Findings and Statement of Overriding Considerations For the Integrated Resources Plan

Prepared for

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DEPARTMENT OF PUBLIC WORKS

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1.0 Introduction

This Findings and Statement of Overriding Considerations summarizes the findings of environmental impacts of the *Integrated Resources Plan Environmental Impact Report*—IRP EIR— (City of Los Angeles 2006, SCH No. 2004071091) and presents the Statement of Overriding Considerations.

This section presents an overview of the purpose of this document, summarizes the Staff Recommended Preferred Alternative, and presents the organization of this document.

1.1 Purpose of Findings and Statement of Overriding Considerations

Section 21081 of the California Public Resources Code and Section 15091 of the California Environmental Quality Act (CEQA) Guidelines require a public agency, prior to approving a project, to identify significant impacts of the project and make one or more written findings for each such impact. According to Section 21081, "no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless both of the following occur:

(a) The public agency makes one or more of the following 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. Those 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."

Section 21081.6 of CEQA also requires public agencies to adopt a monitoring and reporting program for assessing and ensuring the implementation of proposed mitigation measures. The mitigation measures identified in the Mitigation Monitoring and Reporting Program for the IRP,

which is provided under separate cover, are those identified within this Findings and Statement of Overriding Considerations.

1.2 Overview of Preferred Alternative

The Staff Recommended Preferred Alternative comprises various wastewater, recycled water, and runoff management components. Its key features are noted below and discussed in detail in the IRP EIR. In addition, Section 3 of the Findings and Statement of Overriding Considerations presents additional information on the rationale for the selection of the Staff Recommended Preferred Alternative. The key features of the Staff Recommended Preferred Alternative are:

- Expansion of Donald C. Tillman Water Reclamation Plant (Tillman) to 100 million gallons per day (mgd) and addition of advance treatment.
- Construction of 60 million gallons (MG) wet weather wastewater storage at Tillman.
- Potential addition of advanced treatment upgrades at the Los Angeles – Glendale Water Reclamation Plant (LAG).
- Construction of wastewater and recycled water storage at LAG (5 MG each).
- Construction of process upgrades at the Hyperion Treatment Plant (Hyperion) (new digesters, new truck loading facility, new secondary clarifiers).
- Construction of the Northeast Interceptor Sewer Phase II (NEIS II) West Alignment (Option B in the EIR).
- Construction of the recommended Glendale Burbank Interceptor Sewer (GBIS) Alignment (Option A in the EIR).
- Construction of the Valley Spring Lane Interceptor Sewer (VSLIS).
- Implementation of increased recycled water use (non-potable and/or potential groundwater replenishment. Groundwater replenishment is contingent upon a future specific City decision to pursue groundwater replenishment and further environmental documentation).
- Implementation of dry weather runoff management through low flow diversions, smart irrigation, urban runoff plants, and treatment wetlands.
- Implementation of wet weather runoff management though capture and percolation, capture and reuse, urban runoff plants, and groundwater replenishment with non-urban runoff.

The NEIS II West Alignment, Option B, is described in Section 1.5.2.1 of the Final EIR and would be constructed primarily using tunneling techniques. Most of the major construction activity will be focused in and around a series of construction shaft sites. Three shaft sites have been identified for the recommended NEIS II Alignment, as follows:

- Division Street Shaft Site.
- Griffith Park Shaft Site
- Pecan Grove Shaft Site

In addition, an air treatment facility (ATF) would be constructed and operated at the Griffith Park and Pecan Grove Shaft Sites.

The recommended GBIS Alignment is described in Section 1.5.2.2 of the Final EIR and would be constructed primarily using tunneling techniques. Most of the major construction activity will be

focused in and around a series of construction shaft sites. Four shaft sites have been identified for the recommended GBIS Alignment, as follows:

- Pecan Grove Shaft Site
- Travel Town Shaft Site
- Barham Shaft Site
- Caltrans North Hollywood Maintenance Yard Shaft Site

In addition, an ATF would be constructed and operated at the Pecan Grove Shaft Site (one ATF would serve both NEIS II and GBIS) and another at the Caltrans North Hollywood Maintenance Yard Shaft Site.

Section 2 presents the impact findings for this Staff Recommended Preferred Alternative.

1.3 Document Organization

This Findings and Statement of Overriding Considerations is organized in the following way:

- Section 1.0, Introduction, provides background information of the purpose of Findings and Statement of Overriding Considerations and presents the organization presents of this document.
- Section 2.0, Findings Regarding Environmental Effects, presents a brief overview of the Staff Recommended Preferred Alternative and a summary of the significant effects of that Preferred Alternative
- Section 3.0 Alternatives Considered describes the alternatives evaluated in the IRP EIR, and the rationale for selection of the Staff Recommended Preferred Alternative and rejection of the remaining alternatives.
- Section 4.0 Statement of Overriding Considerations presents the Statement of Overriding Considerations for the adverse effects that cannot be avoided, even with proposed mitigation measures.

2.0 Findings of Environmental Effects

This section discusses the impacts and mitigation measures identified for the Staff Recommended Preferred Alternative, and makes findings for all areas of potential impact.

Potentially significant impacts (from construction and/or operation) that would occur as a result of implementing the Staff Recommended Preferred Alternative (see Section 3, below) prior to applying the mitigation measures would be in the following resource areas:

- Aesthetics
- Air quality
- Biological resources
- Coastal resources
- Cultural resources
- Geology and soils

- Hazardous materials
- Hydrology and water quality
- Noise and vibration
- Public services
- Recreation and parks
- Traffic (parking)

Many of the potential impacts of the Staff Recommended Preferred Alternative are associated with the NEIS II and GBIS sewer alignments that include specific shaft site recommendations. (See Section 1, above, for an overview of the Staff Recommended Preferred Alternative). Each of the resource areas below is discussed in terms of:

- Descriptions of Potential Effects are specific descriptions of the environmental effects identified in the EIR as significant or potentially significant.

- Mitigation Measures are the proposed mitigation measures for the impacts identified as significant or potentially significant.

- Findings are the findings made in accordance with Section 21081 of the Public Resources Code. One of three findings is made for each significant or potentially significant impact, in response to Section 15091 of the CEQA Guidelines. The significance of the environmental impacts after mitigation is also provided.

- Rationale is a summary of the reasons for the findings

- References are notations on the specific section in the EIR that supports the findings.

2.1 Aesthetics

This section discusses the significant or potentially significant aesthetic impacts related to the construction and operation of the Staff Recommended Preferred Alternative.

2.1.1 Description of Potential Effects

AES-1: Elements that substantially contrast with existing valued aesthetic features.

Construction sites in recreational or residential areas could temporarily contrast with adjacent valued aesthetic features.

The ATFs that would be placed at the Griffith Park Shaft Site (NEIS II) and the Pecan Grove Shaft Site (GBIS) would represent permanent facilities that could contrast with existing recreational and aesthetic features in the vicinity of the Crystal Springs picnic grounds (Griffith Park Shaft Site for NEIS II) and the Pecan Grove picnic grounds (GBIS) in Griffith Park. This impact is considered significant.

Above-ground structures associated with the program-level components of the Staff Recommended Preferred Alternative such as pump stations, storage tanks, and urban runoff plants (URPs), could contrast with valued aesthetic image or features, depending on future

locations of the facilities. Specific locations for the program-level components have not yet been identified, but would be identified during the preliminary design phase for such facilities. Future environmental documentation for these program-level components would discuss potentially significant impacts, if any.

AES-2: Permanent obstruction of recognized or valued views.

The program-level component of wet weather URPs located along the coast could permanently obstruct views of the Pacific Ocean. Recycled water storage tanks could adversely affect permanent views of mountains, if these tanks are above ground and placed in mountain areas. These potential view blockage impacts are considered potentially significant. Future environmental documentation for these program-level components would discuss potentially significant impacts, if any.

AES-3: Impacts to scenic highways, corridors, or parkways.

Above ground structures associated with the recycled water distribution system and the URPs proposed under the Staff Recommended Preferred Alternative could be placed adjacent to scenic highways, corridors, or parkways, and thus, could result in potentially significant impacts. Future environmental documentation for these program-level components would discuss potentially significant impacts, if any.

AES-4: Lighting that routinely intrudes on adjacent light-sensitive areas.

Construction shaft sites associated with NEIS II and GBIS could require nighttime construction and could introduce lighting that intrudes onto adjacent residences. This would be considered a potentially significant impact.

Operation of above ground facilities (program-level components) such as storage tanks, URPs, and pump stations have the potential to add new lighting that could affect light-sensitive areas, depending on the location and surroundings of the facilities. Future environmental documentation for these program-level components would discuss potentially significant impacts, if any.

2.1.2 Mitigation Measures

AES-1: Elements that substantially contrast with existing valued aesthetic features.

Mitigation measure AES-MM-1, described in Section 3.2.4.4 of the Draft EIR, represents a measure that will be implemented to minimize potential objections to shaft sites in recreational or residential areas during construction of the recommended NEIS II and GBIS alignments.

For aesthetic impacts related to the ATFs at the Griffith Park Shaft Site and the Pecan Grove Shaft Site, mitigation measures AES-MM-2 and AES-MM-3, described in Section 3.2.4.4 of the Draft EIR, will be implemented.

Above ground structures associated with the program-level components of the Preferred Alternative, will implement mitigation measures AES-MM-3, AES-MM-4, AES-MM-5, and AES-MM-6 (described in Section 3.2.4.4 of the Draft EIR) as appropriate.

AES-2: Permanent obstruction of recognized or valued views.

For potential view blockage impacts related to wet weather URPs in coastal areas or above-ground recycled water tanks in mountain areas, mitigation measures AES-MM-3, AES-MM-4, and AES-MM-5 will be implemented.

AES-3: Impacts to scenic highways, corridors, or parkways.

For above ground structures associated with the recycled water distribution system and the URPs that could occur along a scenic highway, corridor, or parkway, mitigation measures AES-MM-3, AES-MM-4, AES-MM-5, and AES-MM-6 will be implemented, as applicable.

AES-4: Lighting that routinely intrudes on adjacent light-sensitive areas.

For construction Shaft Sites associated with NEIS II and GBIS that would be adjacent to residences, mitigation measure AES-MM-7 (described in Section 3.2.4.4 of the Draft EIR) will be implemented.

For above ground facilities (program-level components) such as storage tanks, URPs, and pump stations that have the potential to additional or add new lighting that would be placed adjacent to or near residences, mitigation measure AES-MM-8 (described in Section 3.2.4.4 of the Draft EIR) will be implemented.

2.1.3 Findings

The following finding is made for aesthetic impact AES-1 (contrasting elements), AES-2 (blockage of views), AES-3 (scenic highways), and AES-4 (intrusive lighting):

[XX] **Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

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

[ ] Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

With mitigation, the above potential impacts related to Project features that potentially could contrast with existing valued features (AES-1), block views (AES-2), adversely affect scenic highways (AES-3), or result in intrusive lighting (AES-4), are found to be:

[ ] Significant **[XX]** **Not significant**

2.1.4 Rationale

Implementation of mitigation measures AES-MM-1, AES-MM-2 and AES-MM-3 would locate ATFs in recreational areas or near residential areas in a manner that minimizes potential conflicts with existing uses, and would provide visual screening and architectural treatments to further reduce the potential for aesthetic impacts. Mitigation measures AES-MM-4, AES-MM-5, and AES-MM-6 would require that other facilities be sited and designed in a manner that avoids

conflicts with or contrasting elements with existing natural areas, view blockages, and requires the placement of facilities underground where feasible. These mitigation measures would reduce the potential for significant impacts related to view blockages or scenic highways to a less than significant level. Mitigation measures AES-MM-7 and AES-MM-8 require the screening of construction sites to minimize the potential for construction lighting to intrude on adjacent light-sensitive areas, and would require that facility lighting be directed on the facility area and avoid outwardly directed lighting. These measures would require lighting from significantly intruding onto adjacent sensitive areas. Following implementation of the mitigation measures above, significant impacts are not anticipated.

2.1.5 References

Section 3.2 of the Draft EIR (with modifications as provided in Section 2 of the Final EIR) addresses the project's aesthetic impacts and mitigation measures.

2.2 Agricultural Resources

No significant or potentially significant impacts to agricultural resources were identified in the Section 3.3 of the Draft EIR.

2.3 Air Quality

This section discusses the significant or potentially significant air quality impacts related to the construction and operation of the Staff Recommended Preferred Alternative.

2.3.1 Description of Potential Effects

AQ-1: Criteria pollutant emissions from construction.

The maximum daily emissions associated with construction of the Preferred Alternative would exceed the South Coast Air Quality Management District's (SCAQMD) thresholds for significance for all criteria pollutants. This is considered a significant impact. In addition, construction emissions can cause localized exceedences of the California ambient air quality standards and/or the national ambient air quality standards, which are considered a significant localized impact.

AQ-2: Criteria pollutant emissions from operation.

The maximum daily emissions associated with operation of the Preferred Alternative would exceed the SCAQMD thresholds for significance for volatile organic compounds (VOCs) and nitrogen oxides (NOx), thus resulting in a significant air quality impact. The sources of operational emissions include motor vehicles and the production of electricity required to operate the Staff Recommended Preferred Alternative.

AQ-3: Odors from construction or operation.

During construction at Hyperion, Tillman, LAG, and construction of NEIS II, GBIS and VSLIS, odors could be released on a short-term basis when connections are made to facilities that convey wastewater. These odors could be objectionable to nearby sensitive receptors, and are therefore considered significant.

Operation of the Staff Recommended Preferred Alternative could result in increases in odors at: 1) sensitive receptor locations near Hyperion due to increased biosolids handling capacity, 2) at

sensitive receptors near Tillman related to higher wastewater throughput and wastewater storage, 3) at sensitive receptors near LAG related to the addition of wastewater storage, and 4) within approximately 100 feet of the ATFs that would be placed at the Crystal Springs picnic grounds at the Griffith Park Shaft Site (NEIS II), the Pecan Grove picnic grounds (GBIS), and the Caltrans North Hollywood Maintenance Yard (GBIS).

2.3.2 Mitigation Measures

AQ-1: Criteria pollutant emissions from construction.

To minimize criteria pollutant emissions during construction, mitigation measures AQ-MM-1, AQ-MM-2, and AQ-MM-9 (described in Section 3.4.3.3 of the Draft EIR and Section 2.4.4 of the Final EIR) will be implemented.

AQ-2: Criteria pollutant emissions from operation.

Motor vehicles are not substantial generators of NOx emissions and no mitigation is available to effectively reduce NOx generation from vehicles. In addition, motor vehicle emissions are regulated by the California Air Resources Board. Furthermore, power plants located in the air basin are powered by natural gas, which is considered a clean burning fuel. Because of the above, there are no feasible mitigation measures that can be employed to reduce operational emissions.

AQ-3: Odors from construction or operation.

To minimize potential odor impacts during construction and operation, mitigation measures AQ-MM-3, AQ-MM-4, AQ-MM-5, AQ-MM-6, AQ-MM-7, and AQ-MM-8 (described in Section 3.4.2.2 of the Draft EIR) will be implemented, as applicable.

2.3.3 Findings

Regarding air quality impacts, the following finding is made:

[XX] **Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

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

[ ] Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

With mitigation, construction emissions (AQ-1) would exceed the significance thresholds for all criteria pollutants, operational emissions (AQ-2) would exceed the significance thresholds for VOCs and NOx, and operational odors (related to Hyperion and the ATFs) have the potential to remain objectionable to nearby sensitive receptors; thus, remaining impacts are found to be:

[XX] **Significant** [ ] Not significant

2.3.4 Rationale

Although the construction-related air quality impacts discussed above would be temporary and reduced from implementation of all appropriate mitigation measures, exceedances of SCAQMD thresholds will still occur for all criteria pollutants. Regarding localized proximity impacts during construction, the above mitigation measures would reduce emissions; however, significant impacts localized impacts to sensitive receptors could still occur. For operation, the potential for significant impact related to NOx and VOCs would continue to exist.

Regarding potential odor impacts, mitigation is expected to reduce odor impacts during construction to a less than significant level. For odors during operation of Hyperion, a potential for significant odor impact remains because the plant's digester capacity and throughput would be increased; although increased odor control will be implemented, the potential for odors cannot be completely eliminated. Similarly, although odor mitigation will be employed for the ATFs, the potential for significant odor impact cannot be completely eliminated.

2.3.5 References

Section 3.4 of the Draft EIR (as modified by Section 2.4.2 of the Final EIR) addresses the project's air quality impacts and mitigation measures.

2.4 Biological Resources

This section discusses the significant or potentially significant biological resource impacts related to the construction and operation of the Staff Recommended Preferred Alternative.

2.4.1 Description of Potential Effects

BIO-1: Impacts to designated species.

The Griffith Park Shaft Site and the Barham Shaft Site have the potential to affect nesting special-status birds. The Barham Shaft Site also has the potential to affect special-status plant species (Greata's aster, Baunton's milk-vetch, Nevin's barberry, and Parish's gooseberry). These potential impacts are considered significant.

BIO-2: Impacts to wetlands.

The program-level components, including the runoff management facilities such as URPs or treatment wetlands, could adversely affect natural wetlands if present on the selected sites or if the facility would utilize runoff that currently supports existing wetlands. This potential impact is considered significant. Future environmental documentation for these program-level components would discuss potentially significant impacts, if any.

BIO-3: Impacts to sensitive species habitats.

The program-level components could adversely affect the long-term survival of special status species is such species or their habitats are presents on future natural wetlands if present on the selected sites or if the facility would utilize runoff that currently supports existing wetlands. This potential impact is considered significant. Future environmental documentation for these program-level components would discuss potentially significant impacts, if any.

BIO-4: Conflicts with tree ordinances or policies.

Construction of storage at LAG could adversely affect coast live oak or California sycamore is the facilities are sited in close proximity to the existing trees. This is considered a potentially significant impact.

There is a possibility that program-level components could be sited on locations in which protected trees are present. This is considered a potentially significant impact. Future environmental documentation for these program-level components would discuss potentially significant impacts, if any.

2.4.2 Mitigation Measures

BIO-1: Impacts to designated species.

To mitigate potential impacts to special-status species, mitigation measures BIO-MM-1, BIO-MM-2, and BIO-MM-3 (described in Section 3.5.3.3 of the Draft EIR and Section 2.4.5 of the Final EIR) will be implemented.

BIO-2: Impacts to wetlands.

To mitigate potential impacts to wetlands, mitigation measures BIO-MM-3 and BIO-MM-4 (described in Section 3.5.3.3 of the Draft EIR) will be implemented.

BIO-3: Impacts to sensitive species habitats.

To mitigate potential project impacts from the program-level components that could affect the long-term survivability of special status species or their habitats, mitigation measures BIO-MM-3 will be implemented for program-level components that could affect such species or their habitat, based on the facility locations when determined.

BIO-4: Conflicts with tree ordinances or policies.

To mitigate the potential for protected trees to be adversely affected by construction at LAG or from program-level components that would be constructed on sites that also have protected trees, mitigation measure BIO-MM-5 will be implemented. Future environmental documentation for the program-level components would discuss potentially significant impacts, if any.

2.4.3 Findings

For the above impacts to biological resources, the following finding is made:

[XX] **Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

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

[ ] Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

With mitigation, potential impacts to special status species (BIO-1), wetlands (BIO-2), sensitive species habitats (BIO-3), and protected trees (BIO-4) are found to be:

[ ] Potentially Significant **[XX]** **Not significant**

2.4.4 Rationale

Implementation of mitigation measure BIO-MM-1 would require that surveys of the Griffith Park and Barham Shaft Sites prior to construction and if there are raptor nests or other native bird species present, construction activities would be restricted in the vicinity of the nest. This measure would ensure that nesting raptors and other native bird species would not be substantially affected and would mitigate potential impacts to a less than significant level.

BIO-MM-2 would require a survey at the Barham Shaft Site to identify the presence of special status plant species, and if present, would coordinate with applicable resource agencies to implement specific measures such as avoidance, relocation of the specimens, and/or purchase of offsite habitats that contain the observed special-status species. This measure would mitigate potential impacts on special status plant species to a less than significant level.

BIO-MM-3 would require a biological resource survey if a program-level component would be located on an open-space or non-urbanized site to determine if biological resources (special status species or their habitats, wetlands, or protected trees) are present. If so, avoidance measures would be implemented such as alternative sites or designs. If avoidance cannot be implemented, consultation with applicable resource agencies would occur to develop case-by-case mitigation. This mitigation measure is expected to keep potential impacts to biological resources below a level of significance.

BIO-MM-4 would be implemented for runoff components such as URPs or treatment wetlands that have the potential to reduce the amount of runoff that supports existing wetlands. This mitigation measures would require a facility design that that avoids a reduction in the runoff that support existing wetlands or an alternative site. Because this measure would ensure that existing wetlands would not be affected, it would mitigate potential wetlands impacts to a less than significant level.

BIO-MM-5 requires a qualified biologist to identify and quantify protected trees that could be affected and for the City to comply with the applicable tree replacement provisions of the applicable ordinance. Because protected trees would be relocated or replaced as required by the ordinance, potential impacts would be less than significant.

Following implementation of these mitigation measures, significant impacts are not anticipated.

2.4.5 References

Section 3.5 of the Draft EIR (as modified in Section 2.4.5 of the Final EIR) addresses the project's biological resource impacts and mitigation measures.

2.5 Coastal Resources

This section discusses the significant or potentially significant coastal resource impacts related to the construction and operation of the IRP Preferred Alternative.

2.5.1 Description of Potential Effects

CR-3: Impacts to the marine environment.

Advance treatment at upstream water reclamation plants (Tillman and LAG) would discharge brine to the sewer system, which could affect the ability of Hyperion to meet effluent quality standards at the 5-mile outfall.

2.5.2 Mitigation Measures

CR-3: Impacts to the marine environment.

To mitigate potential impacts to water quality related to the discharge of brine to the sewer system from Tillman and LAG, WQ-MM-1 (as described in Section 2.4.11 of the Final EIR) will be implemented.

2.5.3 Findings

Regarding potential impacts to coastal resources, the following finding is made:

[XX] **Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

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

[ ] Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

With mitigation, potential impacts to coastal marine environment (CR-3:) are found to be:

[ ] Significant **[XX]** **Not significant**

2.5.4 Rationale

Implementation of mitigation measure WQ-MM-1 would require additional studies to be performed prior to upgrading Tillman and/or LAG to advance treatment to determine the effect of brine discharges to the collection system (from those upstream water reclamation plants) on the treatment process at Hyperion, and to establish operating parameters for the upstream plants to ensure that discharges from Hyperion will not result in violation of permit requirements.

2.5.5 References

Section 3.6 of the Draft EIR addresses the project's potential impacts to coastal resources and mitigation, and Section 2.4.11 of the Final EIR includes revisions to mitigation measure WQ-MM-1.

2.6 Cultural Resources

This section discusses the significant or potentially significant cultural resource impacts related to the construction and operation of the Staff Recommended Preferred Alternative.

2.6.1 Description of Potential Effects

CUL-1: Impacts to paleontological resources.

Construction at Hyperion, Tillman, and LAG has the potential to encounter and damage paleontological resources, which is considered potentially significant. Tunneling to construct the NEIS II, GBIS, and VSLIS sewer pipelines has the potential to encounter and damage paleontological resources if the tunnel alignments and accessory structures are located in geological units associated with such resources, and this is considered potentially significant.

Construction of the program-level components have the potential to encounter and damage paleontological resources, depending on the location of these components. Future environmental documentation for the program-level components would discuss potentially significant impacts, if any.

CUL-2: Impacts to archaeological resources.

Excavation and tunneling activities associated with NEIS II and GBIS within 0.25 miles of the Los Angeles River or other tributaries have a high potential to encounter and damage archaeological resources, which is considered potentially significant.

Program-level components, depending on their location, could encounter and damage archaeological resources, which is considered potentially significant. Future environmental documentation for the program-level components would discuss potentially significant impacts, if any.

CUL-3: Impacts to traditional cultural properties.

Although no traditional cultural properties were identified in the Draft EIR, a representative of the Gabrielino Tongva stated that project components would extend into Gabrielino Tongva territory. Because the locations of the program-level components have not been identified, a low potential exists for construction of the program-level components to encounter traditional cultural properties associated with the Gabrielino Tongva, which is considered potentially significant. Future environmental documentation for the program-level components would discuss potentially significant impacts, if any.

CUL-4: Impacts to human remains.

Excavation and tunneling activities associated with NEIS II and GBIS within 0.25 miles of the Los Angeles River or other tributaries could have a high potential to encounter human remains, which is considered potentially significant.

Program-level components, depending on their location, could encounter human, which is considered potentially significant. Future environmental documentation for the program-level components would discuss potentially significant impacts, if any.

2.6.2 Mitigation Measures

CUL-1: Impacts to paleontological resources.

To minimize potential impacts to paleontological resources from construction of the Preferred Alternative, mitigation measures CUL-MM-1, CUL-MM-2, CUL-MM-3, CUL-MM-4, and CUL-MM-5 (described in Section 3.7.3.3 of the Draft EIR) will be implemented.

CUL-2: Impacts to archaeological resources.

To minimize potential impacts to archaeological resources from tunnel construction within 0.25 miles of the Los Angeles River or other tributaries, and from surface construction related to the program-level components, mitigation measures CUL-MM-6, CUL-MM-7, CUL-MM-8, CUL-MM-9, and CUL-MM-10 (described in Section 3.7.3.3 of the Draft EIR) will be implemented.

CUL-3: Impacts to traditional cultural properties.

To minimize potential impacts to traditional cultural properties from surface construction related to the program-level components, mitigation measures CUL-MM-6, CUL-MM-7, CUL-MM-8, CUL-MM-9, CUL-MM-10, and CUL-MM-11 (described in Section 3.7.3.3 of the Draft EIR) will be implemented.

CUL-4: Impacts to human remains.

To minimize potential impacts to human remains that could be encountered during construction of the sewer alignments within 0.25 miles of the Los Angeles River or other tributaries and from surface construction related to the program-level components, mitigation measures CUL-MM-6, CUL-MM-7, CUL-MM-8, CUL-MM-9, CUL-MM-10, and CUL-MM-12 (described in Section 3.7.3.3 of the Draft EIR) will be implemented.

2.6.3 Findings

For potential impacts to paleontological resources, archaeological resources, traditional cultural properties, and human remains, the following finding is made:

[XX] **Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

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

[ ] Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

With mitigation, the potential impacts to paleontological resources (CUL-1) from construction of improvements at Hyperion, Tillman, LAG, and the program-level components are found to be:

[ ] Potentially Significant **[XX]** **Not significant**

With mitigation, the potential impacts to paleontological resources (CUL-1) and archaeological resources (CUL-2), if present, from tunnel construction associated with the NEIS II, GBIS, and possibly the VSLIS sewer pipelines are found to be:

[XX] **Potentially Significant** [ ] Not significant

With mitigation, potential impacts to archaeological resources (CUL-2) related to surface construction of the program-level components are found to be:

[ ] Potentially Significant **[XX]** **Not significant**

With mitigation, potential impacts to traditional cultural properties (CUL-3) related to surface construction of the program-level components are found to be:

[ ] Potentially Significant **[XX]** **Not significant**

With mitigation, the potential impacts to human remains (CUL-4) from tunnel construction within 0.25 miles of the Los Angeles River or other tributaries and from surface construction associated with the program-level components are found to be:

[XX] **Potentially Significant** [ ] Not significant

2.6.4 Rationale

Paleontological Resources

Regarding the potential for the sewer alignments (NEIS II, GBIS, and VSLIS) to significantly affect paleontological resources, the tunneling machines will likely be closed-face machines. Because the cutting head of the tunnel boring machines would break up paleontological resources, if present, recovery is not possible. Because of this, the tunneling of the sewer pipelines would result in potentially significant impacts to paleontological resources after mitigation.

For construction at Hyperion, Tillman, LAG, and the program-level components, mitigation measures CUL-MM-1 through CUL-MM-5 could be implemented effectively because construction activity would occur from the surface, which would allow for the monitoring and recovery of paleontological resources, if encountered. Because of this, potential impacts to paleontological resources from construction at Hyperion, Tillman, LAG, and program-level components, after mitigation, would be less than significant.

Archaeological Resources

Regarding the potential for portions of the NEIS II and GBIS sewer pipelines within 0.25 miles of the Los Angeles River or other tributaries to significantly affect archaeological resources, the tunneling machines will likely be closed-face machines. Because the cutting head of the tunnel boring machines would break up archaeological resources, if present, recovery is not possible. Because of this, the tunneling of the sewer pipelines would result in potentially significant impacts to archaeological resources after mitigation.

For surface construction of the program-level components, mitigation measures CUL-MM-6 through CUL-MM-10 could be implemented effectively because construction activity would

occur from the surface, which would allow for the monitoring and recovery of archaeological resources, if encountered. Because of this, potential impacts to archaeological resources related to surface construction associated with the program-level components, after mitigation, would be less than significant.

Traditional Cultural Properties

For surface construction of the program-level components, mitigation measures CUL-MM-6 through CUL-MM-11 could be implemented effectively because construction activity would occur from the surface, which would allow for the monitoring and recovery of traditional cultural properties, if encountered. In addition, CUL-MM-11 requires coordination with Native American tribes once specific locations for the program-level components are known. Because of this, potential impacts to traditional cultural properties related to surface construction associated with the program-level components, after mitigation, would be less than significant.

Human Remains

For surface construction of the program-level components, mitigation measures CUL-MM-6 through CUL-MM-10 and CUL-MM-12 could be implemented effectively because construction activity would occur from the surface, which would allow for the monitoring and recovery of traditional cultural properties, if encountered. In addition, CUL-MM-12 would comply with steps and procedures in the Health and Safety code in the event human remains are encountered. However, because any disturbance, degradation, or removal of Native American burials are considered significant, potential impacts to human remains would be significant after mitigation.

2.6.5 References

Section 3.7.3.3 of the Draft EIR addresses the project's cultural resource impacts and mitigation measures.

2.7 Environmental Justice

No significant or potentially significant environmental justice impacts were identified in Section 3.8 of the Draft EIR.

2.8 Geology and Soils

This section discusses the significant or potentially significant geology and soils impacts related to the construction and operation of the IRP Preferred Alternative.

2.8.1 Description of Potentially Effects

GEO-1: Geologic hazards

The NEIS II West Alignment would cross the Hollywood Raymond fault. Because this fault is considered active, there is a potential for breakage of NEIS II from a seismic event along this fault that results in surface rupture. This is considered a potentially significant impact.

GEO-2: Instability related to soil erosion, expansion, or settlement.

Tunneling for NEIS II, GBIS, and possibly VSLIS could cause settlement at the ground surface along the tunnel heading due to ground loss at the tunnel boring face. This is considered a potentially significant impact.

2.8.2 Mitigation Measures

GEO-1: Geologic hazards

To minimize the potential for breakage along the NEIS II alignment as it crosses the Hollywood Raymond fault, mitigation measure GEO-MM-1 (described in Section 3.9.3.3 of the Draft EIR) will be implemented.

GEO-2: Instability related to soil erosion, expansion, or settlement.

To minimize the potential for surface settlement along the tunnel alignments for NEIS II, GBIS, and possibly VSLIS, mitigation measure GEO-MM-2 (described in Section 3.9.3.3 of the Draft EIR and modified in Section 2.4.9 of the Final EIR) will be implemented.

2.8.3 Findings

For the above impacts, the following finding is made:

[XX] **Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

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

[ ] Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

With mitigation measure GEO-MM-1, the potential geologic hazard impacts (GEO-1) related to a fault rupture along the Hollywood Raymond fault is found to be:

[XX] **Potentially Significant** [ ] Not significant

With mitigation GEO-MM-2, the potential surface settlement impacts (GEO-2) are found to be:

[XX] **Potentially Significant** [ ] Not significant

2.8.4 Rationale

The potential of a seismic event along the Hollywood Raymond fault, which the NEIS II alignment would cross, cannot be completely mitigated through design features. Although the possibility of a fault rupture that leads to a catastrophic break along NEIS II where it crosses the Hollywood Raymond fault is remote, and although the sewer would be repaired following such a rupture, wastewater could enter groundwater that ultimately supplies downstream drinking water wells. Therefore, this potential impact is considered significant after mitigation.

Although mitigation measure GEO-MM-2 will require the contractor to adhere to strict surface settlement criteria, which includes measures such as grouting in advance of the tunnel to control

surface settlement, surface settlement could still occur due to unfavorable subsurface soil conditions. As a consequence, potential surface settlement impacts would remain significant after mitigation.

2.8.5 References

Section 3.9.3.3 of the Draft EIR and Section 2.4.9 of the Final EIR discuss the project's geology and soils impacts and mitigation measures.

2.9 Hazardous Materials

This section discusses the significant or potentially significant hazardous materials impacts related to the construction and operation of the Staff Recommended Preferred Alternative.

2.9.1 Description of Potentially Effects

HAZ-3: Health hazards

The Staff Recommended Preferred Alternative would utilize treatment wetlands to manage urban runoff. Depending on the type of treatment wetlands, there is a potential for the treatment wetlands to provide habitat for mosquito larvae, which could result in health nuisances.

2.9.2 Mitigation Measures

HAZ-3: Health hazards

To mitigate for potential health hazards related to mosquito vectors associated with some types of treatment wetlands, mitigation measure HAZ-MM-1 (described in Section 3.10.3.3 of the Draft EIR) will be implemented.

2.9.3 Findings

For the above potential health hazards impacts, the following finding is made:

[XX] **Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

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

[ ] Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

With mitigation measure HAZ-MM-1, the above potential health hazard impacts (HAZ-3) related to treatment wetlands is found to be:

[ ] Potentially Significant **[XX]** **Not significant**

2.9.4 Rationale

The use of treatment wetlands can create habitat that support mosquito larvae, which could result in mosquito vector issues. Mitigation measure HAZ-MM-1 would implement alternative wetland designs such as subsurface flow wetlands or other wetlands alternatives that minimize mosquito habitat. In addition, this measure would implement operational controls as approved by the applicable vector control district. Because mosquito habitat would be minimized or controlled, impacts after mitigation are found to be less than significant.

2.9.5 References

Section 3.10.3.3 of the Draft EIR discusses the project's health hazard impacts related to vectors and mitigation measure HAZ-MM-1.

2.10 Hydrology and Water Quality

This section discusses the significant or potentially significant hazardous materials impacts related to the construction and operation of the IRP Preferred Alternative.

2.10.1 Description of Potential Effects

WQ-2: Permit violations

The Preferred Alternative would upgrade Tillman and possibly LAG to advance treatment, which would result in the discharge of brine to the wastewater conveyance system for treatment at Hyperion. The addition of brine could affect the treatment process at Hyperion and affect its ability to comply with its NPDES discharge permit. This is considered a potentially significant impact.

WQ-3: Groundwater Quality

As discussed under Geology and Soils above, the NEIS II alignment would cross the active Hollywood Raymond fault. As a consequence, there is a potential for breakage of NEIS II from a seismic event along this fault that results in surface rupture. Although remote, this potential for breakage could result in wastewater entering the groundwater, with an associated degradation in groundwater quality, including groundwater quality at extraction wells. In addition, although the GBIS and VSLIS do not cross known active faults, there is still the remote potential for similar impacts to groundwater quality. This is considered a potentially significant impact.

2.10.2 Mitigation Measures

WQ-2: Permit violations

To mitigate potential impacts to water quality related to the discharge of brine to the sewer system from Tillman and LAG, WQ-MM-1 (as described in Section 2.4.11 of the Final EIR) will be implemented.

WQ-3: Groundwater Quality

To minimize the potential for breakage along the NEIS II alignment as it crosses the Hollywood Raymond fault, mitigation measure GEO-MM-1 and WQ-MM-2 (described in Sections 3.9.3.3 and 3.11.3.3 of the Draft EIR and Section 2.4.9 and 2.4.11 of the Final EIR) will be implemented.

2.10.3 Findings

For the above potential water quality impacts, the following finding is made:

[XX] **Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

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

[ ] Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

With mitigation measure WQ-MM-1, the above impact related to potential permit violations (WQ-2) are found to be:

[ ] Potentially Significant **[XX]** **Not significant**

With mitigation measure GEO-MM-1 and WQ-MM-2, the groundwater quality impact (WQ-3) related to a possible rupture of the NEIS II, GBIS, and possibly VSLIS, and the subsequent release of wastewater in the groundwater is found to be:

[XX] **Potentially Significant** [XX] Not significant

2.10.4 Rationale

Implementation of mitigation measure WQ-MM-1 would require additional studies to be performed prior to upgrading Tillman and/or LAG to advance treatment to the effect of brine discharges to the collection system (from those upstream water reclamation plants) on the treatment process at Hyperion, and to establish operating parameters for the upstream plants to ensure that discharges from Hyperion will not result in violation of permit requirements. The City operates Hyperion, Tillman, and LAG, and will not compromise the ability of Hyperion to meet its permit requirements.

Although an emergency repair will be made to a catastrophic break along NEIS II, GBIS, or VSLIS, there is still a possibility that wastewater could enter the groundwater and affect downstream drinking water sources. Therefore, a potentially significant impact remains after mitigation.

2.10.5 References

Section 3.11.3.3 of the Draft EIR and Section 2.4.11 of the Final EIR discuss the project's hydrology and water quality impacts and mitigation measures.

2.11 Land Use and Planning

No significant or potentially significant land use impacts were identified in Section 3.12 of the Draft EIR.

2.12 Noise and Vibration

This section discusses the significant or potentially significant noise and vibration impacts related to the construction and operation of the IRP Preferred Alternative.

2.12.1 Description of Potential Effects

NV-1: Construction noise.

Construction of the components that comprise the Preferred Alternative would result in increases in ambient noise levels of 5 dBA or more as follows:

- Hyperion: 4 nearby sensitive receptors
- Tillman: 3 nearby sensitive receptors
- LAG: 1 nearby sensitive receptor
- NEIS II West Alignment: 15 single-family residences, 2 multi-family residences, 2 schools, and 2 parks.
- Staff recommended GBIS Alignment:[1] 23 single-family residences, 23 multi-family residences, 2 schools, 1 church, and 3 parks.
- VSLIS and other program-level components: nearby sensitive receptors, locations currently not known.

These construction noise impacts are considered significant.

NV-2: Operational noise.

Operation of certain facilities that comprise the Preferred Alternative would result in increases in ambient noise levels of 3 dBA community noise equivalent level (CNEL) or more as follows:

- ATFs: ATFs for NEIS II, GBIS, and possibly VSLIS could result in increases in ambient noise levels at nearby sensitive receptors that exceed 3 dBA CNEL. The air treatment locations include the Griffith Park Shaft Site (Crystal Springs picnic grounds), Pecan Grove Shaft Site, and Caltrans North Hollywood Maintenance Yard Shaft Site.

- Operation of dry weather and wet weather urban runoff plants could result in increases in ambient noise levels at nearby sensitive receptors that exceed 3 dBA CNEL. Future environmental documentation for the program-level components would discuss potentially significant impacts, if any.

These construction noise impacts are considered significant.

[1] The staff recommended GBIS Alignment is comprised of portions of both the GBIS South Alignment and the GBIS North Alignment in the Draft EIR. The number of affected receptors reflects the specific features; including the shaft sites that comprise the staff recommended GBIS Alignment as described in Section 1.5.2.2 of the Final EIR.

NV-3: Groundborne noise and vibration.

Tunneling construction for NEIS II and GBIS could result in groundborne noise and vibrations that exceed the thresholds along the alignments, which could be annoying to building occupants and sensitive receptors. Approximate potential groundborne noise and vibration impacts are as follows:

- NEIS II West Alignment: 16 single-family residences, 7 multi-family residences, and 1 church.
- Staff recommended GBIS Alignment: 108 single-family residences, 194 multi-family residences, 2 schools, and 2 churches.

2.12.2 Mitigation Measures

NV-1: Construction noise.

To mitigate potential construction noise impacts, mitigation measures NV-MM-1, NV-MM-2, NV-MM-3, NV-MM-4, and NV-MM-5 (as described in Section 3.13.3.3 of the Draft EIR) will be implemented.

NV-2: Operational noise.

To mitigate potential operational noise impacts associated with the ATFs and urban runoff plants, mitigation measure NV-MM-6(as described in Section 3.13.3.3 of the Draft EIR) will be implemented.

NV-3: Groundborne noise and vibration.

To mitigate potential groundborne noise and vibration impacts, mitigation measures NV-MM-7, NV-MM-8, and NV-MM-9 (as described in Section 3.13.3.3 of the Draft EIR) will be implemented.

2.12.3 Findings

For the above noise and vibration impacts, the following finding is made:

[XX] **Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

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

[ ] Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

With mitigation, the above potential construction noise impacts (NV-1), operational noise impacts (NV-2), and groundborne noise and vibration impacts (NV-3) are found to be:

[ ] Potentially Significant **[XX]** **Not significant**

2.12.4 Rationale

Regarding construction noise, mitigation measures NV-MM-1 through NV-MM-5 would implement equipment noise controls such as mufflers and noise attenuation devices, and sound barriers that would be placed between construction shaft site and nearby sensitive receptors that have a line of sight to the construction sights. Noise barriers will also be placed between the construction shaft sites and schools within 500 feet. In addition, noise control plans would be prepared for each shaft site to identify staging locations that minimize noise impacts, and establish reporting and complaint response procedures. These measures are expected to reduce increases in ambient noise levels from construction to below the 5 dBA threshold.

Regarding operational noise, mitigation measure NV-MM-6 will require that noise reduction measures and design features be incorporated into the design and construction of ATFs and URPs to keep potential noise increases below the 3 dBA incremental increase in ambient noise level at the nearest sensitive receptor.

Regarding potential groundborne noise and vibration impacts, mitigation measures NV-MM-7, NV-MM-8, and NV-MM-9 require preparation and implementation of a vibration and groundborne noise control plan, preconstruction surveys to document the condition of buildings along the alignments, and vibration monitoring and reduction measures. The groundborne noise control plan will be based on ensuring that tunneling and tunnel lining do not exceed threshold or limiting groundborne noise and vibration levels. In addition, the levels will be more stringent during nighttime hours. The vibration control plan will also require control measures such as the use of rubber pads or vibration-insulating material beneath rails to absorb and minimize vibrations, the use of new or like-new rails and muck cars, routine maintenance on muck cars and rails, locating rail crossovers away from noise sensitive receptors, and modifying construction activity schedules if threshold limits are reached at the monitoring zones. These measures are expected to keep groundborne noise and vibrations levels to below the level of significance.

2.12.5 References

Section 3.13.3.3 of the Draft EIR discusses the project's noise and vibration impacts and mitigation measures.

2.13 Population, Housing and Employment

No significant or potentially significant population, housing, or employment impacts were identified in Section 3.14 of the Draft EIR.

2.14 Public Services

The staff recommended GBIS Alignment would not utilize the Woodbridge Shaft Site, which Section 3.15 of the Draft EIR identified as having a potentially significant impact to pedestrian and student access to the Oakwood Elementary School that is adjacent to Woodbridge Park. Because the staff recommended GBIS Alignment would not utilize the Woodbridge Shaft Site, the staff recommended Preferred Alternative would not result in significant or potentially significant impacts to public services.

2.15 Recreation and Parks

This section discusses the significant or potentially significant impacts to recreation and park resources of the staff recommended Preferred Alternative.

2.15.1 Description of Potential Effects

REC-1: Impacts to recreational resources

The staff recommended Preferred Alternative would significantly impact recreational resources during both construction and operation. Construction impacts to recreational resources are as follows:

- Tillman Wet Weather Storage: The 60 MG wet weather storage tank proposed for Tillman would be constructed on the site of the existing cricket field to the east of the treatment plant. This would necessitate the closure of the cricket field, which is considered a significant impact.

- NEIS II: Construction of NEIS II would require two shaft sites in Griffith Park, one on a portion of the Crystal Springs picnic grounds and the other at the Pecan Grove picnic grounds. The Pecan Grove Shaft Site would also be the location of a diversion structure. In addition, NEIS II would require construction of a up to two maintenance hole structures on the Harding municipal golf course. The construction shaft sites would limit use of the recreational area for up to 3-years. The maintenance hole structures would be completed in approximately 3 months, but could affect recreational activity. These impacts are considered significant.

- GBIS: The staff recommended GBIS Alignment would also require a shaft site in Griffith Park at the Pecan Grove picnic grounds. The use of Pecan Grove Shaft Site for GBIS construction would extend the time of closure of this picnic grounds by 3 additional years, which is considered to be a significant impact.

- Construction of the program-level components (except smart irrigation) could result in impacts to recreational resources and parks by temporarily limiting access to these facilities, or by temporarily limiting the use of these resources through construction of runoff management facilities on recreational areas. These temporary impacts to recreational resources are considered significant. Future environmental documentation for the program-level components would discuss potentially significant impacts, if any.

Operational impacts to recreational resources are as follows:

- NEIS II: Two ATFs would be placed in Griffith Park, one at the Crystal Springs picnic grounds, and the other at the Pecan Grove picnic grounds. The ATF at Pecan Grove is also associated with the GBIS alignment. These facilities would permanently occupy a portion of recreational area, which would represent significant impacts.

- ATFs: The ATFs at the Crystal Springs picnic grounds and the Pecan Grove picnic grounds could emit odors that affect nearby users at recreational areas. This is a potentially significant impact.

- Program-level components, if placed on recreational areas, could permanently limit the use of the recreational area, which is considered to be a significant impact. Future environmental documentation for the program-level components would discuss potentially significant impacts, if any.

2.15.2 Mitigation Measures

REC-1: Impacts to recreational resources

To minimize potential impacts to the cricket field from construction of the wet weather storage tank at Tillman, mitigation measure REC-MM-1, which would temporarily relocated the cricket field to a new location approved by the City's Department of Recreation and Parks, will be implemented.

To minimize potential impacts related to construction at the Crystal Springs picnic grounds, the Pecan Grove picnic grounds, and the Harding golf course, mitigation measure REC-MM-2, which requires the City's Bureau of Engineering and Department of Recreation and Parks to coordinate details of the shaft sites, will be implemented.

To mitigate potential construction-related impact to recreational resources associated with the program-level components, mitigation measure REC-MM-2 will be implemented.

To minimize potential impacts from the permanent loss of recreational area associated with siting of ATFs at the Griffith Park Shaft Site (Crystal Springs picnic grounds) and the Pecan Grove Shaft Site, mitigation measures REC-MM-3, which requires the City's Bureau of Engineering and Department of Recreation and Parks to coordinate details of the ATFs, will be implemented.

To mitigate for potential odor impacts to recreational users from ATFs at the Pecan Grove and Crystal Springs picnic areas, mitigation measures AQ-MM-7 and AQ-MM-8, which require the location of ATF stacks at least 100 feet from receptors and sets lower hydrogen sulfide concentration limits, will be implemented.

To mitigate potential permanent impacts to recreational resources associated with the program-level components, mitigation measure REC-MM-2 will be implemented.

2.15.3 Findings

For the above impacts to recreational resources, the following finding is made:

[XX] **Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

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

[ ] Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make

infeasible the mitigation measures or project alternatives identified in the Final EIR.

With mitigation, the REC-1 impact to the cricket field from the wet weather storage tank at Tillman and the potential construction area and operational impacts to recreational resources from the program-level components are found to be:

[ ] Potentially Significant **[XX]** **Not significant**

With mitigation, the REC-1 construction impacts to the Crystal Springs picnic grounds, the construction impacts to the Pecan Grove picnic grounds, the construction impacts to the Harding golf course, the permanent loss of recreational area at the Crystal Springs and Pecan Grove picnic areas, and the REC-1 operational impacts of the ATFs on recreational users, are found to be:

[XX] **Potentially Significant** [XX] Not significant

2.15.4 Rationale

Regarding impacts to the cricket field from construction of the wet weather storage tank at Tillman, mitigation measure REC-MM-1 would relocate the cricket field to a new location approved by the City's Department of Recreation and Parks, prior to construction of the wet weather storage tank. This mitigation measure will avoid disruptions in use of the cricket field and would mitigate impacts to a less than significant level.

Regarding construction impacts to the Crystal Springs picnic grounds, the Pecan Grove picnic grounds, and the Harding golf course, although mitigation measure REC-MM-2 requires the Bureau of Engineering to coordinate details of the shaft sites with the Department of Recreation and Parks to minimize potential impact, construction would still remove portions of those recreational areas from use. Consequently, a significant impact would remain after mitigation.

To mitigate potential construction-related and operational impacts to recreational resources associated with the program-level components, mitigation measure REC-MM-2 requires the Bureau of Engineering to coordinate with the Department of Recreation and Parks during the design process to minimize potential impacts. Because the program–level components will be designed and sited at a future time, there is adequate flexibility to address and minimize potential impacts to recreational resources. As a consequence, potential impacts to recreational resources from construction and operation of the program-level components are considered to be less than significant after mitigation.

To minimize potential impacts from the permanent loss of recreational area associated with siting of ATFs at the Griffith Park Shaft Site and the Pecan Grove Shaft Site, mitigation measures REC-MM-3, the City's Bureau of Engineering will coordinate with the Department of Recreation and Parks to plan and design the ATFs with minimal impacts to recreational areas. However, because the ATFs would permanently reduce the amount of recreational area, impacts are considered significant after mitigation.

Regarding potential odor impacts to recreational users from ATF emissions at the Crystal Springs and Pecan Grove picnic areas, although AQ-MM-7 and AQ-MM-8 require the placement of ATF stacks at least 100 feet from receptors if feasible and sets lower hydrogen sulfide concentration stack limits, the feasibility or effectiveness of these measures cannot be determined until the

facility design phase. Consequently, potential odor impacts to recreation users is considered to be significant.

2.15.5 References

Section 3.16.2.3 of the Draft EIR addressed the project's recreational impacts and mitigation measures, and Section 3.4.3.3 of the Draft EIR and Section 2.4.16 of the Final EIR address the projects impacts related to odors from the ATFs.

2.16 Transportation and Traffic

The GBIS Alignment that is included in the staff recommended Preferred Alternative would not utilize the Los Angeles Zoo Shaft Site, which Section 3.17 of the Draft EIR identified as having a significant parking impact. Because the staff recommended GBIS Alignment would not utilize the Los Angeles Zoo Shaft Site, the staff recommended Preferred Alternative would not result in significant or potentially significant parking impacts.

2.17 Utilities and Service Systems

No significant or potentially significant impacts to utilities or service systems were identified in Section 3.18 of the Draft EIR.

2.18 Cumulative Effects

This section discusses the significant or potentially significant cumulative impacts due to the construction and operation of the staff recommended Preferred Alternative.

2.18.1 Description of Potential Effects

Cumulative effects associated with the Preferred Alternative would include the following:

- Air Quality: Construction of the Preferred Alternative, in conjunction with other related projects, would generate a substantial amount of criteria pollutants, and thus the Preferred Alternative would contribute to a significant cumulative air quality impact.

- Biological Resources: Operation of the Preferred Alternative, in conjunction with other related projects, in particular dry weather runoff management plans and projects, including the Sun Valley Watershed Management Plan, has the potential to result in cumulative reductions in flow to the Los Angeles River that could adversely affect the algal mats along the lower reach of the Los Angeles River, which in turn support migrating shore birds. As a consequence, the Preferred Alternative could contribute to a significant cumulative impact to biological resources.

- Hydrology and Water Quality: The Preferred Alternative includes the NEIS II West Alignment, which would cross the Hollywood Raymond fault. Because of this fault crossing, there is a remote possibility that a catastrophic earthquake could rupture the NEIS II tunnel and cause wastewater to enter the groundwater supply. The Wastewater Capital Improvement Program includes numerous shallow sewers. In the event of catastrophic earthquake, these sewers could also rupture and cause a wastewater leak that could cumulatively contribute to groundwater degradation in conjunction with wastewater from NEIS II. Although this potential for this cumulative impact scenario is remote, it is considered a potentially significant cumulative impact.

- Noise and Vibration: The NEIS II and GBIS sewer pipelines would be constructed in the vicinity of the route proposed for the River Supply Conduit water pipeline. Due to proximity, there is a potential that construction of both projects could occur concurrently and result in localized cumulative increases in noise levels. In addition, construction of the program-level components could occur in close proximity to other related projects such as recycled water pipelines or project under the Sun Valley Watershed Management Plan. If this occurs, construction noise could cumulatively result in elevated ambient noise levels. Thus, construction of some components under the Preferred Alternative could result in significant cumulative short-term and localized noise impacts.

2.18.2 Mitigation Measures

In addition to the implementation of specific mitigation measures identified above and detailed in the Draft EIR and Final EIR, agencies (including the City's Department of Water and Power, Department of Recreation and Parks, Los Angeles County and adjacent cities) with projects anticipated to occur during the same time as the Preferred Alternative will be identified and coordination will be conducted to enable coordinated construction scheduling. Periodic contact will be maintained with agencies through the construction period to identify forthcoming schedule overlaps, for which schedule adjustments will be made to the extent practicable. Although such coordination could reduce cumulative impacts, there is no assurance that such coordination will reduce impacts to a less than significant level. In addition, other agencies such as the SCAQMD have jurisdiction over affected resources such as the air within the South Coast Air Basin, and are implementing basin-wide measures to reduce criteria pollutant. Implementation of project-level mitigation, described above, is the only feasible mitigation that can reduce both project-level impacts and cumulative impacts.

2.18.3 Findings

[XX] **Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

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

[ ] Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

With project-level mitigation, the above potential cumulative air quality, biological resource, hydrology and water quality, and noise impacts are found to be:

[XX] **Significant** [ ] Not significant

2.18.4 Rationale

Cumulative air quality and noise impacts could be potentially significant due to concurrent construction from different projects in close proximity to one another. Potential reductions in

flow to the Los Angels River can occur as a result of concurrent and ongoing runoff management projects that could reduce the quantity of runoff discharged to the Los Angeles River or its tributaries. Because dry weather flow within the Los Angeles River supports shorebird habitat in the lower reaches of the Los Angeles River, and because of the potential for cumulative reductions in flow to the Los Angeles River, a potentially significant cumulative impact to biological resources (specifically, shore bird habitat) could occur. Lastly, because the NEIS II sewer has the remote possibility of rupturing from a catastrophic earthquake and released wastewater could enter the groundwater, and because there is also a remote possibility of other proposed sewers rupturing as well, a remote potentially significant cumulative impact to groundwater quality was found.

2.18.5 References

Sections 3.4.3.4, 3.5.3.4, 3.11.3.4, and 3.13.3. Of the Draft EIR addressed the potential cumulative impacts to air quality, biological resources, hydrology and water quality, and noise and vibration, respectively.

3.0 Alternatives Considered

3.1 Alternatives Development Process

For the IRP Facilities Plan, the City of Los Angeles conducted extensive and iterative stakeholder meetings with a Steering Group to develop alternatives that would achieve the multiple objectives of the IRP Facilities Plan (see Section 2.3.1 of the Draft EIR). The Steering Group consists of parties and individuals with an interest in the long-term planning of the City wastewater system, as well as recycled water and runoff management approaches. The City of Los Angeles, in association with the Steering Group, developed 12 preliminary alternatives that addressed future (2020) wastewater, recycled water, and runoff needs.

The City of Los Angeles used the information from the Steering Group as the basis for ranking 12 preliminary alternatives, and those that ranked lowest were eliminated from further consideration. The details of the development and evaluation of the 12 preliminary project alternatives are contained in the *IRP Facilities Plan, Volume 4: Alternatives Development and Analysis* (City of Los Angeles et al., 2004).

The remaining alternatives were further evaluated in terms of the extent to which they addressed wastewater needs, achieved project objectives (including water resources management), provided leadership in water resources, and incorporated fiscal conditions. Applying various criteria, the 12 alternatives initially considered by City were eventually reduced to four that first were further modified, assessed in the IRP Facilities Plan and subsequently carried forward for analysis in the IRP EIR. In addition to these build alternatives, a no-build alternative also was evaluated in the Draft EIR to comply with the requirements of CEQA to assess a No Project alternative.

The four alternatives evaluated in the IRP Facilities Plan and in the EIR are:

- Alternative 1: Expansion of Hyperion Treatment Plant (Hyperion) to 500 million gallons per day (mgd)
- Alternative 2: Donald C. Tillman Water Reclamation Facility (Tillman) Expansion (to 80 mgd) and Los Angeles-Glendale (LAG) Expansion (to 30 mgd)
- Alternative 3: Tillman Expansion (to 100 mgd) without Cisterns

- Alternative 4: Tillman Expansion (to 100 mgd)
- No Project Alternative

3.2 Staff Recommended Preferred Alternative

3.2.1 Introduction

This section presents the Staff Recommended Preferred Alternative, including a discussion of the rationale for the selection and the benefits of the recommended alternative. The Staff Recommended Preferred Alternative also includes two sewer alignments analyzed at a project level of detail— the Northeast Interceptor Sewer II (NEIS and the Glendale Burbank Interceptor Sewer (GBIS). Because public concerns focused on the alignments analyzed in the EIR (specifically the GBIS alignment), this section also discusses the rationale for selecting the preferred sewer alignments.

The alternatives were deemed to be superior to the No Project Alternative because they: (1) are designed to ensure that adequate wastewater treatment and conveyance capacity exist to prevent sewage overflows, (2) would comply with effluent quality requirements of the National Pollutant Discharge Elimination System (NPDES), and (3) would meet the requirements of applicable laws and regulations. Alternative 1 was identified as the Environmentally Superior Alternative in the Draft EIR because it results in the lowest level of operational air pollutant emissions and electrical consumption.

The majority of the potentially significant impacts are associated with components that are common to all of the alternatives, such as the proposed new sewer alignments. Differences in impacts are most prevalent when considering the different locations of treatment capacity expansion proposed under the different alternatives. For example, all alternatives would result in potential odor impacts related to increased wastewater treatment capacity, but the potential for impacts to occur differs depending on where a given alternative focuses the expansion of treatment capacity.

3.2.2 Staff Recommended Preferred Alternative

Subsequent to the close of the comment period on the Draft EIR, the City staff: (1) reviewed the comments on the Draft EIR, and (2) considered the environmental analysis in the Draft EIR, the public comments on the Draft EIR, the guiding principles of the IRP Facilities Plan, and the methods used in the development of the IRP Facilities Plan alternatives (*IRP Facilities Plan, Volume 4: Alternatives Development and Analysis* (City of Los Angeles et al., 2004). City staff then identified the Preferred Alternative that would be recommended to the City Council for approval (Section 1.5.1 of the Final EIR discusses these issues in greater detail). The Staff Recommended Preferred Alternative is Alternative 4, Expansion of Tillman to 100 mgd. This recommended Preferred Alternative also includes upgrading LAG to advanced treatment if regulations become more stringent in the future (e.g., more stringent effluent discharge limits in NPDES permit conditions). Alternative 4 is the Staff Recommended Preferred Alternative because it maximizes potential wastewater, recycled water, and runoff benefits and does not result in substantially more significant environmental impacts than Alternatives 1, 2, or 3.

Alternative 4 also provides the City with the operational flexibility in the future to produce additional recycled water for groundwater replenishment. Specifically, Alternative 4 allows the

City to maximize the potential to reuse recycled water through groundwater replenishment if the City makes a future policy decision to pursue groundwater replenishment with recycled water.

If groundwater replenishment with recycled water is determined to be practicable and publicly acceptable in the future, Tillman is the only water reclamation plant capable of providing recycled water for replenishment at existing spreading grounds. If, however, the City does not implement groundwater replenishment by the time additional wastewater treatment capacity is needed, then the expansion of wastewater treatment capacity would occur at Hyperion (as described under Alternative 1 in the EIR) rather than at Tillman.

Each EIR alternative included two new sewers, the NEIS II and GBIS pipelines. For NEIS II, the alignments included in the EIR are the NEIS II West Alignment, and the NEIS II East Alignment. For GBIS, the alignments included in the EIR are the GBIS South Alignment and the GBIS North Alignment. Of the two alignments proposed for each sewer, only one would be implemented. As part of the Preferred Alternative selection process, City staff identified the preferred NEIS II alignment and the preferred GBIS alignment and these are included in Alternative 4 that staff is recommending for approval.

In identifying the staff preferred NEIS II alignment, City staff evaluated the relative merits of the two alignments, which included constructability, availability of right-of-way, and other factors. Staff determined that the NEIS II West Alignment (Option B) is preferred and is recommending that the NEIS II West Alignment be approved for implementation. The NEIS II West Alignment minimizes the potential to encounter contaminated groundwater. Further information on the selection of the NEIS II alignment is contained in the Final EIR.

Numerous comments on the Draft EIR focused on the GBIS. In identifying the staff-preferred GBIS alignment, City staff reviewed the key issues and concerns expressed by the public and other agencies, as well as evaluated the amount of surface construction activity, contingency response (during construction), and system relief. Many of the concerns expressed by the public focused on impacts in several areas for the GBIS alignments, as follows:

- Construction impacts at one or more shaft sites along the GBIS North Alignment.
- Operational impacts from ATFs along the GBIS North Alignment
- Construction impacts along the GBIS South Alignment

To address these concerns, the City is recommending a GBIS alignment that combines portions of the GBIS North Alignment and the GBIS South Alignments with a short connecting tunnel under Pass Avenue. This GBIS alignment would minimize impacts and address the concerns raised during the public comment period on the Draft EIR. City staff then evaluated the relative merits of the GBIS alignments, including the amount of surface construction activity, contingency response (during construction), and system relief. Staff determined that the GBIS alignment with the connector in Pass Avenue and Optional Alignment A along Riverside Drive is preferred and is recommending that it be approved for implementation. This staff-recommended GBIS Alignment minimizes impacts and concerns associated with the GBIS North Alignment and the GBIS South Alignment. Further information on the selection of the staff recommended GBIS Alignment is contained in Section 1.5.2.2 of the Final EIR.

4.0 Statement of Overriding Considerations

The Staff-Recommended Preferred Alternative (Alternative 4), including the LAG advanced treatment option, and would result in the following unavoidable significant adverse impact after mitigation:

1. Criteria pollutants produced during construction would exceed the thresholds for significance established by the SCAQMD.

2. Criteria pollutants (VOCs and NOx) produced during operation would exceed the thresholds for significance established by the SCAQMD.

3. Operational odors at Hyperion and at ATFs as part of NEIS II and GBIS could be objectionable at sensitive receptor locations (residences and recreational areas) due to the close proximity to the facilities.

4. Potential to damage or destroy paleontological and archaeological resources during tunneling for NEIS II, GBIS, and VSLIS sewers.

5. Potential to adversely affect human remains from tunnel construction for NEIS II, GBIS, and VSLIS.

6. Potential for rupture of NEIS II at its crossing of the Hollywood Raymond fault.

7. Potential for surface settlement associated with tunneling activities for the NEIS II, GBIS, and VSLIS.

8. Potential for release of wastewater in the groundwater from rupture along NEIS II, GBIS, or VSLIS.

9. Temporary impact to recreational area (Crystal Springs and Pecan Grove picnic grounds and the Harding golf course in Griffith Park) during tunnel construction.

10. Permanent loss of recreational area (Crystal Springs and Pecan Grove picnic grounds in Griffith Park) from placement of ATFs.

The Staff-Recommended Preferred Alternative would provide long-term wastewater conveyance capacity through the construction of NEIS II, GBIS, and VSLIS sewer pipelines. Once operational, these sewers would reduce the potential for sewage overflows to occur from the wastewater conveyance system. Thus, the Staff-Recommended Preferred Alternative provides long-term benefits by safely managing wastewater and protecting public health and safety. The Staff-Recommended Preferred Alternative also provides wastewater treatment capacity to ensure that untreated wastewater is not discharged to rivers or the ocean, thereby protecting the environment.

Another benefit of the Staff-Recommended Preferred Alternative is that it provides the City with the opportunity to maximize recycled water reuse through groundwater replenishment if the City decides to pursue groundwater replenishment at a later time. This is considered a valuable potential benefit, because it would allow the City to reduce the need to import water from other regions, thereby increasing sustainability in water resource management in the City. The Staff-Recommended Preferred Alternative would also use various approaches to maximize the reuse and quality of urban runoff generated in the City, which would improve water quality and reduce the need to import water. The water resource benefits associated with the Staff-Recommended

Preferred Alternative are deemed to outweigh and override the adverse significant impacts of the Staff-Recommended Preferred Alternative, many of which are short-term and construction-related.

The City of Los Angeles hereby concludes that the project's benefits outweigh its unavoidable and potentially unavoidable adverse impacts and, therefore, overrides those impacts. The City reached this decision after having done all of the following: (1) adopted all feasible mitigation measures, (2) rejected other Project Alternatives with significant impacts, (3) recognized all significant and potentially significant impacts associated with the Staff-Recommended Preferred Alternative, and (4) balanced the benefits of the Project against its significant and potentially significant impacts after mitigation.

In summary, the Staff-Recommended Preferred Alternative result in the following benefits, which outweigh the alternative's unavoidable and potentially unavoidable significant impacts?

- Enable the City to meet adequate convey wastewater to the treatment plant with minimal potential for sewage spills and the resulting protection of public health and safety.

- Enable the City to treat future wastewater flows in a way that protects public health and safety and meets regulatory requirements, thereby protecting the environmental and surface waters.

- Provide the potential to maximize recycled water reuse in the City of Los Angeles to offset the need to import water from outside the region.

- Maximize the urban runoff reuse and runoff quality improvements, which would have the benefit of improved surface water quality and reduce the need to import water from outside the region.

If, however, the City does not implement groundwater replenishment by the time additional wastewater treatment capacity is needed, then the expansion of wastewater treatment capacity would be at Hyperion (as described under Alternative 1 in the EIR) rather than at Tillman, and Alternative 1 would be the Preferred Alternative.

If this were to occur, Alternative 1 would provide the City with the following benefits that outweigh the unavoidable significant impacts of Alternative 1:

- Enable the City to meet adequate convey wastewater to the treatment plant with minimal potential for sewage spills and the resulting protection of public health and safety.

- Enable the City to safely treat future wastewater flows and meet regulatory requirements, thereby protecting the environment and surface waters.

- Include approaches for urban runoff reuse and runoff quality improvements, which would have the benefit of improved surface water quality and lower the need to import water from outside the region.