative 1 would result in no reasonably foreseeable impacts relating to division of an established community, or habitat or natural community conservation plans.

## **4.9 MINERAL RESOURCES**

The project site is not located within an oil field or oil drilling area, or in an oil drilling district or state designated oil field. In addition, there are no mines located within the project site. The project site is designated as MRZ-1, where adequate information indicates that there are no significant mineral deposits present, or where it is judged that there is little likelihood for the presence of such minerals. The project site currently contains open space and the Paseo Del Mar ROW, which was used as a roadway until the 2011 landslide event. Therefore, Alternative 1 would not result in the loss of availability of a known mineral resource of value to the region and residents of the state or loss of availability of a locally-important mineral resource recovery site.

#### **4.9.1 FINDINGS**

Based on the Initial Study, Draft EIR, and the whole of the record, BOE finds that Alternative 1 would result in no reasonably foreseeable impacts relating to mineral resources.

#### **4.10 NOISE – Public Airport/Private Airstrip/Cumulative Impacts**

Alternative 1 is not located in the vicinity of a public airport, airport land use plan, or private airstrip. Therefore, no impacts related to exposing people residing or working in the project area to excessive noise levels from a public airport or private airstrip would occur.

The project area is built-out and no concurrent construction activity from a related project has been identified within 500 feet of the project site. Similarly, regarding potential vibration impacts, no concurrent construction activity from a related project has been identified. Therefore, there is no potential for the proposed project to combine with past, present, and reasonably probable future related projects identified by the City to create a cumulative noise impact.

##### **4.10.1 FINDINGS**

Based on the Initial Study, Draft EIR, Final EIR, all reference documents, responses to comments, and the whole of the record, BOE finds that Alternative 1 would result in no reasonably foreseeable impacts relating to noise from public airports and private airstrips, or cumulative noise impacts.

#### **4.11 POPULATION AND HOUSING**

Alternative 1 does not include a component which would create new homes or businesses or otherwise directly increase population, except for temporary construction jobs. It is anticipated that construction workers would be local to the project area and would not relocate. In addition, Alternative 1 would not indirectly cause growth. While Alternative 1 would construct a roadway, the project would restore the Paseo Del Mar ROW to its original function and capacity, and would not create new access or connections that would induce or encourage growth. Therefore, impacts related to substantial direct or indirect population growth would not occur.

The project site currently consists of the Paseo Del Mar ROW as well as open space. Alternative 1 would be located within the previously established Paseo Del Mar ROW, which does not contain housing. Thus, Alternative 1 would not displace housing, nor would the project otherwise displace substantial numbers of persons. Therefore, impacts related to displacement would not occur.

##### **4.11.1 FINDINGS**

Based on the Initial Study, Draft EIR, and the whole of the record, BOE finds that Alternative 1 would result in no reasonably foreseeable impacts relating to population and housing.

#### **4.12 PUBLIC SERVICES – Schools/Parks/Other Public Facilities**

Alternative 1 does not include the development of any residential uses and no direct or indirect employment or population growth would occur. As a result, there would be no increase in the demand for schools, parks, or other public facilities in the area.

#### **4.12.1 FINDINGS**

Based on the Initial Study, Draft EIR, and the whole of the record, BOE finds that Alternative 1 would result in no reasonably foreseeable impacts relating to an increase in the demand for schools, parks, and other public facilities.

#### **4.13 TRANSPORTATION AND TRAFFIC – Changes in Air Traffic Patterns/Hazardous Design Feature/Alternative Modes of Transportation**

Alternative 1 would not create any new obstructions or tall structures that could be a hazard to aircraft navigation. As such, no impact to air traffic patterns would occur. In addition, Alternative 1 is compatible with the existing land use on-site and is not expected to generate any hazards from design features that would result in a safety hazard to pedestrians, personnel, visitors, or nearby neighbors. Alternative 1 would not conflict with adopted policies, plans, or programs supporting alternative transportation. During operation of Alternative 1, bike lanes and pedestrian access would be restored to pre-landslide conditions.

#### **4.13.1 FINDINGS**

Based on the Initial Study, Draft EIR, Final EIR, all reference documents, responses to comments, and the whole of the record, BOE finds that Alternative 1 would result in no reasonably foreseeable impacts relating to changes in air traffic patterns, hazardous design features, or alternative modes of transportation.

## **5.0 FINDINGS OF LESS THAN SIGNIFICANT ENVIRONMENTAL EFFECTS WITHOUT MITIGATION**

Based on the Final EIR and the record of proceedings, BOE finds that Alternative 1 (preferred alternative) would have less than significant environmental effects associated with aesthetics (scenic vista and visual character); air quality; biological resources (wildlife corridors); cultural resources (human remains); geology and soils (rupture of a known earthquake fault and soil erosion); greenhouse gas emissions (generation of greenhouse gas emissions); hazards and hazardous materials (transport, use, disposal, or release of hazardous materials, hazardous materials within one-quarter mile of a school, list of hazardous waste sites, emergency response or evacuation, wildland fire risk); hydrology and water quality (water quality standards, groundwater, drainage pattern changes resulting in erosion or siltation, drainage pattern changes resulting in flooding, stormwater drainage system capacity, degradation of water quality, and inundation by seiche, tsunami, or mudflow); land use and planning (conflict with any applicable land use plan, policy, or regulation); noise (vibration and permanent increase in ambient noise levels); public services (fire protection and police protection); recreation; transportation and traffic (conflict with an applicable plan, ordinance, or policy, congestion management program, and emergency access); tribal cultural resources (California Register of Historical Resources); and utilities and service systems.

BOE also finds that Alternative 1 would not cause cumulatively considerable impacts to aesthetics, air quality, greenhouse gas emissions, hydrology and water quality, land use and planning, recreation, and transportation and traffic. Each of these issues, as well as the potential irreversible environmental changes and growth inducing impacts associated with Alternative 1 are discussed in this section.

### **5.1 AESTHETICS – Scenic Vista/Visual Character/Cumulative Impacts**

Due to the local topography, views of construction activity would be limited to users on the trails within the White Point Nature Preserve, as well as some residences adjacent to the nature preserve. Visible construction features would include temporary fences, material storage areas, areas cleared for construction activities, clearing of the Paseo Del Mar ROW and equipment. Construction activity would include cranes and drill rigs, although the elevated mechanical parts would have low massing that would not disrupt views. Construction features would be visible but would not interfere with scenic vistas of the Pacific Ocean outside the construction zone. Construction equipment would generally be low to the ground and would not obstruct views toward the project site from the north, which generally occur from higher elevations. The construction area would be approximately 125 feet above sea level, and the nature preserve ranges from this same elevation to approximately 350 feet above sea level. Construction equipment and activity associated with the superstructure would be visible from the ocean toward the project site but views are scarce and would occur over substantial distances that make details difficult to discern. Construction disturbances would be short-term and would not substantially change scenic vistas. Therefore, Alternative 1 construction activity would result in a less than significant impact to scenic vistas. The scenic quality rating would slightly decrease due to a drop in the landform rating associated with the proposed superstructure; however, the contrast to the natural environment would be low, and the Key Observation Points would maintain an A rating. Therefore, Alternative 1 operations would result in a less than significant impact to scenic vistas.

Construction activities associated with Alternative 1 would temporarily alter the visual character of the site. Construction disturbances would be short-term and would not substantially change visual character. Therefore, Alternative 1 construction activity would result in a less than significant impact to visual character. Alternative 1 includes a single long-span bridge supported on stable ground outside the limits of the landslide area. Alternative 1 would not introduce a great contrast in the visual quality to the Key Observation Points. Therefore, Alternative 1 operations would result in a less than significant impact to scenic vistas and visual character.

No related projects, including multi-story structures, have been identified that would potentially obstruct scenic vistas, damage scenic resources, degrade the visual character in the project area or create substantial light and/or glare. Therefore, there is no potential for the proposed project to combine with other past, present, and reasonably probable future projects to create a significant cumulative aesthetics impact.

### **5.1.1 Findings**

Based on the Draft EIR, the Final EIR, response to comments, and the whole of the record, BOE finds that Alternative 1 would result in less than significant aesthetics impacts to scenic vistas and visual character, and would not cause cumulatively considerable aesthetics impacts.

## **5.2 AIR QUALITY**

Construction of Alternative 1 would involve the use of off-road equipment, haul trucks, and worker commute trips. Assumptions for off-road equipment emissions in State Implementation Plan (SIP) were developed based on hours of activity and equipment population reported to CARB for rule compliance. The use of construction equipment in the Air Quality Management Plan (AQMP) is estimated for the region on an annual basis, and construction-related emissions are estimated as an aggregate in the AQMP. The project would not increase the assumptions for off-road equipment use in the AQMP. Construction activities to construct Alternative 1 would not increase population beyond that considered in the City of Los Angeles General Plan or the SIP. Because Alternative 1 would be consistent with the assumptions regarding equipment activity and emissions in the SIP and existing planning documents, it is expected that the intensity of construction emissions would have been accounted for in the SIP. Alternative 1 would not conflict with or obstruct implementation of the applicable air quality plan. Therefore, construction impacts related to conflict with or obstruction of implementation of the applicable air quality plan would be less than significant.

Construction emissions for Alternative 1 would result in maximum daily emissions of approximately 4 pounds of volatile organic compounds (VOC), 63 pounds of nitrogen oxides (NO<sub>x</sub>), 26 pounds of carbon monoxide (CO), 33 pounds of particulate matter equal to or less than 10 micrometers in diameter (PM<sub>10</sub>), and 19 pounds of particulate matter equal to or less than 2.5 micrometers in diameter (PM<sub>2.5</sub>). Construction-related emissions of VOC, NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> would not exceed the thresholds of significance. Therefore, construction impacts related to emissions violating an ambient air quality standard or contributing substantially to an existing violation would be less than significant.

Alternative 1 would result in the generation of criteria air pollutant emissions, but at levels that do not exceed any of the South Coast Air Quality Management District (SCAQMD) regional and localized thresholds for construction activities. Operation of Alternative 1 would be generally similar to baseline conditions. The SCAQMD thresholds are designed to identify those projects that would result in significant levels of air pollution and to assist the region in attaining the

applicable state and federal ambient air quality standards. Projects that would not exceed the thresholds of significance, including the proposed project, would not impede attainment and maintenance of ambient air quality standards. Accordingly, Alternative 1 would not result in a cumulatively considerable contribution to the region's air quality. Therefore, impacts related to a cumulatively considerable net increase of any non-attainment criteria pollutant would be less than significant.

The maximum daily construction-related emissions would not exceed any of the SCAQMD Local Significance Thresholds. Construction of Alternative 1 would not expose sensitive receptors to substantial pollutant concentrations. Therefore, construction impacts related to exposure of sensitive receptors to substantial pollutant concentrations would be less than significant.

Construction of Alternative 1 would include emission of odors such as exhaust from diesel construction equipment. However, construction activities would be localized, temporary, and intermittent in nature. While there are residences to the west and east of the project site, construction would occur near but not within these residential areas. Operation of Alternative 1 would generate typical roadway odors, such as automotive exhaust, including diesel exhaust. However, these odors are typical of the roadways around the project site and of the Paseo Del Mar roadway prior to the landslide. Therefore, impacts related to objectionable odors would be less than significant.

By its very nature, air pollution is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development within the South Coast Air Basin, and this regional impact is cumulative rather than being attributable to any one source. A project's emissions may be individually limited, but cumulatively considerable when taken in combination with past, present, and future development projects. The thresholds of significance are relevant to whether a project's individual emissions would result in a cumulatively considerable incremental contribution to the existing cumulative air quality conditions. Alternative 1 would not exceed the project-level air quality significance thresholds for criteria pollutant emissions. Therefore, the proposed project, in conjunction with the related projects, would not have a cumulatively considerable contribution to the region's air quality.

### **5.2.1 Findings**

Based on the Draft EIR, Final EIR, all reference documents, responses to comments, and the whole of the record, BOE finds that Alternative 1 would result in less than significant air quality impacts.

## **5.3 BIOLOGICAL RESOURCES – Wildlife Corridors**

Impacts to a wildlife movement corridor upon implementation of Alternative 1 would not be considered significant, as no wildlife corridor is located within the project site. Bridge options may facilitate some terrestrial (non-bird) wildlife movement under the bridge towards coastal bluff face habitat and the ocean, which may not have been possible under previous road conditions; however coastal bluff face habitat between the roadway and ocean is generally disturbed and drops off steeply to the beach and the intertidal zone. Furthermore, fencing along the north-side of the ROW would restrict wildlife movement from the White Point Nature Preserve south across the new roadway, further reducing potential impacts. As such, less than significant impacts to wildlife corridors or the movement of wildlife species would occur under Alternative 1. Additionally, direct impacts to intertidal Essential Fish Habitat occurring within the BSA would not occur under Alternative 1.

### **5.3.1 Findings**

Based on the Draft EIR, Final EIR, all reference documents, responses to comments, and the whole of the record, BOE finds that Alternative 1 would result in less than significant biological resources impacts to wildlife corridors.

## **5.4 CULTURAL RESOURCES – Human Remains**

No formal cemeteries are known to occur within 0.25-miles of the project area. In addition, no formal cemeteries or other places of human internment are known to exist within project site. No evidence of human remains was observed on the surface during site surveys. In addition, a Sacred Lands File search and Native American contact program were conducted for the proposed project. Human remains are not expected to be encountered during construction. In the event that any human remains or related resources are discovered, such resources would be treated in accordance with state and local regulations and guidelines for disclosure, recovery, relocation, and preservation, as appropriate, including CEQA Guidelines Section 15064.5(e). If human remains are discovered, they would be evaluated by the county coroner as to the nature of the remains. If the remains are determined to be of Native American origin, the Native American Heritage Commission would be contacted and a Most Likely Descendent identified. Compliance with existing regulations would ensure a less than significant impact.

### **5.4.1 Findings**

Based on the Draft EIR, Final EIR, all reference documents, responses to comments, and the whole of the record, BOE finds that Alternative 1 would result in less than significant cultural resources impacts to human remains.

## **5.5 GEOLOGY AND SOILS – Rupture of a Known Earthquake Fault/Soil Erosion**

The project site is located in proximity to two faults and would potentially be subjected to ground shaking in the event of a major earthquake. The risk of hazard is comparable to the risk generally experienced in the surrounding project area. The project site is not located within an Alquist-Priolo Fault Zone and no active or potentially active faults capable of fault rupture are known to traverse the project site. As such, the potential for fault rupture is considered remote and impacts would be less than significant.

Although the project site is located in a seismically active area and ground shaking due to nearby and distant earthquakes would be anticipated, all structures included within the proposed project would be required to be designed and constructed in accordance with the latest bridge and roadway, engineering design standards and specifications. Additionally, the proposed project would be designed and constructed in accordance with the recommendations provided in the Pre-Design, Geotechnical, and Structures report, prepared for the proposed project. With adherence to all applicable building codes and recommendations in the Pre-Design, Geotechnical, and Structures reports, impacts related to ground shaking would be less than significant.

Under Alternative 1, the new bridge structure would comply with Caltrans Seismic Design Criteria version 1.7 and Caltrans Memos to Designers Chapter 20. The span of the proposed bridge exceeds 300 feet, and therefore, does not qualify as an “Ordinary Standard Bridge” as defined by Caltrans Seismic Design Criteria Article 1.1. The bridge would be classified as

“Ordinary Non-Standard Bridge” and may require the development of project-specific seismic design criteria. However, many provisions of the Caltrans Seismic Design Criteria with minor modifications would still apply. A seismic vulnerabilities evaluation of the proposed structure along with a summary of its seismic design evaluation and associated mitigation strategies would be included in its final design phase. Compliance with the Caltrans Seismic Design Criteria and Memo to Designers guidelines would further ensure a less than significant impact to seismic hazards.

The project site is identified by the State and City as not being located within an area susceptible to liquefaction. Therefore, no impacts related to liquefaction would occur.

The abutment pile supports included under Alternative 1 are set back approximately 150 feet from the shoreline; therefore, protection against erosion such as rock armor or rip rap is not immediately required. However, like any structure close to the shore, monitoring of the shoreline is needed and should significant erosion occur, protective measures would then be investigated. The remaining areas between the abutments would not affect the bridge should further erosion occur. The bridge would not be highly susceptible to scour, or the removal of sediment, sand, or rock from around bridge abutments or piers due to swiftly moving water. Therefore, no shoreline protection work such as rock armor or rip rap is required for Alternative 1.

Additionally, the proposed project would comply with the Regional Water Quality Control Board’s National Pollution Discharge Elimination System (NPDES). The construction contractor would also develop and implement an erosion control plan and Storm Water Pollution Prevention Plan (SWPPP) for construction activities. Erosion control and grading plans may include, but would not be limited to minimizing the extent of disturbed areas and duration of exposure; stabilizing and protecting disturbed areas; keeping runoff velocities low; and retaining sediment within the construction area. Construction erosion control BMPs may include temporary desilting basins; silt fences; gravel bag barriers; temporary soil stabilization with mattresses and mulching; temporary drainage inlet protection; and diversion dikes and interceptor swales. As such, the wave erosion of the shoreline would have less than significant impacts to the stability of the bridge foundation. Furthermore, implementation of the construction BMPs would further ensure that Alternative 1 would result in less than significant impacts to construction erosion.

In the long-term, the continuing erosion of Paseo Del Mar embankments at the shoreline may impact the bridge approaches and other roadway segments. BOE would closely monitor the slope conditions of the project area after completion of the proposed project. In the event that erosion would compromise slope stability, BOE would reassess whether additional stabilization measures would be required. Alternative 1 would result in less than significant impacts to operational erosion.

### **5.5.1 Findings**

Based on the Draft EIR, Final EIR, all reference documents, responses to comments, and the whole of the record, BOE finds that Alternative 1 would result in less than significant geology and soils impacts to exposing people or structures to risks involving rupture of a known earthquake fault, strong seismic ground shaking, liquefaction, or landslides, and soil erosion.

## **5.6 GREENHOUSE GAS EMISSIONS – Generation of GHG Emissions/Cumulative Impacts**

Alternative 1 would restore the roadway by constructing a single, long-span bridge supported on stable ground outside the limits of the landslide area. The concept of carbon dioxide equivalents (CO<sub>2</sub>e) is used to account for the different global warming potentials of greenhouse gases (GHG) to absorb infrared radiation. Total emissions over the entire construction period for Alternative 1 would be approximately 2,391 metric tons (MT) CO<sub>2</sub>e. When this total is amortized over the 30-year life of Alternative 1, annual construction emissions would be approximately 80 MT CO<sub>2</sub>e per year. The total and amortized construction-related CO<sub>2</sub>e emissions associated with Alternative 1 would be less than the 10,000 MT CO<sub>2</sub>e per year significance threshold. Therefore, the construction of Alternative 1 would result in less than significant impacts to the generation of GHG emissions.

Additionally, the analysis of greenhouse gas emissions is inherently a cumulative impact analysis, and it is not anticipated that construction and operation of Alternative 1 would generate greenhouse gas emissions that would cause a significant impact on the environment. Therefore, Alternative 1 would not result in a considerable incremental contribution to a significant cumulative impact.

### **5.6.1 Findings**

Based on the Draft EIR, Final EIR, all reference documents, responses to comments, and the whole of the record, BOE finds that Alternative 1 would result in less than significant greenhouse gas emissions impacts to generating greenhouse gas emissions, and would not cause cumulatively considerable greenhouse gas emissions impacts.

## **5.7 HAZARDS AND HAZARDOUS MATERIALS – Transport, Use, and Disposal/Release of Hazardous Materials/Hazardous Materials within One-quarter Mile of a School/List of Hazardous Materials Sites/Emergency Response or Evacuation/Wildland Fire Risk**

The construction of Alternative 1 would be temporary in nature, and would use hazardous materials typical of construction (i.e., fuel and lubricants for construction equipment, paving materials for road construction). These hazardous materials would potentially include gasoline, diesel fuel, lubricants, solvents, and other standard materials used for construction activities. These materials are not classified as acutely hazardous and the transport, use, and disposal of construction-related hazardous materials would comply with applicable laws and regulations such as those established by the California Department of Toxic Substances Control (DTSC), U.S. Environmental Protection Agency, the Occupational Safety and Health Administration, the City of Los Angeles Fire Department (LAFD) and the Los Angeles County Health Department. In addition to routine use, all applicable regulations related to spills and accidents would be implemented. Therefore, impacts related to a significant hazard to the public or the environment through routine use or reasonably foreseeable upset and accident conditions related to hazardous materials would be less than significant.

There are no hazardous materials sites identified pursuant to Section 65962.5 of the Government Code which are listed on or near the project site. The project site is not listed on the State Water Resources Control Board's online GeoTracker system which includes leaking underground fuel tank sites and Spills, Leaks, Investigations, and Cleanups sites; or, the

Department of Toxic Substances Control's EnviroStor Data Management System which includes CORTESE sites; or, DTSC's database of regulated facilities. The project area is not listed on the U.S. Environmental Protection Agency's National Priorities List. Alternative 1 would require excavation. However, there are no known underground storage tanks or other buried hazardous materials or sites within the project boundaries. Should construction activities unearth an underground storage tank or hazardous materials, remediation and construction would proceed in accordance with all applicable laws, ordinances, and regulations. Therefore, impacts related to location of Alternative 1 on a hazardous site would be less than significant.

White Point Elementary School is located approximately one-quarter mile northeast of the project site. As described above, Alternative 1 would not create a safety hazard through use of or accidents related to hazardous materials, and would not be located on or otherwise disturb hazardous sites.

The project site is not located within or near a wildfire area mapped by the City of Los Angeles General Plan Safety Element. However, the project site is located within a Very High Fire Hazard Severity zone as mapped by the City of Los Angeles Fire Department. Alternative 1 would be subject to and would implement the Brush Clearance Requirements of the Fire Code. In addition, Alternative 1 would restore the previous Paseo Del Mar roadway access to pre-landslide conditions. Alternative 1, thus, would not increase the risk of wildland fire in the project area compared to pre-landslide conditions, and would comply with the Fire Code. Therefore, impacts related to creating a safety hazard for people working or residing in the project area would not occur.

The Paseo Del Mar ROW is designated by the City of Los Angeles as a Selected Disaster Route and is also identified as a Disaster Route by County of Los Angeles. Alternative 1 would not require any street closures or traffic detours, or reduce access during construction because the Paseo Del Mar roadway is currently closed to vehicular and pedestrian traffic. Construction trucks and equipment would utilize other roadways, potentially including other emergency evacuation routes, but lane and road closures would not occur. Operations of Alternative 1 would involve use of the newly restored roadway, restoring emergency access to pre-landslide conditions and restoring Paseo Del Mar as a designated disaster route. Therefore, impacts related to interference with emergency response plans would be less than significant.

### **5.7.1 Findings**

Based on the Initial Study, Draft EIR, Final EIR, responses to comments, and the whole of the record, BOE finds that Alternative 1 would result in less than significant hazards and hazardous materials impacts related to transport, use, disposal, and release of hazardous materials, hazardous materials within one-quarter mile of a school, emergency response or evacuation, and wildland fire risk.

## **5.8 HYDROLOGY AND WATER QUALITY – Water Quality Standards/Groundwater/Drainage Pattern Resulting in Erosion or Siltation/Drainage Pattern Resulting in Flooding/Stormwater Drainage System Capacity/Degradation of Water Quality/Inundation by Seiche, Tsunami, or Mudflow/Cumulative Impacts**

During the construction of Alternative 1, excavation, drilling, grading, compaction, and other construction activities would occur within the project site. Although major earthwork and remediation of the landslide area under Alternative 1 would be limited, these activities would involve the disturbance of soil which could introduce sediments to storm water runoff that could affect water quality in local water bodies, including the Pacific Ocean. Fuels and hazardous materials from the machinery can pollute groundwater and storm water runoff through accidental leaks and spills; however, a spill prevention control and countermeasure plan would be implemented to reduce or avoid these risks. With implementation of effective BMPs, as identified in the Construction General Permit and worker environmental awareness training, potential impacts to water quality would be minimized during construction. Therefore, construction impacts related to violating water quality standards, waste discharge requirements, or otherwise substantially degrading water quality would be less than significant under Alternative 1. The operation of the project site under Alternative 1 would be similar to the operation of the project site under baseline conditions, with the addition of surface drainage improvements as a part of the bridge. Surface drainage within the graded landslide area and groundwater underdrainage would have the potential to be contaminated with sediments, naturally occurring metals, or naturally occurring petroleum hydrocarbons. Additionally, the potential for runoff contaminated by vehicle pollutants on the new stretch of Paseo Del Mar would be similar to the baseline conditions on existing nearby sections of Paseo Del Mar. Final drainage design would comply with any applicable treatment BMPs required by the Regional Water Quality Control Board (RWQCB). The City of Los Angeles Bureau of Sanitation administers and reviews projects for compliance with the mandates outlined in the NPDES Municipal Storm Water Permit (No. CAS004001). Depending on the quality of the storm water, it may need to be treated prior to entering the County's storm drain system or outfall to the ocean. With the implementation of appropriate BMPs, water quality impacts would be less than significant during operation of Alternative 1.

Grading of the landslide area under Alternative 1 would mostly be limited to removal of the island area of the landslide, and as such, the need for dewatering during excavation and grading of the landslide area would be unlikely. Although borings for the construction of CIDH piles would be drilled to depths below groundwater, dewatering of the excavations would not be required. Additionally, no major excavation pits would be maintained during grading of the landslide area, as soil excavated from the island would be used to fill the depressions, creating an even slope. There are no known public or private wells in the vicinity of the project site that would be affected by changes in groundwater elevation during construction. Grading of the landslide area would slightly alter the rate of recharge due to compaction of soils. However, less permeable soils would help to stabilize the slope. The project area is not currently used for beneficial purposes and the small change in permeability would not significantly interfere with recharge to groundwater. Therefore, construction impacts related to depletion of groundwater supplies or interfering with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level would be less than significant for construction of Alternative 1. The operation of the project site under Alternative 1 would be

similar to the operation of the project site under baseline conditions, with the addition of subsurface drainage improvements on the west bank. Subsurface drainage improvements would be similar to the drainage improvements located to the east of the landslide area, and would serve the purpose of relieving excess porewater pressure to improve stabilization of the slope. Infiltration would be reduced within the footprint of the Alternative 1 components. Additionally, groundwater flow would be minimally redirected around the impermeable CIDH piles under Alternative 1. However, infiltration would occur in comparable quantities in different areas similar to the baseline conditions, as water would be discharged to nearby pervious areas. Groundwater pumping would not be required during operation of the proposed project. Since the groundwater in the project area is not currently used for beneficial purposes, minor changes due to subsurface drainage improvements and reduced infiltration would not have a substantial effect on groundwater supplies. Therefore, the operational impact on groundwater supplies, groundwater recharge, and groundwater levels would be less than significant under Alternative 1.

The project site is generally level, sloping southward at the top of the bluff, which results in sheet flow downslope toward the cliff scarp. Although some grading work has been performed within the landslide area, due to the topography of the landslide, the graben depression concentrates flow, increasing the potential for erosion and siltation down the face of the bluff. The design of Alternative 1 would change the grade and therefore drainage pattern of the landslide area, as well as its flow rate and volume of surface runoff from the project site. In addition, construction-related activities (i.e., earthmoving activities, spoils piles, material stockpiling, etc.) generally increase the potential for erosion and/or siltation on- and off-site because the ground surface is disturbed. As a result, the ground surface could become unstable and drainage patterns may be slightly altered, changing the way in which surface flow occurs on the site. The project site is greater than one acre and Alternative 1 would be required to develop and implement a SWPPP and BMPs, per the requirements of the NPDES Construction General Permit, which would minimize the potential for erosion and siltation. The design of Alternative 1 would identify the sources of pollution, erosion, and siltation and specify necessary BMPs to improve and manage drainage patterns. Additionally, the alteration in the drainage patterns under Alternative 1 may result in an increased flow rate or quantity, but the change would be insignificant, as the impervious area and groundcover in the vicinity of the project area would not be significantly different from baseline conditions. Therefore, construction impacts related to erosion, siltation, or flooding as a result of an altered drainage pattern would be less than significant under Alternative 1.

The operation of the project site under Alternative 1 would be similar to the operation of the project site under baseline conditions, with the addition of surface drainage improvements as a part of the bridge. Surface water runoff along the bridge and on the newly graded slope below the bridge would be directed to drainage systems outside the limits of the bridge and associated foundation. Such drainage improvements would be designed to reduce flooding and limit the potential for erosion around the CIDH piles and other structural components of Alternative 1. Therefore, operational impacts related to erosion and flooding due to changes in drainage patterns would be less than significant under Alternative 1.

During the construction of Alternative 1, excavation/drilling, grading, compaction, and other construction activities would occur within the project site. During earthwork activities, surface water control and potential pollutants would be managed through implementation of BMPs and the NPDES permit requirements. Therefore, construction impacts related to creating or contributing runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff would be less than

significant during construction of Alternative 1. Alternative 1 would increase the impervious area compared to baseline conditions, resulting in an increased rate of surface runoff. However, based on the analysis of surface runoff flow rates, the runoff increase for the new roadway under Alternative 1 compared to pre-landslide conditions would be minimal. Final drainage design would comply with any storm water flow and water quality BMPs required by the RWQCB. The City of Los Angeles Bureau of Sanitation administers and reviews projects for compliance with the mandates outlined in the NPDES Municipal Storm Water Permit (No. CAS004001). With the implementation of appropriate BMPs, operational impacts related to an exceedance of the capacity of existing or planned storm water drainage systems or a substantially greater contribution of polluted runoff would be less than significant under Alternative 1.

The construction of Alternative 1 generally involves grading of the landslide area, construction of a bridge across the graded slope, and the addition of surface and subsurface drainage improvements. If construction activities result in contaminated runoff, such pollutants would be limited to sediment from exposed, loose soils, as well as runoff from construction equipment and materials. No other sources of runoff pollution would be expected during the construction of Alternative 1. Therefore, no other construction impacts related to substantial degradation of water quality would occur under Alternative 1.

Some construction activities associated with Alternative 1, such as subsurface drainage improvements, may require the occasional presence of construction personnel on the base of the bluff. Thus, inundation by an unexpected tsunami or mudflow may present a potential hazard to construction crews under Alternative 1, depending on the stage of construction. Construction activities would be halted during large storm events in order to minimize the risk of loss due to tsunami or mudflow caused by heavy precipitation. Additionally, the California coastline has a tsunami warning system that will help ensure timely evacuation of the residents in affected areas. Emergency response plans would be developed to address the safety of the project site during construction and would identify actions to be taken if local tsunami warning systems are triggered. Therefore, construction impacts related to the exposure of people or structures to a significant risk of loss, injury, or death involving tsunamis or mudflows would be less than significant under Alternative 1. The operation of the project site under Alternative 1 would be similar to operation under baseline conditions. No new structures would be constructed near the base of the bluff, where the risk of inundation by tsunami is greatest. Additionally, grading and treatment of the landslide area, including revegetation, would reduce the risk of mudflow within the landslide area. Therefore, operational impacts related to the exposure of people or structures to a significant risk of loss, injury, or death involving tsunamis or mudflows would be less than significant under Alternative 1.

Any potentially significant impacts of the related projects associated with the violation of water quality standards, alteration of drainage patterns, water runoff, and flood hazards, would be assessed on a project-by-project basis. The related projects in conjunction with the proposed project would not impact the hydrology and water quality of the watershed as each project would be required to comply with local and state standards. Therefore, less than significant cumulative impacts are anticipated.

### **5.8.1 Findings**

Based on the Draft EIR, Final EIR, all reference documents, responses to comments, and the whole of the record, BOE finds that Alternative 1 would result in less than significant hydrology and water quality impacts to water quality standards, groundwater, drainage pattern changes

resulting in erosion or siltation, drainage pattern changes resulting in flooding, stormwater drainage system capacity, degradation of water quality, and inundation by seiche, tsunami, or mudflow, and would not cause cumulatively considerable hydrology and water quality impacts.

## **5.9 LAND USE AND PLANNING – Conflict with any Applicable Land Use Plan, Policy, or Regulation/Cumulative Impacts**

The project site is subject to the policies and/or regulations of Southern California Association of Government's (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) at the regional level, and the *City of Los Angeles General Plan*, San Pedro Local Coastal Program (LCP) Specific Plan, and *City of Los Angeles Municipal Code* at the local level. Alternative 1 would provide continued access along Paseo Del Mar in the project area through restoration of the damaged segment. The restoration of continued access to vehicles, bicycles, and pedestrians along Paseo Del Mar under Alternative 1 would be consistent with several goals under the RTP/SCS, including maximizing mobility and accessibility for all people and goods in the region; ensuring travel safety and reliability for all people and goods in the region; and encouraging land use that facilitates active transportation. Alternative 1 would not conflict with the 2016-2040 RTP/SCS, and impacts to consistency with this plan would be less than significant.

In the project area, Paseo Del Mar is designated as a Secondary Scenic Highway under the General Plan. The *Mobility Element of the General Plan* states that the design and alignment of a Scenic Highway roadway must include considerations of safety and capacity, as well as preservation and enhancement of scenic resources. The areas surrounding Paseo Del Mar to the north and south, including the existing landslide area, are designated for Open Space uses under the General Plan. The Open Space designation is intended for, among other uses, preservation of natural resources, managed production of resources and wildlife corridors, and protection of life and property due to natural hazards. Alternative 1 would restore continued access along Paseo Del Mar along the same alignment as the pre-landslide conditions, thereby restoring access to and preserving scenic resources along this portion of the scenic highway. Alternative 1 would also include further stabilization of the landslide area to prevent future sliding and increase safety at the project site. The restoration of the roadway that would occur under Alternative 1 would be consistent with the Secondary Scenic Highway designation and compatible with the existing roadway to the east and west of the project site. Additionally, providing additional protection against future landslides at the site under Alternative 1 would be consistent with the Open Space land use designation. Additionally, Alternative 1 would not conflict with the applicable General Plan policies. Therefore, Alternative 1 would result in less than significant impacts to land use consistency.

The San Pedro LCP Specific Plan is the management program for the portion of the San Pedro community located within the Coastal Zone and serves to implement the LCP in compliance with the California Coastal Act. The Specific Plan is intended to protect, maintain, enhance, and restore the overall quality of the Coastal Zone environment. One of the primary objectives of the Specific Plan is to preserve existing scenic views of the ocean and harbor from designated Scenic Highways. Alternative 1 would restore continued access along Paseo Del Mar within the same footprint as the portion of the roadway that was damaged by the 2011 landslide event. As such, public views from Paseo Del Mar along this segment of the scenic highway would be restored to pre-landslide conditions. The southern portion of the project site is located within a Geologically Hazardous Area, as identified in the Specific Plan. As such, development of Alternative 1 would require the preparation of a report by a registered geologist and/or soils engineer identifying any geologic hazards associated with development in this area and stating

that the proposed development would neither create nor contribute significantly to geologic instability of the site. Preparation of such a report would be required prior to the issuance of building permits. Under Alternative 1, the existing landslide area would be further stabilized to protect against future sliding at the site. Thus, Alternative 1 would be designed to prevent future geologic hazards at the project site. BOE would prepare and submit the proper geologic reports prior to the issuance of building permits, as required. As Alternative 1 is located within the Coastal Zone, coastal development permits from the City and the California Coastal Commission would be required for development of Alternative 1. Alternative 1 would be consistent with the intent of the Specific Plan, and BOE would prepare and submit reports, as necessary, and obtain the required development permits in compliance with the Specific Plan. Therefore, impacts related to consistency with the San Pedro LCP Specific Plan would be less than significant.

Alternative 1 would restore the Paseo Del Mar roadway within the same footprint as the portion of the roadway that was damaged by the 2011 landslide event. Restoration of the roadway along its original alignment would not affect the zoning in the project area. Additionally, Alternative 1 would include further stabilization of the existing landslide area to protect against future sliding at the project site. The stabilization measures would not change the existing zoning at the project site. Therefore, no impact to consistency with the *City of Los Angeles Municipal Code* would occur under Alternative 1.

Cumulative land use impacts could occur if other related projects in the vicinity of the project site would result in land use impacts in conjunction with Alternative 1. Alternative 1 would not result in significant land use impacts. Each of the related projects would be required to either generally conform to the land use designations and zoning for their respective project sites or be subject to findings and conditions based on maintaining general conformance with the land use plans applicable to the project area. Development of Alternative 1 in conjunction with the related projects is not anticipated to substantially conflict with the intent of the land use plans, policies, or regulations applicable to each site. Conformance with the applicable land use plans and regulations would ensure that related development would not result in the implementation of incompatible land uses. Therefore, development of Alternative 1 in conjunction with the related projects would not result in a significant cumulative land use impact.

### **5.9.1 Findings**

Based on the Initial Study, Draft EIR, Final EIR, all reference documents, responses to comments, and the whole of the record, BOE finds that Alternative 1 would result in no reasonably foreseeable impacts relating to conflict with any applicable land use plan, policy or regulation, and would not cause cumulatively considerable land use and planning impacts.

## **5.10 NOISE – Vibration/Permanent Increase in Ambient Noise Levels**

There are several different methods that are used to quantify vibration. The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal. The PPV is most frequently used to describe vibration impacts to buildings and is usually measured in inches per second. The root mean square (RMS) amplitude is most frequently used to describe the effect of vibration on the human body. The RMS amplitude is defined as the average of the squared amplitude of the signal. Decibel notation (Vdb) is commonly used to measure RMS. The Vdb acts to compress the range of numbers required to describe vibration.

Alternative 1 would require piles, which would be cast in pre-drilled holes. No impact pile driving would be required. The greatest potential for equipment vibration would be related to caisson

drilling and/or heavy-duty equipment similar to large bulldozers. The Federal Transit Administration (FTA) does not consider outdoor areas to be sensitive to temporary vibration effects. The nearest residence to the project site would be located approximately 200 feet to the east. At this distance, drilling would generate vibration levels of approximately 0.004 PPV or 60 VdB. Vibration levels would not exceed the 0.3 PPV or 72 VdB significance thresholds. Therefore, Alternative 1 would result in a less than significant impact to construction vibration.

Alternative 1 does not include stationary sources of vibration during operations. A potential source of operational vibration would be vehicles travelling along Paseo Del Mar. The FTA has stated that rubber-tired vehicles do not typically generate perceptible vibration levels outside of the right-of-way. Therefore, Alternative 1 would result in a less than significant impact related to operational vibration.

Alternative 1 would restore traffic levels to baseline conditions, or pre-landslide conditions. The highest noise level increase would occur along Paseo Del Mar between Weymouth and Western Avenues. The 2.9-dBA increase from the baseline condition would entirely result from annual traffic growth unrelated to Alternative 1. The increase would be less than 3 dBA and would not exceed the significance threshold. Therefore, Alternative 1 would result in a less than significant impact to permanent noise.

### **5.10.1 Findings**

Based on the Draft EIR, Final EIR, all reference documents, responses to comments, and the whole of the record, BOE finds that Alternative 1 would result in less than significant noise impacts to vibration and permanent ambient noise levels.

## **5.11 PUBLIC SERVICES – Fire Protection/Police Protection**

Alternative 1 would not create any new homes or businesses. While Alternative 1 would construct a roadway, it would restore the Paseo Del Mar ROW to its original function and capacity, and would not create new access or connections that would cause indirect population growth.

The nearest fire station is the LAFD Station 101, located approximately 0.5 miles northeast of the project site at 1414 25th Street. Alternative 1 would not generate a need for new or altered fire protection facilities. In compliance with BOE Standard Project Specifications, construction activities would comply with applicable Fire Code requirements, and would meet State Fire Marshall and LAFD requirements. Alternative 1 would not be a fire hazard and would not exceed LAFD capacity for service. During construction of Alternative 1, LAFD Station 101 would be notified to ensure construction would not impact emergency response. Operation of Alternative 1 would improve connectivity and emergency response access for LAFD.

The nearest police station is the Los Angeles Police Department (LAPD) Harbor Community Police Station, located approximately 3.2 miles northeast of the project site at 2175 John S. Gibson Blvd. Alternative 1 would not generate a need for new or altered police protection facilities. Alternative 1 would not increase the number of people working, residing, recreating, or otherwise present in the area and would not require additional LAPD capacity for service. In compliance with BOE Standard Project Specifications, construction activities would comply with applicable municipal code requirements and all other applicable laws. During construction of Alternative 1, the LAPD Harbor Community Police Station would be notified to ensure construction would not impact emergency response. Operation of Alternative 1 would improve connectivity and emergency response access for LAPD.

### **5.11.1 Findings**

Based on the Initial Study, Draft EIR, and the whole of the record, BOE finds that Alternative 1 would result in no reasonably foreseeable impacts relating to fire and police protection.

## **5.12 RECREATION**

No staged construction or traffic detour would be required during construction of Alternative 1, as vehicular and pedestrian access to the project site is currently prohibited. Construction staging and laydown would occur in the closed portion of the project site. Access to the White Point Nature Preserve and the parking lot on the western side of the project site would be maintained during the construction of Alternative 1. The construction zone would be secured with fencing to separate the White Point Nature Preserve from construction activities. Construction activities would not prevent access to, or disrupt activities associated with other nearby recreation facilities. Existing recreational facilities would maintain service to current users and would not be impacted by the construction of the proposed project.

The demand for parks and recreational services is generally associated with an increase in housing or population. Construction workers would be drawn from the workforce in the greater Los Angeles metropolitan area and would not substantially increase usage of recreational facilities. As such, construction of Alternative 1 would not generate new permanent residents that would increase the demand for parks and recreation facilities. Therefore, Alternative 1 would not result in a substantial increase in the use of existing parks or other recreational facilities, and the impact would be less than significant. Additionally, the restored roadway would include recreational infrastructure (i.e. the bike lane and sidewalk) that existed during pre-landslide conditions, and would not result in the creation of any new recreational facilities or expansion of existing recreation facilities, and would not cause an increase in demand on parks and recreational facilities.

Cumulative recreation impacts could occur if related projects in the vicinity of the project site would result in recreation impacts in conjunction with Alternative 1. The Gaffey Street Pool and Bathhouse Project would repair an existing recreational facility in the project vicinity, and the Public Charter High School Project would construct a new school to replace an existing church site. The demand for parks and recreational services is generally associated with an increase in housing or population. It is unknown whether the Public Charter High School Project would increase the population of the San Pedro community; however, there are several parks located within one mile of the Public Charter High School Project, which are located outside of the one-mile radius of the project site. Therefore, the proposed project, in conjunction with the related projects, would not result in a significant cumulative recreation impact for construction or operation.

### **5.12.1 Findings**

Based on the Draft EIR, Final EIR, responses to comments, and the whole of the record, BOE finds that Alternative 1 would result in less than significant recreation impacts, and would not cause cumulatively considerable recreation impacts.

### **5.13 TRANSPORTATION AND TRAFFIC – Conflict with an Applicable Plan, Ordinance, or Policy/Congestion Management Program/Emergency Access/Cumulative Impacts**

Construction trip generation calculations included construction truck trip estimates and construction employee vehicle trips. The trip generation totals were determined based on the period that would generate the highest number of combined trips for Alternative 1. Truck volumes were multiplied by a factor of 2.5 to estimate the number of passenger car equivalent trips, consistent with truck studies in the project study area. Construction traffic estimated to be generated under Alternative 1 would nominally degrade intersection levels of service at the three signalized intersections. As such, construction activities associated with Alternative 1 would result in less than significant impacts at the study intersections.

A study roadway segment construction analysis was also conducted by forecasting the Alternative 1 construction trips as average daily traffic (ADT) volumes and comparing the number of construction trips to the Future No Project Alternative conditions at roadway segment locations where 24-hour traffic counts were analyzed. Construction traffic generated by Alternative 1 would not impact the residential neighborhoods east of the landslide area. All construction traffic would access the construction site via Western Avenue, with most trips having origins or destinations to the north via Western Avenue. The number of construction trips is not significant on the major roadways as compared to the Future No Project scenario ADTs. Therefore, construction activities associated with Alternative 1 would result in less than significant impacts to the study roadway segments.

Operation of Alternative 1, which would restore continuous access along Paseo Del Mar, would nominally change area traffic patterns, and Level of Service would remain at acceptable levels with no significant impacts of the signalized intersections. Therefore, operational traffic impacts would be less than significant under Alternative 1.

The County of Los Angeles Congestion Management Program (CMP) level of significance thresholds are not intended to be applied to construction activities. Based on the project trip distribution during operation of Alternative 1 and the distance of the CMP monitoring locations from the project site, it is not expected that 50 or more trips would be added to the CMP arterial monitoring location or 150 or more trips would be added to the CMP freeway monitoring location upon completion of Alternative 1. Therefore, Alternative 1 would not conflict with the CMP and impacts and would be less than significant.

Alternative 1 would not require any road closures during construction as the existing roadway is already currently closed off to the east and west of the project site. During operation of the proposed project, the roadway would be restored to pre-landslide conditions and would reestablish east-west emergency access along Paseo Del Mar. Therefore, the impact would be less than significant.

As previously discussed, Alternative 1 would not result in significant impacts to the study area intersections or roadway segments. The Future (2021) No Project and Future (2021) With Project Build Alternatives conditions were analyzed. These conditions account for related projects occurring in the vicinity of the project site, as well as anticipated ambient traffic growth that would occur in the intervening years between 2016 and 2021. As such, construction and operation of Alternative 1 would not contribute to a cumulatively considerable increase in area roadway volumes.

### **5.13.1 Findings**

Based on the Initial Study, Draft EIR, Final EIR, all reference documents, responses to comments, and the whole of the record, BOE finds that Alternative 1 would result in less than significant transportation and traffic impacts related to conflict with an applicable plan, ordinance or policy, congestion management program, and emergency access, and would not cause cumulatively considerable transportation and traffic impacts.

## **5.14 TRIBAL CULTURAL RESOURCES – California Register of Historical Resources**

Under Alternative 1, construction activities would include earth-disturbing activities, such as excavation and grading. No historic resources, including tribal cultural resources, were found to be located within the footprints of Alternative 1 during the record searches completed for this area. The areas of Alternative 1 that were accessible during the cultural resources survey were also not found to include historic resources. Should any tribal cultural resources be identified during ongoing Native American consultation pursuant to Assembly Bill 52, the City would consult with appropriate tribal representatives and incorporate a monitoring program for the proposed project. Ongoing Native American consultation would ensure that impacts to previously unidentified tribal cultural resources would remain less than significant. Under Alternative 1, operations would include a vehicular roadway that would function similar to baseline conditions. No historic resources, including tribal cultural resources, have been determined to exist within the project footprint. Therefore, Alternative 1 would result in no operational impacts to tribal cultural resources.

### **5.14.1 Findings**

Based on the Draft EIR, Final EIR, all reference documents, responses to comments, and the whole of the record, BOE finds that Alternative 1 would result in less than significant tribal cultural resources impacts to resources listed or eligible for listing on the California Register of Historical Resources.

## **5.15 UTILITIES AND SERVICE SYSTEMS**

Alternative 1 would not exceed the wastewater treatment requirements of the Los Angeles Regional Water Quality Control Board (LARWQCB). Wastewater from construction of Alternative 1 would continue to flow to the existing storm drain system currently serving the project area. A Stormwater Pollution Prevention Plan and erosion control plan would be prepared for Alternative 1 that would specify appropriate Best Management Practices to control runoff from the project site. In addition, any wastewater discharged during construction of Alternative 1 would comply with National Pollutant Discharge Elimination System requirements. Final drainage design of Alternative 1 would comply with treatment Best Management Practices and all other requirements of the LARWQCB. Therefore, impacts related to exceedance of LARWQCB wastewater treatment requirements would be less than significant.

Alternative 1 would not require the construction or expansion of water supply or wastewater treatment facilities. Construction of Alternative 1 would require temporary use of water for construction, and generation of construction-related wastewater. Potable water service in the project area is provided by the Los Angeles Department of Water and Power. Additionally, the Terminal Island Water Reclamation Plant serves the Harbor Area of the City of Los Angeles, including the project area, and processes approximately 15 million gallons of wastewater per

day, and also reclaims water to produce purified water. It is anticipated that these major existing facilities would have adequate supply and capacity to serve Alternative 1 during construction.

Construction activities would require small quantities of water for typical construction activities, such as washing trucks and suppressing dust. There would be sufficient quantities of water available from the Los Angeles Department of Water and Power for construction usage. Operation of Alternative 1 would not require water usage or generate wastewater, as it would not create any new uses or increase water users or wastewater generators. Therefore, impacts related to water supply and treatment facilities and wastewater treatment capacity would be less than significant.

Alternative 1 would restore the Paseo Del Mar roadway to its original condition and would require installation of a surface drainage system (curb and gutter) at the east end of Paseo Del Mar and drainage improvements at the intersection of Weymouth Avenue and Paseo Del Mar. These drainage improvements would conform to BOE standards. Drainage of the graded areas of Alternative 1 would be maintained during and after construction. Storm water would follow existing flow patterns and would utilize the existing storm drain system which serves the project area. It is not anticipated that storm water runoff would exceed existing flows. As such, it is anticipated that existing facilities would be adequate. Drainage systems would be inspected for clogs and damage throughout the life of the project. Therefore, impacts related to construction of new storm water drainage facilities or expansion of existing facilities would be less than significant.

Construction of Alternative 1 would generate a typical amount of construction debris. The City of Los Angeles requires that construction debris be recycled where feasible, per the Citywide Construction and Demolition Debris Recycling Ordinance, further reducing the amount of waste generated that would need to be disposed of in a landfill. The City of Los Angeles does not have any open landfills and the Central L.A. Recycling and Transfer Station operated by the City does not accept construction debris. The Sanitation Districts of Los Angeles County operate two landfills within Los Angeles County; however, the project area falls outside the allowable watershed of these facilities. Therefore, it is anticipated that waste from Alternative 1 would be delivered to one of the Sanitation Districts of Los Angeles County's transfer facilities, such as the Downey Area Recycling and Transfer Facility, approximately 18.2 miles northeast of the project site, and the Puente Hills Materials Recovery Facility, approximately 27.5 miles northeast of the project site. The Downey Area Recycling and Transfer Facility is permitted to accept up to 5,000 tons per day of solid waste, and the Puente Hills Materials Recovery Facility is permitted to accept up to 4,400 tons per day of solid waste. At these locations, construction debris would be sorted and transferred to an appropriate landfill or other facility. Alternatively, debris from Alternative 1 may be transferred directly to a private landfill. It is anticipated that there is sufficient landfill capacity available to accept solid waste generated during construction of Alternative 1.

The soils in the project area are not known to be hazardous, and any excess soils generated could be used onsite as fill material where needed. Operation of Alternative 1 would not generate any solid wastes. During both construction and operation, Alternative 1 would comply with all applicable laws, ordinances, and regulations regarding solid waste, including federal, state, and local statutes and regulations. Therefore, impacts related to sufficient capacity for disposal of solid waste and impacts related to compliance with federal, state, and local statutes and regulations for solid waste would be less than significant.

### **5.15.1 Findings**

Based on the Initial Study, Draft EIR, and the whole of the record, BOE finds that Alternative 1 would result in less than significant utilities and service systems impacts.

## **5.16 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES**

Construction of the proposed project would result in the use of nonrenewable resources, including fossil fuels, natural gas, water, and building materials, such as concrete. However, the proposed project involves the restoration of a roadway segment that collapsed in the 2011 landslide event, and does not represent an uncommon construction project that would use an extraordinary amount of raw material in comparison to other development projects of similar scope and magnitude. As such, the proposed project is not anticipated to consume substantial amounts of energy or use other resources in a wasteful manner. Although Alternative 1 would result in the consumption of nonrenewable resources, no significant irreversible environmental changes would result from Alternative 1.

### **5.16.1 Findings**

Based on the Draft EIR, Final EIR, and whole of the record, BOE finds that Alternative 1 would result in less than significant irreversible environmental changes.

## **5.17 GROWTH INDUCING IMPACTS**

The fundamental purpose of the proposed project is to restore the section of the roadway that collapsed in the 2011 landslide event to its original function. Implementation of the proposed project would restore continued access along Paseo Del Mar without changing the capacity of the roadway. The proposed project would not include the construction of any residential uses or other uses that would result in an increase in the population of the project area. The proposed project would not stimulate significant employment, involve development of new housing, or significantly affect the economy of the region. Therefore, the proposed project would not result in a direct significant growth inducing impact in the project area.

The conditions of the project area include the emergency stabilization measures which were implemented in the landslide area following the landslide event in November 2011. The proposed project would restore access to the roadway, and would function in the same manner as the roadway did prior to the 2011 landslide event. Therefore, Alternative 1 would not indirectly result in a significant growth inducing impact.

### **5.17.1 Findings**

Based on the Draft EIR, Final EIR, and whole of the record, BOE finds that Alternative 1 would result in less than significant growth-inducing impacts.

## 6.0 FINDINGS OF LESS THAN SIGNIFICANT ENVIRONMENTAL EFFECTS WITH MITIGATION

The Final EIR determined that Alternative 1 (preferred alternative) would result in potentially significant environmental effects in the areas of biological resources (sensitive species and riparian habitat or other sensitive natural community); cultural resources (historical resources and archaeological resources); geology and soils (landslides and unstable geologic unit); paleontological resources; and tribal cultural resources (resources determined by lead agency to be significant). The Final EIR identified feasible mitigation measures to avoid or substantially reduce the environmental effects in these areas. Based on the information and analysis set forth in the Final EIR, impacts would be less than significant with the identified feasible mitigation measures incorporated into Alternative 1.

BOE also finds that Alternative 1 would not cause cumulatively considerable impacts in the following areas after implementation of mitigation measures: biological resources, cultural resources, geology and soils, paleontological resources, and tribal cultural resources.

### 6.1 BIOLOGICAL RESOURCES – Sensitive Species/Riparian Habitat or Other Sensitive Natural Community/Cumulative Impacts

Elements of Alternative 1 could potentially affect wildlife and wildlife habitat, including project-related noise disturbance, disruption of wildlife movement, and potential wildlife mortality. Short-term effects of construction on wildlife resources would result from wildlife avoidance of the immediate project area. Noise and other disturbances caused by project activities may cause wildlife to move away from the work area. Project activities could result in the mortality of individual wildlife species. For instance, species with limited mobility or that occupy burrows within the project area could be crushed during project activities.

Five special-status wildlife species were detected in the Biological Study Area (BSA) during the field survey and it was determined that another six special-status wildlife species have at least some potential to occur within the BSA. Additionally, 19 other bird species, including both land and shore birds were observed in the BSA during the field survey and are offered protection under the federal *Migratory Bird Treaty Act* and *California Fish and Game Code*. Implementation of mitigation measures BIO-A through BIO-M would reduce indirect impacts to sensitive species to less than significant.

Impacts during operations and routine maintenance related to Alternative 1 would be limited; however, wildlife could be affected by human presence, noise, and fugitive dust. Impacts are expected to be minimal, short term, and in most cases, would not directly affect wildlife. Maintenance activities would generally be conducted from within paved surfaces or bare ground and would not encroach into adjacent habitats potentially suitable for special-status wildlife and other protected wildlife. As a result, there would be less than significant impacts to special-status wildlife species during operation and maintenance of the project.

Most direct permanent impacts under Alternative 1 would impact the landslide area, which primarily consists of non-native, invasive plant species and has been previously disturbed by emergency repair work associated with the landslide. As part of Alternative 1, a vegetation plan would be implemented on the seaward side of the Paseo Del Mar ROW to further stabilize the surface of the area that was disturbed by the landslide by reducing erosion. Indirect impacts to vegetation could include the accumulation of fugitive dust, and further colonization by nonnative,

invasive plant species. Other indirect impacts could include an increase in the amount of compacted or modified surfaces that, if not controlled, could increase the potential for surface runoff, increased erosion, and sediment deposition within vegetation beyond the project's footprint. Implementation of mitigation measures BIO-A through BIO-M would reduce impacts to riparian habitat and other sensitive natural communities to less than significant.

Indirect impacts on special-status plant species could result from project-related habitat loss and modification of natural communities and through the potential spread of noxious and invasive plant species into these communities. As such, significant indirect impacts to special-status plant species could occur. Implementation of mitigation measures BIO-A through BIO-M would reduce impacts to less than significant.

The combined cumulative impact associated with the proposed project's incremental effect and the effects of the other projects would not result in cumulative biological impacts. Wildlife and wildlife habitat could be affected by human presence, noise, and fugitive dust during construction and operation. However, these project-level impacts would be mitigated to less than significant levels with the implementation of mitigation measures BIO-A through BIO-M. Additionally, impacts to biological resources are site-specific and would not contribute to significant cumulative impacts to biological resources.

### 6.1.1 Findings

BOE finds that the following mitigation measures shall be implemented to reduce potentially significant biological resources impacts related to sensitive species, riparian and other sensitive natural habitats, and cumulatively considerable biological resources impacts to a less than significant level.

**BIO-A:** Follow-up focused surveys for special-status plant species and wildlife species shall be completed by a qualified biologist. Focused surveys conducted within the project area between April and June shall be required in order to capture the blooming period of special-status plant species and allow further evaluation regarding their presence or absence within the project site. Additionally, current drought conditions likely affect blooming success of special-status plant species and they may not bloom and be as visible as in non-drought periods. Focused surveys for wildlife species identified to potentially occur within the BSA shall be required to determine their presence or absence, and aid in determining whether impacts to special-status wildlife species would occur. In the event focused surveys locate special-status species, BMPs shall be required to reduce impacts and shall be determined through coordination with USFWS and/or CDFW, depending on the species' status.

**BIO-B:** Pre-construction surveys within potentially suitable habitats for species with a potential to occur on-site, as well as nesting birds during the bird breeding season (February 15 through September 1) shall be conducted by a qualified biologist prior to project construction. Specifically, pre-construction surveys shall be conducted for the following:

**Coastal California Gnatcatcher:** Impacts to coastal California gnatcatcher shall be avoided by conducting pre-construction surveys for the species to determine the current distribution of gnatcatchers in the project area in accordance with USFWS Coastal California Gnatcatcher Presence/Absence Survey Guidelines, February 28, 1997. Since this species has been detected during surveys of the project site, a qualified biologist shall identify the boundaries of the pair's territory and no

construction within 500 feet of the territory would occur. If it is not feasible to maintain a buffer of 500 feet from an active gnatcatcher nest territory, construction activities within or near these areas shall be performed outside of the breeding and nesting season (coastal California gnatcatcher breeding/nesting season is approximately February 15 through August 30), or BOE shall conduct a FESA Section 10 Consultation with USFWS to determine alternative actions.

**Nesting Birds:** Clearing of vegetation and construction activities shall occur outside of the peak bird nesting season (from September 1 through February 14) to avoid impacts to nesting birds. However, if construction must occur between February 15th and August 31st, the following measures shall be implemented:

- Within three days of the scheduled start of construction activity, a pre-construction survey shall be conducted by a qualified biologist to determine the presence or absence of active nests within, or adjacent to, the project site.
- If no breeding or nesting activities are detected within 500 feet of the proposed work and any staging areas, construction activities may proceed.
- If bird breeding/nesting activity is confirmed, work activities within 250 feet (or 300 feet for raptors, 500 feet for fully protected species, or a linear distance appropriate for the species approved by the project biologist) of any active nest shall be delayed until the young birds have fledged and left the nest. A work area buffer zone around any active nests shall be demarcated, indicating where work may not occur. Project activities may resume in this area once the project biologist has determined that the nest(s) is no longer active.

**Bats:** Within 30 days of project construction, a qualified biologist shall conduct a pre-construction survey to identify if roosting bats are present on-site. If special-status bat species are found, the following measures shall be implemented:

- If active nursery roosts are found (typically between April 15 and August 1) a work exclusion area of 500 feet shall be identified in the field, and construction activities shall be rescheduled to occur after juvenile bats are able to forage independently.
- If sensitive bat species are present but there is not an active roost, a Memorandum of Understanding (MOU) with CDFW shall be obtained in order to remove the animals prior to construction. Alternate habitat shall be provided if bats are to be excluded from maternity roosts. A roost with comparable spatial and thermal characteristics shall be constructed as directed by a qualified biologist. In the event that adult bats need to be handled and relocated, a qualified biologist shall prepare and implement a relocation plan subject to approval by CDFW that includes relocating all bats found on-site to an alternate suitable habitat.
- If bat roosts are found outside the breeding season, openings to these roosts shall be blocked after the bats have emerged for their night-time feeding to prevent the bats from reentering. The bats would be temporarily forced to find other roosting areas and other structures in the area.

- While a visual assessment of bat roost habitat does not require a permit, handling of bats for removal requires two permits from CDFW; a Scientific Collecting Permit (SCP) and an MOU. The MOU describes the type of surveys, methods, and species proposed, and purpose of bat captures. Applicants must show that they possess experience with trapping and handling bats before they are issued a MOU. Such experience is usually accumulated by working with a licensed bat worker under their permits, and demonstrating the necessary skills and abilities to CDFW.
- Prior to the start of construction, a qualified biologist shall be designated to monitor construction activities and advise construction personnel of the potential biological issues associated with project construction. The biological monitor shall attend weekly construction meetings and provide on-site direction for addressing habitat- or species-specific issues as they are encountered during construction. If as a result of pre-construction surveys the biologist establishes exclusion zones around trees or buildings to protect nesting birds or roosting bats, the biological monitor shall advise the construction crews of those areas and of the importance of respecting and maintaining those zones.
- Due to local and California Health Department restrictions, no direct contact by workers with any bat species is allowed. The project biologist, who would oversee exclusion or removal efforts, shall be contacted immediately should any bats be identified within the project's footprint. If construction is to occur in phases or over an extended period of time, multiple pre-construction surveys may be required to address seasonal bat migrants and the potential influx of new arrivals.

**Special-Status Wildlife Species:** A pre-construction clearance survey shall be conducted before any construction activities occur. A qualified biologist shall conduct pre-construction surveys within and adjacent to the project's construction limits no more than three days prior to the commencement of construction activities to identify any potential impacts to special-status wildlife species, if present. It is anticipated that the pre-construction survey shall focus on special-status species with a potential to occur in the BSA.

Special-status species observed shall be relocated outside of the project site by a qualified biologist, or they shall be avoided and allowed to leave of their own volition. Following the survey, a Wildlife Survey Report shall be prepared detailing the results of the field survey, including potential BMPs, if deemed necessary. Any observations of federally threatened or endangered species shall be reported to BOE, and if further directed by BOE, to USFWS and/or CDFW.

**Special-Status Plant Species:** A focused rare plant survey shall be conducted during the appropriate time of year for detection of special-status species (early March through June) by a qualified botanist in accordance with USFWS and CDFW survey guidelines. Following the rare plant surveys, a Rare Plant Survey Report shall be prepared detailing the results of the field surveys, including potential BMPs, if necessary. Further consultation with resource agencies shall be necessary if special-status species are observed during focused surveys.

- BIO-C:** Erosion control measures, which would control surface runoff, erosion, and sedimentation outside of the project footprint, shall be implemented.
- BIO-D:** The construction contractor(s) will be informed regarding the biological constraints of this project. Project limits shall be clearly marked on project maps provided to the construction contractor(s) and areas outside of the project limits shall be designated as “no construction” zones.
- BIO-E:** Employees shall strictly limit their activities, vehicles, equipment, and construction materials to the designated construction limits, staging areas, and routes between the construction limits and staging areas. The project area shall be kept as clean of debris as possible to avoid attracting predators of sensitive wildlife. All food-related trash items shall be enclosed in sealed containers and regularly removed from the site.
- BIO-F:** Pets of project personnel shall not be allowed on the project site to ensure they will not affect wildlife through harassment or predation in adjacent natural habitats.
- BIO-G:** Earth-disturbing activities associated with the project shall be minimized and existing root systems shall be left intact to the extent possible. In areas that do not require excavation, vegetation shall be trampled instead of completely removed.
- BIO-H:** During vegetation removal, unnecessary damage to ground burrows, holes, and tunnels, which provide shelter for many small animals (snakes, lizards, toads, rodents, and squirrels), shall be avoided.
- BIO-I:** During construction, no wildlife, including rattlesnakes, shall be harmed except to prevent serious injury or death.
- BIO-J:** In order to avoid unnecessary impacts, should any non-listed species be found within the project site, a qualified biologist shall relocate them outside of the project site or they shall be avoided and allowed to leave of their own volition.
- BIO-K:** A qualified biological monitor shall be on-site during initial vegetation removal and earth disturbance activities and on a basis that, the exact timing and extent of which, may be determined during consultation with the regulatory agencies.
- BIO-L:** No holes shall be left open overnight, on weekends, or when work is not being accomplished in the immediate area. A covering shall be placed over the post-hole to prevent animals from falling into the hole and not being able to escape. Prior to placing the cover over the post-hole, check to make sure no animals are in the post-hole.
- BIO-M:** Should any federal or state listed plant species or wildlife species be found within the project site, all construction in the immediate area shall cease and BOE shall be notified, and if directed, the applicable federal or state agency shall also be notified (USFWS or CDFW). Work in other areas of the project site may continue until this area has been evaluated.

## **6.2 CULTURAL RESOURCES – Historical Resources/Archaeological Resources/ Cumulative Impacts**

Construction activities for Alternative 1 would include earth-disturbing activities, such as excavation and grading. No historic or archaeological resources were found to be located within the footprints of Alternative 1 during the record searches completed for this area. The areas that were accessible during the cultural resources survey were also not found to include historic or archaeological resources. In addition to adhering to the recommendations presented in the Cultural Resources Assessment, mitigation measure CR-A would be implemented during the construction of Alternative 1 in order to reduce any potential impacts of discovering resources that were previously unknown. With the implementation of mitigation measure CR-A, Alternative 1 would result in less than significant construction impacts to historic and archaeological resources.

If cultural resources are discovered during construction, then the project may result in a cumulative adverse impact based on whether the resource is deemed to be part of one of the pre-historic or historic subject areas. However, adherence to the recommendations presented in the Cultural Resources Assessment, and implementation of mitigation measure CR-A would be reduce potential impacts related to the discovery of previously unknown resources. Therefore, Alternative 1, in conjunction with the related projects, would not result in a significant cumulative impact to cultural resources.

### **6.2.1 Findings**

BOE finds that the following mitigation measure shall be implemented to reduce potentially significant cultural resources impacts related to historical resources, archaeological resources, and cumulatively considerable cultural resources impacts to a less than significant level.

**CR-A:** Because the potential to encounter archaeological resources exists for this project, full-time archaeological and Native American monitoring shall occur during all ground-disturbing activities. A cultural resources monitoring and mitigation plan (CRMMP) shall be developed in order to outline monitoring protocols. The CRMMP shall identify key personnel and describe coordination, monitoring, and reporting responsibilities. Monitoring shall be completed by, or under the direction of, an archaeologist who meets Secretary of the Interior's Standards. The archaeological monitor shall have the authority to redirect construction equipment in the event that potential archaeological resources are encountered. If archaeological resources are encountered, work in the vicinity of the discovery shall halt until appropriate treatment or further investigation of the resource is determined by a qualified archaeologist in accordance with the provisions of CEQA Guidelines Section 15064.5.

## **6.3 GEOLOGY AND SOILS – Landslides/Unstable Geologic Unit/Cumulative Impacts**

To the west of the landslide area, there is the potential for an incipient landslide to jeopardize the stability of the bluff. While this is unlikely to directly impact the western abutment of the proposed bridge, stabilization measures through the incorporation of anchors must be implemented under Alternative 1 to enhance the stability of the bluff supporting the roadway west of the abutment. Implementation of mitigation measures GEO-A through GEO-P, would reduce impacts of landslides and unstable geologic units to less than significant.

The typical design life for asphalt roadways is approximately 20 years, and for bridges approximately 75 years. A concrete bridge is the most common type of bridge structure in California and has relatively low maintenance requirements. Any future landslides under the bridge between the two abutments would safely pass under the proposed bridge. Because of the long span of the bridge, the abutments would bear a significant load which must be resisted by the abutment foundations. Any settlement must be minimized and significant settlement or movement would make the bridge non-functional. As previously mentioned, the western abutment would require further evaluation for stabilization. Measures similar to the slope anchors installed at the eastern side of the landslide may be utilized to reinforce the western embankment. With the implementation of mitigation measures GEO-A through GEO-P, Alternative 1 would result in less than significant operational impacts to landslides and unstable geologic units.

Geological impacts are localized and specific to each project site and its users and would not contribute to the impacts on other sites. Additionally, the development on each site would be subject to uniform site development and construction standards designed to protect public safety and structures. With the implementation of mitigation measures GEO-A through GEO-P, impacts to geology and soils, namely landslide impacts, would be reduced to less than significant. Therefore, cumulative geology and soils impacts would be less than significant.

### **6.3.1 Findings**

BOE finds that the following mitigation measures shall be implemented to reduce potentially significant geology and soils impacts related to landslides, unstable geologic units, and cumulatively considerable geological resources impacts to a less than significant level.

- GEO-A:** The stability of the project area shall be confirmed during final design and prior to construction.
- GEO-B:** The stability of the bluff supporting the road and the project area shall be enhanced through the use of anchors or similar engineering methods.
- GEO-C:** To prevent caving, Caltrans Standard Specifications and Special Provisions shall be used during the installation of any Cast-In-Drilled-Holes (CIDH) piles at the project site.
- GEO-D:** CIDH piles shall require construction using the wet methods as it is assumed that the bottom of the drilled holes would be below groundwater.
- GEO-E:** If temporary casing is used, provisions and installation methods in Section 49-3.02, "Drilled Holes" of the Caltrans Standard Specifications shall be followed. Casing must be removed after placement of concrete to allow mobilization of the estimated skin friction capacity.
- GEO-F:** Final Project Plans and Specifications shall be reviewed prior to construction to confirm that the full intent of the recommendations presented in the Foundation Report has been applied to the design and that the recommendations presented are applicable to the final scope of the project. Following review of Plans and Specifications, sufficient and timely observations during construction shall be performed to correlate findings of the investigation with actual subsurface conditions exposed during the construction. Observation and testing by a qualified geotechnical consultant shall be performed during construction.

- GEO-G:** If contamination is observed in soil cuttings during construction, the excavated soils shall be removed and disposed of properly in accordance with appropriate environmental protocols.
- GEO-H:** If the piling center-to-center spacing is less than 3 pile diameters, the construction contractor shall not drill holes or drive casing for an adjacent pile until 24 hours have elapsed after concrete placement in the preceding pile and prequalification test results for the concrete mix design show that the concrete would attain at least 1,800 pounds per square inch (psi) compressive strength at the time of drilling or driving.
- GEO-I:** The construction contractor shall be made aware that utility lines are known to be immediately adjacent to the project alignment. These utility lines may be non-yielding and their tolerance of soil movement during excavation may be low. Consequently, the Contractor shall notify and coordinate with the Underground Services Alert and to obtain all available as-built utility plans before any proposed earthwork commences. All active or inactive utilities within the construction limits shall be identified for relocation, abandonment, or protection prior to grading. Any pipelines greater than 2 inches in diameter to be abandoned in-place shall be filled with sand/cement slurry after their locations are reviewed and approved by the Resident Engineer.
- GEO-J:** During CIDH pile excavations, erosion and surficial sloughing may occur. Excavations during wet seasons shall require erosion protection.
- GEO-K:** Based on subsurface exploration, the subsurface materials to be excavated are fill and alluvium consisting of both granular and cohesive materials, and sedimentary bedrock. Conventional earth moving equipment (dozers, scrapers, etc.) shall excavate the artificial fill and native soil units. Excavation of some of the more competent bedrock units shall require special excavators or backhoes.
- GEO-L:** Prior to any site work and excavations, conditions of existing structures and improvements shall be surveyed and photo-documented.
- GEO-M:** Suitable material is that which is free from contamination, organics or deleterious materials and is appropriate for planned use. The on-site material is suitable except for the top 2 feet, which may contain asphalt and other debris. Existing artificial fill and native soils and some of the bedrock units are expected to be suitable for reuse as structure backfill.
- GEO-N:** Groundwater control shall be required, if necessary. It may be necessary to "dewater" the excavation, which is the removal of water from the excavation by gravity drainage, sump pumping, or other similar means. The construction contractor shall be responsible for groundwater control.
- GEO-O:** The construction contractor shall be responsible for the design and construction of temporary excavation support systems (e.g. shoring or soil nailing) and temporary slopes, as well as the maintenance and monitoring of these works during construction. The construction contractor shall have the appropriate qualified person (competent person) evaluate the soil conditions encountered during excavation to determine permissible temporary slope inclinations and other measures as required by California Occupational Safety and Health Administration (Cal/OSHA).

**GEO-P:** Existing infrastructure that is within a 1.5:1 (H:V) line projected up from the bottom edge (toe) of temporary slopes shall be monitored during construction. The construction contractor shall note that the materials encountered in construction excavations could vary significantly across the site. A competent person as defined by Cal/OSHA shall observe and map excavations and assess the stability of temporary slopes and shoring systems.

## 6.4 PALEONTOLOGICAL RESOURCES

During construction of Alternative 1, no material would be removed from the site and major earthwork in the existing landslide area would be limited. The project site would be fenced off during construction and therefore, the potential for indirect impacts to paleontological resources, such as vandalism, would be low. While no fossils were discovered during the reconnaissance surveys for Alternative 1 and the project site was disturbed by the 2011 landslide event, grading and other earthmoving activities may result in significant impacts to previously unidentified paleontological resources. Due to the prevalence of geologic units with moderate and very high paleontological potential within the project area, mitigation measure PR-A, a paleontological resource monitoring plan, would be implemented to reduce impacts to paleontological resources to less than significant.

Cumulative impacts to paleontological resources concern the incremental loss of these nonrenewable resources to society as a whole. Construction of Alternative 1 would result in direct and indirect impacts to paleontological sites identified during the paleontological resources survey and desktop review. It is unknown whether construction of the related projects would impact paleontological resources as the sites of the related projects are located on previously developed properties. Nonetheless, paleontological sites are finite resources and cannot be replaced once damaged or destroyed. Implementation of mitigation measure PR-A would result in a greater understanding of long-term human adaptations to the region. With implementation of mitigation measure PR-A, Alternative 1, in conjunction with the related projects, would not result in a significant cumulative impact to paleontological resources.

### 6.4.1 Findings

BOE finds that the following mitigation measure shall be implemented to reduce potentially significant paleontological resources impacts to a less than significant level.

**PR-A:** Prior to the start of construction, a paleontological resource monitoring plan shall be prepared. The plan be implemented by a qualified paleontologist and shall include specific locations and construction activities requiring monitoring, procedures to follow for monitoring and fossil discovery, and a curation agreement with the Natural History Museum of Los Angeles County. Due to the prevalence of very high and moderate paleontological potential of the geologic units within the Project area, monitoring may be required during earthmoving activities impacting native sediments of Monterey Formation Altamira Shale and Quaternary terrace deposits. Additionally, monitoring of impacts into landslide deposits of both the Altamira Shale and Quaternary terrace deposits may be required, since very high sensitivity (Potential Fossil Yield Classification Class 5) Altamira Shale shallowly underlies terrace deposits, and also because the Altamira Shale units have retained their structure despite the landslide event.

## **6.5 TRIBAL CULTURAL RESOURCES – Resources Determined by Lead Agency to be Significant/Cumulative Impacts**

No tribal cultural resources listed or eligible for listing in the state or local register have been identified within the project site. However, four resources of prehistoric and/or historic age in the project study area have been recommended as potentially eligible for NRHP listing under Criterion D (have yielded, or may be likely to yield information important to history or prehistory). A resource may be listed in the CRHR if it meets any of the NRHP criteria. As such, the four resources in the study area identified as eligible for NRHP listing would also be eligible for listing in the CRHR. These resources are located outside of the project footprint and are not likely to be disturbed by implementation of Alternative 1. However, they indicate the potential for unknown resources at the project site. Additionally, in response to the Native American Contact Program conducted for the project, three contacts responded and indicated that the project area is potentially sensitive to cultural resources due to the cultural importance of the region to the Gabrielino. As such, implementation of mitigation measure CR-A would be implemented during the construction of Alternative 1 in order to reduce any potential impacts of discovering resources that were previously unknown. Furthermore, BOE would conduct ongoing Native American consultation throughout implementation of Alternative 1. Implementation of mitigation measure CR-A and ongoing Native American consultation would reduce impacts to tribal cultural resources to less than significant.

No tribal cultural resources were identified within the project site. If cultural resources are discovered during construction, then the project may result in a cumulative adverse impact based on whether the resource is deemed to be part of one of the pre-historic, historic, or Native American subject areas. However, ongoing Native American consultation and implementation of mitigation measure CR-A would reduce the potential impacts of Alternative 1 related to the discovery of previously unknown resources. Therefore, Alternative 1, in conjunction with the related projects, would not result in a significant cumulative impact to tribal cultural resources.

### **6.5.1 Findings**

BOE finds that the following mitigation measure shall be implemented to reduce potentially significant tribal cultural resources impacts related to a resource determined by the lead agency to be significant, and cumulatively considerable tribal cultural resources impacts to a less than significant level.

**CR-A:** Because the potential to encounter archaeological resources exists for this project, full-time archaeological and Native American monitoring shall occur during all ground-disturbing activities. A cultural resource monitoring and mitigation plan (CRMMP) shall be developed in order to outline monitoring protocols. The CRMMP shall identify key personnel and describe coordination, monitoring, and reporting responsibilities. Monitoring shall be completed by, or under the direction of, an archaeologist who meets Secretary of the Interior's Standards. The archaeological monitor shall have the authority to redirect construction equipment in the event that potential archaeological resources are encountered. If archaeological resources are encountered, work in the vicinity of the discovery shall halt until appropriate treatment or further investigation of the resource is determined by a qualified archaeologist in accordance with the provisions of CEQA Guidelines Section 15064.5.

## 7.0 FINDINGS OF SIGNIFICANT ENVIRONMENTAL EFFECTS

The Final EIR determined that Alternative 1 (preferred alternative) would result in potentially significant environmental effects in the areas of biological resources (sensitive species and riparian habitat or other sensitive natural community); cultural resources (historical resources and archaeological resources); geology and soils (landslides and unstable geologic unit); noise (levels in excess of standards and temporary noise); paleontological resources; and tribal cultural resources (lead agency). The Final EIR identified feasible mitigation measures to reduce the environmental effects in the areas of biological resources (sensitive species and riparian habitat or other sensitive natural community); cultural resources (historical resources and archaeological resources); geology and soils (landslides and unstable geologic unit); paleontological resources; and tribal cultural resources (lead agency). However, even with the implementation of mitigation measures, impacts would remain significant and unavoidable related to noise (construction noise).

### 7.1 NOISE – Construction Noise

The Los Angeles CEQA Thresholds Guide states that a significant impact would occur if construction activities lasting more than ten days in a three-month period would exceed existing ambient noise levels by 5 dBA or more at a noise-sensitive use. The highest construction-related noise increase under Alternative 1 would occur at single-family residences located to the east of the project site. Even after the implementation of noise attenuation measures to control noise levels (mitigation measures NOI-A through NOI-H) Alternative 1 would still result in a 5 dBA increase over the ambient noise level. The noise increase would be temporary and intermittent, but nonetheless higher than the threshold. Furthermore, significant impacts were identified associated with haul trucks on Western Avenue between West 25th Street and Paseo Del Mar. This roadway segment has been identified as the most direct route for regional access to the project site while avoiding residential neighborhoods as much as possible. However; truck noise cannot be regulated at the source, and there are no feasible mitigation measures to reduce noise along the route. Implementation of mitigation measures NOI-A through NOI-H would reduce noise impacts related to construction equipment; however, the impact would remain a significant and unavoidable impact.

#### 7.1.1 Findings

BOE finds that implementation of Alternative 1 would result in significant noise impacts related to construction noise, even with the incorporation of the following mitigation measures.

- NOI-A:** Construction equipment shall be maintained with effective noise control devices (i.e., mufflers, lagging, and/or motor enclosures).
- NOI-B:** Construction equipment shall be properly maintained to prevent additional noise due to worn or improperly maintained parts.
- NOI-C:** Quieter equipment shall be used as opposed to noisier equipment (such as rubber-tired equipment rather than metal-tracked equipment).
- NOI-D:** Use of equipment or methods with the greatest peak noise generation potential shall be minimized.

**NOI-E:** When possible, on-site electrical sources shall be used to power equipment rather than diesel generators.

**NOI-F:** Construction staging areas shall be located away from sensitive uses.

**NOI-G:** Flexible sound control curtains shall be placed around all drilling apparatuses and drill rigs.

**NOI-H:** A noise disturbance coordinator shall be established. The noise disturbance coordinator shall be responsible for responding to any local complaints about construction noise. The noise disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall be required to implement reasonable measures such that the complaint is resolved. All notices that are sent to residential units within 500 feet of the construction site and all signs posted at the construction site shall list the telephone number for the noise disturbance coordinator.

## **8.0 FINDINGS REGARDING PROJECT ALTERNATIVES**

BOE considered three build alternatives for the permanent restoration of the collapsed portion of the Paseo Del Mar roadway. Additionally, the No Project Alternative was analyzed in the EIR pursuant to Section 15126.6(e) of the CEQA Guidelines. This resulted in the analysis of four alternatives in the EIR, including Alternative 1 – Bridge Spanning Over Landslide, Alternative 2 – Anchored CIDH Piles with Buttress, Alternative 3 – Shear Pins with MSE Wall, and the No Project Alternative. These four alternatives are analyzed with the same level of detail throughout the EIR.

Chapter 5, Alternatives, of the EIR discusses the alternatives considered in order to present a reasonable range of options. For alternatives considered but eliminated from further analysis, see Section 5.2.1 of the EIR. The analysis in the EIR identified Alternative 1 – Bridge Spanning Over Landslide, as the Environmentally Superior Alternative as it would result in the fewest environmental impacts overall when compared to the other alternatives considered, and would result in no permanent environmental impacts. Thus, Alternative 1 has been selected as the preferred alternative for the proposed project.

### **8.1 NO PROJECT ALTERNATIVE**

An analysis of the No Project Alternative is included as required according to Section 15126.6(e) of the CEQA Guidelines. Under the No Project Alternative, the portion of the roadway damaged by the 2011 landslide event would not be restored and this segment of Paseo Del Mar would remain inaccessible to the public. The emergency measures that were implemented following the landslide event would remain in place. The additional stabilization measures in the existing landslide area described for the build alternatives would not occur under this alternative.

#### **8.1.1 Environmental Effects**

As no development would occur under the No Project Alternative, no construction impacts would occur. The No Project Alternative would avoid the potentially significant impacts to biological resources, cultural resources, noise, and paleontological resources associated with implementation of Alternatives 1 through 3. However, this alternative would not include the additional stabilization measures in the existing landslide area as are described for the build alternatives. Additionally, the No Project Alternative would not implement the vegetation plan on the seaward side of the Paseo Del Mar ROW, which would further stabilize the surface of the area disturbed by the landslide and provide protection against erosion. Therefore, the No Project Alternative, when compared to the build alternatives, would result in potentially significant impacts related to landslides and soil erosion, as well as erosion due to drainage patterns. Additionally, the No Project Alternative would conflict with several applicable land use plans, particularly those policies related to access to roadways and bicycle facilities, and protection of views from a designated scenic highway. These impacts could be mitigated through additional stabilization of the existing landslide area and restoration of continued access along Paseo Del Mar at the project site. However, by definition, the No Project Alternative does not include any construction activities and the project site would remain in its current condition. Therefore, there are no feasible mitigation measures available to reduce the significant geology and soils, and land use and planning impacts, and these impacts would remain significant and unavoidable under the No Project Alternative. The No Project Alternative would also result in significant and unavoidable impacts to scenic vistas and visual character (aesthetics), for which

there is no feasible mitigation. The No Project Alternative would achieve neither the fundamental purpose of the project nor most of the project objectives.

### **8.1.2 Findings**

BOE finds this alternative less desirable than Alternative 1 (preferred alternative). Implementation of the No Project Alternative would not meet any of the project objectives related to restoring roadway access along Paseo Del Mar and implementing a vegetation plan on the seaward side of the Paseo Del Mar ROW to stabilize the surface of the area disturbed by the landslide and provide protection against erosion. Additionally, the No Project Alternative would result in more significant and unavoidable impacts than any of the other alternatives considered.

## **8.2 ALTERNATIVE 2 – ANCHORED CIDH PILES WITH BUTTRESS**

Alternative 2 would include a single row of large diameter, Cast-in-Drilled Holes (CIDH) piles near the edge of the existing slope. After partial removal of the landslide debris to an approximate elevation of 75 feet above the beach, the piles would be drilled and installed to below the basal shear interface layer. The piles would be connected with a reinforced concrete grade beam and tied back with soil anchors. A reinforced-earth buttress located above the piles would stabilize the head scarp and support the new roadway. A barrier and railing would also be required adjacent to the sidewalk similar to Alternative 1. Additionally, rock armor (riprap) protection up to an elevation of 25 feet above the mean high tide mark would be required under this alternative to protect the slope from recession due to wave action and other erosive forces. The construction of this alternative would last for approximately 22 months.

### **8.2.1 Environmental Effects**

Similar to Alternative 1, Alternative 2 would result in potentially significant impacts to biological resources, cultural resources, geology and soils, paleontological resources, and tribal cultural resources, which would be mitigated to less than significant levels. Also similar to Alternative 1, construction noise under Alternative 2 would remain significant and unavoidable even with the implementation of mitigation measures. However, Alternative 2 would also result in significant impacts to scenic vistas and changes to visual character. As there is no feasible method to reduce the linearity and massing of the reinforced-earth buttress of Alternative 2, impacts to aesthetics would remain significant and unavoidable under this alternative. Thus, Alternative 2 would result in increased impacts as compared to Alternative 1. Alternative 2 would achieve all of the project objectives. However, this alternative would require more earthwork and grading than under Alternative 1. As such, it would not meet the following project objective as well as Alternative 1: limit the amount of earthwork and grading activities required to restore roadway access along Paseo Del Mar.

### **8.2.2 Findings**

BOE finds this alternative less desirable than Alternative 1 (preferred alternative). Although Alternative 2 would achieve the basic project objectives, it would not meet the project objectives as well as Alternative 1. Additionally, this alternative would result in increased environmental impacts related to aesthetics as compared to Alternative 1.

## **8.3 ALTERNATIVE 3 – SHEAR PINS WITH MSE WALL**

Alternative 3 would be similar to Alternative 2; however, rather than being located at the face of the existing slope, a row of large diameter piles and a grid of smaller diameter piles would be constructed below the proposed roadway. The piles would handle the vertical loading of the Mechanically Stabilized Embankment (MSE) wall and mitigate lateral forces on the existing slope. The MSE-type wall utilizes a reinforcement strap tied to a segment of wall panel. The self-weight and friction of the compacted earth would keep the face of the panels in place. A barrier and railing adjacent to the sidewalk would be required, similar to Alternatives 1 and 2. Similar to Alternative 2, riprap protection up to an elevation of 15 feet above the mean high tide mark would be required under Alternative 3 to protect the slope from recession due to wave action and other erosive forces. The construction of this alternative would last for approximately 19 months.

### **8.3.1 Environmental Effects**

Alternative 3 would result in similar impacts as Alternative 2 related to biological resources, cultural resources, geology and soils, paleontological resources, and tribal cultural resources, which would be mitigated to less than significant levels. Similar to Alternative 2, Alternative 3 would also result in significant and unavoidable aesthetics impacts to scenic vistas and changes to visual character related to the linearity and massing of the MSE wall along the coastline, and significant and unavoidable construction noise impacts. As such, Alternative 3 would result in increased impacts as compared to Alternative 1. Alternative 3 would achieve all of the project objectives; however, this alternative would require more earthwork and grading than under Alternative 1. Therefore, Alternative 3 would not meet the following project objective as well as Alternative 1: limit the amount of earthwork and grading activities required to restore roadway access along Paseo Del Mar. Alternatives 2 and 3 would be ranked the same in terms of overall environmental impacts and the degree to which they meet the project objectives.

### **8.3.2 Findings**

BOE finds this alternative less desirable than Alternative 1 (preferred alternative). Although Alternative 3 would achieve the basic project objectives, it would not meet the project objectives as well as Alternative 1. Additionally, this alternative would result in increased environmental impacts related to aesthetics as compared to Alternative 1.

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## **9.0 FINDINGS ON MITIGATION MONITORING AND REPORTING PROGRAM**

Pursuant to Section 15091 (a)(1) of the CEQA Guidelines, BOE finds that implementation of the mitigation measures and project design standards specified in the Final EIR would substantially lessen the significant environmental effects resulting from the implementation of Alternative 1. These mitigation measures and design features have been required in, or incorporated into Alternative 1 (preferred alternative). In accordance with Section 15091 (d), and Section 15097 of the CEQA Guidelines, which require a public agency to adopt a program for reporting or monitoring required changes or conditions of approval to substantially lessen significant environmental effects, the Mitigation Monitoring and Reporting Program provided in the Final EIR is hereby adopted as the mitigation monitoring and reporting program for this proposed project.

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## **10.0 FINDINGS ON CHANGES TO THE DRAFT EIR AND RECIRCULATION**

### **10.1 CHANGES TO THE DRAFT EIR**

In response to comments from the public and other public agencies, the proposed project has incorporated changes subsequent to publication of the Draft EIR. All of the changes to the Draft EIR are discussed in Chapter 2, Clarifications and Modifications, of the Final EIR.

### **10.2 FINDINGS REGARDING FINAL EIR**

Pursuant to CEQA, on the basis of the review and consideration of the Final EIR, BOE finds:

1. Factual corrections and minor changes have been set forth as clarifications and modifications to the Draft EIR;
2. The factual corrections and minor changes to the Draft EIR are not substantial changes in the Draft EIR that would deprive the public of a meaningful opportunity to comment on a substantial adverse environmental effect of the proposed project, a feasible way to mitigate or avoid such an effect, or a feasible project alternative;
3. The factual corrections and minor changes to the Draft EIR will not result in new significant environmental effects or substantially increase the severity of the previously identified significant effects disclosed in the Draft EIR;
4. The factual corrections and minor changes in the Draft EIR will not involve mitigation measures or alternatives which are considerably different from those analyzed in the Draft EIR that would substantially reduce one or more significant effect on the environment; and
5. The factual corrections and minor changes to the Draft EIR do not render the Draft EIR so fundamentally inadequate and conclusory in nature that meaningful public review and comment would be precluded.

Thus, none of the conditions set forth in CEQA requiring recirculation of a Draft EIR have been met. Incorporation of the factual corrections and minor changes to the Draft EIR into the Final EIR does not require the Final EIR be circulated for public comment.

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## 11.0 STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to CEQA Section 21081(b) and the CEQA Guidelines Section 15093, BOE has balanced the benefits of the proposed Paseo Del Mar Permanent Restoration Project against the unavoidable adverse impacts associated with the proposed project and has adopted all feasible mitigation measures. BOE has also examined alternatives, and has determined that adoption and implementation of Alternative 1, Bridge Spanning Over Landslide, is the most desirable, feasible, and appropriate action.

### 11.1 SIGNIFICANT UNAVOIDABLE IMPACTS

Based on the information and analysis set forth in the Draft EIR, Final EIR, responses to comments, and the record of proceedings, construction of Alternative 1 will result in significant impacts after mitigation related to noise.

The Los Angeles CEQA Thresholds Guide states that a significant impact would occur if construction activities lasting more than ten days in a three-month period would exceed existing ambient noise levels by 5 dBA or more at a noise-sensitive use. The highest construction-related noise increase under Alternative 1 would occur at single-family residences located to the east of the project site. Even after the implementation of noise attenuation measures to control noise levels (mitigation measures NOI-A through NOI-H) Alternative 1 would still result in a 5 dBA increase over the ambient noise level. The noise increase would be temporary and intermittent, but nonetheless higher than the threshold. Furthermore, significant impacts were identified associated with haul trucks on Western Avenue between West 25th Street and Paseo Del Mar. This roadway segment has been identified as the most direct route for regional access to the project site while avoiding residential neighborhoods as much as possible. However; truck noise cannot be regulated at the source, and there are no feasible mitigation measures to reduce noise along the route. Implementation of mitigation measures NOI-A through NOI-H would reduce noise impacts related to construction equipment; however, this temporary impact would remain a significant and unavoidable impact.

### 11.2 PROJECT BENEFITS

BOE has balanced the proposed project's benefits against the significant and unavoidable impact identified under Alternative 1. BOE finds that the benefits of implementing Alternative 1 outweigh the significant and unavoidable impact, and the impact, therefore, is considered acceptable in light of the proposed project's benefits. BOE finds that each of the following benefits is an overriding consideration, independent of the other benefits, that warrants approval of Alternative 1 notwithstanding the significant and unavoidable temporary construction impact related to noise. Alternative 1 would provide several public benefits, as described in the following:

- **Restore Continued Access Along Paseo Del Mar.** The fundamental purpose of the proposed project is to restore the section of roadway that collapsed in the 2011 landslide event to its original function. Paseo Del Mar is designated as a secondary highway that provides east-west circulation. Additionally, Paseo Del Mar in the location of the project site includes designated bicycle and pedestrian facilities. Currently, the eastern end of the project site, at the intersection of Paseo Del Mar and Weymouth Avenue, is a cul-de-sac, and the western end of the project site has been fenced off, thereby prohibiting all vehicular and pedestrian traffic through the project site. Implementation of the proposed

project would restore continued access to vehicles, bicycles, and pedestrians in the community along Paseo Del Mar.

- **Preservation of Scenic Resources.** Paseo Del Mar from Western Avenue east to Gaffey Street is designated as a (Secondary) Scenic Highway under the City of Los Angeles General Plan. This designated area includes the project site. According to the Mobility Plan 2035, design and alignment of a Scenic Highway roadway must include preservation and enhancement of scenic resources. Additionally, one of the objectives of the San Pedro LCP Specific Plan is to preserve existing scenic views of the ocean and harbor from designated Scenic Highways, including the location of the proposed project, scenic view sites, and existing residential structures. The proposed project would restore continued access along Paseo Del Mar along the same alignment as the pre-landslide conditions, thereby restoring access to and preserving scenic resources along this portion of the scenic highway.
- **Geotechnically Stable Roadway.** The development of the proposed project would include further stabilization of the landslide area to prevent future sliding and increase safety at the project site. Development of the proposed project would require the preparation of a report by a registered geologist and/or soils engineer identifying any geologic hazards associated with development in this area and stating that the proposed development would neither create nor contribute significantly to geologic instability of the site. Under Alternative 1, the existing landslide area would be further stabilized to protect against future sliding at the site. Alternative 1 would be designed to prevent future geologic hazards at the project site. Additionally, a vegetation plan would be developed and implemented on the seaward side of the Paseo Del Mar ROW to further stabilize the surface of the area that was disturbed by the landslide and provide protection against erosion.
- **Improvement to Traffic Circulation.** Alternative 1 would restore traffic circulation to the pre-landslide patterns. The proposed project would return through-traffic flow to Paseo del Mar, which is a Type II Arterial Highway. Currently, through-traffic is diverted onto local residential streets, where traffic flow is not as controlled. Pedestrian and bicyclist safety will be improved, especially in adjacent residential neighborhoods and nearby school sites.
- **Utilities Realignment.** Utilities would be realigned with the new roadway. After the landslide, Los Angeles Department of Water and Power overhead power lines were realigned through White Point Preserve. With the permanent roadway project completion, the power lines would be relocated from their current temporary alignment through the Preserve. The disturbed land would also have to be restored to its original condition.
- **Ocean Access.** Alternative 1 would enable direct access to the ocean, by allowing wildlife and recreational users to safely pass directly underneath the bridge from the Preserve, rather than having to cross the roadway.

## 11.3 CONCLUSION

Based on the foregoing findings and the information contained in the record, it is hereby determined that:

- a) All significant effects on the environment due to approval of Alternative 1 have been eliminated or substantially lessened where feasible, and
- b) Any remaining significant effects on the environment found to be unavoidable are acceptable due to the factors described in the Statement of Overriding Considerations above.

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