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September 2, 2010

Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

TO: Small Craft Harbor Commission

FROM: Santos H. Kreimann, Director 

SUBJECT: **ITEM 6a – PRESENTATION BY DEPARTMENT OF PUBLIC WORKS
RE CURRENT MARINA DEL REY PROJECTS**

Item 6a on your agenda is a presentation by the County of Los Angeles Department of Public Works (DPW) highlighting its current Marina del Rey projects. Specifically, DPW will be presenting information about current activities, including a bikeway project, water and sewer improvements, the Admiralty Way road projects, and the Oxford Basin flood control improvement plan.

SHK:ks



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September 2, 2010

Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

TO: Small Craft Harbor Commission

FROM: *Kerry Silverstrom for*
Santos H. Kreimann, Director

**SUBJECT: ITEM 6b – APPROVAL OF OPTION FOR AMENDED AND
RESTATED LEASE TO FACILITATE RENOVATION – PARCEL 64
(VILLA VENETIA) – MARINA DEL REY**

Item 6b on your agenda pertains to an option to extend the Parcel 64 (Villa Venetia) lease for an additional 33 years from the current expiration date of May 10, 2021 to May 10, 2054. The proposed project entails the renovation of a 224-unit apartment building complex. Attached is a copy of the Board letter that explains the details of the improvements and the proposed lease extension, along with its attachments.

Your Commission's endorsement of the recommendations to the Board of Supervisors to adopt the Mitigated Negative Declaration and approve the Option for Amended and Restated Lease Agreement and the Amended and Restated Lease in the form attached as contained in the attached Board letter is requested.

SHK:ks
Attachment

September 14, 2010

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**APPROVAL OF MITIGATED NEGATIVE DECLARATION AND OPTION FOR
AMENDED AND RESTATED LEASE TO FACILITATE RENOVATION –
VILLA VENETIA APARTMENTS
(Parcel 64 at 13900 Fiji Way)
MARINA DEL REY
(4th DISTRICT – 4 VOTES)**

SUBJECT

Request to adopt the Mitigated Negative Declaration for the renovation of the existing 224 apartment units and to approve an option agreement for an amended and restated lease to extend the term of the existing Villa Venetia Apartments lease (Parcel 64). Exercise of the option is contingent upon the lessee's receipt of entitlements and fulfillment of other conditions required therein.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Consider the Mitigated Negative Declaration for the Villa Venetia Apartments renovation project, together with any comments received during the public review period; find that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Board and adopt the Mitigation Monitoring Program, finding that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation; find on the basis of the whole record before the Board that there is no substantial evidence that the project, as revised and implemented in accordance with the Mitigated Negative Declaration and Mitigation Monitoring Program, will have a significant effect on the environment; and adopt the Mitigated Negative Declaration and Findings of Fact prepared in support of the Mitigated Negative Declaration.
2. Approve and authorize the Chair of the Board to sign the Option for Amended and Restated Lease Agreement granting to the current lessee, upon fulfillment of stated conditions, the right to extend the term of its existing ground lease on Parcel 64 by 33 years.

3. Approve and authorize the Chair of the Board to sign the Amended and Restated Lease in substantially similar form to Exhibit A attached to the Option for Amended and Restated Lease Agreement, upon confirmation by the Director of the Department of Beaches and Harbors that the lessee has fulfilled the option conditions.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On May 18, 2004, your Board approved the assignment of Villa Venetia to the current lessee, a consortium of four Delaware limited liability companies: Lyon Villa Venetia, LLC; Lyon Villa Venetia II, LLC; Wolff Villa Venetia 224, LLC; and Wolff Villa Venetia 224 II, LLC (collectively the "Lessee"). The Lessee thereafter entered into negotiations with the County to demolish the existing apartments and develop a high-rise project consisting of 216 condominiums and 262 apartments. Due to a changing real estate and financial environment, the Lessee determined that the planned project would not be economically viable in the current real estate market and, thus, proposes now to renovate the existing 224 existing units, including apartment interiors, building façades, interior and exterior common areas, landscaping, hardscape, promenade, parking areas, and the immediately adjacent roundabout and center median within the Fiji Way right-of-way accessing the project, and to replace the building systems to the extent required by the County. As negotiated by the Chief Executive Office and the Department of Beaches and Harbors ("Department"), the Parcel 64 lease would be extended for 33 years, from its current May 10, 2021 expiration date to May 10, 2054.

In addition, if the Option for Amended and Restated Lease Agreement ("Option Agreement") is exercised, then commencing on January 1, 2013, percentage rent for the apartment units will be increased to no less than 13% for the entire term of the extended lease, with a guaranteed minimum rent of no less than \$1,100,000 per year (subject to annual CPI increases from a November 2009 base or, following the fair market rent renegotiation date 20 years after the exercise of the option, from the base in effect as of such fair market rent renegotiation date). The foregoing constitutes a rental increase of at least \$574,000 per year over 2009-10 annual rents (\$525,000) received from the parcel. Due to the Lessee's agreement to guarantee the minimum rent and pay an increased percentage rent for apartment units, there will be no additional extension fee beyond the \$100,000 option fee. A summary of the proposed terms for the lease extension is set forth in Attachment A.

The Department of Regional Planning has prepared an Initial Study for the proposed project in compliance with the California Environmental Quality Act ("CEQA") and, along with the Department, recommends your Board's adoption of the Mitigated Negative Declaration and Mitigation Monitoring Program (Attachment B). If adopted, the Lessee must thereafter obtain all regulatory approvals and provide satisfactory evidence of financing in order to exercise the option set forth in the Option Agreement (Attachment

C) within six months following grant of the option. If the Lessee is unable to secure all the necessary entitlement approvals within the six-month period despite its diligent efforts, the Director may, in his discretion, provide an extension of an additional six months, as he is also able to provide if the Lessee has diligently pursued but been unable to secure project financing due to an industry-wide adverse economic condition in which financing on commercially reasonable terms is not available for the project and similar projects. If the Lessee obtains its entitlement approvals within the six-month (or twelve-month) period, but such approvals are subject to appeal or litigation brought by a third party, then the option exercise date will be tolled pending the resolution of such litigation or appeal, provided, however, that the option exercise date shall in no event be later than 42 months after the grant of the option.

The Department has obtained an appraisal that confirms the returns to the County from the lease extension for Parcel 64 are equivalent to, or greater than, fair market value.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommended action will allow the Lessee to continue its effort towards the proactive renovation of the parcel, which will result in fulfillment of Strategic Plan Goal No. 1, "Operational Effectiveness", Strategy No. 1, "Fiscal Sustainability", through a reasonable negotiated increase in the one-time and annual lease revenues from the parcel, and Goal No. 3, "Community and Municipal Services", Strategy No. 1, "Cultural and Recreational Enrichment", through improvement of the public promenade between the property and the Marina channel.

FISCAL IMPACT/FINANCING

The form of Amended and Restated Lease for the renovation of Parcel 64 reflects the County's current market rate percentage rents for all relevant categories. The grant of the option and the execution of the Amended and Restated Lease will produce the following fiscal benefits to the County: 1) an option fee; and 2) revenue increases due to renovation of the apartment buildings and adjustments in the current rent percentages. Each component is discussed in detail below.

Option Fee

Lessee shall pay a non-refundable (except in the case of a default by County) fee of \$100,000 for the option, due upon your Board's approval of the Option Agreement.

Revenue Increase Due to Project Renovation

The total annual revenue derived from Parcel 64 during 2009-10 was approximately \$525,000. Commencing no later than January 1, 2013, the Lessee will pay a guaranteed minimum annual rent of no less than \$1,100,000 per year (subject to annual CPI increases from a November 2009 base), a guaranteed increase of no less than approximately \$575,000.

OPERATING BUDGET IMPACT

Upon your Board's approval of the Option Agreement, the Department's Marina operating budget will receive a one-time \$100,000 option fee as stated above. The option fee is included in the Department's 2010-11 budget as one-time revenue.

All costs of consultants involved in the negotiation and development of the Option Agreement and Amended and Restated Lease are being reimbursed by the Lessee.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The existing 60-year lease for Parcel 64 expires on May 9, 2021. The current improvements on Parcel 64 consist of 224 apartments. Parcel 64 has frontage on Fiji Way and is located south of Parcel 62's Coast Guard Station, west of Ballona Creek, and southwest of Area A, a part of the Ballona Wetlands.

Because the project is a renovation without the demolition of any existing units or addition of any new units, the Mello Act and the County's Marina del Rey Affordable Housing Policy do not apply.

Approval of the Option Agreement is without prejudice to the County's full exercise of its regulatory authority in the consideration of the land use entitlements required for the possible exercise of the option.

Entering into leases of the County's Marina del Rey real property is authorized by Government Code sections 25907 and 25536. The lease term is in conformance with the maximum 99-year period authorized by California law.

At its meeting on September 8, 2010, the Small Craft Harbor Commission will have considered the recommendations to approve the Option Agreement and the Amended and Restated Lease for Parcel 64 in the form attached, and its action will be communicated to your Board prior to your Board's consideration of the matter. County Counsel has approved the documents as to form.

ENVIRONMENTAL DOCUMENTATION

In compliance with CEQA, an Initial Study was prepared for the proposed project. The Initial Study identified potentially significant effects of the project on traffic/access, environmental safety, and biota. Prior to release of the proposed Mitigated Negative Declaration ("MND") and Initial Study for public review, revisions in the project were made or agreed to which would avoid the significant effects or mitigate the effects to a point where no significant effects would occur.

The Initial Study and project revisions showed that, in light of the whole record before the County, the project as revised will not have a significant effect on the environment. Based on the Initial Study and project revisions, an MND was prepared for this project (Attachment B). The proposed Mitigation Monitoring Program, included with the MND, was prepared to ensure compliance with the environmental mitigation measures included as part of the final MND relative to the impacted areas during project implementation. There have been no substantial changes to the proposed project since circulation of the environmental document.

The MND was initially circulated from April 12, 2010 to May 12, 2010 and was then recirculated from July 5, 2010 through August 4, 2010 to address a comment made by the California Department of Fish and Game ("DFG") recommending weekly nesting surveys for the Great Blue Heron. The mitigation and monitoring program published in the July 5th re-circulated MND specifically described this weekly survey protocol. Public Notice was mailed to residents located within 500 feet of the subject project, pursuant to Public Resources Code section 21092, and posted at the office of the County Clerk pursuant to section 21092.3. In addition to the legal noticing requirements, the notice was posted on the property and published in The Argonaut on July 1, 2010. During the 30-day comment period, three written responses were received from public agencies. In addition, four written responses were received from the public. All comments received, as well as responses to the comments, are contained in the final MND. Individuals who sent comments received responses.

Findings of Fact in support of the MND have been prepared for your consideration and are included as part of the MND documentation provided as an attachment to Board letter..

The location of the documents and other materials constituting the record of the proceedings upon which your Board's decision will be based in this matter is the County of Los Angeles Department of Regional Planning, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials is Maral Tashjian in the Department of Regional Planning.

The project is not exempt from payment of a fee to the DFG pursuant to section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by DFG. Upon your Board's adoption of the MND, the Department will file a Notice of Determination with the Registrar-Recorder/County Clerk in accordance with section 21152(a) of the California Public Resources Code, along with the Lessee's payment of the DFG-required filing and processing fees in the amount of \$2,085.25.

CONTRACTING PROCESS

The Lessee acquired the leasehold interest to Parcel 64 as a result of its assumption of the assigned lease as of May 18, 2004. The Lessee thereafter entered into negotiations with the County to extend the Parcel 64 lease term. The Amended and Restated Lease for Parcel 64 will be available to the Lessee only upon the exercise of the option. Upon the Lessee's demonstration that it has satisfied the conditions for exercise of the option and has received all planning, zoning, environmental and other entitlement approvals required to be obtained from governmental authorities for construction of the renovation project associated with that option, we will present to the Executive Officer, Board of Supervisors final confirmation that the conditions and approvals for exercise contained in the Option Agreement have been satisfied and will request execution of the Amended and Restated Lease for Parcel 64 in substantially similar form to Exhibit A attached to the Option Agreement.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There is no impact on other current services or projects.

CONCLUSION

It is requested that the Executive Officer, Board of Supervisors send two copies of the executed Option Agreement and an adopted Board letter to the Department of Beaches and Harbors.

Respectfully submitted,

Santos H. Kreimann, Director

SHK:ks

Enclosures

The Honorable Board of Supervisors
September 14, 2010
Page 7

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors

Attachment "A"
Proposed Terms for Lease Extension
Parcel 64

BOARD POLICY ITEM	TERMS
<p>REDEVELOPMENT Development of new improvements</p>	<ul style="list-style-type: none"> • Renovation of the existing 224-unit apartment building, to include all apartment interiors, building façades, interior and exterior common areas, landscaping, hardscape, the immediately adjacent roundabout and center median within the public right-of-way accessing the project, and the replacement of all building systems [HVAC, electrical (at least from the panel to switches and plugs, as well as from the panel to the meter to the building panel to the extent required by any applicable governmental authority due to electrical capacity requirements), plumbing (except upon a quality review and acceptance by County of a peer review study at Lessee's expense showing that useful life exceeds extended lease period), promenade, parking areas with all required parking provided on-site in accordance with a renovation plan that is attached to the Amended and Restated Lease ("Renovation Work"). Construction of all phases to be substantially completed within 36 months after Lessee's exercise of the Option, subject to an extension for not more than 6 months, and subject to <i>force majeure</i>, provided that <i>force majeure</i> shall not extend the required completion date beyond 5 years after the date of the Amended and Restated Lease. • Total construction cost (limited to hard construction costs only, and excluding all soft costs, financing charges, and County lease extension fee) of not less than \$24,890,000 million in 2009 dollars, increased (but not decreased) by the same percentage increase, if any, in the Marshall & Swift Index, Low Rise Apartments. • A Capital Improvement Fund to be funded monthly by Lessee as follows: (i) for the time period from the date of commencement of the Renovation Work until the substantial completion of the Renovation Work, the monthly deposits shall be equal to 1.5% of Lessee's total gross revenues derived from the leasehold; and (ii) for the time period commencing on the substantial completion of the Renovation Work continuing through the remaining term of the Lease, the monthly deposits shall equal the greater of A) \$650 per unit per year increased (but never decreased) annually by the percentage increase in the CPI (if any) from November, 2009, or B) 1.5% of Lessee's total gross revenues derived from the leasehold. The Capital Improvement Fund must be fully expended for Permitted Capital Expenditures by 10 years prior to the expiration date of the lease. All Permitted Capital Expenditures are subject to prior approval by the Director, not to be unreasonably withheld. <p>Starting in the sixth year following substantial completion of the Renovation Work, a Subsequent Renovation Fund to be funded annually by Lessee in the amount of the greater of: i) \$650 per unit per year increased (but never decreased) annually from November, 2009 by the percentage increase (if any) in the CPI, or ii) 1.5% of</p>

BOARD POLICY ITEM	TERMS
REDEVELOPMENT Development of new improvements (continued)	Lessee's total gross revenues, will be maintained and funded until the physical repositioning of the project to the then-current market between years 21-23 following the date of the Amended and Restated Lease. The Renovation Fund must be fully expended in the completion of such repositioning. All Subsequent Renovation Fund expenditures are subject to prior approval by the Director, not to be unreasonably withheld. In lieu of annual Subsequent Renovation Fund deposits, Lessee and the Director may agree upon substitute arrangements for an adequate security source for the subsequent renovation work, such as a bonding mechanism or letter of credit.
EXTENSION/LEASE TERM	<ul style="list-style-type: none"> • Option to extend lease on Parcel 64 by 33 years, from a termination date of 5/9/2021 to 5/9/2054. • Option fee of \$100,000, payable immediately upon Board approval of the Option. The option fee payment is non-refundable except in the event of County default.
MARKET RATE RENTS Ensure fair market rents	<ul style="list-style-type: none"> • Percentage rents: Apartments: 13% of gross receipts. Parking: 20% of gross receipts. Cable/internet/satellite/telecommunications: 5% of gross receipts or 20% of commissions. Office: 12.0% of gross receipts. Laundry/dry cleaning: 5% of commissions. Telephone/vending: 5% of gross receipts or 25% of commissions. Misc.: 5.0% of gross receipts. <p>Adjustment of fair market percentage rental on the 20th anniversary date of exercise of lease extension option and each 10th anniversary date thereafter (each, a "Rent Renegotiation Date"); provided that under no circumstances will percentage rent be reduced below those percentages shown immediately above.</p> <ul style="list-style-type: none"> • Minimum Rent <p><u>Minimum Rent Prior to GMR Commencement Date:</u> During the period (the "Construction Minimum Rent Period") from the date of exercise of the lease extension option until the Guaranteed Minimum Rent ("GMR") Commencement Date (as defined below), the minimum annual rent ("Minimum Rent") shall equal 75% of average total annual rent for the first 3 years of the last 3 ½ years prior to exercise of the option.</p> <p><u>Minimum Rent After GMR Commencement Date:</u> During the period commencing on the GMR Commencement Date and continuing until the first Rent Renegotiation Date, the Minimum Rent shall be established as set forth below. For purposes hereof, the following terms shall be defined as follows:</p>

BOARD POLICY ITEM	TERMS
MARKET RATE RENTS Ensure fair market rents (continued)	<p>“GMR Commencement Date” means January 1, 2013;</p> <p>“Adjustment Date” means the GMR Commencement Date and each January 1 thereafter until the first Rent Renegotiation Date.</p> <p>“GMR” means \$1,100,000 per year, increased by the same percentage as the percentage increase (if any) in the Consumer Price Index -- All Urban Consumers for Los Angeles/Riverside/Orange Counties, CA (“CPI”) for the period from November, 2009 until the second month preceding the month that includes the Adjustment Date on which the then current adjustment in the Minimum Rent takes effect; provided that the GMR shall never be less than \$1,100,000 per year;</p> <p>Effective upon the GMR Commencement Date, the Minimum Rent shall be reset to equal the GMR for such date. Upon each Adjustment Date following the GMR Commencement Date (until the first Rent Renegotiation Date), the Minimum Rent shall be reset to equal the greater of the GMR for such Adjustment Date or the Minimum Rent in effect immediately prior to such Adjustment Date.</p> <p><u>Minimum Rent Following The First Rent Renegotiation Date:</u> The Minimum Rent shall be adjusted at the first Rent Renegotiation Date in accordance with the fair market rental value determination, provided that under no circumstances shall the Minimum Rent from and after the first Rent Renegotiation Date be less than the applicable amount set forth below in this paragraph. The Minimum Rent for the first year following the first Rent Renegotiation Date shall not be less than the greater of (a) 75% of the average total annual rent payable for the 3 year period immediately preceding such Rent Renegotiation Date, or (b) \$1,100,000. The Minimum Rent in effect for each year thereafter until the end of the lease term shall be equal to the Minimum Rent established as of the first Rent Renegotiation Date increased by the same percentage increase in the CPI from the first Rent Renegotiation Date; provided, however, in no event shall the Minimum Rent for any year after the first year following the first Rent Renegotiation Date be less than the Minimum Rent in effect for the immediately preceding year. The Minimum Rent shall not be subject to renegotiation at any Renegotiation Date after the first Rent Renegotiation Date.</p>
PARTICIPATION IN SALE AND REFINANCE Secure County participation in sale and refinance of leasehold	<ul style="list-style-type: none"> • Sale Participation: Greater of 5% of the gross proceeds or (2) 20% of net proceeds upon assignment or other direct or indirect transfer of leasehold, provided that for the first transfer during the first 10 years after the completion of the Renovation Work, the sale participation shall be the greater of 2 1/2% of gross proceeds or 10% of net proceeds. • Refinance Participation: 20% of net loan proceeds not reinvested in leasehold.

BOARD POLICY ITEM	TERMS
COUNTY ADMIN. COSTS Ensure payment for County costs for lease extension	<ul style="list-style-type: none"> • Lessee agrees to reimburse County for costs associated with lease extension negotiations and option and lease preparation, including all appraisal and consultant and legal costs.
COUNTY INCOME CONTINUITY Ensure County revenue flow during development	<ul style="list-style-type: none"> • Minimum rent and percentage rent established in accordance with section on Market Rate Rents above. The GMR shall commence on January 1, 2013.
RIGHT TO RECAPTURE	<ul style="list-style-type: none"> • County has the right to purchase the leasehold interest if Lessee desires to either assign or sell the leasehold or a controlling interest in Lessee.
ARBITRATION	<ul style="list-style-type: none"> • Arbitration will use rent-a-judge procedure. "Baseball" type arbitration provision.
LEASE ASSIGNMENT - DISCLOSURE ISSUES	<ul style="list-style-type: none"> • Lease assignment and ownership disclosure requirements in accord with standard County policy.
DOCKMASTER	<ul style="list-style-type: none"> • Not applicable.
PROMENADE	<ul style="list-style-type: none"> • Lessee to construct promenade subject to County's reasonable approval of plans.
APPRAISAL	<ul style="list-style-type: none"> • The Department has obtained an independent appraisal confirming the return to the County from the lease extension and new lease is equivalent to, or greater than, fair market value.
ENTITLEMENTS: SITE COVERAGE, HEIGHT & LAND USES	<ul style="list-style-type: none"> • Lessee must obtain all entitlement and financing approvals within 6 months of grant of option by Board of Supervisors. If Lessee is unable to obtain all of the necessary approvals within the 6-month requirement, the Director may grant one 6-month extension if a) with respect to entitlement approvals, Lessee can demonstrate it has diligently pursued those approvals, or b) with respect to financing, financing is not available due to industry-wide financing force majeure. The foregoing 6-month (or up to 12-month) period is subject to a litigation and appeal tolling provisions that shall in no event extend past 42 months after the date of the grant of the option. • Density, site coverage, open space, view corridor, building height, entitlement and land uses are subject to Lessee obtaining all

BOARD POLICY ITEM	TERMS
	planning and entitlement approvals.

Additional Matters

OTHER TERMS	<ul style="list-style-type: none"> a) Ten years prior to expiration of lease, Lessee to commence process to structure funding for removal of improvements (at County's election). b) Maintenance standards for improvements to conform to Marina del Rey standards as set forth in the new lease document. c) Lease administrative items include: a) late fee of 6% plus interest at prime plus 3% for any late payments; b) security deposit equal to three months' minimum rent; c) insurance levels set upon execution of the lease and renegotiated every five years thereafter; d) County approval rights over all construction plans and specifications except when alterations (after the initial renovation work is completed) are less than \$100,000 (adjusted annually by ENR Construction Cost Index), not structural in nature, and within the interior of the buildings; and e) enhanced audit and record-keeping standards. d) Liquidated damages of \$100 per day (adjusted for inflation) for each cited maintenance deficiency that remains uncured after a specified cure period.
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NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

Villa Venetia Apartments
Lease No. 4709 / Parcel 64
County Project No. R2009-00752-(4)
Environmental Review No. 200900048
State Clearinghouse No. 2010011078



Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

Applicant: Lyon Villa Venetia, LLC; Lyon Villa Venetia II, LLC; Wolff Villa Venetia 224, LLC; and Wolff Villa Venetia 224 II, LLC

Notice is hereby given pursuant to Public Resources Code Section 21092 that the County of Los Angeles intends to adopt a Mitigated Negative Declaration (MND). Los Angeles County is the Lead Agency for the project and the Los Angeles County Regional Planning Department has conducted an Initial Study and prepared a draft MND on behalf of the Department of Beaches and Harbors in connection with the proposal. The draft MND concludes that the project, as modified with changes and conditions attached to the Initial Study, will not have a significant effect on the environment. The draft MND and initial study were previously released for public review from April 12, 2010 to May 12, 2010. The document is being recirculated due to changes in the project description, the modification of a mitigation measure, and further analysis of the historical significance of the project site and its improvements. In addition, a new Greenhouse Gas Emissions section was added to address the recently amended CEQA Guidelines which became effective on March 18, 2010.

The project site is located at 13900 Fiji Way in the unincorporated community of Marina del Rey. The Assessor's Parcel Number associated with the project is 4224-011-901 and the project site is located on Lease Parcel 64. The subject draft MND has been prepared in conjunction with an Option to Amend Lease Agreement with the County of Los Angeles pertaining to the subject Parcel 64. It is anticipated that the Department of Beaches & Harbors' Small Craft Harbor Commission will consider the Option to Amend Lease Agreement at its meeting on August 11, 2010 at 10:00 a.m. in the Burton W. Chace Park Community Room at 13650 Mindanao Way, Marina del Rey, CA 90292.

As outlined in greater detail in the subject Initial Study, the draft MND is based on the evaluation of the potential environmental impacts of the applicant's proposed rehabilitation of the existing 224-unit Villa Venetia apartment complex, which will entail rehabilitation of the exterior of all four apartment structures and the interior of the residential units, modification of existing landscaping, reconfiguration of on-site parking, and enhancement of existing active and passive on-site recreational facilities. These improvements will not increase the internal floor area, the number of existing rental units at the site, or increase the height of any structure. None of these improvements will change the intensity of use or density of the existing apartment complex.

Los Angeles County is distributing this notice to alert you concerning the time period for written comments on the recirculated draft MND. Copies of the draft MND and Initial Study are available for public review from **July 5, 2010 to August 4, 2010** between 7:30 a.m. and 5:30 p.m., Monday through Thursday (**closed on Fridays**) in the offices of the Department of Beaches and Harbors Administration Building located at 13837 Fiji Way, Marina del Rey, California 90292. Copies are also available at the Department of Regional Planning, Hall of Records, Room 1340, 320 West Temple Street, Los Angeles, California 90012. Selected materials are also available on the Regional Planning website at <http://planning.lacounty.gov/case>, on the Beaches and Harbors website at <http://marinadelrey.lacounty.gov>, and at the Lloyd-Taber Marina del Rey Library, 4533 Admiralty Way, Marina del Rey, CA 90292. The Library's telephone number is (310) 821-3415.

Due to the time limits mandated by State law, your comments must be sent at the earliest possible date, but no later than **August 4, 2010**. All comments should be sent to: Ms. Maral Tashjian, County of Los Angeles Department of Regional Planning, Special Projects Section, 320 West Temple Street, Los Angeles, CA 90012-3225. Telephone: (213) 974-1516; Fax (213) 626-0434; e-mail: mtashjian@planning.lacounty.gov. Written comments on the draft MND will be accepted by the County through **August 4, 2010** at 6:00 p.m.

COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING
320 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012

MITIGATED NEGATIVE DECLARATION

PROJECT NUMBER: R2009-00752 / RENV200900048

1. DESCRIPTION:

Applicant proposes the rehabilitation of the existing 224-unit Villa Venetia apartment complex, which would entail rehabilitation of the exterior of all four apartment structures and the interior of the residential units, modification of existing landscaping, reconfiguration of on-site parking, and enhancement of existing active and passive on-site recreational facilities. These improvements would not increase the internal floor area, the number of existing rental units at the site, or increase the height of any structure. None of these improvements would change the intensity of use or density of the existing apartment complex.

2. LOCATION:

13900 Fiji Way, Marina Del Rey

3. PROPONENT:

Lyon Villa Venetia, LLC; Lyon Villa Venetia II, LLC; Wolff Villa Venetia 224, LLC; and Wolff Villa Venetia 224 II, LLC

4. FINDINGS OF NO SIGNIFICANT EFFECT:

BASED ON THE ATTACHED INITIAL STUDY, IT HAS BEEN DETERMINED THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT WITH MODIFICATION AS IDENTIFIED ON THE PROJECT CHANGES/CONDITIONS FORM INCLUDED AS PART OF THE INITIAL STUDY.

5. LOCATION AND CUSTODIAN OF RECORD OF PROCEEDINGS:

THE LOCATION AND CUSTODIAN OF THE RECORD OF PROCEEDINGS ON WHICH ADOPTION OF THIS MITAGATED NEGATIVE DECLARATION IS BASED IS: DEPARTMENT OF REGIONAL PLANNING, 320 WEST TEMPLE STREET, LOS ANGELES, CA 90012

PREPARED BY: *Maral Tashjian*
DATE: *June 24, 2010*

******* INITIAL STUDY *********COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING****GENERAL INFORMATION**I.A. Map Date: N/A Staff Member: Maral TashjianThomas Guide: 702-A1 USGS Quad: Venice (Grid 83)

Location: 13900 Fiji Way, Marina del Rey, CA 90292. The Project is located on a 6.45 acre site (Lease Parcel # 64, Assessor Parcel Number 4224-011-901) in the community of Marina del Rey as shown in Figure 1, Vicinity Map. The site is located at the terminus of Fiji Way, east of the Marina del Rey small craft harbor, north of the UCLA boat house and Ballona Creek, and west of the Ballona Wetlands as shown in Figure 2, Aerial Photograph. (All figures are located at the end of this document.)

Description of Project: The proposed project evaluated by this Initial Study (the "Project") consists of improvements to the 224-unit Villa Venetia apartment complex, including landscaping on the Project site. These improvements consist of rehabilitation of the exterior of all four apartment structures and the interior of the residential units, modifications to the existing landscaping, the reconfiguration of onsite parking, and the enhancement of existing active and passive on-site recreational facilities. These improvements would neither increase the internal floor area nor increase the height of any structure. None of these improvements would change the intensity of use or density of the apartment complex. Rehabilitation would take approximately 10-12 months for each of the four buildings with overlap in the rehabilitation schedule, resulting in completion of the Project in up to three years. The Project would retain 73 existing trees in-place. See Figure 30, Trees to Remain Plan, for the location of trees to be retained. The Project would also enhance the landscaping within the existing roundabout (public right-of-way) at the end of Fiji Way. The Project would provide improved site access for emergency vehicles and residents by widening the site access from Fiji Way by 13 feet. Figure 3, Existing Site Improvements, and Figure 4, Existing Landscape Improvements, show the current site improvements and landscaping, respectively. Figure 5, Site Photographs, shows current photographs of the Project site. The Project includes the following work for each of the Project's existing apartment buildings and other on-site amenities, as well as all required approvals:

Apartment Building Façade: The outside façade of the four existing apartment buildings would be resurfaced. A contemporary design for the façade of each building would be developed in order to improve each building both

visually and functionally. The exterior of each of the apartment buildings would be enhanced using new energy efficient windows and glazing, new environmentally sensitive wall cladding materials and new balcony railings. Figures 6 and 7, Proposed Building Elevations, are representative of the building elevations proposed for the Project.

The Apartment Building Individual Unit Interiors: The interior of each residential unit in each of the apartment buildings would be updated with new finishes, fixtures, appliances and equipment, including new bathroom and kitchens, electrical washers and dryers, plumbing fixtures, and HVAC units.

Apartment Building Interior Common Areas: The interior common areas of the existing apartment buildings would be enhanced with new interior finishes for the entrance lobbies and corridors, as well as new lights, new signage, and new materials and designs for all apartment unit entrances. Additionally, through adjustment of interior space and without adding square footage, the Project would convert a portion of the current leasing office into additional space for the fitness room.

Exterior Common Areas: The pool areas, club house, restroom facilities, landscaping, lighting, and public promenade would all be rehabilitated as part of the Project. The pool areas would be enhanced to include new patio garden areas and seating. The enhanced pools and pool areas would complement other areas of the Project and would incorporate high-quality furnishings to improve the aesthetic value of the area and encourage resident usage. The Project proposes to remove and replace existing landscaping, which would require approximately 300 cubic yards of cut and 300 cubic yards of fill during landscaping replacement. None of the landscaping improvements would occur on a beach or sand dune, in a wetland or stream, within 100 feet of the edge of a coastal bluff, in a highly scenic area, or in an environmentally sensitive habitat area. Of the 114 trees existing on the project site (none of which are native species, either locally or regionally), 73 trees would be retained (including 8 trees with historical nesting). See Figure 31, Nest Tree Plan. An additional 125 new trees are proposed which are all indigenous and drought tolerant species. Figures 9, 10, 29 and 30 show the proposed Project upgrades and landscape improvements, respectively.

Ground Lease: The Project includes an amendment to the Lease Agreement for the subject Parcel# 64, to be approved by the Los Angeles County Board of Supervisors prior to initiation of the proposed improvements to Villa Venetia.

Coastal Development Permit: A Coastal Development Permit will be obtained if determined to be required by appropriate agencies.

Environmental Setting: The Project site is located in the community of Marina del Rey in the unincorporated area of Los Angeles County. The Project is located at the end of Fiji Way. The land uses adjacent to the Project include the UCLA Aquatic Center and Ballona Creek to the south, the 600-acre Ballona Wetlands to the east, the Marina

del Rey small craft harbor to the west, and a U.S. Coast Guard station and various visitor-serving commercial uses to the north. The existing land uses surrounding the site are shown in Figure 8, Existing Land Use Map.

Gross Acres: 6.45 acres

Zoning: SP – Specific Plan

Community/Areawide Plan: Residential V (75 dwelling units/acre), Marina del Rey Land Use Plan

Community Standards District: N/A

General Plan: N/A

Major Projects in area:

PROJECT NUMBER

DESCRIPTION & STATUS

Project R2006-
03647/CDP200600008

Parcel 10R (APN: 4224-003-900) – Pending Coastal Development Permit to authorize the demolition of an existing 136-unit apartment complex and the development of a 400 unit complex (including a total of 62 affordable housing units).

Project R2006-
03652/CDP200600009

Parcel FF (APN: 4224-003-900) – Pending Coastal Development Permit to authorize the demolition of an existing parking lot and the development of a 126 unit apartment complex.

Project
TR067861/CDP200600007

Parcel 9U Northern Portion (APN: 4224-002-900) – Pending Coastal Development Permit to authorize the construction of a 19-story, 288 unit hotel with a restaurant and other facilities.

Project R2006-
03643/CDP200600006

Parcel 9U Southern Portion (APN: 4224-002-900) – Pending Coastal Development Permit to authorize the development of a public wetland and upland park.

Project R2007-
01480/CDP200700001

Parcels 55, 56 & W (APN: 4224-011-901) – Pending Coastal Development Permit to authorize the demolition of Fisherman’s Village and all existing parking, landscaping, and hardscaping, and the development of a new mixed-use commercial plaza and multi-story parking structure.

NOTE: For EIRs, above Projects are not sufficient for cumulative analysis.

REVIEWING AGENCIES

Responsible Agencies

- | | |
|---|---|
| <input type="checkbox"/> None | <input checked="" type="checkbox"/> Coastal Commission |
| <input checked="" type="checkbox"/> LA Regional Water Quality Control Board | <input checked="" type="checkbox"/> Army Corps of Engineers |
| <input type="checkbox"/> Lahontan Regional Water Quality Control Board | |

Trustee Agencies

- | | |
|---|--------------------------------------|
| <input type="checkbox"/> None | <input type="checkbox"/> State Parks |
| <input checked="" type="checkbox"/> State Fish and Game | |

Special Reviewing Agencies

- | | |
|---|---|
| <input type="checkbox"/> None | <input checked="" type="checkbox"/> City of Los Angeles, Bureau of Sanitation |
| <input type="checkbox"/> National Parks | <input type="checkbox"/> Elementary / High School District |
| <input type="checkbox"/> National Forest | <input checked="" type="checkbox"/> Local Native American Tribal Council |
| <input type="checkbox"/> Santa Monica Mountains Conservancy | <input type="checkbox"/> Water District |
| <input type="checkbox"/> Edwards Air Force Base | <input type="checkbox"/> California Department of Toxic Substance Control |
| <input checked="" type="checkbox"/> City of Los Angeles | <input type="checkbox"/> Town Council |
| <input checked="" type="checkbox"/> City of Culver City | <input checked="" type="checkbox"/> U.S. Fish & Wildlife Service |

Regional Significance

- | | |
|--|--|
| <input type="checkbox"/> None | <input checked="" type="checkbox"/> Air Quality Management District (SCAQMD) |
| <input type="checkbox"/> SCAG Criteria | |

County Reviewing Agencies

- | | |
|--|---|
| <input checked="" type="checkbox"/> DPW | |
| -Land Development Division (Grading & Drainage) | |
| -Geotechnical & Materials Engineering Division | |
| -Watershed Management Division (NPDES) | |
| -Traffic and Lighting Division | <input checked="" type="checkbox"/> Sheriff Department |
| -Environmental Programs Division | |
| -Waterworks Division | |
| -Sewer Maintenance Division | |
| <input checked="" type="checkbox"/> Public Health: Environmental Hygiene (Noise) | <input checked="" type="checkbox"/> Beaches and Harbors |
| <input checked="" type="checkbox"/> Fire Department | <input checked="" type="checkbox"/> Sanitation District |
| -Forestry, Environmental Division | |
| -Planning Division | |

IMPACT ANALYSIS MATRIX			ANALYSIS SUMMARY (See individual pages for details)			
			Less than Significant Impact/No Impact			
			Less than Significant Impact with Project Mitigation			
			Potentially Significant Impact			
CATEGORY	FACTOR	Pg				Potential Concern
HAZARDS	1. Geotechnical	7	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	2. Flood	9	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	3. Fire	11	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	4. Noise	13	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
RESOURCES	1. Water Quality	15	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	2. Air Quality	17	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	3. Biota	20	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Active Nests of Birds</i>
	4. Cultural Resources	36	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	5. Mineral Resources	39	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	6. Agriculture Resources	40	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	7. Visual Qualities	41	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	8. Greenhouse Gas Em.	43	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SERVICES	1. Traffic/Access	46	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Construction Traffic Management Plan</i>
	2. Sewage Disposal	50	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	3. Education	52	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	4. Fire/Sheriff	53	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	5. Utilities	54	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
OTHER	1. General	57	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	2. Environmental Safety	58	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Hazardous Materials</i>
	3. Land Use	62	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	4. Pop/Hous./Emp./Rec.	63	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	5. Mandatory Findings	66	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Nesting Birds</i>

ENVIRONMENTAL FINDING

FINAL DETERMINATION: On the basis of this Initial Study, the Department of Regional Planning finds that this Project qualifies for the following environmental document:

- ☐ NEGATIVE DECLARATION, inasmuch as the proposed Project will not have a significant effect on the environment.


An Initial Study was prepared on this Project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was determined that this Project will not exceed the established threshold criteria for any environmental/service factor and, as a result, will not have a significant effect on the physical environment.


- ☒ MITIGATED NEGATIVE DECLARATION, in as much as the changes required for the Project will reduce impacts to insignificant levels (see attached discussion and/or conditions).

An Initial Study was prepared on this Project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was originally determined that the proposed Project may exceed established threshold criteria. The applicant has agreed to modification of the Project so that it can now be determined that the Project will not have a significant effect on the physical environment. The modification to mitigate this impact(s) is identified on the Project Changes/Conditions Form included as part of this Initial Study.

- ☐ ENVIRONMENTAL IMPACT REPORT*, inasmuch as there is substantial evidence that the Project may have a significant impact due to factors listed above as "significant".

- ☐ At least one factor has been adequately analyzed in an earlier document pursuant to legal standards, and has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets (see attached Form DRP/IA 101). The Addendum EIR is required to analyze only the factors changed or not previously addressed.

Reviewed by:  Date: June 24, 2010
Maral Tashjian

Approved by:  Date: June 24, 2010
Samuel Dea

- ☐ This proposed Project is exempt from Fish and Game CEQA filing fees. There is no substantial evidence that the proposed Project will have potential for an adverse effect on wildlife or the habitat upon which the wildlife depends. (Fish & Game Code 753.5).

- ☐ Determination appealed – see attached sheet.

*NOTE: Findings for Environmental Impact Reports will be prepared as a separate document following the public hearing on the Project.

HAZARDS - 1. Geotechnical

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the Project located in an active or potentially active fault zone, Seismic Hazards Zone, or Alquist-Priolo Earthquake Fault Zone?</p> <p><i>The Project is located in southern California, which is a region known to have fault zones and seismic activity. Figure 11, Seismic Zones, shows the Project site and the fault zones in the region. (Source: The California Geological Survey and the 1980 Los Angeles Countywide General Plan Plate 1 map). Although there are faults in the region, as shown in Figure 11, Seismic Zones, the Project is not located within an active or potentially active fault zone or Seismic Hazard Zone.</i></p> <p><i>The Alquist-Priolo Earthquake Fault Zoning Act was signed into California law on December 22, 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The Alquist-Priolo Earthquake Fault Zoning Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The Act only addresses the hazard of surface fault rupture and is not directed toward other earthquake hazards. The Act only applies to structures for human occupancy (houses, apartments, condominiums, etc.)</i></p> <p><i>The Project is not located in an Alquist-Priolo Earthquake Fault Zone based on the review of the California Geological Survey Seismic Hazards Maps, 1997-2005. The Project proposes to rehabilitate the interior and exterior of the existing structures only and does not propose to construct any new buildings. The Project would not expose residents or structures to any greater impacts than existing conditions associated with or due to the presence of potentially active fault zones or seismic activity in the region</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the Project site located in an area containing a major landslide(s)?</p> <p><i>According to the California Geological Survey Seismic Hazards Maps, the Project site is not located within an area identified as having a potential for landslides. As shown in Figure 11, Seismic Zones, the Project site is 0.4 miles north of the nearest landslide zone. A landslide is a general term for a falling, sliding, or flowing mass of soil, rocks, water, and debris. The existing elevations on the Project site range from approximately 14 to 16 feet above sea level. The areas that surrounds the site are relatively flat and are either at or near the same elevations as the Project or at sea level in the case of the Marina del Rey harbor and Ballona Creek to the west and south, respectively. There are no slopes or hillsides that could produce a landslide and impact the Project. The Project is also not in the path of any area hillsides or slopes that could impact the site due to a landslide. The Project site is on flat level ground and, not being a hillside, is thereby not located in an area containing major landslides. This has been confirmed by GANICO Geotechnical, Inc. in a letter dated March 3, 2010 (see Appendix I, Geotechnical Study Report). Therefore, the Project would not be impacted by a major landslide.</i></p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the Project site located in an area having high slope instability?</p> <p><i>According to the California Geological Survey, the Project site is not within an area identified as having a potential for slope instability. As shown in Figure 11, Seismic Zones, the Project site is 0.4 miles north of the nearest landslide zone that could contain high slope instability. The Project site and the area immediately surrounding the site to the north, east, and south are relatively flat with no slopes that could impact the Project due to high slope instability. The area west of the site is the Marina del Rey small craft harbor which is lower in height than the site and does not contain any areas of high slope instability that could impact the site. The Project would not be impacted by high slope instability.</i></p>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the Project site subject to high subsidence, high groundwater level, liquefaction, or hydrocompaction?</p> <p><i>The Project site is located in an area of potential liquefaction as shown in Figure 12, Liquefaction</i></p>

	Yes	No	Maybe	
				<i>Areas, (Source: The California Geological Survey). However, the Project would not increase or change the Project's existing exposure to liquefaction or high groundwater levels to a greater level than current conditions according to GANICO Geotechnical, Inc. in a letter dated March 3, 2010 (See Appendix I, Geotechnical Study Report).</i>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the proposed Project considered a sensitive use (school, hospital, public assembly site) located in close proximity to a significant geotechnical hazard?</p> <p><i>The Villa Venetia apartment complex is not a sensitive land use (school, hospital, public assembly site) nor is the Project a change from the existing use. Although the Project is located in an area of potential liquefaction and a region with known fault zones and seismic activity, the Project does not propose any site improvements that would increase the exposure of the residents to existing geological hazards to any greater level than current conditions.</i></p>
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project entail substantial grading and/or alteration of topography including slopes of over 25%?</p> <p><i>As shown in Figure 13, Topography Map, the Project site is primarily flat with an existing slope across the property of less than 1%. The Project proposes to remove and replace most of the existing landscaping and require approximately 300 cubic yards of cut and 300 cubic yards of fill to replace the landscaping. The dirt that would be removed during the landscape improvements would be retained and balanced on-site. The preliminary grading study prepared by Psomas engineers (see Figure 28, Preliminary Grading Study) confirms that the site is less than 1% slope and the Project would not result in any grading activities or alteration of any slopes over 25%.</i></p>
g.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project be located on expansive soil, as defined in Table 18-1-B of Uniform Building Code (1994), creating substantial risks to life or property?</p> <p><i>The Project site is not located on expansive soil, as stated in a letter dated March 3, 2010 from Ganico Geotechnical, Inc. (See Appendix I, Geotechnical Study Report). Based on Ganico's review of the "Geotechnical Study Report, Proposed Villa Venetia Development Project No. 64366, June 14, 2006 prepared by Kleinfelder, Inc." (available upon request) the Project site is not located on highly expansive soil. Rather, the site is located on low to moderately expansive alluvial and fill soils. As a result, the on-site soils would not create any substantial risk to the Project residents or the existing structures due to expansive soils.</i></p>
h.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Other factors?</p> <p><i>There are no other known geotechnical hazards associated with the Project</i></p>

STANDARD CODE REQUIREMENTS

☒ Building Ordinance No. 2225 – Sections 110, 111, 112, and 113 and Chapters 29 and 70
(Geotechnical Hazards, Engineering Geology and Soils Engineering Report, Earthquake Fault)

☐ MITIGATION MEASURES

☐ Lot Size

☐ OTHER CONSIDERATIONS

☐ Project Design

☒ Approval of Geotechnical Report by DPW

CONCLUSION

Considering the above information, could the Project have a significant impact (individually or cumulatively) on, or be impacted by, **geotechnical** factors?

☐ Potentially significant

☐ Less than significant with Project mitigation

☒ Less than significant/No Impact

HAZARDS - 2. Flood

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is there a major drainage course, as identified on USGS quad sheets by a dashed line, located on the Project site?</p> <p><i>There is no major drainage course on the site as shown on the photo revised 1981 USGS Venice quadrangle 7.5 minute series topographic map. The site is completely developed and as shown on the USGS topographic map (see Figure 13, Topography Map) there are no dashed blue lines on the site that represent a drainage course.</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the Project site located within or does it contain a floodway, floodplain, or designated flood hazard zone?</p> <p><i>As shown in Figure 14, Flood Zones Map, the site is located in Flood Zone X as designated by the Federal Emergency Management Agency (FEMA), Flood Insurance Rate Map (FIRM) panel No. 06037C1754F, September 26, 2008. Zone X includes areas of 0.2% annual chance of flood; 1% annual chance of flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance of flood. The Project would not increase the exposure of the site to flooding. Low lying coastal areas in Los Angeles County, including the Project site, are exposed to inundation by a tsunami as shown in Figure 32, Tsunami Inundation Map. According to J.H. Wiggins' Seismic Safety Analysis, City of Los Angeles, the maximum expected run-up of a tsunami wave in the Venice Beach area is 9.6 feet in a 100-year interval. Other data suggests that a 100-year run-up of 7.9 feet based on data from Houston & Garcia, 1974. The site is approximately 12 feet above sea level. The Project does not propose any site improvements that would increase the exposure of the existing buildings or residents to a tsunami.</i></p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the Project site located in or subject to high mudflow conditions?</p> <p><i>A mudflow is the movement of a large mass of mud formed from loose soil and water from a hillside or other elevated land. The Project site as well as the land immediately surrounding the site on the north, east, and south are primarily flat. The Marina del Rey channel, which is adjacent to and west of the site, is flat and lower in elevation than the site. Because the Project site and the area surrounding the site are primarily flat and no hillsides or other elevated landforms are adjacent to the site, the Project is not subject to and would not be impacted by high mudflow.</i></p>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Could the Project contribute or be subject to high erosion and debris deposition from run-off?</p> <p><i>The proposed site improvements would not significantly contribute to or cause high erosion and debris deposition from run-off either during Project rehabilitation or after rehabilitation is completed. The Project does not propose any grading or other land alteration other than soil disturbance of approximately 300 cubic yards of dirt associated with the replacement of the existing landscaping with new landscape materials. See Figure 28, Preliminary Grading Study, prepared by Psomas Engineering. The Project would incorporate applicable state and county-required on-site measures to minimize surface water runoff, erosion and debris flow.</i></p> <p><i>The Project would provide all State required Best Management Practices (BMP's) for rehabilitation to reduce soil erosion and remove debris from the storm water prior to its discharge from the site. The Project applicant will submit to the Los Angeles County Department of Public Works and the California Regional Water Quality Control Board a Storm Water Pollution Prevention Plan (SWPPP) reflecting the measures (i.e. sand bags around rehabilitation areas, covering bare soil with a variety of materials to eliminate or severely restricting soil erosion, proper handling of materials for the rehabilitation and other applicable measures to significantly reduce soil erosion and surface water quality impacts to the storm drain system and downstream receiving bodies of water) that will be installed as required by law prior to the issuance of the permit for the rehabilitation. The SWPPP would identify the BMP's</i></p>

	Yes	No	Maybe	
				<i>that will be installed and maintained throughout Project rehabilitation to minimize on and off-site erosion and the generation of debris from the site. The Project applicant will also submit to the Los Angeles County Department of Public Works a Standard Urban Storm Water Mitigation Plan (SUSMP) reflecting post rehabilitation BMP measures that will be installed and maintained to minimize on and off-site erosion and the generation of debris from the site. The employment of applicable State required BMP's during and after rehabilitation would reduce potential erosion impacts to less than significant levels.</i>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project substantially alter the existing drainage pattern of the site or area?</p> <p><i>The Project applicants' civil engineer, Psomas, prepared a hydrologic analysis for both the existing and proposed Project conditions. Appendix D, Villa Venetia Infrastructure Summary Report of Existing and Proposed Drainage, Sewer and Water. The Psomas hydrologic analysis estimates that the 25-year storm water runoff from the site under existing conditions is 11.9 cubic feet per second (cfs). Psomas calculates the Project would discharge no more than 11.9 cfs of storm water associated with a 25-year storm, which is the same under the existing conditions. There would be some reduction in the volume of storm water generated from the site with the Project due to the installation of state mandated storm water quality treatment facilities. Because the site is relatively small, Psomas calculates that any reduction in the quantity of storm water runoff from the site would be negligible. As a result, the Project would not substantially alter the existing drainage pattern of the site or area.</i></p>
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Other factors (e.g., dam failure)?</p> <p><i>The Project is not located within the dam inundation area of any dam and would not be impacted due to the failure of a dam. (Source: "Los Angeles County Department of Public Works Ballona Creek Watershed Management Plan, September 2004")</i></p>

STANDARD CODE REQUIREMENTS

- ☒ Building Code, Title 26 – Section 110.1 (Flood Hazard)
☒ Health and Safety Code, Title 11 – Chapter 11.60 (Floodways)

- ☐ MITIGATION MEASURES
☐ Lot Size

- ☒ OTHER CONSIDERATIONS
☐ Project Design

- ☒ Approval of Drainage Concept by DPW

Consulted with the County of Los Angeles Department of Public Works Grading and Drainage section for all applicable Low Impact Development (LID) requirements

CONCLUSION

Considering the above information, could the Project have a significant impact (individually or cumulatively) on, or be impacted by **flood (hydrological)** factors?

- ☐ Potentially significant ☐ Less than significant with Project mitigation ☒ Less than significant/No Impact

HAZARDS - 3. Fire

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the Project site located in a Very High Fire Hazard Severity Zone (Fire Zone 4)?</p> <p><i>As shown in Figure 15, Fire Hazard Zones, the Project site is more than five miles from the nearest designated fire hazard zone. Thus, the Project is not located in a fire hazard zone, including a Very High Fire Hazard Severity Zone (Source: Los Angeles County Fire Department, 2005). The Project site is not currently impacted by fires associated with a fire hazard zone and would not be impacted by a fire associated with a fire hazard zone with the Project.</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the Project site in a high fire hazard area and served by inadequate access due to lengths, width, surface materials, turnarounds or grade?</p> <p><i>The Project site is not located in a high fire hazard area as discussed in "3a" above and shown in Figure 15, Fire Hazard Zones. The Project site is located at the terminus of Fiji Way, which is an improved public roadway with access to Admiralty Way, a county-designated secondary highway, and Lincoln Boulevard, a county-designated parkway.</i></p> <p><i>The Project has 224 apartment units in four presently existing separate buildings. There are two points of access for emergency equipment to enter the site. One is directly from Fiji Way and the second point of access is via a driveway along the east and south side of the Project site from Fiji Way. The Project would maintain the existing two points of site access. The fire lane along the Project waterfront is currently 17 feet in width and may need to be widened to 20 feet in width in one pinch point location as required by the Los Angeles County Fire Department and as discussed and shown in Appendix D, Villa Venetia Infrastructure Summary Report of Existing and Proposed Drainage, Sewer and Water. This widening to 20 feet would not result in the loss of additional trees. In addition, the Project proposes to widen the existing ingress/egress to the site from Fiji Way to 36 feet.</i></p> <p><i>The existing site has adequate access for fire equipment and personnel to respond to an on-site emergency and would be further enhanced as described above.</i></p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Does the Project site have more than 75 dwelling units on a single access in a high fire hazard area?</p> <p><i>The Project site is not in a high fire hazard area as discussed in "3a" above and shown in Figure 15, Fire Hazard Zones. The Project does not have more than 75 dwelling units on a single access in a high fire hazard area.</i></p>
d.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Is the Project site located in an area having inadequate water and pressure to meet fire flow standards?</p> <p><i>According to a Fire Flow Availability Report prepared by the County of Los Angeles Fire Department, a physical flow test was performed on October 13, 2009. This flow test determined that the available flow rate from the public water supply system at the cul-de-sac of Fiji Way is 3,548 gallon per minute for a three hour duration. Preliminary discussions with the fire department concluded that the existing fire flow rate would be acceptable for the proposed rehabilitation due to no change in land use, project size or density. Per Los Angeles County's typical process, formal approval of this flow rate will occur during the building plan check process prior to permit, see Appendix D, Villa Venetia Infrastructure Summary Report of Existing and Proposed Drainage, Sewer and Water. Therefore, if required, water system improvements would be constructed at the building permit stage, thus providing the appropriate level of fire protection.</i></p>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the Project located in close proximity to potential dangerous fire hazard conditions/uses (such as refineries, flammables, explosives manufacturing)?</p>

	Yes	No	Maybe	
				<p><i>The Project site is located in the Marina del Rey small craft harbor area. A review of area land uses shows that the site is not located in close proximity to any known potential dangerous fire hazard conditions/uses (such as refineries, flammables, or explosives manufacturing). Furthermore, the Marina del Rey Land Use Plan does not allow any land uses such as refineries, flammables and explosives manufacturing companies. Therefore, the Project is not now and, after completion, would not be impacted by potential dangerous fire hazard conditions/uses (such as refineries, flammables, or explosives manufacturing).</i></p>
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Does the proposed use constitute a potentially dangerous fire hazard?</p> <p><i>None of the Project improvements to the existing buildings, apartment units, and landscaping, such as replacing carpets, cabinets, appliances, water fixtures, swimming pool upgrades, building façade upgrades, landscape upgrades are associated with or constitute a potentially dangerous fire hazard. All rehabilitation efforts would comply with applicable building and fire codes.</i></p>
g.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Other factors?</p> <p><i>There are no other foreseeable issues associated with the Project proposal that would result in fire hazards.</i></p>

STANDARD CODE REQUIREMENTS

- ☒ Utilities Code, Title 20 – Section 20.16.060 (Fire Flow & Fire Hydrants Requirements)
☒ California Fire Code, Title 24, Part 9 – Section 503 (Fire Apparatus Access Roads)
☐ Fire Code, Title 32 – Sections 317.2.1 (Fuel Modification Plan)

☐ MITIGATION MEASURES

☐ Project Design

☐ OTHER CONSIDERATIONS

☐ Compatible Use

Consulted with the County of Los Angeles Fire Department.

CONCLUSION

Considering the above information, could the Project have a significant impact (individually or cumulatively) on, or be impacted by **fire hazard** factors?

☐ Potentially significant

☐ Less than significant with Project mitigation

☒ Less than significant/No Impact

HAZARDS - 4. Noise

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the Project site located near a high noise source (airports, railroads, freeways, industry)?</p> <p><i>The Project site is located approximately 1.75 miles north of Los Angeles International Airport (LAX) and 3 miles south of Santa Monica airport, which are both public airports. As shown in Figure 16, Noise Contours, the Project site is located outside of the 65 Community Noise Equivalent Level (CNEL) noise contour line of Los Angeles International Airport. Therefore, noise from the airport operations at LAX does not impact the site based on information in the Los Angeles County Airport Land Use Plan, Revised December 1, 2004.</i></p> <p><i>The immediate proximity of the Villa Venetia site to the US Coast Guard Patrol Station, LA County Sheriff's Department Marina del Rey Station, and LA County Fire Department's Lifeguard Rescue Station represent sources of noise at sound pressure levels (SPLs) greater than 80-85 decibels (dB), i.e., when patrol and rescue boats (and Sheriff's patrol cars) are dispatched with sirens, the SPL would be increased abruptly to 100-120 dB, typically as measured from a test distance of 100 ft. ¹ There are no additional loud noise sources in the project vicinity that impact the site presently or upon completion of the project.</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the proposed use considered sensitive (school, hospital, senior citizen facility) or are there other sensitive uses in close proximity?</p> <p><i>The site is developed with apartment units, which is not considered a noise sensitive land use (school, hospital, or senior citizen facility). There are no designated "sensitive land use" areas within a 1.25 mile radius of the Project. Due to this distance, there would be no impacts to "sensitive land uses" due to the rehabilitation work or operational noise upon the Project completion.</i></p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Could the Project substantially increase ambient noise levels including those associated with special equipment (such as amplified sound systems) or parking areas associated with the Project?</p> <p><i>The Project would not generate new noise sources (amplified sound systems, public address systems, etc.) that would substantially increase the ambient noise levels either on the site or the area adjacent to the site. There would be short-term noise generated during the activities to rehabilitate the apartment units and replace existing landscaping. The short-term noise levels generated during rehabilitation would increase the ambient noise levels on the site and the area immediately adjacent to the site. County building inspectors would be onsite during rehabilitation operations and would have the ability to monitor noise levels when present. Once completed, the Project would not increase the ambient noise levels on the site or the immediate area surrounding the site. All noise generated during the rehabilitation effort would meet and comply with Los Angeles County Code Section 12.08.440 that requires noise levels to be less than 80 dBA for multi-family use and 85 dBA for commercial use. Compliance with the County's Code would reduce noise impacts during the rehabilitation to less than significant levels.</i></p>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels without the Project?</p> <p><i>A noise study dated June 16, 2010 was prepared for the Project by Mestre Greve Associates. The noise analysis for the Project is based on the Mestre Greve noise study that is attached as Appendix A.</i></p> <p><i>The Project includes four buildings referred to by their respective building addresses: 13900, 13902, 13904/ 13906 and 13908/ 13910. See Figure 2, Aerial Photographs, for the location of the four buildings. Total rehabilitation duration would take up to 36 months with an anticipated starting date of Fall 2010. Units of each building may remain occupied until rehabilitation commences in the building. A rehabilitated unit may be occupied at any time after completion of</i></p>

Yes No Maybe

rehabilitation for the building in which the unit is located. Rehabilitation of the apartment interiors (i.e.; the removal of appliances, counters, cabinets, flooring, and windows) would be done using hand tools and not utilize heavy equipment.

The Project would increase the ambient noise levels: (1) within each of the buildings during the rehabilitation of the apartment units within the building; (2) outside the buildings during rehabilitation of the building exteriors; and (3) outside the buildings during the replacement of the landscaping throughout the site. The noise that would be generated by the Project includes the operation of hand tools during replacement of the kitchen cabinets and appliances, the replacement of carpet and tile, the replacement of existing landscaping, the enhancement of the outdoor pools and recreational facilities, the rehabilitation of building facades, the replacement of parking lot pavement, the movement of rehabilitation equipment on and off the site, communication among the rehabilitation workers, and other noises typically associated with the type of work required to rehabilitate the Villa Venetia apartment units.

The Project applicant would be required to comply with Los Angeles County Code Noise Control Ordinance (County Code Section 12.08.440), which identifies specific restrictions for noise in close proximity to residential and non-residential structures. As required by County Code Section 12.08.440 the use of equipment used in construction, drilling, repair, alteration or rehabilitation work is prohibited between weekday hours of 7:00 PM and 7:00 AM and anytime on Sundays or legal holidays if such noise would create a noise disturbance across a residential or commercial real-property line. All mobile stationary internal-combustion-powered equipment and machinery is also required to be equipped with suitable exhaust and air-intake silencers in proper working order. County Code Section 12.08.440 requires that the exterior noise levels from the use of mobile equipment (nonscheduled, intermittent, short-term operation (less than 10 days) adjacent to multifamily residential and semi-residential/commercial uses can't exceed 80 dBA and 85 dBA, respectively. Therefore, the Project would comply with the noise levels listed in the County Code Section 12.08.440 when working adjacent to onsite occupied multi-family buildings. With adherence to County Code Section 12.08.440, rehabilitation of the Villa Venetia Apartments is not projected to result in any significant noise impacts.

e. ☐ ☒ ☐ Other factors?

There are no other factors associated with the Project that would cause noise and impact either existing residents or adjacent surrounding land uses.

STANDARD CODE REQUIREMENTS

☒ Environmental Protection Code, Title 12 – Chapter 12.08 (Noise Control)

☒ Building Code, Title 26 – Sections 1208A (Interior Environment – Noise)

☐ **MITIGATION MEASURES**

☐ Lot Size

☐ **OTHER CONSIDERATIONS**

☐ Project Design

☐ Compatible Use

CONCLUSION

Considering the above information, could the Project have a significant impact (individually or cumulatively) on, or be adversely impacted by **noise**?

☐ Potentially significant

☐ Less than significant with Project mitigation

☒ Less than significant/No Impact

RESOURCES - 1. Water Quality

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the Project site located in an area having known water quality problems and proposing the use of individual water wells?</p> <p><i>The Project is a rehabilitation of an existing 224-unit apartment complex. The Marina del Rey Water System provides potable water to the Villa Venetia apartments and would continue to provide potable water upon completion of the Project. The Project would not require the use of individual water wells for potable water or fire flow.</i></p> <p><i>The Project is located in the Los Angeles Region (4) of the State Water Resources Control Board. The Project is within the Ballona Creek Watershed which is underlain by the groundwater formation known as the West Basin (comprised of the Hollywood and Santa Monica sub-basins) and a small portion of the Central Basin as defined by the California Regional Water Quality Control Board. These two basins are used as sources for domestic water use and are replenished primarily through percolation of rainwater and stream flow. Within these two basins there are point source groundwater contaminations that have been identified related to specific uses such as gas stations, airports, etc. Because the underlying groundwater basins are used for domestic water production, and no potential point source of contamination is known to have occurred on or adjacent to the site, the project is considered to be in an area with no known groundwater quality problems. No long term or cumulative groundwater quality impacts are anticipated since no water wells or private sewerage treatment systems exist or are proposed. This information is consistent with Appendix D, Villa Venetia Infrastructure Summary Report of Existing and Proposed Drainage, Sewer and Water.</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the proposed Project require the use of a private sewage disposal system?</p> <p><i>A public sewer collection and treatment system currently serve the site and would continue to serve the Project upon its completion. Wastewater is collected and conveyed by the sewer system that is owned and operated by the Los Angeles County Department of Public Works. The wastewater is treated at a wastewater treatment plant owned by the City of Los Angeles. The existing public sewage disposal system would continue to serve the Project. Therefore, a private sewage disposal system would not be required.</i></p>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>If the answer is yes, is the Project site located in an area having known septic tank limitations due to high groundwater or other geotechnical limitations or is the Project proposing on-site systems located in close proximity to a drainage course?</p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><i>N.A.</i></p> <p>Could the Project's associated construction activities significantly impact the quality of groundwater and/or storm water runoff to the storm water conveyance system and/or receiving water bodies?</p> <p><i>The Project would be required by State law to comply with the California Regional Water Quality Control Board (CRWQCB) by submitting a Notice of Intent (NOI) to the CRWQCB and the County National Pollutant Discharge Elimination System (NPDES) permit discharge requirements. Under the NPDES permit, the Project applicant is required to prepare and submit to the Los Angeles County Department of Public Works for review and approval a Storm Water Pollution Prevention Plan (SWPPP) and an Erosion Control Plan. The SWPPP and Erosion Control Plan would require approval prior to the issuance of the permit for the rehabilitation. The SWPPP and Erosion Control Plan would include BMPs that shall be installed prior to the start of the rehabilitation and maintained throughout the rehabilitation period to control soil erosion and minimize surface water quality impacts. The types of BMPs that are typically required for similar projects include: sand bags around rehabilitation areas, covering bare soil with a variety of materials to eliminate or severely restricting soil erosion, proper handling of</i></p>

	Yes	No	Maybe	
				<i>materials for the rehabilitation and other applicable measures to significantly reduce soil erosion and surface water quality impacts to the storm drain system and downstream receiving bodies of water. With the implementation of these BMPs, the Project would not have significant impacts on the quality of groundwater and/or storm water runoff to the storm water conveyance system and/or receiving water bodies.</i>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Could the Project's post-development activities potentially degrade the quality of storm water runoff and/or could post-development non-storm water discharges contribute potential pollutants to the storm water conveyance system and/or receiving bodies?</p> <p><i>According to the Project hydrology plan prepared by Psomas (Appendix D, Villa Venetia Infrastructure Summary Report of Existing Drainage, Sewer and Water) the proposed Project improvements would not increase the percentage of impervious surface area on the Project site. The current impervious area is 86% and the proposed impervious area would be 85%. Therefore, the Project would not increase the quantity of storm water runoff from the site. The Project applicant would submit to the Los Angeles County Department of Public Works a Standard Urban Storm Water Mitigation Plan (SUSMP) reflecting post rehabilitation BMP measures that would be installed and maintained for compliance with regulatory requirements. The Project proposes to provide BMP's, such as vegetated swales and Filterra treatment planters or similar non-structural BMP's in order to comply with the State storm water runoff water quality standards. The applicant shall also prepare a low impact development plan to demonstrate compliance with the low impact development standards ordinance. The SUSMP and low-impact development plans for the rehabilitation would be submitted and approved prior to issuance of the permit for rehabilitation. As a result, the Project's post-development activities would not degrade the quality of storm water runoff and/or post-development non-storm water discharges would not contribute potential pollutants to the storm water conveyance system and/or receiving bodies.</i></p>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Other factors?</p> <p><i>There are no other factors associated with the Project that would cause or impact water quality.</i></p>

STANDARD CODE REQUIREMENTS

- ☒ County Code, Title 12 – Chapter 12.84 (Low-Impact Development Standards)
- ☒ Environmental Protection, Title 12 – Chapter 12.80 (Storm-water & Runoff Pollution Control)
- ☒ Plumbing Code, Title 28 – Chapter 7 (Sanitary Drainage)

☐ MITIGATION MEASURES

- ☐ Lot Size
- ☐ Project Design
- ☐ Industrial Waste Permit

☐ OTHER CONSIDERATIONS

- ☐ Compatible Use
- ☐ Septic Feasibility Study
- ☒ National Pollutant Discharge Elimination System (NPDES) Permit

Consulted with the County of Los Angeles Department of Public Works Watershed Management and Land Development Divisions.

CONCLUSION

Considering the above information, could the Project have a significant impact (individually or cumulatively) on, or be adversely impacted by, **water quality** problems?

- ☐ Potentially significant
- ☐ Less than significant with Project mitigation
- ☒ Less than significant/No Impact

RESOURCES - 2. Air Quality

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the proposed Project exceed the State's criteria for regional significance (generally (a) 500 dwelling units for residential users or (b) 40 gross acres, 650,000 square feet of floor area or 1,000 employees for non-residential uses)?</p> <p><i>The Project would not exceed the State's regional significance criteria. The Project proposes to upgrade and rehabilitate the interior of 224 apartment units, the exterior of the four existing apartment buildings, redesign the surface parking and replace and enhance the existing landscaping. The Project would not increase the number of apartment units or add additional square footage. Therefore, the Project would not exceed the State's criteria for regional significance.</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the proposal considered a sensitive use (schools, hospitals, and parks) and located near a freeway or heavy industrial use?</p> <p><i>The Project is not considered a sensitive land use. The closest freeway to the Project is the Marina freeway (SR-90), which is approximately 1.25 miles to the northeast. The nearest industrial site is approximately 1 mile from the Project. Please reference the "Project Vicinity Map" located in Appendix B, Air Quality Analysis, prepared by Mestre Greve & Associates.</i></p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project increase local emissions to a significant extent due to increased traffic congestion or use of a parking structure or exceed AQMD thresholds of potential significance?</p> <p><i>Because the Project would not increase the number of apartments or unit types, additional vehicle trips would not be generated. The redesign of the on-site surface parking layout and widening the main site access at Fiji Way would allow easier vehicular movement in and out of the apartment complex to incrementally reduce motor vehicle air emissions.</i></p> <p><i>Mestre Greve Associates prepared an air quality analysis for the Project. The purpose of their air quality analysis was to determine the potential air emissions that would be generated by the Project, both short-term (rehabilitation) and long-term (operational). A copy of the Mestre Greve air quality report is included as Appendix B. The Mestre Greve report concludes that the Project would not change the number or size of units within the complex and therefore would not substantially change operational emissions associated with the Project. Therefore, the operation of the Project would not result in an operational air quality impact. The Project would not have a significant air emission impact due to vehicle emissions and would not exceed any associated AQMD air emission thresholds.</i></p>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project generate or is the site in close proximity to sources that create obnoxious odors, dust, and/or hazardous emissions?</p> <p><i>The existing apartments and surrounding land uses do not generate any obnoxious odors, dust or other hazardous air emissions that exceed adopted thresholds or emission limits. Similarly, the proposed Project would continue the use of apartments on the site and would not generate or emit obnoxious odors or other hazardous air emissions different than existing conditions. Some dust would be generated during rehabilitation activities to replace existing parking pavement and landscape materials. The Project applicant has incorporated within the Project a program to implement dust reducing measures as required by AQMD Rule 48. Rule 48 requires the Project applicant to incorporate measures such as watering, restricting rehabilitation to days with less than 25 mph wind, and other applicable measures to minimize dust. The incorporation of applicable AQMD-required dust control measures by the Project applicant and the contractor would reduce dust emissions to less than significant levels. The operation of some engine powered rehabilitation equipment, including a forklift and a small</i></p>

Yes No Maybe

front end loader, would emit odors that may be offensive to some people in very close proximity to the operating equipment. It is not anticipated at this time that odors from the operation of this rehabilitation equipment would significantly impact residents.

There are no hazardous emissions that are generated from the site currently and no hazardous emissions would be generated after Project completion that can impact residents, pedestrians on the public walk-way adjacent to the site, or area employees. Because the applicant would be required by AQMD Rule 48 to incorporate dust control measures during rehabilitation to minimize dust, there are no potential significant, dust emission impacts.

Throughout the year, the onsite heron and cormorant colonies generate a substantial amount of guano (fecal droppings), and for the past several years, particularly at the NW corner of the site (nearest the Coast Guard Patrol Station). Prevailing N/NW breezes cause the dried and powdery feces (from trees 4 and 6 [see figure 31]) to drift landward and onto the pedestrian pathway and adjacent apartments, the Coast Guard facility, and the parking lot in between. Bird guano, in both aerosol and particulate forms, creates a potentially harmful threat to human health; and, this risk is highest to people with adverse pulmonary conditions.

*To illustrate the matter, the University of California at Davis recently (2006) was forced to postpone installation of its new educational exhibits and trail system at the popular Shields Oak Grove,² which has recently become a nesting ground for egrets and herons, because of human health risks posed by exposure to guano from a nearby heron colony.³ University scientists have explained that the heron guano, which coats anything under the trees in the most popular nesting areas, may contain disease-causing bacteria including enteropathogenic *Escherichia coli*, popularly “*E. coli*,” *Salmonella enteritidis*, and *Chlamydia* [= *Chlamydophila*] *psittaci*, popularly ‘Parrot Fever’ or ‘Psittacosis.’ The bacteria can be transmitted to humans through breathing or hand-to-mouth contact.*

This existing condition of airborne guano at Villa Venetia would continue during and following completion of the apartment rehabilitation project because, as the detailed biological evaluation of the herons and cormorants and the associated work related mitigation measures indicate, the birds’ site usage would remain unchanged over the long term, i.e., as long as the fully senescent trees remain standing and the birds continue to nest in them. The rehabilitation project would neither increase nor otherwise affect this potential air quality hazard to the general public.

Because there would be no change in the use of the property and no new odor sources would be placed on the property, the proposed Project would not produce any odors which would have a significant impact on the environment.

e. ☐ ☒ ☐

Would the Project conflict with or obstruct implementation of the applicable air quality plan?

An air quality analysis dated June 16, 2010 was prepared for the Project by Mestre Greve Associates. The Mestre Greve Associates air quality analysis did not identify any aspects of the Project, including rehabilitation or operation, that would conflict with or obstruct the implementation of the South Coast Air Quality Management District’s (SCAQMD) State Implementation Plan (SIP). The Project would be required to meet and comply with all applicable SCAQMD emission thresholds during Project Rehabilitation. Thus, the Project would not conflict with or obstruct the implementation of the SCAQMD SIP.

f. ☐ ☒ ☐

Would the Project violate any air quality standard or contribute substantially to an existing or Projected air quality violation?

An air quality analysis dated June 16, 2010 was prepared for the Project by Mestre Greve Associates and has been included in Appendix B.

	Yes	No	Maybe	
				<p><i>Based on the conclusion of the air quality analysis, the Project would not violate any adopted air quality standard or contribute substantially to any existing air quality violation associated with rehabilitation, or continued operation of the Villa Venetia apartments. As noted by the Mestre Greve Associates analysis, the Project would not exceed any adopted air emission thresholds for criteria pollutants. In addition, emissions would not exceed the localized ambient concentration thresholds established in the SCAQMD's Localized Significance Threshold (LST) Methodology. Therefore, the Project would not violate any air quality standards or contribute substantially to an existing or Projected air quality violation.</i></p>
g.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under applicable federal or state ambient air quality standard (including releasing emission which would exceed quantitative thresholds for ozone precursors)?</p> <p><i>According to the Mestre Greve Associates air quality analysis, the Project would comply with the SCAQMD's Air Quality Handbook and other guidance provided by SCAQMD and meets all adopted criteria pollutant thresholds. Thus, the Project would not have any cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment.</i></p>
h.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

- | | |
|--|---|
| <input type="checkbox"/> State of California Health and Safety Code – Section 40506 (Air Quality Management District Permit) | <input checked="" type="checkbox"/> OTHER CONSIDERATIONS |
| <input type="checkbox"/> MITIGATION MEASURES | <input checked="" type="checkbox"/> Air Quality Report |
| <input type="checkbox"/> Project Design | |

Demolition and renovation activities are subject to AQMD Rule 1403. A comment letter was received during the public review period from the South Coast Air Quality Management District dated April 22, 2010. (See Appendix "N" for comment letter.)

CONCLUSION

Considering the above information, could the Project have a significant impact (individually or cumulatively) on, or be adversely impacted by, **air quality**?

- | | | |
|--|--|---|
| <input type="checkbox"/> Potentially significant | <input type="checkbox"/> Less than significant with Project mitigation | <input checked="" type="checkbox"/> Less than significant/No Impact |
|--|--|---|

RESOURCES - 3. Biota

SETTING/IMPACTS

	Yes	No	Maybe
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Is the Project site located within a Significant Ecological Area (SEA), SEA Buffer, or coastal Sensitive Environmental Resource (ESHA, etc.), or is the site relatively undisturbed and natural?

The property has been fully developed since 1963. The Project site is not located within a Significant Ecological Area (SEA), SEA Buffer, or coastal Sensitive Environmental Resource Area, as shown in Figure 17. Ballona Creek (SEA # 29), which is next to the project on the South and Southeast sides of the complex, is the closest SEA to the site, and borders the property on two (2) sides. Additionally, neither the existing structures nor the proposed improvements are located on a beach, in a wetland, stream, or lake, seaward of the mean high tide line, in an area designated as highly scenic in the certified LUP, or within fifty feet of the edge of a coastal bluff.

*The Project site is neither within nor does it contain ESHA. This determination is explained below. The following discussion of ESHA policy emphasizes how the best available scientific evidence does not support an ESHA determination for Great Blue Heron (*Ardea herodias*, GBH) or Double-crested Cormorant (*Phalacrocorax auritus*, DCC), or the species' habitat, particularly within Marina del Rey.*

ESHA BACKGROUND

The California Coastal Act (California Public Resources Code Division 20, §30240[a]) restricts land uses within or next to environmentally sensitive habitat areas (ESHA). The determination of ESHA turns on the definition provided by Coastal Act §30107.5 and is driven by scientific evidence as opposed to characterizations of a species' importance as may be proffered by other regulatory agencies. The Coastal Act defines ESHA as "...any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments."

Thus, Coastal Act §30107.5 sets up a two-part test for determining presence of ESHA. The first test is to answer whether an area includes plants or animals or their habitats that are either (a) rare, or (b) especially valuable because of its special nature or role in an ecosystem. The second test for determining ESHA under Coastal Act §30107.5 asks whether the area occupied by the subject species and/or its habitat could easily be disturbed or degraded by human activities and developments.

QUESTION OF ESHA

FIRST TEST / Part 1 -- Rarity

The existing Villa Venetia apartment complex is characterized by a maintained landscape that consists of imported and nonnative ornamental vegetation, exclusively. The site, which has been subjected to an ongoing five-year biological investigation and survey (2005 to present), see Appendix K, has been found to incorporate no native habitat or vegetation communities. Absence of native plant species, plant communities and vegetation types, was confirmed by project botanist Tony Bomkamp of Glenn Lukos Associates, who on March 22, 2010 made a plant survey over the entire project area. Further, Mr. Bomkamp stated that the developed Villa Venetia site contains no areas of native habitat capable of supporting special status plant species. Vegetation on the site is not rare by any definition; rather it consists of commonly planted horticultural varieties that are widespread throughout southern California.

Onsite trees of several imported varieties have hosted pairs of Great Blue Heron (GBH) from at least 2005 to 2009 and presently. Nesting herons have selected the taller branches of nine (9) planted trees (see Figure 31, Nest Tree Plan) including (4) Monterey Cypress (Cupressus macrocarpa), (2) Monterey Pine (Pinus radiata), (1) Lemon-scented Gum (Corymbia citriodora), and (2) Mexican Fan Palm (Washingtonia robusta). One of the nine trees, Tree #5, died and fell in 2007, leaving a total of (8) extant trees known to have held heron nests during 2005-present (2010). During 2008-2009, Double-crested Cormorants (DCC), which had roosted onsite in large numbers (observed minimum count of 45 cormorants in trees 4 and 6) during 2005-2007, nested in (2) onsite Monterey Cypress trees, exclusively.⁴ None of the aforementioned tree species are native to Marina del Rey or Los Angeles County, including the Monterey Pine which, although confined to a limited endemic range (four natural populations) in coastal California and Mexico (Isla Guadalupe), is among the most extensively planted and abundant trees in the world.

Neither the GBH nor DCC is rare locally, regionally, statewide in California, or throughout its North American range. Conversely, both bird species are increasingly common in association with coastal harbors and marinas in southern California; and year-round numbers of both species have increased in these densely settled urban environments as well as wilder coastal and oceanic locations over the past two decades: Throughout the species' recovery during the early 1980s to present, principally from major declines associated with DDT (Dichlorodiphenyltrichloroethane) in coastal waters, the largest DCC colonies consistently have been located on the Channel Islands, e.g., Anacapa and San Miguel, where populations are censused annually (e.g., Carter et al. 1995⁵, USFWS 2005⁶, ATTC⁷).

From surveys made across the coastal slope of Los Angeles County in 2009, Messrs. Robb Hamilton and Dan Cooper (unpublished draft report) reported that colonies in the specified region included a minimum of 119 breeding pairs of GBH and 143 breeding pairs of DCC. The largest GBH colony in LA County was at Legg Lake, near the City of Rosemead and Whittier Narrows (San Gabriel River) where 35 active GBH nests were confirmed. Whereas GBH have been observed and recorded nesting in the Villa Venetia neighborhood since at least 2005, and reportedly earlier (R. van de Hoek, pers. comm.), the occurrence of locally nesting DCC only started in 2008 with two (2) nests in 2008 and 19 nests in 2009.

Several hundred DCC roost year-round on the rock breakwater at the entrance to the marina, but whether DCC nest on the rocks, as is within the norm for the species, has not been confirmed. Elsewhere, nesting DCC will select small rocky or sandy islands, where available, and may also use artificial sites such as bridges, shipwrecks, abandoned docks, or light towers (Meier 1981).⁸

Population Increase of Great Blue Herons

A renowned expert on GBH, especially on the Pacific Coast, Dr. Robert W. Butler claims that the GBH is "one of the most widespread and adaptable wading birds in North America."⁹ According to US Fish and Wildlife Service (USFWS), the coastal populations of the species increased a total of 367 percent between the 1970s and 1990s (6,824 birds in 37 colonies to 31,838 birds in 232 colonies). National Audubon Society currently estimates the continental population of GBH to be 124,000. National Audubon Society's State of the Birds lists the species as of "no current conservation concern." Referring to population status and trends for the species, the same Audubon document reads, "Early in the 20th Century, Great Blue Herons suffered from unrestricted hunting, but today, with legal protection and greater awareness about conservation, they are among the most abundant wading birds in North America." Supporting its assessment, data from National Audubon Society's annual Christmas Bird Count and Breeding Bird Survey between 1965-1966 and 2005-2006 demonstrate that GBH

populations significantly increased over that period.

Population Increase in Double-crested Cormorants

This strictly North American species occurs widely in freshwater and marine habitats along coastlines and throughout the interior of the continent. Hatch and Weseloh (1999)¹⁰ stated that the “Double-crested Cormorant is the most numerous and most widely distributed species of the six North American cormorants. In the U.S. and Canada, it is the only cormorant to occur in large numbers in the interior as well as on the coasts, and it is more frequently cited than the others as conflicting with human interests in fisheries.”

Frank Gress, et al. (1973)¹¹ provided an overview of the large-scale reproductive failures and population losses of DCC in southern California and Baja California during 1969-1970. While their historical findings relayed the presence of exceptionally large numbers on the Channel Islands during the 1900s - 1910s, Wright (1913)¹² and Howell (1917)¹³ reported pairs in large colonies numbering in the 1,000s and 10,000s; and Wright (1913) reported nearly 340,000 pairs on San Martin Island. However exaggerated the claim, A.C. Bent (1922) considered the San Martin colony to be the largest recorded for the species, anywhere. Whereas approximately 2,000 pairs of DCC were reported nesting on Santa Barbara Island in 1939 (Sumner 1939)¹⁴, only 67 pairs nested in 1977. While DCC populations across the United States and Canada increased rapidly following the mid-1970s, i.e., following the initiation of fundamental pesticide reductions in aquatic and marine environments, and the species’ continental range expansion was being documented,^{15, 16, 17, 18, 19, 20, 21, 22} changes in the species’ populations and reproductive success indicated that this species may be beginning a comeback on four of the islands (Prince, West Anacapa, Santa Barbara, and Sutil) where it then and currently nests (Hunt, et al. 1978).²³

*The heron and cormorant’s respective population increases started at the same time new federal environmental regulations, e.g., Clean Water Act (CWA) and National Environmental Protection Act (NEPA), were taking force following a long history of natural resource abuses such as toxic pollution in marine and aquatic environments from both controlled and uncontrolled use of pesticides, e.g., DDT and PCBs. While the new laws gained in breadth and effect across the U.S. and especially in California, advances made in toxic substance regulations were widely attributed to positive turnarounds seen in populations of marine and freshwater predatory birds including, e.g., several heron, cormorant and grebe species, and Bald Eagles (*Haliaetus leucocephalus*), Brown Pelicans (*Pelecanus occidentalis*) and Osprey (*Pandion haliaetus*).*

Principal factors that contributed to a resurgence of DCC populations in California and North America included reduced levels of environmental contaminants, particularly DDT, and increased food availability in breeding and wintering areas.^{24, 25, 26, 27, 28, 29, 30} The species’ notable abundance has led to increased conflicts with various biological and socioeconomic resources, including recreational fisheries and other bird species by habitat destruction, nest-site competition and exclusion, destruction of supporting vegetation at DCC nest and roost sites, and predation on federally listed fish species.^{31, 32}

While cormorant-human conflicts are not new, from either a historical or global perspective, the cormorant’s rapid population increase over the past 25 years has brought these conflicts in the U.S. to the point of “justifying greater management attention” and the US Fish and Wildlife Service acknowledging the need to allow other federal agencies and states to “conduct DCC control to limit negative impacts to the maximum extent practicable” (Nisbet 1995).³³

Hérons and Cormorants

Growing populations of the subject species and their respective confamilials breed across a wide range of habitats in California, e.g., ornamental vegetation and planted specimen trees in coastal and interior communities, and these birds are becoming increasingly habituated to the presence of humans in densely settled urban environments. The birds' occupation of the Villa Venetia site aptly illustrates this urban adaptation within the Marina del Rey heronry and rookery³⁴ As such, neither species fits the designation of "rare," and use of the term would be inconsistent with current and available scientific information on the animals and their respective local populations, especially their status, distribution and nesting ecology.

FIRST TEST / Part 2 -- Especially Valuable

*The first test of ESHA continues by asking whether species or their habitats are "especially valuable because of their special nature or role in an ecosystem." As previously noted, both GBH and DCC are common and widespread throughout California and North America, and both are well adapted and habituated to the presence and activities of humans. For instance, it is not uncommon to see GBH foraging for terrestrial vertebrate prey in ice plant along southern California freeways. As predators, both species are generalists: GBH preys on a wide assortment of animals, e.g., fish, amphibians, reptiles, mammals, birds, e.g., Eared Grebes (*Podiceps nigricollis*; Rivers and Kuehn 2006)³⁵ and bird eggs and nestlings (including those of DCC), and crabs, shrimp and other invertebrates, aquatic and terrestrial. DCCs inhabit both marine and freshwater environments, and while its diet is primarily fish, it also will take other aquatic animals such as insects, amphibians, reptiles, and birds, including GBH hatchlings.*

Neither the heron nor cormorant species plays an especially valuable role in local ecosystems due to their "generalist" characteristics as predators and commonness. Additionally, the biological and ecological values of the heron species along the coast and in both urban and non-urban settings are commonly shared with other native wading and diving birds, and therefore do not indicate a special or unique role in the sense of their ecological rank in the environment. Whereas herons and cormorants certainly do play a role in the evolutionary development of prey species, i.e., adapted prey response to predation pressure), scientific evidence to confirm that the birds significantly influence natural populations of prey in local ecosystems is lacking and doubtful, as it is for most fishing and hunting birds.

QUESTION OF ESHA --

SECOND TEST / Easily Disturbed or Degraded

The second test of ESHA is to find whether the area inhabited by an examined species and/or its habitat can be "easily disturbed or degraded by human activities and developments." Insofar as the GBH's nest habitat within the project site and elsewhere in Marina del Rey exclusively consists of nonnative ornamental trees surrounding existing apartment complexes, the birds' places of habitation are constantly exposed to high levels of human use and potential disturbance factors such as noise, light, and harassment. Heron and cormorant occupation of certain trees and nesting substrata inside Villa Venetia continuously demonstrates that neither species is "easily disturbed" by human occupation, and the second test for determining the area to be ESHA thus fails.

In review, the species and the local project site pass neither of the two tests that are required for an ESHA determination.

ADDITIONAL INFORMATION

Shifting Local Population

Great Blue Herons that occupy the Villa Venetia project site represent a shrinking portion of the entire growing GBH breeding population and heronry in Marina del Rey. Starting in 2007, GBH nested away from Villa Venetia in large trees including Blue Gum (Eucalyptus globulus) and Monterey Cypress located on waterside properties directly across the Main Channel from Villa Venetia, e.g. Mariners' Village and sites closer to the nearby fuel docks. Most of the following information is taken from a 2008 report on the status of GBH in MdR,³⁶ and it is augmented with additional data from 2009.³⁷ In sum, the locus of the marina-wide GBH population is now north of the marina channel. Breeding pairs have adopted nest sites amidst waterside apartment complexes and parking lots that are situated from 0.30 - 0.40 miles from the center of Villa Venetia. The waterfront extent of the recently colonized area is 0.35 miles and altogether it encompasses approximately 15 acres, an area that is approximately 2.5 times larger than the overall Villa Venetia nesting area. The two-year GBH colony area is expected to expand in 2010; and, preliminary observations of early 2010 nesting activities support that assertion.

Along with the observed growth of the MdR GBH colony, an increasing number of adult and juvenile GBH are continuously day-roosting and hunting in an upland portion of BWR Area A, alongside the Ballona Channel. An exchange of flying birds from the North side sub colony to Area "A" and the Ballona Channel jetty has been confirmed by studies and casual observations of flight-lines and treetop landings. GBH also fly westerly from the northern nesting area into the Venice channels and Ballona Lagoon. Lastly, there is documented physical evidence that GBH had nested in the same North side area (near the fuel docks) during or before 2005.

Existing data reveal that the MdR GBH heronry is strongly weighted to the North side of the marina, and that the species is capable to sustain its use of upland areas on the South side of the project property, as well as wetlands to the East. These findings countermand unfounded claims of local observers that Villa Venetia is the critical centerpiece of the landscape occupied by the marina GBH population.

Double-crested Cormorants, which roost by the hundreds on the Marina del Rey breakwater, also roost in trees close to water, e.g., the two failing cypresses next to Villa Venetia and the US Coast Guard patrol station. The cormorants that roost and have recently nested in the these cypresses (nos. 4 and 6) are incrementally losing these roost and nest sites as the dying trees continue to disintegrate, defoliate, and approach failure, all of which likely will occur within two (2) or three (3) years.

Change in Recent Years

Great Blue Herons have nested inside Villa Venetia since at least 2002 when 10 nests were observed in February and eight (8) during March 2004.³⁸ Local residents, including the well-known naturalist Robert Jan 'Roy' van de Hoek, have reported that GBH nesting pairs before 2005 and the start of this study occupied the three principal waterside cypress trees (nos. 4, 5, 6) as well as an unreported number of palms (van de Hoek, pers. comm.). Mr. van de Hoek also reported that ± 56 GBH nestlings once fledged from the local cypresses and palms, representing a high nest count that has not been observed during the current study period (2005-present).³⁹ If Mr. van de Hoek's estimate of fledglings was correct or approximate, his finding would accentuate the observed decline in GBH nesting effort on the property, i.e., the population would have dwindled from a high of ± 37 to three (3) productive nests in 2009, representing a period of five to seven (5 - 7) years.

Nevertheless, the total number of documented GBH nests on Villa Venetia has ranged from 10 in 2002 (K.L. Garrett in Cooper 2006),³⁰ to five (5) in 2005, 13 in 2006, eight (8) in 2007, and four (4) and three (3) in 2008 and 2009, respectively. The change in the number of onsite nests

from the highest documented count (2006 @ 13 to the most recent (2009 @ 3) represents a 70 percent reduction in GBH nests to the present. During the same 2008 and 2009 nesting periods, there were at least 14 and 16 occupied GBH nests, respectively, on residential properties situated on north side of the MdR channel.

Suitability of Villa Venetia to Nesting Herons

Two related factors have contributed to the general decline of nesting GBH within the Villa Venetia boundary: (1) the continuing defoliation and loss of branches from the two senescent cypresses (nos. 4 and 6) that have resulted from continuous deposits of guano from both herons and cormorants. Each year, there are fewer suitable branches -- none of which would be replaced by the trees -- for nest building and rearing of young; (2) the physical loss of cypress no. 5, the first of the three grouped cypresses to fail due to guanotrophic toxicity; and, (3) starting in 2008, competition with DCC for nest sites and materials. DCC, which are well known for their pirating behavior, were numerous observed usurping nests from GBH and dismantling the herons' structures, even while in-use, and stealing stick materials that originally were harvested by GBH parents. DCC adhere to their nests more so than GBH, and in most observed interspecific bouts DCC come out the victor (herons may have sharper talons/beaks, but cormorants rank in number and are more persistent).

Response to Tree Removal

Heronries and cormorant rookeries are constructed on a wide range of substrates and site conditions that range from bare rock on jetties, floating vegetation in wetlands, metal utility poles and heavy construction cranes in urban harbors, large overhanging trees in riparian woodlands, treetop in semitropical mangroves, and much more. Nest colonies in forest and woodlands, and in mangroves repeatedly exhibit a multiyear procession of settlement and expansion, constant guano deposition and concomitant guanotrophy, and eventual tree defoliation, death and collapse. In both an evolutionary and ecological context, the described process has contributed to the birds' characteristic flexibility and propensity to relocate and adjust to a variety of site circumstances, e.g., acclimating to the presence of humans and finding acceptable and productive nest sites in the built and working portions of urban landscapes and waterscapes.

Concerning Marina del Rey, and specifically Villa Venetia, herons and cormorants (the latter species is often the last to abandon disintegrating nest trees in natural rookery settings) likely would respond to the inevitable loss of the two main cypress trees (nos. 4 and 6) by settling or resettling in suitable trees on Villa Venetia and elsewhere in the marina environment. Provided the abundance of tall trees and palms, the availability of suitable nest sites and substrata is not and would not be a limiting factor to heronry development in Marina del Rey.

Factors influencing the birds' selection of new or replacement sites include, e.g., the presence of other herons and/or cormorants (cormorants appear to follow GBH into new settlements), and the availability of suitable nesting places in the trees. These and other patterns of heronry and rookery development, and the wide range of site circumstances acceptable to the birds (groves and single trees, planted and native, urban and wild) signal their tolerance of change and exposure. Given appropriate timing, the removal of non-nest trees and tree groupings inside the landscaped environment of Villa Venetia would not create a significant or lasting effect on the birds, particularly in the expected event the birds decide to resettle Villa Venetia after the rehabilitation project has been completed. The presence of neighboring (non-nest) trees are not requisite to the heron and cormorant's continued occupation of the senescent cypresses (4 and 6), close to the US Coast Guard patrol station; and the same is true for the herons' use of onsite palm trees like those located nearby on UCLA's Parcel 65. The palms

Yes No Maybe

used by herons for nesting stand alone and their use does not depend on the existence of neighboring non-nest trees, an observation that has been confirmed many times over, during 2003-present, in Channel Islands Harbor, Ventura County (Source: J.B. Froke, Personal Observation 2003-2009).

Evaluation of Potential Effects

Based on the detailed discussion above, regarding the status and ecology of the DCC and GBH, the following potential impacts have been evaluated:

1. *Significant effects on the local or regional breeding populations of DCC and GBH; and,*
2. *Direct impacts on individual birds, eggs or nests in violation of the Migratory Bird Treaty Act.*

Significant Effects on the Local or Regional Breeding Populations of DCC or GBH

The project would not have significant effects on the local or regional populations of DCC or GBH. As noted above, Villa Venetia accounts for only a small portion of the marina-wide rookery and GBH has been exhibiting a marked decline in its number of nesting pairs within the parcel due in part to the degradation associated with guanotrophic affects to trees 4 and 6. Because the project would preserve all eight (8) trees currently known to support nesting herons during the previous decade, there would be no-net-loss of nesting sites. While there is potential for temporary disruption of nesting on the Project site, the proposed mitigation and the availability of numerous nesting sites in proximity to Villa Venetia reduce that potential to an insignificant level. With the start of rehabilitation work before the nesting season, the natural patterns of these species indicates that most or all the DCC and GBH would relocate nesting efforts to alternative sites in the Marina. Nevertheless, to optimize the potential for successful nesting by DCC or GBH, which are not discouraged by the rehabilitation work, minimization measures would be implemented to limit potential disturbance to pairs of either species that would nest on the site during a rehabilitation work phase.

Migratory Bird Treaty Act Compliance

The Migratory Bird Treaty Act prohibits the take of nesting birds, eggs, chicks, or nests. The take of nesting birds, eggs, chicks, or nests would be considered a significant adverse effect; however with implementation of the mitigation measures, such take would be avoided and there would be no potential take under the MBTA.

b. ☐ ☒ ☐ Would grading, fire clearance, or flood related improvements remove substantial natural habitat areas?

The Project site is presently completely developed with four apartment buildings, surface parking and ornamental landscaping. As such, there is no natural habitat on the property. Further, the Project would not include grading, demolition, or rehabilitation activities that would remove or negatively affect any natural habitat since none exist on the property.

c. ☐ ☒ ☐ Is a drainage course located on the Project site that is depicted on USGS quad sheets by a dashed blue line or that may contain a bed, channel, or bank of any perennial, intermittent or ephemeral river, stream, or lake?

There is no drainage course, or perennial, intermittent, or ephemeral river, stream or lake on the Project site as shown on the photo revised 1981 USGS Venice quadrangle 7.5 minute series topographic map. The site is completely developed on landfill that was constructed to create Marina del Rey. As noted in "a" above, the Project is located near Ballona Channel and next to the Main Channel of the Marina del Rey small craft harbor. There is no drainage course associated with either SEA #29 or the Marina del Rey harbor channel on the site. Activities

	Yes	No	Maybe	
				<i>associated with the Project would not adversely affect a drainage course, stream, river, or lake.</i>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Does the Project site contain a major riparian or other sensitive habitat (e.g. coastal sage scrub, oak woodland, sycamore riparian, woodland, wetland, etc.)?</p> <p><i>The Project site, which is completely developed on a landfill parcel, contains no riparian or other sensitive habitat. The Project site is presently completely developed with four apartment buildings, surface parking and ornamental landscaping. As such, there is no natural habitat on the property. Further, the Project would not include grading, demolition, or rehabilitation activities that would remove or negatively affect any natural habitat since none exist on the property.</i></p> <p><i>The Project site is developed and was disturbed in 1963 to develop the existing improvements. Because the site is developed, there is no major riparian or other sensitive habitat on the site that could be impacted by the Project.</i></p>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Does the Project site contain oak or other unique native trees (specify kinds of trees)?</p> <p><i>An arboricultural study was prepared for the 114 trees on the Project site (Dudek, March 27, 2009). A copy of the study is included in Appendix C. The arboricultural study assessed all trees on the site to determine their present condition, relocation potential, and recommendations for disposition concerning the landscape element of the Project. Of the 114 trees, 41 would be removed as shown in Figure 29, Trees to be Removed Plan, there are no oak trees on the site, and none of the existing trees are native, locally or regionally, including the planted Monterey Pine and Monterey Cypress. The project would retain 73 existing trees in-place, including six bottle brush trees (<i>Callistemon</i> spp.), eight Monterey cypress (<i>Cupressus macrocarpa</i>), one Italian cypress (<i>Cupressus sempervirens</i>), four lemon scented gum trees (<i>Eucalyptus citriodora</i>), one Moreton Bay fig tree (<i>Ficus macrocarpa</i>), four weeping fig trees (<i>Ficus benjamina</i>), two fig trees (<i>Ficus</i> spp.), two Hollywood juniper trees (<i>Juniperus chinensis</i>), one paperbark tree (<i>Melaleuca quinquenervia</i>), two olive trees (<i>Olea europaea</i>), three date palms (<i>Phoenix dactylifera</i>), one Canary Island date palm (<i>Phoenix caraiensis</i>), three Monterey pines (<i>Pinus radiata</i>), nine Brazilian pepper trees (<i>Schinus terbinthifolius</i>), one queen palm (<i>Syagrus romansoffiana</i>), nineteen Mexican fan palms (<i>Washingtonia robusta</i>), and one Yucca tree (<i>Yucca</i> spp.)</i></p>
f.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Is the Project site habitat for any known sensitive species (federal or state listed endangered, etc.)?</p> <p><i>No "sensitive species" occupy the project site. Specifically, neither the Great Blue Heron nor Double-crested Cormorant are listed or otherwise classified as "sensitive species" by the California Department of Fish and Game (CDFG) or other responsible government authority.⁴⁰ The onsite <u>rookeries</u>, i.e., active breeding colonies that are occupied by either of the two species, are included on the CDFG list of "Special Animals." Special Animals is a term that includes all animal species tracked by CDFG regardless of legal or protection status.</i></p> <p><i>The CDFG Special Animals list (2010) specifies the following conservation rankings for rookeries of the Double-crested Cormorant (G-5: globally demonstrably secure; and S-3: statewide vulnerable), and Great Blue Heron (G-5, and S-4: statewide secure). The Special Animals list identifies statewide rookeries of both the heron and cormorant as being of "least concern" on the International Union for the Conservation of Nature (IUCN) 'Red List'.⁴¹ Both species are included on CDFG's current list of "Taxa to Watch" (July 2009) specifically because they are <u>not</u> listed as "Bird Species of Special Concern" ⁴² (BSSC) <u>but</u> had been listed by previous (and replaced) editions of the BSSC (1978, 1992): In sum, CDFG classifies the range and welfare status of each of the two species as having improved since the preceding (1992) statewide assessment.</i></p> <p><i>In total, the confirmed use of eight (8) onsite and extant nest trees by pairs of Great Blue Herons</i></p>

has been documented since 2005 and otherwise reported since 2002. A ninth tree that had been occupied by nesting herons in 2005-2006 fell before the 2007 nesting season.

The fallen nest tree (tree no. 5), a Monterey Cypress, was lethally afflicted by excessive guano-trophy^{43, 44} derived from traditional use by nesting and roosting herons and cormorants, and concomitant root failure. Any of the eight (8) surviving trees, recently or historically used by nesting birds, whenever occupied by nesting herons and/or cormorants (or any protected native species) and their nests, eggs and nestlings will be protected pursuant to federal and state laws, i.e., Migratory Bird Treaty Act of 1918 and California Fish and Game Code § 3503-3513, respectively.

The 2009 Dudek tree study states that two adjacent Monterey Cypress trees (nos. 4 and 6) that are presently (2010) used by nesting Great Blue Herons and recently (2009) Double-crested Cormorants, appeared to be 80 percent dead. Two 2009 reports by Dr. Jeffrey Froke estimated that 90 percent of the branches of each of the two trees (nos. 4 and 6) are dead and defoliated, and that each of the trees will fail within 1-3 years (2010-2011). As of March 4, 2010, the two cypresses each retained approximately five (5) percent of live foliar cover and non-foliated branches were brittle and breaking, i.e., both trees are 95 percent dead.

Onsite studies of nesting Great Blue Herons from 2005 to the present have revealed that eight (8) trees have been used either consistently (nos. 4 and 6), intermittently (nos. 3, 10, P-1 and P-2) or one time only as nest sites by Great Blue Heron.⁴⁵ In 2008 and 2009, Double-crested Cormorants nested exclusively in two of the trees that were simultaneously occupied by nesting GBH (nos. 4 and 6). Nesting activities in 2007 (herons, only), and 2008 and 2009 (both species) were completed by August 31st; and, heron activity that lasted until September 15th involved juveniles returning to their natal site after foraging with their parents in nearby marina and wetland habitats.

*No “sensitive species” have been documented to nest on the site. This includes diurnal and/or nocturnal raptors, or birds of prey, and specifically, families Strigidae, Tytonidae, Accipitridae, and Falconidae that are listed by CDFG as “threatened or endangered,” “fully protected” (White-tailed Kite [*Elanus leucurus*], exclusively), or a “Bird Species of Special Concern” (BSSC). Similarly, the site does not contain habitat capable of supporting special-status songbirds that are known to occur or for which potentially suitable native habitats occur offsite in Ballona Wetlands, such as Belding’s Savannah Sparrow (*Passerculus sandwichensis beldingi*), Least Bell’s Vireo (*Vireo bellii pusillus*), Southwestern Willow Flycatcher (*Empidonax traillii extimus*), Yellow-breasted Chat (*Icteria virens*), Yellow Warbler (*Dendroica petechia*), or the California Gnatcatcher, (*Poliophtila californica*).*

*There is potential for common, urban-adapted native species, protected under the Migratory Bird Treaty Act to nest in the ornamental vegetation (existing or planned) on the site, e.g., House Finch (*Carpodacus mexicanus*), Northern Mockingbird (*Mimus polyglottos*), Anna’s Hummingbird (*Calypte anna*), and Mourning Dove (*Zenadia macroura*). Although these species are common and widespread, it is unlawful to physically take such species or to directly disturb a nest with eggs or chicks under the Migratory Bird Treaty Act, and therefore, measures are included to ensure that no impacts to such species occur over the course of the rehabilitation project.*

*Finally, while the developed Villa Venetia site contains no areas of native habitat capable of supporting special-status plants, because of the recent discovery of Orcutt’s yellow pincushion (*Chaenactis glabriuscula* var. *orcuttiana*) in the Ballona wetlands, the project botanist Tony Bomkamp of Glenn Lukos Associates, conducted a focused survey throughout the Villa Venetia site on March 22, 2010. Orcutt’s yellow pincushion was not observed and there is no potential*

	Yes	No	Maybe	
g.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><i>for the occurrence of this species on the site due to the lack of suitable habitat.</i></p> <hr/> <p>Other factors (e.g., wildlife corridor, adjacent open space linkage)?</p> <p><i>There are no ‘wildlife corridors’ or native habitat ‘linkages’ inside or across the project site, which is entirely developed. This finding is based on a continuing 5-year biological study of the Villa Venetia project site by Dr. Jeffrey Froke (Appendix K). No resident or migratory species of native animal regularly or habitually uses Villa Venetia to move from one part of the marina to another, e.g., from the Main Channel to Ballona Channel; and, during the ongoing study no terrestrial vertebrates have been observed traveling across the property, from border to border.</i></p> <p><i>The addition of native plant species to the landscape palette for Villa Venetia would create a beneficial effect on native wildlife including, e.g., native pollinators including butterflies and other insects, and both fruit and seed-eating species of birds. In turn, an increased diversity of species would increase the value of the property for predatory birds such as bird-hunting raptors. All together, the integration of native species and habitats within the Villa Venetia grounds would improve the likelihood of the property to provide connecting cover between its boundaries.</i></p> <hr/>

<input checked="" type="checkbox"/> MITIGATION MEASURES	<input type="checkbox"/> OTHER CONSIDERATIONS
<input type="checkbox"/> Lot Size <input type="checkbox"/> ERB/SEATAC Review (Biota Report required)	<input type="checkbox"/> Project Design <input type="checkbox"/> Biological Constraints Analysis <input type="checkbox"/> Oak Tree Permit

MITIGATION MEASURES

As discussed in detail above, the project would result in no significant or adverse impacts to herons or cormorants either locally or regionally. The project would not result in a degradation of habitat values for herons or cormorants, including potential nesting sites. Nevertheless, the project has incorporated a series of mitigation measures to enhance protection for herons and cormorants, as well as raptors that could potentially nest near the project, sensitive species as defined by CDFG, and all birds protected during nesting under the Migratory Bird Treaty Act (MBTA). These mitigation measures will, among other things, avoid the potential for impacts to onsite populations of GBH, DCC, and other species during the “*Designated Nesting Period*” (see Table A).

TABLE A. SUMMARY OF MITIGATION MEASURES		
Activity	Dates	Comments

<u>Designated Renovation Periods</u>		
Work Period	September 1 - January 31	<ul style="list-style-type: none"> Initial ground-clearing and removal of exterior vegetation permitted Exterior work permitted Interior work permitted Biologist and work crews coordinate site readiness and tree protection for next nesting period
Nesting Period	February 1 - August 31	<ul style="list-style-type: none"> Biologist conducts weekly nesting bird surveys, which among other items includes SPL monitoring for noise associated effect on nesting birds; Initial ground-clearing and associated removal of exterior vegetation NOT permitted Exterior work NOT permitted unless: <ul style="list-style-type: none"> No GBH or DCC nests within 200 feet as of Feb 1 Nests started after February 1 are shielded per biologist's direction Interior work permitted during nesting season, provided, however, interior work at the NW corner of the complex directly facing Cypress Trees 4 and 6 (see Figure 31, Nest Tree Plan) may not begin until all windows and glazed doors on third floor in that location are covered and shielded. Commencement of rehabilitation work to exterior portions of the Project during the designated nesting period shall be specifically approved by the qualified biologist, who will have determined whether nesting birds would be affected by the work.
Post-nesting Period	September 1 - 15	Biologist continues weekly surveys for two weeks after designated nesting period ends; surveys overlap with first part of designated work period
<u>Monitoring</u>		
Non-Nesting Period	September 16 - October 31	Weekly surveys shall not be required from September 16 through October 31, but a survey shall be conducted between October 5 and October 15.
Pre-Nesting + Nesting Periods	November 1 - September 15	<ul style="list-style-type: none"> Biologist conducts weekly surveys for breeding bird species, starting by November 1 Biologist surveys weekly for sensitive species nesting in vegetation to be removed <ul style="list-style-type: none"> 100-foot buffer (from nest tree drip line) for all sensitive species other than heron, cormorants, or raptors 200-foot buffer (from nest tree drip line) for herons, cormorants and raptors Restrictions on work may be lifted if biologist determines nesting is concluded.

Potential Impact Bio-1(a)(b) Avoided: Preventable disturbance to nesting birds as the result of poorly coordinated and inadequate project scheduling, and monitoring and survey protocol.

Mitigation Measure Bio-1(a). Designated Periods - To protect herons & cormorants from potential disturbances related to the rehabilitation project during the nesting season, work on exterior portions of the

apartment facility generally shall be limited to times outside of the *designated nesting period*, which is February 1 - August 31. That is to say, outdoor work activities normally will take place during the *designated work period*, which is September 1 - January 31.

Mitigation Measure Bio-1(b). Nesting Bird Surveys - A *qualified biologist*⁴⁶ shall conduct weekly nesting bird surveys beginning no later than November 1. The weekly surveys shall continue for two weeks following the designated nesting period, i.e., until September 15 of each Project year (the date extension will serve to confirm departure of nest-dependent fledglings). Weekly surveys shall not be required from September 16 through October 31, but a survey shall be conducted between October 5 and October 15. Commencement of rehabilitation work to exterior portions of the Project during the designated nesting period shall be specifically approved by the qualified biologist, who will have determined whether nesting birds would be affected by the work.

Potential Impact Bio-2(a)(b) Avoided: Preventable disturbance to nesting birds as the result of poor communication within the project team, and crew familiarization and training.

Mitigation Measure Bio-2(a). Regular Communication – Effective communication among the project manager, contractor and qualified biologist about, e.g., the objectives, status and procedure of ongoing and planned work will best assure coordination of the following measures that will avoid or mitigate the potential effect of work actions on nesting herons, cormorants and other birds during the work timeframe.

The qualified biologist shall attend project management meetings as often as weekly during the designated nesting period. Attendance at project meetings will be coordinated with weekly resource surveys and monitoring. During these meetings, the qualified biologist will ensure adequate consideration for how projected work items might relate to protecting birdlife, which will stay an ongoing priority for the project, and in so doing he/she will stay informed and responsive to nesting bird and rehabilitation activities that mutually affect one another, e.g., safe operation of mechanized equipment in the vicinity of nesting Great Blue Herons and their nest trees.

Mitigation Measure Bio-2(b). Contractor & Crew Familiarization -- Before the start of any onsite clearing and rehabilitation activity, the qualified biologist shall meet with contractors and supervisors to familiarize them with the identity of a Great Blue Heron and Double-crested Cormorant. Further, to minimize disturbance of nesting GBH and DCC, crew familiarization also shall include the identification of onsite trees that have been or are used by the birds for nesting. Basic illustrations and notices about identification of GBH and DCC will be posted in the onsite contractor's office or offices.

Potential Impact Bio-3(a)(b)(c) Avoided: Damage or loss of GBH and DCC nest trees as would result from unmanaged tree resources, and careless operation and maintenance of vehicles and equipment around protected trees.

Mitigation Measure Bio-3(a). Saving All Nest Trees – To ensure suitable nesting habitat for GBH and DCC on the project site following project completion, the project will retain all of the eight (8) extant trees that have been documented in use by the birds, during 2005-2009 and to present. Specifically, the following trees will not be removed, damaged, or relocated inside or outside of the Villa Venetia property as long as each tree is alive and standing: Nos. 1, 3, 4, 6, 10, 11, and P-1 and P-2. Each of the eight (8) trees shall be surrounded by an easily distinguished fence-line made of typical orange mesh construction fence material. The fenced perimeter of each nest tree shall be delineated by the drip-line of the tree. The qualified biologist shall observe and record the welfare status of each of the eight (8) nest trees during weekly survey rounds (January 1 – September 15) and monthly (September 16 – December 31).

- Mitigation Measure Bio-3(b). Equipment & Vehicle Placement – To protect historically documented and active heron and cormorant nest sites, it shall at all times be prohibited to park, stage and/or service and make repairs to any project vehicles and/or mechanized equipment, e.g., compressors, generators, cement-mixers, and tractors, and all other equipment and materials underneath any of the eight (8) identified nest trees, measured as a minimum of 10 ft outside of the tree drip-line.
- Mitigation Measure Bio-3(c). Setbacks and Buffer Areas - Before exterior work may start or continue into the designated nesting period, as specifically approved by the qualified biologist, the biologist will assure that the proposed work activity will take place no closer than 200 ft (from the nest tree drip line) of an already active GBH or DCC nest.⁴⁷ Should heron or cormorant pairs initiate nesting inside of the 200-ft buffer⁴⁸ area after authorized work has started, that work effort will not be required to halt or cease. On the other hand, if a work activity that was started pursuant to the preceding conditions would subsequently be expanded during the designated nesting period, the work expansion shall not be approved inside of the active 200-ft buffer.

Potential Impact Bio-4(a-c) Avoided: Disturbances to raptors and sensitive species of birds.

- Mitigation Measure Bio-4(a). Raptors - Each of the preceding mitigation measures (Bio-1[a] - Bio-3[e]) shall expressly apply to the protection of any diurnal or nocturnal raptor, or bird of prey, and specifically species in the families Strigidae, Tytonidae, Accipitridae, and Falconidae that is listed by CDFG as *threatened or endangered, fully protected* (White-tailed Kite, exclusively), or a *Bird Species of Special Concern* (BSSC).⁴⁹ Comparable to herons and cormorants, an active raptor nest that is located inside of the project area, and during the designated nesting season (February 1 - August 31), shall be protected by a 200-foot setback or buffer area (radial measurement). The restriction of the 200-ft setback (from the nest tree drip line) from an active raptor nest may be suspended by the qualified biologist after he or she has confirmed that the target breeding pair has completed or otherwise concluded its nesting effort.
- Mitigation Measure Bio-4(b). Sensitive Species of Birds -- Each of the preceding mitigation measures (Bio-1[a] - Bio-3[e]) shall expressly apply to the protection of any *sensitive species*⁵⁰ of bird that is confirmed to be actively nesting inside the project rehabilitation area during the designated nesting period. The qualified biologist shall conduct weekly surveys for all nesting bird species, including sensitive species, throughout the combined pre-nesting and nesting periods (January 1 through August 31). These surveys will specifically target the presence and location of any sensitive species that may be nesting in landscape vegetation and to confirm active nesting. Whereas the minimum setback distance or buffer area (radius) for herons and cormorants is 200 feet (from the nest tree drip line), the minimum setback for rehabilitation work from the active nest of a *sensitive species* during the designated nesting season is 100 feet. The prescription of a 100-ft setback (from the nest tree drip line) from the nest of a sensitive species may be suspended by the qualified biologist after he or she has confirmed that the breeding pair has completed or otherwise concluded nesting.
- Mitigation Measure Bio-4(c). Vegetation Clearing and Removal - All initial ground-clearing and exterior vegetation removal shall be conducted outside of the designated nesting period for any *sensitive species* of bird, which is February 1 – August 31, and specifically during September 1 through January 31.

Notice: Nothing of the foregoing discussions concerning the protection of nesting herons, cormorants, raptors and CDFG sensitive species would detract from the regular prohibitions of the federal Migratory Bird Treaty Act of 1918, as amended, i.e., *to pursue, hunt, take, capture, kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to purchase, purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry, or cause to be carried by any means whatever, receive for shipment, transportation or carriage, or export, at any time, or in any manner, any migratory bird, included in the terms of this Convention* (16 U.S.C. 703). All bird species protected by the MBTA are listed at 16 U.S.C. (703-711). Nonetheless, the project proposes no activities which indicate that any violation of

the MBTA would result from the project.

Potential Impact Bio-5(a)(b) Avoided: Disturbance to nesting and roosting birds from uncontrolled sources of noise and visual disturbance.

Mitigation Measure Bio-5(a). Sound Pressure Levels (SPL) -- The qualified biologist shall be equipped to monitor sound pressure levels on the project site throughout the designated nesting period (Feb 1 - August 31). In the event work related sound levels ('noise') exceed or may exceed 85 dB, and herons and/or cormorants are confirmed to have active nests onsite, the biologist shall carefully observe and evaluate the actions of the birds for potential indications of stress, e.g., overly extended periods of parents' absence or inattentiveness to dependent nestlings, and furtiveness and anxiety of nestlings in a manner that might cause a premature exit from nest. This measure will rely on the comprehensive expertise of the qualified biologist to detect and interpret the behavioral ecology and actions of the different species, and to determine whether the observed signals from the birds may be related to ongoing rehabilitation activities.

Along with independent field sampling for sounds and potentially disruptive noise, the qualified biologist shall coordinate with specialized sound consultants to ensure the accuracy of field readings. As warranted by the qualified biologist, information garnered from the field monitoring may make necessary the employment of adaptive mitigation measures that will buffer or shield nesting herons and cormorants from louder project generated and extra-ambient sounds, using 85 dB as the threshold for requiring mitigation. The objective is to preclude or buffer project noise that is generated within 200 ft (from the nest tree drip line) of an active nest and greater than 85 dB from reaching and affecting nesting herons and cormorants and their young. The qualified biologist will coordinate with the contractor on site to further implement mitigation if the noise levels generated by the rehabilitation are determined to be disturbing the nesting birds. The types of mitigation which will be considered may include the use of sound panels or shielding drapes, and baffles or covers for engine units, etc.

Mitigation Measure Bio-5(b). Specific Project Related Sounds -- To reduce or eliminate the potential effect of sharp and abrupt sounds on nesting herons and cormorants during the designated nesting period, and only as may be allowed by OSHA, the contractor/s should be discouraged from employing back-up alarms, the SPLs of which may reach 100+ dB, on project vehicles and equipment. Compliance would be voluntary, and would not be necessary during the designated work period.

Project contractors and crews shall be prohibited from operating radios (including car radios), disc-players and other amplified sound equipment on the project site, throughout the course of rehabilitation. The contractor shall be responsible for posting signage on the project site to reinforce these noise restrictions.

Potential Impact Bio-5(c-f) Avoided: Disturbance to nesting and roosting birds from visual distraction associated with rehabilitation work.

Mitigation Measure Bio-5(c). Shielding Eye-level Views from Nests -- To buffer nesting GBH and DCC from disturbance and the potential disruptive effects of viewing proximal rehabilitation activities and workers at an eye-to-eye level, all exterior windows and glazed doors on the 3rd floor at the NW corner of the apartment complex, directly facing cypress trees 4 and 6 (see Figure 31, Nest Tree Plan), shall be covered or shielded with an opaque material throughout the heron and cormorant nesting season (February 1 to August 31).

Mitigation Measure Bio-5(d). Buffering Effects of Exterior Rehabilitation Work -- To buffer nesting GBH and DCC from

potential visual and aural disturbance and disruptive effects during the rehabilitation project, all exterior work, e.g., resurfacing and painting, on building sections that immediately face any of eight (8) identified nest trees (nos. 1, 3, 4, 6, 10, 11, and P-1 and P-2, see Figure 31, Nest Tree Plan) shall be suspended during the designated nesting period (February 1 to August 31). However, the designated work period (September 1 - January 31) may be extended into the designated nesting period per authorization from the qualified biologist, when he or she has confirmed that no active heron or cormorant nests is situated within 200 ft of the proposed extension area.

Mitigation Measure Bio-5(e). Exterior Screening from Offsite Areas – Prior to the start of any exterior rehabilitation to building 13908/13910 and the parking area and landscaping that are next to building 13908/13910, an opaque barrier or screen, e.g., fine mesh, at least 12 feet in height above the ground shall be installed along the entire length of the E/NE side of the project site from Fiji Way to the SE pointing corner of the facility. The appropriate location for the barrier or screen would be next to the existing chain-link fence that separates the Villa Venetia driveway from the public bicycle trail running parallel to it.

The rationale for the 12-ft screen is twofold: First is to provide a visual break between Ballona Wetlands Area A (SEA #29) and the rehabilitation site, thus benefiting herons that may be roosting and hunting inside the adjoining wetlands. This measure will adequately mitigate the potential indirect effect of the project on the birds and the SEA site by shielding the main rehabilitation activity from the birds' view. However, to avoid disrupting any heron pair that may elect to nest in tree 10 and/or 11, similar screening along the E/SE side of the project site (SW corner of Area A to UCLA's Parcel 65) will not be required. The second purpose of the measure is to curtail the escape of fugitive dust from the rehabilitation project onto Area A, including heron sites and other habitats. It should be noted that the project will otherwise employ all dust control measures as pursuant to County ordinance.

Mitigation Measure Bio-5(f). Outdoor Lighting -- Throughout the designated pre-nesting and nesting periods (fully, Jan 1 - August 31), all outdoor lighting that has been installed or is mobile for rehabilitation work shall be shielded or aimed in a manner that downcasts light and that ensures lighting is not cast over active nests.

Independent Peer Review

This entire section (Resources, 3.Biota[a]), which addresses important matters related to ESHA and both short- and long-term bird protection, was subjected to outside peer review prior to March 25, 2010. Five (5) independent biologists, all of whom are experts in the fields of bird biology and conservation in southern California, reviewed the complete documentation of the biota section including additional background studies related to the Marina del Rey heronry and cormorant rookery: Each of the background reports are cited, herein.

The independent reviewers were Mr. Peter H. Bloom (Bloom Biological Inc., Santa Ana), Mr. Richard A. Erickson (LSA Associates, Irvine), Mr. Robert A. Hamilton (Hamilton Biological, Long Beach), Mr. Carl Thelander (BioResource Consultants, Ojai), and Mr. Doug Willick (AECOM, Orange).

The five reviewers came to a common conclusion that affirms the onsite absence of ESHA, and supports the sufficiency and appropriateness of the proposed mitigation measures that are intended to protect native birds from breeding disturbance and damages as might result from the rehabilitation project. Specifically, the experts commented on the potential for the project to have an impact on nesting Great Blue Herons, Double-crested Cormorants and sensitive bird species that either do or may occupy the site, and on mitigation measures necessary or advised to avoid or reduce the impacts to a level of less than significant. The five individual peer review reports are appended to this document. (See Appendix L, Villa Venetia Biology Peer Reviews)

FIGURES

Figure 31, Nest Tree Plan: Provides an aerial map with nest trees and site place names for references purposes only.

A comment letter was received during the public review period from the Department of Fish and Game dated May 11, 2010. (See Appendix "N" for comment letter.)

CONCLUSION

Considering the above information, could the Project have a significant impact (individually or cumulatively) on, **biotic** resources?

☐ Potentially significant

☒ Less than significant with Project mitigation

☐ Less than significant/No Impact

RESOURCES - 4. Archaeological/Historical/Paleontological

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the Project site in or near an area containing known archaeological resources or containing features (drainage course, spring, knoll, rock outcroppings, or oak trees) that indicate potential archaeological sensitivity?</p> <p><i>The site is developed and contains no features such as drainage courses, springs, knolls, rock outcropping, or oak trees that indicate potential archaeological sensitivity. Shown in Figure 18, Historical and Cultural Resources, are the historical and cultural resources that have been identified in Los Angeles County. As shown, the site is not located in or near an area containing known cultural or historical sites.</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Does the Project site contain rock formations indicating potential paleontological resources?</p> <p><i>The Project site is developed and there are no rock formations that could indicate potential paleontological resources.</i></p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Does the Project site contain known historic structures or sites?</p> <p><i>In June 2010, PCR Services Corporation performed a historic resource assessment of the Villa Venetia apartment complex that is developed on the Project site. The full assessment is attached as Appendix "M". PCR conducted an independent historic architectural evaluation to assess the potential significance of the property against applicable federal, state and local criteria. The architectural evaluation included an intensive pedestrian site survey of the Project site, an archival records search for known historical resources in the Project vicinity, and follow-up architectural research sufficient to evaluate the building within the broader architectural context of Marina del Rey.</i></p> <p><i>PCR also conducted a records search through the California Historic Resources Inventory to determine whether there were historic resources in the Project vicinity. There are no known eligible or determined eligible local, state, or federal historic districts that include the Project site. Furthermore, there are no known individually designated or determined eligible historic resources in the immediate vicinity of the Project site.</i></p> <p><i>In June 2010, PCR Senior Historian Jon Wilson made a field visit to the Project site to assess the architecture to visually examine the existing building. The building was documented in digital photographs and manuscript notes. A windshield survey of the existing conditions around the site was conducted to identify potential historic resources nearby the Project site. The evaluation of integrity involved comparison of original working drawings against existing conditions and recent contemporary aerial photography.</i></p> <p><i>As noted in PCR's assessment, the County of Los Angeles does not have a local-level historic listing designation program for historic properties. However, a Historical Landmarks and Records Commission does consider and recommend to the Board of Supervisors local historical landmarks defined to be worthy of registration by the state of California Department of Parks and Recreation, for listing on the "California Register of Historical Resources," or as a "California Historical Landmarks," or "Points of Historical Interest."</i></p> <p><i>PCR evaluated the existing property against the applicable eligibility criteria of the National Register of Historic Places and the California Register of Historical Resources. To be eligible for listing in the National Register, the quality of significance in American history, architecture, archaeology, engineering, or culture must be in a district, site, building, structure, or object that possesses integrity of location, design, setting, materials, workmanship, feeling and association, and:</i></p>

a. That are associated with events that have made a significant contribution to the broad patterns of our history; or

b. That are associated with the lives of significant persons in or past; or

c. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

d. That have yielded or may be likely to yield, information important in history or prehistory.

A property eligible for listing in the National Register must meet one or more of the four criteria defined above. In addition, unless the property possesses exceptional significance, it must be at least 50 years old to be eligible for National Register listing.

Based on PCR's assessment, the Villa Venetia apartment complex does not meet the threshold of significance for national designation because it does not exemplify "the broad cultural, political, economic, or social history of the nation, state, or City" with a national level of significance. The building is not identified with any nationally significant personages or with important events. The architecture is not representative of an architectural type that has national significance. The architecture firms of Gilbert Griffin and Abraham Shapiro and Associates that designed the apartment complex, appear to have had successful local practices, but do not meet the threshold of significance of a master builder at the national, state, or local level. The apartment complex is similar in appearance to other existing apartment buildings constructed during the 1960s within the marina. Since then, Marina del Rey has seen substantial changes including construction of new infill and infrastructure as well as redevelopment Projects that have deviated in scale and treatment from the character and design intent of the original master plan, detracting considerably from the integrity of the Marina as a potential historic district.

The California Register of Historical Resources (CRHR) criteria are similar to those of the National Register, after which they are modeled. To be eligible for the California Register, a historic resource must be significant at the local, state, or national level under one or more of the following four criteria:

a. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

b. Is associated with the lives of persons important in our past;

c. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or

d. Has yielded, or may be likely to yield, information important in prehistory or history.

A historic resource eligible for listing in the California Register must meet one or more of the criteria of significance described above and retain enough of its historic character or appearance to be recognizable as a historic resource and to convey the reasons for its significance. Historical resources that have been rehabilitated or restored may be evaluated for listing.

PCR concluded that the Villa Venetia apartment complex would not be eligible for individual listing in the California Register under any of the criteria. It does not reach the threshold of significance for individual listing under Criterion 1 or 3 in the California Register, and its lack

	Yes	No	Maybe	
				<p><i>of connection to historic personages makes it ineligible at the state level for Criterion 2. The building is ineligible for designation under Criterion 3, as neither Griffin nor Shapiro's career meets the threshold of significance at the state level of a master builder, or prominent or notable architect in the local or region. Finally, the property was extensively graded for the construction of the existing apartment complex. It is therefore unlikely to yield information important in prehistory or history, and is not eligible under Criterion 4.</i></p> <p><i>In summary, PCR concluded, based on its assessment, that the Villa Venetia apartment complex does not appear eligible for historic designation at the federal or state level.</i></p> <p><i>Based upon the analysis conducted by PCR, it is apparent that the Project site does not contain known historic structures or sites.</i></p>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project cause a substantial adverse change in the significance of a historical or archaeological resource as defined in 15064.5?</p> <p><i>As described in "a" and "c" above, the Project site does not contain any historical or archaeological resources as defined in CEQA Guidelines Section 15064.5. As such, the Project would not cause a substantial adverse change in the significance of a historical or archaeological resource as defined in 15064.5.</i></p>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p> <p><i>Any unique paleontological or geological features that may have existed were removed or disturbed during the original grading and construction of the Villa Venetia apartments. The Project would require approximately 300 cubic yards of grading during the rehabilitation activities to remove and replace the existing landscaping. The amount of grading to replace existing landscaping would not extend extensively into the subsurface and impact any paleontological resources that may exist below grade.</i></p>
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Other factors?</p> <p><i>There are no other aspects of the Project that have the potential to impact historical, archaeological or paleontological resources.</i></p>

☐ **MITIGATION MEASURES**

- ☐ Lot Size ☐ Project Design
☐ Phase 1 Archaeology Report

☐ **OTHER CONSIDERATIONS**

- ☐ Cultural Resources Records Search (Quick Check)
☐ Native American Heritage Commission Sacred Land Files Search

CONCLUSION

Considering the above information, could the Project leave a significant impact (individually or cumulatively) on **archaeological, historical, or paleontological** resources?

- ☐ Potentially significant
 ☐ Less than significant with Project mitigation
 ☒ Less than significant/No Impact

RESOURCES - 5. Mineral Resources

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</p> <p><i>The Project site is not located within a designated Mineral Resource Zone as shown in Figure 19 (Source: 1980 Los Angeles Countywide General Plan Special Management Areas map). The Project would not result in the loss or impact of any known mineral resource.</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project result in the loss of availability of a locally important mineral resource discovery site delineated on a local general plan, specific plan or other land use plan?</p> <p><i>Please see response in "a" above.</i></p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Other factors?</p> <p><i>There are no other factors of the Project that would impact known state or locally important mineral resources (Source: 1980 Los Angeles Countywide General Plan Special Management Areas map).</i></p>

☐ MITIGATION MEASURES

☐ Lot Size

☐ OTHER CONSIDERATIONS

☐ Project Design

CONCLUSION

Considering the above information, could the Project leave a significant impact (individually or cumulatively) on **mineral** resources?

☐ Potentially significant

☐ Less than significant with Project mitigation

☒ Less than significant/No Impact

RESOURCES - 6. Agriculture Resources

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?</p> <p><i>The Project site is developed with the Villa Venetia apartment complex and designated Urban and Built-Up land by the State of California Department of Conservation as shown in Figure 20 (Source: Farmland Mapping and Monitoring Program, California Department of Conservation). The site does not have any land that is designated as prime farmland, unique farmland, or any type of State designated farmland. The Conservation and Open Space Element of the Los Angeles County General Plan does not identify any farmland or agricultural resources within Marina del Rey. The Project would not convert the site from Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or any other type of farmland designation to non-agricultural use.</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?</p> <p><i>The Project site is located within the Marina del Rey Specific Plan area and is subject to regulations of the Marina del Rey Land Use Plan. As defined in the Land Use Plan, the Project site is designated as "Residential V", which permits multi-family residential development up to 75 units per net acre. The site is developed with the Villa Venetia apartments and a Williamson Act contract is not associated with the property. Thus, the Project would not conflict with existing zoning for agricultural use or a Williamson Act contract.</i></p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project involve other changes in the existing environment that due to their location or nature could result in conversion of Farmland, to non-agricultural use?</p> <p><i>The Project site is located in an urbanized area with no farmland or agricultural use in the immediate area surrounding the site. The Project would not convert any existing farmland to non-agricultural use.</i></p>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Other factors?</p> <p><i>There are no other activities associated with the Project that would impact agricultural resources either on or adjacent to the site.</i></p>

☐ **MITIGATION MEASURES**

☐ Lot Size

☐ **OTHER CONSIDERATIONS**

☐ Project Design

CONCLUSION

Considering the above information, could the Project leave a significant impact (individually or cumulatively) on **agriculture** resources?

☐ Potentially significant

☐ Less than significant with Project mitigation

☒ Less than significant/No Impact

RESOURCES - 7. Visual Qualities

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the Project site substantially visible from or would it obstruct views along a scenic highway (as shown on the Scenic Highway Element), or is it located within a scenic corridor or would it otherwise impact the view shed?</p> <p><i>The Project site is not located adjacent to or in close proximity to any designated or eligible scenic highway as shown in Figure 21, Adopted and Eligible Scenic Highways. The closest eligible scenic highway to the site is the section of Pacific Coast Highway (Highway 1) that extends from the Ventura County/L.A. County line to Venice Boulevard, approximately two miles north of the site. The Project is not visible from Pacific Coast Highway at the Venice Boulevard intersection because it's at the same elevation and the Ballona Creek wetlands (totaling approximately 600 acres) separate the site from the highway intersection. There are no other adopted or eligible scenic highway corridors that have views of the site or are visible from the site.</i></p> <p><i>The Marina del Rey Land Use Plan identifies land adjacent to the Main Channel as significant vantage points within the Marina. Since the Project site is adjacent to the Main Channel, the site is considered a significant vantage point and can be seen from significant vantage points throughout the Marina. The Marina del Rey Land Use Plan does not, however, designate the long-developed Project site itself as a highly scenic area. The Project proposes to rehabilitate and refurbish the existing apartments and the exteriors of the apartment buildings, but does not propose to increase the height or width (building mass) of the existing apartment buildings. Therefore, the proposed landscape and building improvements would not have any significant impacts to the scenic features associated with the Project from the Marina area. Also, the Project would not impact or alter any designed or protected scenic resources or view sheds as shown in Figure 21, Adopted and Eligible Scenic Highways.</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the Project substantially visible from or would it obstruct views from a regional riding or hiking trail?</p> <p><i>The Project site is not located within ten miles of any County regional riding (equestrian) or hiking trail as shown in Figure 22, Regional Trails. The Project site is in an established urbanized area and is not visible from any regional riding (equestrian) or hiking trail. A section of the California Coastal Trail (CCT) extends along the east side of the Villa Venetia complex to connect Fiji Way with the CCT that extends along the north side of Ballona Creek. The CCT is a continuous interconnected public trail system along the California coastline and is designed to foster appreciation and stewardship of the scenic and natural resources of the coast. While primarily for pedestrians, the CCT also accommodates a variety of additional user groups, such as bicyclists, wheelchair users, equestrians, and others as opportunities allow. The trail is recognized as both a statewide and national resource and is now designated as California's Millennium Legacy Trail. The Project does not propose any changes or improvements to the CCT and as a result would not impact the CCT that extends adjacent to and east of the site. The Project would not obstruct or impact views from any state or regional riding or hiking trails as the Villa Venetia residential community already exists.</i></p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the Project site located in an undeveloped or undisturbed area that contains unique aesthetic features?</p> <p><i>Villa Venetia is an existing residential community. The Ballona Creek Wetlands is located east of the site, which is a 600-acre area designated as a significant ecological area. The Ballona Creek Wetlands is an undisturbed significant ecological area with unique aesthetic and biological features. The site is separated from Ballona Creek Wetlands by a surface road and designated pedestrian bike path that extends from the Fiji Way cul-de-sac along the east side of the Project, along the southerly Project boundary to provide access to the UCLA Aquatics</i></p>

	Yes	No	Maybe	
				<i>Center that is adjacent to and south of the site. The Project is also located adjacent to and east of the Marina del Rey Main Harbor that provides boat access from the Marina del Rey small craft harbor to the Pacific Ocean. The proposed upgrades and improvements to the Villa Venetia apartment complex would not significantly change or alter any of the aesthetic features directly associated with the Ballona Creek Wetlands or the Marina del Rey Harbor. The Project would not have any significant aesthetic impacts to either the Ballona Creek Wetlands or the Marina del Rey Harbor.</i>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the proposed use out-of-character in comparison to adjacent uses because of height, bulk, or other features? <i>The Villa Venetia complex has existed since 1963. The Project proposes to refurbish and rehabilitate the interiors and exteriors of the apartment buildings. While the Project proposes to upgrade the apartment buildings, it does not propose to change the height or bulk of any of the buildings. The Project proposes to replace the existing landscaping throughout the site and upgrade the outdoor recreational facilities, including a swimming pool, new patio garden areas and seating. The improvements and upgrades to the recreational facilities would not increase or significantly change the bulk height of any of these existing recreational amenities. The marina area is dominated with urban development and the improvements and amenities proposed would not impact the aesthetics of this area of Marina del Rey. Since the Projects sole purpose is to rehabilitate the existing buildings it is therefore, compatible and not out of character with the current surroundings.</i>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the Project likely to create substantial sun shadow, light or glare problems? <i>The exterior improvements proposed by the Project would not include any building materials that would substantially increase glare or light. Neither height nor orientation of the apartment buildings would change, thus there would be no change in the length or direction of any shadows that are currently generated from the site. The Project would provide new and improved lighting for aesthetic and safety purposes that would not increase the amount of lighting that is currently generated (see a letter confirming this by MRC Electrical Engineers, Appendix F). Although the Project would upgrade the interior lighting of the apartments, common areas, building exteriors, leasing office, etc., based on newer improvements in lighting technology, the intensity of lighting throughout the Project would not increase. The County restricts the intensity of exterior lights and thus the amount of nighttime lighting that extends to off-site land uses and the Project would meet and comply with all County lighting requirements. The intensity of nighttime lighting by the Project would not create substantial light or glare impacts.</i>
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors (e.g., grading or landform alteration)? <i>There are no other factors associated with the Project that would significantly impact the existing visual qualities of the Project site or the area immediately surrounding the site.</i>

☐ **MITIGATION MEASURES**

☐ Lot Size ☒ Project Design

☐ **OTHER CONSIDERATIONS**

☐ Visual Report ☒ Compatible Use

CONCLUSION

Considering the above information, could the Project leave a significant impact (individually or cumulatively) on **scenic** qualities?

☐ Potentially significant

☐ Less than significant with Project mitigation

☒ Less than significant/No Impact

RESOURCES - 8. Greenhouse Gas Emissions

SETTING/IMPACTS

	Yes	No	Maybe
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Would the project generate greenhouse gas (GhGs) emissions, either directly or indirectly, that may have a significant impact on the environment (i.e., on global climate change)? Normally, the significance of the impacts of a project's GhG emissions should be evaluated as a cumulative impact rather than a project-specific impact.

This analysis evaluates the Project's potential environmental impacts resulting from greenhouse gas (GHG) emissions in light of recently amended CEQA Guidelines which became effective on March 18, 2010. The Amended Guidelines provide guidance to public agencies in their analysis under CEQA of GHG emissions and call for a "good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project." (CEQA Guidelines Section 15064.4.)

Under CEQA, an environmental analysis compares environmental conditions existing before the project to those likely to result from the project. With respect to GHG emissions, the Amended Guidelines specifically provide that the evaluation shall consider the "extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting" (CEQA Guidelines Section 15064.4(b)(1).

It is generally accepted in scientific and environmental communities that an isolated project's direct contribution to global climate change is so miniscule relative to the magnitude of global GHG emissions, that, except in the most extreme cases, the isolated project would not alter the course of global climate change. Because there is no known credible argument based upon substantial evidence that the GHG emissions of any isolated project similar to the proposed Project would, standing alone, have a substantial, or potentially substantial, adverse impact on global climate conditions, the analysis must necessarily focus on the potential for the Project to make a cumulatively considerable contribution to global climate change.

From an operational perspective, it is critical to note that the proposed Project does not involve the construction or operation of new facilities, but rather the rehabilitation of existing improvements, including the replacement of windows and aging equipment and appliances with more energy efficient windows, equipment, and appliances, thus slightly reducing carbon dioxide emissions (the primary type of "greenhouse" gases) compared to existing conditions. Additionally, the proposed Project would not increase the type, density, or intensity of uses on the Project site, thus not increasing the Project's "carbon footprint." Therefore, because the Project would reduce greenhouse gas emissions with the installation of energy conserving features, its operation would not generate a cumulatively considerable contribution to global climate change. (Source: Villa Venetia Apartment Rehabilitation Air Quality Analysis, Mestre Greve Associates, June 16, 2010).

With respect to the generation of GHG emissions which would occur as a result of the work performed during the rehabilitation process itself, the URBEMIS2007 program (version 9.4.2) was used to calculate greenhouse gas emissions associated with the rehabilitation activities. The sources of greenhouse gas emissions during rehabilitation include off-road construction vehicles and equipment, on-road haul trucks, and employee vehicles. The URBEMISv9.2.4 model only calculates CO₂ emissions and does not include other greenhouse gas emissions generated by construction activities (such as methane (CH₄), nitrous oxide (N₂O), and Fluorinated Gases), CO₂ emissions comprise approximately 99.6 percent of emissions from burning diesel fuel. Consequently, non-CO₂ greenhouse gas emissions represent a very small percentage (approximately 0.4 percent) of the total construction equipment greenhouse gas

emissions and would not represent a significant source of greenhouse gas emissions generated by the proposed project during rehabilitation, even when combined with CO₂ emissions. Therefore, non-CO₂ rehabilitation GHG emissions have not been quantified in this analysis.

The URBEMIS inputs used to calculate GHG emissions were the same as those used to calculate criteria pollutant emissions presented in the Air Quality analysis above. The results of the URBEMIS modeling are presented in Table 7. Annual emissions for each phase of the rehabilitation by year of activity are presented along with the total CO₂ emissions during the rehabilitation process.

Table 7
CO₂ Emissions Due to Rehabilitation Activities

Phase	Year	Total CO ₂ Emissions (Metric Tons)
1	2010	126.9
1	2011	331.9
2	2011	123.0
2	2012	345.6
Total CO ₂ Emissions		927.4
Average Annual Emissions*		30.9

* Based on 30 Year Project Life Per SCAQMD Thresholds

In the absence, as noted above, of formally approved regulations or requirements adopted to reduce GHG emissions, the County would utilize the greenhouse gas significance threshold for Stationary Sources, Rules and Plans utilized by the South Coast Air Quality Management District (SCAQMD). That threshold utilizes a tiered approach, with a screening significance threshold of 10,000 MTCO₂EQ (Metric Tons of CO₂ Equivalents) for industrial projects. The draft recommends a 3,000 MTCO₂EQ/yr screening threshold. The methodology recommends that total construction emissions be amortized over a 30-year period or the project's expected lifetime if it is less than 30 years.


Table 7 shows that the total CO₂ emissions associated with the rehabilitation activities is less than half of the 3,000, MTCO₂EQ/yr screening threshold and the annualized emissions are approximately 1.0% of the threshold. Therefore, using the SCAQMD thresholds, CO₂ emissions associated with the rehabilitation are minor and would not result in a cumulatively considerable impact to global climate change. (Source: Villa Venetia Apartment Rehabilitation Air Quality Analysis, Mestre Greve Associates, June 16, 2010).

b.

☐
☒
☐

Would the project conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases including regulations implementing AB 32 of 2006, General Plan policies and implementing actions for GhG emission reduction, and the Los Angeles Regional Climate Action Plan?

Section 15064.4(b)(3) of the CEQA Guidelines requires a lead agency to consider the "extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions." At this time, there are no such applicable regulations or requirements which have been formally adopted through a public review process which would be applicable to the proposed Project. Programs for GHG emission reductions and maintenance, which ultimately are intended to result from AB 32, would likely constitute such regional plans once they are adopted. Section 15064.4(b)(3) specifically notes that "such requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project's incremental contribution of a greenhouse gas emission." No applicable General Plan policies or other regional plans for reducing GHG emissions have been adopted by the County. Therefore, the



9

Other factors?

3

□ Project Design

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **scenic** qualities?

☐

□



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SERVICES - 1. Traffic/Access

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Does the Project contain 25 dwelling units or more and is it located in an area with known congestion problems (roadway or intersections)?</p> <p><i>The Villa Venetia apartment complex consists of 224 one and two-bedroom apartment units in four separate buildings that are currently occupied. The Project would maintain the same number of dwelling units and not add any dwelling units to the site. Thus, there would not be a change in the amount of traffic that is generated from the site and the before and after trip generating characteristics of the Project would remain the same. The Project is located in the Marina del Rey Specific Plan area that has an adopted Transportation Improvement Program (TIP) to address the transportation and circulation needs of the area through operational and physical improvements at various locations. The Project would not add traffic or impact any existing roadways in the area or contribute to traffic congestion since the Project would not increase the number or the size of the existing dwelling units. Furthermore, the Project does not include any other trip generating features. The Project would not adversely impact or interfere with the implementation of the circulation improvements included in the Marina del Rey TIP. The Project would fully comply with all applicable provisions of the County adopted TIP. These conclusions are supported by a traffic analysis prepared by Pirzadeh & Associates (See Appendix H).</i></p>
b.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Would the Project result in any hazardous traffic conditions?</p> <p><i>Pirzadeh & Associates, Inc., a traffic engineer, conducted an evaluation of the traffic and circulation characteristics of the Project. A copy of their analysis is included as Appendix H. Based on their review of the site plan, the Project has adequate site access and there are no known on-site hazardous traffic conditions. The Project proposes to widen the site access by over 13 feet for a total access width of 35.8 feet. Widening the main site access by 13 feet would improve access to and from the site.</i></p> <p><i>With respect to short-term traffic conditions, it is estimated the Project would employ approximately 300 workers during the course of rehabilitation with no more than 80 workers on the site at any time. Absent mitigation, the mixing of construction traffic entering and exiting the site with the daily traffic generated by the Project's remaining tenants creates a potential for hazardous traffic conditions. The Project applicant, however, has agreed to minimize this potential effect to a level of insignificance by (1) securing and utilizing off-site construction staging areas for required parking for all rehabilitation workers and (2) prior to the commencement of rehabilitation activities, submitting to the Los Angeles County Department of Public Works for the Department's approval a construction traffic management plan. The approval of a construction traffic management plan would minimize potential traffic congestion and other traffic conflicts at the site and the immediate area during rehabilitation. Compliance with the approved traffic management plan throughout rehabilitation would mitigate significant hazardous traffic conditions during Project rehabilitation. In addition, all rehabilitation workers would park offsite and shuttled to the site per Section C below further reducing potential hazardous traffic conditions. See the attached letter from LA County Beaches & Harbors regarding the use of certain public parking lots for workers during the rehabilitation (Appendix G). As such, no hazardous traffic conditions are anticipated on Fiji Way or any other local roadways during Rehabilitation. With the proposed mitigation, the Project would not result in significant short-term hazardous traffic conditions.</i></p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project result in parking problems with a subsequent impact on traffic conditions?</p> <p><i>The Villa Venetia apartment complex currently has 377 parking spaces, which includes 39 open parking spaces and 338 covered spaces. The 338 covered parking spaces are provided in a single-level at-grade podium parking structure under two of the apartment buildings. The</i></p>

Project proposes to keep the existing 338 covered spaces, redesign the uncovered surface parking spaces to provide 53 open parking spaces resulting in a total of 391 parking spaces. This is an increase of 14 new parking spaces while maintaining the existing 224 unit count and unit type. Because the Project is not proposing to construct any additional units, the existing parking with the addition of the additional 14 parking spaces would be adequate for the Project to meet the parking needs of the Project. Therefore, the Project would provide adequate parking and no significant long-term parking impacts would occur.

With respect to short-term impacts, the securing and utilizing off-site construction staging areas for required parking for all rehabilitation workers, as discussed above, would eliminate the potential for parking conflicts between the residents and rehabilitation workers. See the attached letter from LA County Beaches & Harbors regarding the use of certain public parking lots for workers during the rehabilitation (Appendix G). Thus, with the inclusion of the requirement that prior to the commencement of rehabilitation, the Project applicant would secure the staging area and utilize it for parking for all rehabilitation workers, any potential for a significant effect on parking has been reduced to a level of insignificance. The County has identified four existing parking lots within one mile of the site that could provide temporary off-site parking for the rehabilitation workers. There would not be more than 80 rehabilitation workers on the site at any given time throughout the time of rehabilitation. Figure 23 shows the location of the four off-site parking lots that would be available to provide parking for the rehabilitation workers. Table 1 below describes each lot and the number of parking spaces available.

Table 1
Proposed Off-Site Worker Parking Lots

Parking Lot #	Location	Available Parking Spaces
1	Parcel – UR – public lot, parking by agreement with County, corner of Bali Way/Admiralty Drive	220
2	Parcel 53 – The Boat Yard, parking by agreement with lessee	20
3	Parcel 49M – Public parking lot located on Mindanao Way, parking by agreement with the County	124
4	Parcel 150 – Vacant building with parking owned by County, parking by direct agreement with County following Rehabilitation of existing office building	50

The rehabilitation workers would be shuttled from the off-site parking area(s) to Villa Venetia to reduce traffic trips to the site. All of the four designated parking lots have been used for parking in the past. Therefore, their temporary use by the Project would not generate any new traffic trips to the streets that provide access to the parking lots since they have been approved for use as parking lots previously. At least two of the parking lots have existing capacity to provide all 80 parking spaces needed by the Project. It is possible that several parking lots would be used concurrently to provide adequate construction parking, depending whether or not an individual parking lot has adequate parking capacity. The Project applicant proposes to use a shuttle bus to transport workers to and from the off-site parking to Villa Venetia. Rehabilitation workers

Yes No Maybe

would park at the designated parking lot in the morning and a shuttle bus would shuttle the workers to the site. At the end of the work day the shuttle bus would pick up the workers and shuttle them back to the parking lot. The shuttle bus has a capacity of 40 people, therefore there would be four two-way trips (two AM and two PM) a day to shuttle workers to and from the designated parking lot to Villa Venetia. The off-site construction parking would have a positive impact on the roads between the parking lots and Villa Venetia by reducing rehabilitation worker traffic trips on Fiji Way leading to the site.

In 2009 the County prepared a parking study of the public parking lots in Marina del Rey.⁵¹ The parking study is on file with the Lost Angeles County Beaches and Harbors Department and available for review. The comprehensive parking study was performed to assess the public parking needs within the Marina del Rey area. Both the current and future parking needs were assessed through the year 2030.

The study identifies the appropriate parking supply to satisfy the current and anticipated future parking demands within various activity areas and right-sizing the parking lots that serve the activity areas. The estimation of parking demands for the future year 2030 was done using current observed parking demands and factoring in the growth anticipated from planned adjacent uses as well as from ambient growth due to population increases over the next 20+years.

Current and future (year 2030) parking demand and supply utilization analyses at each of the public parking lots within the Marina del Rey area were conducted. The future anticipated peak parking demands on typical and peak holiday weekdays and weekend days were developed using anticipated ambient growth in the region as well as growth in public parking demand anticipated due to provision of additional public facilities within the Marina.

The study determined that more than adequate public parking supply would continue to be available within each of the activity areas. Included in the evaluation was also the overall future demand of both public and private parking demand versus proposed supply within each of the activity areas. It was determined that adequate overall parking supply would be available, including the parking areas that include commercial and other users sharing parking within the public parking lots.

Based on the County parking study, there is an adequate supply of available public parking in the area to serve the short-term parking needs of the Project for its rehabilitation workers while continuing to meet the parking needs of the general public. The Project would not significantly impact either short or long-term parking.

d. ☐ ☒ ☐

Would inadequate access during an emergency (other than fire hazards) result in problems for emergency vehicles or residents/employees in the area?

The existing access points for the site would remain the same with Project completion. However the main site access point would be widened by 13 feet improving the ability to ingress and egress the site by Project residents, guests, and emergency vehicles. The Project would always provide adequate site access during rehabilitation activities. A rehabilitation phasing and staging plan that would be submitted by the Project applicant to the County for approval would ensure adequate access and traffic control measures implemented during the rehabilitation phase to ensure the safety of the residents, guest, and emergency vehicles. Upon completion of the rehabilitation of the Project, including widening the site access, the site access and circulation would be returned to their existing condition. Overall, site access would be improved for emergency vehicles and Project residents/employees with the Project. These conclusions are supported by a traffic analysis prepared by Pirzadeh & Associates (See Appendix H).

	Yes	No	Maybe	
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the congestion management program (CMP) Transportation Impact Analysis thresholds of 50 peak hour vehicles added by Project traffic to a CMP highway system intersection or 150 peak hour trips added by Project traffic to a mainline freeway link be exceeded?</p> <p><i>As described in the Project description, the Project would not change (increase or decrease) the number of apartments or unit types on the site. A review of the Project by Pirzadeh & Associates (Appendix H) concludes that the before and after trip generating characteristics of the Project would be the same and upon completion of the rehabilitation the Project would not generate more trips than are currently generated. The Project does not require a Traffic Impact Analysis because the Project would not generate 50 peak hour vehicles to a CMP highway system in addition to the existing use on the site.</i></p>
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project conflict with adopted policies, plans, or program supporting alternative transportation (e.g., bus, turnouts, bicycle racks)?</p> <p><i>The Los Angeles County Metropolitan Transportation Authority (MTA) and Los Angeles Department of Transportation (LADOT) have established an extensive grid system of bus routes throughout the Los Angeles Region. The Project itself is served by an MTA bus line and the LADOT commuter express bus line along Via Marina in close proximity to the Project site and is within a convenient walking distance for Project residents. The Project would not alter or conflict with existing MTA adopted transportation policies, plans, or programs. In addition, the Project would provide bicycle racks on-site and would not conflict with adopted policies, plans or programs supporting alternative transportation. These conclusions are supported by a traffic analysis prepared by Pirzadeh & Associates (See Appendix H).</i></p>
g.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Other factors?</p> <p><i>The Project would not have any other transportation impacts.</i></p>

☒ **MITIGATION MEASURES**

☐ Project Design ☐ Traffic Report

☐ **OTHER CONSIDERATIONS**

☐ Consultation with DPW Traffic & Lighting Division

Mitigation Measure TR-1. The Project applicant shall submit a construction traffic management plan to the Los Angeles County Department of Public Works for approval prior to commencement of any rehabilitation activities. The Project applicant shall implement and maintain all measures in the approved traffic management plan during the Rehabilitation period of the Project.

CONCLUSION

Considering the above information, could the Project leave a significant impact (individually or cumulatively) on **traffic/access** factors?

☐ Potentially significant
 ☒ Less than significant with Project mitigation
 ☐ Less than significant/No Impact

SERVICES - 2. Sewage Disposal

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>If served by a community sewage system, could the Project create capacity problems at the treatment plant?</p> <p><i>The Los Angeles County Department of Public Works treats the wastewater that is generated by the Project and would continue to treat the wastewater generated by the Project. Presently the Project is estimated to generate approximately 0.19 cubic feet per second (cfs) of wastewater from the site. Project generated wastewater is discharged into an existing Los Angeles County 8" sewer line that is located along the northerly Project boundary. As part of the upgrades to each apartment, all bathroom fixtures, including toilets, lavatories, and shower heads, would be replaced with low-flow fixtures. The replacement of all fixtures with low-flow fixtures would reduce the amount of wastewater that is currently generated from the site. Overall the Project would reduce the amount of waste water generated from the site with the installation of low-flow water fixtures and low maintenance landscaping. The Los Angeles County Department of Public Works Design Division Staff stated to the Project applicant's civil engineer new upgrades to the existing wastewater collection system would not be required by the rehabilitation Project.⁵² Based on wastewater generation calculations in the Psomas infrastructure summary (Appendix D) and confirmation by the Los Angeles County Department of Public Works that the Project would not require upgrades to the existing wastewater collection system, the Project would not adversely impact the capacity of the treatment plant that serves the Villa Venetia apartments.</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Could the Project create capacity problems in the sewer lines serving the Project site?</p> <p><i>The Villa Venetia Apartment complex presently discharges approximately 0.19 cfs of sewage onto an existing 8-inch Los Angeles County sewer main that is located on the site along the northerly property line. The sewer main continues adjacent to the Marina del Rey Channel sea wall and services the existing developments along Fiji Way, the western portion of Mindanao Way, Bali Way and the south portion of Admiralty Way. The combined flow then enters the Marina Pump Station. Based on the Psomas infrastructure study and confirmed by Mr. Abed Mohsen with the Design Division of the Los Angeles County Department of Public Works the existing onsite 8-inch County sewer main has adequate capacity to service the rehabilitation Project..</i></p> <p><i>The Project would not increase the number of apartment units or change various unit types on the site or intensify the existing land use. Therefore, the Project would not increase the amount of wastewater that is generated from the site. Furthermore, the Project would include the replacement of all toilets, lavatories, and showers with current low-flow fixtures that would result in a net reduction of wastewater generated from the site compared to current wastewater flows. Therefore, the Project would not create capacity problems in the sewer lines serving the Project site. This is confirmed in the Infrastructure Summary Report prepared by Psomas Engineering (Appendix D).</i></p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Other factors?</p> <p><i>There are no other foreseeable sewage disposal factors associated with the Project that would be impacted by the Project.</i></p>

STANDARD CODE REQUIREMENTS

- ☐ Utilities Code, Title 20 – Division 2 (Sanitary Sewers and Industrial Waste)
- ☐ Plumbing Code, Title 28 – Chapter 7 (Sanitary Drainage)
- ☒ California Health and Safety Code – Section 5474 (Sewer connection mitigation fee)

☐ MITIGATION MEASURES

☐ OTHER CONSIDERATIONS

A comment letter was received during the public review period from the City of Los Angeles Bureau of Sanitation dated April 28, 2010. (See Appendix "N" for comment letter.)

CONCLUSION

Considering the above information, could the Project have a significant impact (individually or cumulatively) on the physical environment due to **sewage disposal** facilities?

☐ Potentially significant

☐ Less than significant with Project mitigation

☒ Less than significant/No Impact

SERVICES - 3. Education

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Could the Project create capacity problems at the district level?</p> <p><i>Based on the School Facility Needs Analysis, dated September 11, 2009, provided by the Los Angeles Unified School District, student generation rates are based on a composite of multi-family units within the district. Since the proposed Project doesn't change the land use from "apartments", the number of units or the bedroom mix, the number of students expected to be generated by the project would not change. As a result, the Project would not impact the capacity of area schools.</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Could the Project create capacity problems at individual schools that would serve the Project site?</p> <p><i>As discussed in "a" above, the Project would not increase the number of apartment units on the site or increase their size that could generate additional students. As a result, the Project would not generate additional students or impact the capacity of the schools that serve the site.</i></p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Could the Project create student transportation problems?</p> <p><i>Since additional students would not be generated the student transportation system that serves the site would not be impacted.</i></p>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Could the Project create substantial library impacts due to increased population and demand?</p> <p><i>The Project would not increase the number of existing apartment units or increase the size of the apartments. Therefore, the Project would not substantially increase the number of people that would use existing library facilities and impact library facilities.</i></p>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Other factors?</p> <p><i>There are no other education factors or facilities that could be impacted by the Project.</i></p>

STANDARD CODE REQUIREMENTS

- ☐ State of California Government Code – Section 53080 (School Facilities Fee)
- ☐ Planning & Zoning Code, Title 22 - Chapter 22.72 (Library Facilities Mitigation Fee)

- ☐ **MITIGATION MEASURES**
- ☐ Site Dedication

- ☐ **OTHER CONSIDERATIONS**

CONCLUSION

Considering the above information, could the Project have a significant impact (individually or cumulatively) relative to **educational** facilities/services?

- ☐ Potentially significant
 ☐ Less than significant with Project mitigation
 ☒ Less than significant/No Impact

SERVICES - 4. Fire/Sheriff Services

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the Project create staffing or response time problems at the fire station or sheriff's substation serving the Project site? <i>The nearest fire station is located approximately one mile north of the site at 4433 Admiralty Way. The nearest sheriff's station is located less than a mile away at 13851 Fiji Way. The proposed upgrades and improvements to the Villa Venetia apartment complex would not create an increased demand for police or fire services or impact emergency response times to an on-site emergency. Because the Project would not increase the number of units or types of units there would not be an increase in police or fire service calls. The Project would not impact the staff of either the sheriff or the fire department or response times.</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are there any special fire or law enforcement problems associated with the Project or the general area? <i>The Project is served by the Los Angeles County Fire Department and the Los Angeles County Sheriff's Department for fire and police protection, respectively. The Project is not anticipated to change the level of demand for fire and police protection services, including special fire or law enforcement situations, for the Project or the area surrounding the site.</i>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors? <i>There are no other fire or police protection factors associated with the Project that would be impacted.</i>

STANDARD CODE REQUIREMENTS

☐ Revenue & Finance Code, Title 4 – Chapter 4.92 (Fire Protection Facilities Fee)

☐ MITIGATION MEASURES

☒ OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the Project have a significant impact (individually or cumulatively) relative to **fire/sheriff** services?

☐ Potentially significant

☐ Less than significant with Project mitigation

☒ Less than significant/No Impact

SERVICES - 5. Utilities/Other Services

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the Project site in an area known to have an inadequate public water supply to meet domestic needs or to have an inadequate ground water supply and proposes water wells?</p> <p><i>Water service is provided to the Project site by Marina del Rey Water System. The Project proposes the rehabilitation of the existing apartment buildings through the rehabilitation of the building interiors and exteriors, and parking facilities. Existing landscaped plants and trees which require high water consumption would be replaced with native plants requiring low or much less water needs. The Project would also install low-flow water fixtures (showers, faucets, toilets). The installation of these low-water-consuming features would reduce water consumption compared to existing conditions. No increase in dwelling units or change in unit types, building footprint, or square footage is proposed.</i></p> <p><i>A calculation was completed to compare the current peak water demand to the peak water demand once the Project is completed. The existing peak water demand is 460 gallons per minute whereas the peak water demand once the rehabilitation is completed is calculated to be 430 gallons per minute, a 30 gallon per minute reduction in peak water demand with the Project.⁵³ Project implementation would not place further demand on existing water service infrastructure that serves the Project. Rather, the Project would reduce the peak water demand by 30 gallons per minute.</i></p> <p><i>The Project would not impact the existing ground water supply or require the need for on or off-site water wells because the Marina del Rey Water System would continue to serve the Project. The existing public water utility system has the capacity to serve the Project without any water supply impacts, as it has done continuously for many years since the existing apartment complex was developed on the site in the early 1960's. Furthermore, as noted above the Project would reduce the peak water demand by 30 gallons per minute.</i></p> <p><i>As an enhancement to the Project, applicant would be required by the Los Angeles Health Department to install a new water backflow preventer to meet health standards as part of the rehabilitation effort.</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the Project site in an area known to have an inadequate water supply and/or pressure to meet fire fighting needs?</p> <p><i>According to a Fire Flow Availability Report prepared by the County of Los Angeles Fire Department, a physical flow test was performed on October 13, 2009. This flow test determined that the available flow rate from the public water supply system at the cul-de-sac of Fiji Way is 3,548 gallon per minute for a three hour duration. Preliminary discussions with the fire department staff concluded that the existing fire flow rate would be acceptable for the proposed rehabilitation due to no change in land use, project size or density. Per Los Angeles County's typical process, formal approval of this flow rate would occur during the building plan check process prior to permit, see Figure 26, Villa Venetia Infrastructure Summary Report of Existing and Proposed Drainage, Sewer and Water.</i></p> <p><i>Because the existing Project has been served by public water lines continuously over its years of operation and the Project would not increase the number of dwelling units, change unit types, density, or intensity, the existing water lines have capacity and pressure to meet fire fighting needs without the need for additional water supply. Based on the discussion in "a" above and the fact that the Project would consume less water than the current development with the installation of low-flow fixtures, low water consuming landscaping and the current fire flow test is acceptable the existing water supply and water pressure are anticipated to meet Los Angeles County Fire Department fire flow requirements for the Project.</i></p>

	Yes	No	Maybe	
				<p><i>In addition, the nearest fire station is located approximately one mile north of the site at 4433 Admiralty Way. The nearest sheriff's station is located less than a mile away at 13851 Fiji Way. Response times would not change. Because the number and size of units would not change, there is no anticipation of any increase in police or fire calls. The existing project has adequate water supply for firefighting needs and the proposed project, being only a rehabilitation of existing structures, would not create additional demand for firefighting water. Therefore, the project would not create staffing or response time problems for either fire or sheriff's services.</i></p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Could the Project create problems with providing utility services, such as electricity, gas, or propane?</p> <p><i>The Southern California Edison and the Southern California Gas Company provide electricity and natural gas to the site, respectively. Propane is not piped to the site. Because the Project would not increase the number of apartment units or change unit types on the Project site, there would be no increase in consumption of electricity or natural gas. The installation of new kitchen appliances that are more energy efficient than the existing appliances would decrease electrical and natural gas consumption. The Project applicant had a calculation prepared of the current electrical load compared to the electrical load upon completion of the rehabilitation. Based on the calculation, the Project is estimated to reduce the current electrical consumption by an average of 12 percent.⁵⁴ Overall, the Project would reduce energy consumption by an average of 36 percent. See "Villa Venetia Energy Savings Before and After Rehabilitation," prepared by LDI Mechanical, Inc. (Appendix E). The Project would be required by the County to meet all State of California energy requirements of Title 24, including the installation of low energy consuming appliances, lights, etc. Thus, the Project would have a positive impact to energy supplies and would not place an increased demand on local utilities for increased energy consumption.</i></p>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Are there any other known service problem areas (e.g., solid waste)?</p> <p><i>The Project would not impact any other public services, including solid waste. The Project would continue to provide recycle bins for all four buildings. Continuing the on-going practice by residents to recycle solid waste would continue to reduce the amount of solid waste that is hauled from the site to the County landfill. The Project would not increase the number of apartment units or change the unit types on the site. Thus, the Project would not generate more solid waste than presently.</i></p>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services or facilities (e.g., fire protection, police protection, schools, parks, roads)?</p> <p><i>The Project would not change the existing land use on the site, increase the 224 apartment units or change the unit types that are on the site. Because the Project would not intensify the existing use on the site, there would be no increase in the demand for government facilities by Project residents. Therefore, the Project would not increase the current demand on any other public services or facilities that have not already been evaluated and discussed.</i></p>
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Other factors?</p> <p><i>There are no other public service or utility facilities that would be impacted by the Project.</i></p>

STANDARD CODE REQUIREMENTS

- ☐ California Plumbing Code, Title 24, Part 5 – Chapters 3 & 6 (General Regulations & Water Supply)
- ☐ Utilities Code, Title 20 – Divisions 1, 4 & 4a (Water, Solid Waste & Garbage Disposal Districts)

☐ **MITIGATION MEASURES**

☐ Lot Size

☐ **OTHER CONSIDERATIONS**

☐ Project Design

☐ Water Purveyor Will-serve Letter

CONCLUSION

Considering the above information, could the Project have a significant impact (individually or cumulatively) relative to utilities services?

☐ Potentially significant

☐ Less than significant with Project mitigation

☒ Less than significant/No Impact

OTHER FACTORS - 1. General

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the Project result in an inefficient use of energy resources? <i>As discussed in Section 5 Utilities/Other Services "c", the Project would not cause any inefficient use of energy resources. As noted and discussed in "c" in Section 5 Utilities/Other Services the Project applicant proposes to install energy efficient kitchen appliances to conserve electricity and natural gas consumption that is estimated to result in an average reduction in electricity consumption by 12 percent. The Project would reduce energy consumption with the installation of energy conserving appliances. This conclusion has been confirmed in the Analysis of Proposed Electrical Systems- Villa Venetia, MRC Engineering, Inc.(Appendix F).</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the Project result in a major change in the patterns, scale, or character of the general area or community? <i>The Project would not change the number of apartments or the type of units on the site, the type of land use or increase the scale of development or the character of the general area. The Project only proposes to upgrade and rehabilitate the existing apartments, replace landscaping and upgrade recreational amenities on the site and would not change the land use or increase development.</i>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the Project result in a significant reduction in the amount of agricultural land? <i>The Project site is developed with residential use and located in an urban area within Los Angeles County. There is no agricultural land on the site or within the Project vicinity. The Project would not reduce any agricultural land.</i>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors? <i>The Project would comply with applicable Green Building and Drought Tolerant requirements to the satisfaction of the Department of Regional Planning and the Department of Public Works. There are no other general factors that would be impacted by the project.</i>

STANDARD CODE REQUIREMENTS

☐ California State Administrative Code, Title 24, Part 5, T-20 (Energy Conservation)

☐ MITIGATION MEASURES

☐ Lot Size

☐ OTHER CONSIDERATIONS

☐ Project Design

☐ Compatible Use

CONCLUSION

Considering the above information, could the Project have a significant impact (individually or cumulatively) on the physical environment due to any of the above factors?

☐ Potentially significant

☐ Less than significant with Project mitigation

☒ Less than significant/No Impact

OTHER FACTORS - 2. Environmental Safety

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Are any hazardous materials used, transported, produced, handled, or stored on-site?</p> <p><i>There are no hazardous materials that are known to be used by the existing residents or management during the daily operation of the apartment complex. The Project would not introduce the use, transportation, production, handling, or storage of hazardous materials on-site.</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><u>With respect to potential short-term impacts during the rehabilitation process, see "e" below.</u></p> <p>Are any pressurized tanks to be used or any hazardous wastes stored on-site?</p> <p><i>The Project does not include any use that would require the use or storage of any pressurized tanks or the storage of any hazardous wastes on the site in addition to the storage tanks in the equipment rooms for each swimming pool.</i></p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Are any residential units, schools, or hospitals located within 500 feet and potentially adversely affected?</p> <p><i>There are no other residential units, schools or hospitals within 500 feet of the site. The Project would continue to use the site for apartments and there are no uses associated with the Project that would adversely affect any residential, school, or hospital use if they were within 500 feet of the site.</i></p>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Have there been previous uses that indicate residual soil toxicity of the site or is the site located within two miles downstream of a known groundwater contamination source within the same watershed?</p> <p><i>The Project site has been used for residential use for over 40 years. The first two apartment buildings were constructed in 1963/1964 and the second two buildings in 1968/1969.⁵⁵ There are no other previous uses known to have existed on the site that indicate the residual presence of soil toxicity.</i></p> <p><i>In addition, the Project is located in the Los Angeles Region (4) of the State Water Resources Control Board. The Project is within the Ballona Creek Watershed which is underlain by the groundwater formation known as the West Basin (comprised of the Hollywood and Santa Monica sub-basins) and a small portion of the Central Basin as defined by the California Regional Water Quality Control Board. These two basins are used as sources for domestic water use and are replenished primarily through percolation of rainwater and stream flow. Within these two basins there are point source groundwater contamination that have been identified related to specific uses such as gas stations, airports, etc. Because the underlying groundwater basins are used for domestic water production, and no potential point source of contamination is known to have occurred on or adjacent to the site, the project is considered to be in an area with no known groundwater quality problems. No long term or cumulative groundwater quality impacts are anticipated since no water wells or private sewerage treatment systems exist or are proposed. This information is consistent with Appendix D, Villa Venetia Infrastructure Summary Report of Existing and Proposed Drainage, Sewer and Water.</i></p>
e.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Would the Project create a significant hazard to the public or the environment involving the accidental release of hazardous materials into the environment?</p> <p><i>Due to the age of the apartment buildings there are potential environmental issues related to the site including Title 22 metals, polychlorinated biphenyl (PCB), asbestos and lead containing materials (ACMs and LCMs) that may have been used in the construction of the apartment buildings. The presence of ACMs and/or LCMs would have a potentially significant impact if these materials are present and disturbed without being properly removed prior to the start of rehabilitation.</i></p>

Lead based paint⁵⁶ (LBP) and asbestos⁵⁷ operations and maintenance plans were prepared for the Project. Based on the completed plans, asbestos and lead based paint are present in the buildings. Limited material samples indicated the presence of asbestos in the boiler insulation rope and boiler insulation in the boiler room, floor tile in the laundry rooms, acoustic ceiling material, and other areas. Other areas of the buildings that were not sampled could also contain asbestos. The limited LBP survey of paint chip samples identified the presence of LBP on several painted surfaces at the site. The interior LBP that was observed appeared to be in good condition overall condition with isolated areas of peeling or cracking. However, the exterior LBP that was observed appeared to be in poor condition with several areas exhibiting evidence of peeling and cracking. Therefore, the damaged LBP surfaces should be repaired or removed and the undamaged LBP surfaces may remain in place until such time it is necessary to follow appropriate response actions, such as repair or removal.

The Los Angeles County Department of Health Services (LACDHS) Lead Based Paint (LBP) requirements are more stringent than the United States Department of Housing and Urban Development (HUD) guidelines of 0.5% lead by weight (5,000 ppm). The LACDHS LBP requirements state that paint or surfaces with a lead content of 0.06% by weight (600 ppm) of lead paint or greater and are readily accessible to children are considered to constitute a potential health hazard. Four of the site surfaces tested were identified with painted surfaces greater than 0.06% lead by weight (600 ppm) of lead. Given the condition of the identified LBP, the site appeared to have an environmental concern with regard to LBP.

Prior to any site rehabilitation, all known ACM, potential asbestos containing materials,(PACM) and other suspect ACM that may be disturbed by Project activities must be sampled to determine their asbestos content. If sampling is not feasible, these materials should be considered ACM and managed accordingly. Materials determined to contain asbestos or assumed to contain asbestos should be handled in accordance with all applicable regulations, including the National Emissions Standards for Hazardous Air Pollutants (NESHAPs), Occupational Safety & Health Administration (OSHA), and State regulations.

Similarly, prior to site rehabilitation all painted surfaces that may be disturbed by the Project activities are either assumed to contain LBP or sampled by use of XRF or paint chip laboratory analysis to determine the lead content. Painted surfaces assumed to be LBP or found to contain LBP would be handled in accordance with all applicable OSHA standards--including the interim final rule designed to protect workers exposed to lead, mandated by the authority of Title X, subtitle C, Sections 1031 and 1032, Worker Protection, of the Housing and Community Development Act of 1992, which became effective in June 1993. In addition, the regional EPA, state and local authorities should be consulted to determine lead based paint debris disposal requirements prior to lead-based paint waste generating activities (including remodeling and/or abatement of lead-based painted surfaces).

Therefore, to reduce the potential for significant effects related to ACMs and LCMs, follow-up lead and asbestos surveys shall be conducted and submitted to the County prior to the issuance of a permit to rehabilitate each building in accordance with Federal Code of Federal Regulations (CFR) 40 and the National Emission Standards for Hazardous Air Pollutants (NESHAPS) and evidence provided to the County that all lead and asbestos containing materials were properly removed and disposed prior to the start of rehabilitation..

With respect to potential short-term impacts, the rehabilitation of the Project would include the short-term use of hazardous materials. The Project applicant shall comply with all laws and regulations to control the storage and use of these hazardous materials during rehabilitation to reduce potential hazard material impacts. Compliance with all applicable laws by County

	Yes	No	Maybe	
				<p><i>inspections would reduce potential significant impacts associated with the presence of any previously existing hazardous materials and the use of hazardous materials during rehabilitation.</i></p> <p><i>With respect to long-term impacts, there would be no hazardous materials that would be used in connection with the operation of the apartment complex after the project is completed. As with any residential project, the potential exists for the use of standard household cleaning materials, paint and landscape supplements by tenants and maintenance personnel, but not to any greater degree than may be used under existing environmental conditions. While some of these materials may be considered hazardous in some contexts, their use in the ordinary course of maintenance of the units and the property not only is the same as under existing conditions, but also is not anticipated to result in the release of any materials which would cause a hazard to human health.</i></p>
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</p> <p><i>The Project site is not located within one-quarter mile of an existing or proposed school. In addition, the Project would not emit or handle any hazardous materials that would impact an existing or proposed school if it was within one-quarter mile of the site.</i></p>
g.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or environment?</p> <p><i>The Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.</i></p>
h.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project result in a safety hazard for people in a Project area located within an airport land use plan, within two miles of a public or public use airport, or within the vicinity of a private airstrip?</p> <p><i>The Project site is located approximately 1.75 miles north of Los Angeles International Airport (LAX) and 3 miles south of Santa Monica airport, which are both public airports. The Project is not located within two miles of a private airstrip. The Project would not result in any safety hazards for its residents and operations personnel to any greater degree than present conditions.</i></p>
i.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</p> <p><i>The Project would not impair or interfere with any adopted emergency response plan. The proposed improvements, including site access from Fiji Way, would have a positive impact by providing quicker and easier ingress and egress to the site for responding agencies. The main site entry improvements would also allow safer and quicker evacuation during an emergency situation. This has been confirmed in the traffic analysis prepared by Pirzadeh and Associates (Appendix H). The Project would not have any significant impacts to the County's adopted emergency response plan.</i></p>
j.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Other factors?</p> <p><i>There are no active or abandoned wells on the Project site. However, there is a dual well site adjacent to the site within the Fiji Way cul-de-sac as shown in Figure 24, Oil Well Map. There are two well sites within the cul-de-sac that includes one plugged well and one active gas well. Neither of the wells in Fiji Way or any of the other wells in the Project vicinity would impact the Project. These conclusions are supported by the Infrastructure Summary Report prepared by Psomas Engineering (Appendix D).</i></p>

☒ **MITIGATION MEASURES**
☐ Phase 1 Environmental Assessment

☒ **OTHER CONSIDERATIONS**
☐ Toxic Clean-up Plan

Mitigation Measure HAZ - 1. It shall be the responsibility of the contractor to use and store all hazardous materials in compliance with all applicable laws and regulations. In addition, an OSHA compliance inspector will provide periodic monitoring throughout the course of the rehabilitation. Once the rehabilitation is complete, the contractor shall remove all rehabilitation associated hazardous materials from the site in compliance with all applicable laws and regulations.

Demolition and renovation activities are subject to AQMD Rule 1403.

CONCLUSION

Considering the above information, could the Project have a significant impact relative to **public safety**?

☐ Potentially significant ☒ Less than significant with Project mitigation ☐ Less than significant/No Impact

OTHER FACTORS - 3. Land Use

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Can the Project be found to be inconsistent with the plan designation(s) of the subject property?</p> <p><i>The Project is located in the Marina del Rey Specific Plan. As shown in Figure 25, Marina del Rey Land Use Plan, the site's land use designation is "Resident V" (up to 75 dwelling units/net acre). Residential V land use allows high density multi-family residential development, up to 75 units per net acre, and a height limit of 45 feet. The 6.45 acre site can accommodate 483 dwelling units under this land use category. With 224 apartment units, the site is currently developed at 35 dwelling units per net acre and is consistent with the "Residential V" land use designation. The Project would retain the existing 224 apartments and not increase the height of any of the four buildings. Therefore, the Project would remain consistent with the existing Residential V land use designation.</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Can the Project be found to be inconsistent with the zoning designation of the subject property?</p> <p><i>The Project site is located in the Marina del Rey Specific Plan and is subject to regulations of the Marina del Rey Land Use Plan. The Marina del Rey Specific Plan designates the site as "Residential V", which permits high density multi-family residential development, up to 75 units per net acre and a height limit of 45 feet. The zoning designation for the Project site is Specific Plan. The Project is consistent with the Specific Plan regulations for the site.</i></p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Can the Project be found to be inconsistent with the following applicable land use criteria:</p> <p>Hillside Management Criteria?</p> <p><i>There are no hillsides on the Project site or surrounding the site. The Project is not located in a designated Hillside Management Area according to the Los Angeles County General Plan. (Source: Los Angeles County General Plan)</i></p> <p>SEA Conformance Criteria?</p> <p><i>The Project is not subject to SEA (Strategic Environmental Assessment) Conformance Criteria because the site is not in a designated SEA as shown in Figure 17, SEA #29.</i></p> <p>Other?</p> <p><i>There are no other land use issues associated with the Project</i></p>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project physically divide an established community?</p> <p><i>The Project proposes to rehabilitate and upgrade the 224 apartments in the Villa Venetia complex along with replacing the landscaping and other open space improvements. None of the proposed improvements and upgrades would divide the apartment complex itself or the surrounding established community, as there would be no revisions to the site plan. The proposed improvements to the interior courtyards and landscaping would only enhance the existing areas. See Figure 10, Proposed Landscape Improvements.</i></p>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Other factors?</p> <p><i>There are no other land use issues that would be impacted by the Project.</i></p>

☐ MITIGATION MEASURES

☐ OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the Project have a significant impact (individually or cumulatively) on the physical environment due to **land use** factors?

☐ Potentially significant

☐ Less than significant with Project mitigation

☒ Less than significant/No Impact

OTHER FACTORS - 4. Population/Housing/Employment/Recreation

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Could the Project cumulatively exceed official regional or local population Projections?</p> <p><i>The Project proposes to rehabilitate and upgrade the existing 224 apartment units in the Villa Venetia complex. The same mix of one and two bedroom apartments would be maintained and no additional apartments would be constructed. The number of apartments would remain the same and the population of the apartment complex would not exceed the current population of approximately 300 residents, or population estimates for future planning purposes by both Los Angeles County and the Southern California Association of Governments (SCAG). The Project would not cause a cumulative population impact by exceeding regional or local population Projections.</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Could the Project induce substantial direct or indirect growth in an area (e.g., through Projects in an undeveloped area or extension of major infrastructure)?</p> <p><i>The Project is located in a highly urbanized area in Marina del Rey. Most of the land in the area that can be developed has been developed. Upgrading and rehabilitating the existing apartments, replacing the landscaping and upgrading the on-site recreational amenities would not induce substantial growth in the area, either directly or indirectly. The Project would not require the extension or upsizing of any existing infrastructure that could cause growth. There are no aspects associated with the Project that can be considered to induce growth or have growth-inducing impacts.</i></p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Could the Project displace existing housing, especially affordable housing?</p> <p><i>The State Mello Act (Government Code Section 65590) prohibits the demolition of existing residential dwelling units in the coastal zone that are occupied by persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety Code, unless provision has been made for the replacement of those dwelling units with units for persons and families of low or moderate income. It also requires that new housing developments constructed within the coastal zone shall, where feasible, provide housing units for persons and families of low or moderate income. The County's Marina del Rey Affordable Housing Policy establishes procedures for determining a project's replacement and inclusionary housing obligations under the Mello Act. The replacement obligations only apply if units occupied by persons and families of low or moderate income are proposed to be demolished. The inclusionary requirements only apply to new construction.</i></p> <p><i>The proposed project is not subject to the Mello Act replacement housing or inclusionary obligations. The project consists of the rehabilitation of existing residential units and does not include the demolition of any such units or new construction. The County's Building & Safety Division has determined, based on its standard criteria, that no demolition permit is required for the proposed renovation work. Furthermore, the Building & Safety Division has determined that the rehabilitation of the existing structures would be grandfathered under prior structural seismic safety requirements and would not be subject to current regulations, as new construction would be. In addition, the renovation project would not result in a reduction or increase in the total number of existing units.</i></p>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><i>For further discussion regarding housing displacement, see "f" below.</i></p> <p>Could the Project result in substantial job/housing imbalance or substantial increase in Vehicle Miles Traveled (VMT)?</p> <p><i>The Project would not change (increase or decrease) the number of existing apartments in the Villa Venetia apartments. Thus, the Project would not change or impact the existing job/housing numbers for the site or the number of vehicle miles traveled by residents of Villa Venetia.</i></p>

	Yes	No	Maybe	
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Could the Project require new or expanded recreational facilities for future residents?</p> <p><i>New amenities would not be required as the existing unit count and unit mix is not changing. However, the Project includes upgrades and improvements to the existing on-site recreational amenities to encourage more usage of the future amenities by the residents. The existing recreational facilities include an indoor fitness center, an outdoor swimming pool, and sitting areas. The pool area, club house, restroom facilities, landscaping, lighting, and public promenade would all be rehabilitated as part of the Project. The pool areas would be enhanced to include new patio garden areas and seating. The enhanced pools and pool areas would complement other areas of the Project and would incorporate high-quality furnishings to improve the aesthetic value of the area and encourage resident usage. As a result, when compared to the existing environmental setting, the Project would provide a positive upgrade to existing recreational facilities.</i></p>
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the Project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</p> <p><i>As discussed in "c" above, the Project would require all residents to move from their apartment at some point during the proposed rehabilitation. However, not all residents would be relocated at the same time and, as discussed below, adequate replacement housing options are available. The Project would be constructed in two phases. In phase 1, the buildings located at 13900 and 13902 Fiji Way would undergo rehabilitation. During phase 1, a maximum of 90 housing units would be temporarily displaced. In phase 2, the buildings located at 13908/13910 Fiji Way and 13904/13906 Fiji Way would undergo rehabilitation. During phase 2, a maximum of 134 apartments would be temporarily displaced. Housing units temporarily removed from the area's rental stock would again become available upon completion of the phase of the improvements in which they are located. Because the same number of units would be present both before and after completion of the Project, there would be no long-term displacement of a substantial number of people which would require the construction of replacement housing elsewhere.</i></p> <p><i>Residents of apartments that are being rehabilitated would have several options to find short or long-term replacement housing. First, some residents would be able to move into vacant apartments within Villa Venetia. During phase 1, for example, some residents of the 90 units being rehabilitated may choose to move into vacant units in the two buildings subject to phase 2 renovation and vice versa. In the normal course of business, approximately 80 units at Villa Venetia turn over each year. In June 2010, approximately 33 units at Villa Venetia were vacant. At each phase of the rehabilitation, therefore, it is expected that there would be vacancies within Villa Venetia that would be available to some of the residents.</i></p> <p><i>Second, adequate replacement housing units are available in Marina del Rey. Eight nearby apartment complexes (all located within four miles of Villa Venetia) provide rental units at rates equal to or less than Villa Venetia and offer suitable housing for relocated residents. A housing survey completed in June 2010 showed that 136 vacant apartments are available in these eight apartment complexes alone. As noted above, in phase 1 a maximum of 90 leaseholders would require short-term replacement housing. In phase 2, a maximum of 134 leaseholders would require short-term replacement housing. Even assuming that all of the temporarily displaced residents were not able to find a vacant unit at Villa Venetia, the survey data shows that an adequate number of rental units are available in nearby Marina del Rey apartment complexes at comparable rates. The full results of the housing survey can be found in Appendix J, Marina del Rey Apartment Availability and Pricing, prepared by Hayes Consulting Services.</i></p> <p><i>Finally, some residents may decide to move to other locations outside the Marina del Rey area while others may elect to move into single family residential housing. Housing prices throughout Southern California are expected to remain favorable to residents for some time and</i></p>

	Yes	No	Maybe	
				<i>with many options available, it is likely that some residents would pursue other housing choices. Therefore, there is clear evidence that the Project would not result in the displacement of substantial numbers of people that would require the construction of replacement housing elsewhere.</i>
g.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors? <i>There are no other population, housing, or recreational factors that would be significantly impacted by the Project.</i>

☐ MITIGATION MEASURES

☐ OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the Project have a significant impact (individually or cumulatively) on the physical environment due to **population, housing, employment, or recreational** factors?

☐ Potentially significant
 ☐ Less than significant with Project mitigation
 ☒ Less than significant/No Impact

MANDATORY FINDINGS OF SIGNIFICANCE

Based on this Initial Study, the following findings are made:

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Does the Project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?</p> <p><i>The project does not and would not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.</i></p> <p><i>Specifically, the Project site hosts active nests of the Great Blue Heron and Double-crested Cormorant. Mitigation would ensure that potential impacts to nesting Great Blue Herons and Double-crested Cormorants would either be avoided or remain less than significant during rehabilitation of the site.</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Does the Project have possible environmental effects that are individually limited but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of an individual Project are considerable when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects.</p> <p><i>The Project would not increase the number of apartment units on the site, increase the land use intensity on the site, change the uses of the property, nor reduce the amount of habitat available to nesting herons, cormorants, or sensitive bird species. Therefore, the Project would not have any impact which is cumulatively considerable. As a result, no cumulative mitigation measures are required.</i></p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the environmental effects of the Project cause substantial adverse effects on human beings, either directly or indirectly?</p> <p><i>There have not been any identified environmental effects associated with the Project that would cause any substantial adverse effects on human beings, either directly or indirectly.</i></p>

CONCLUSION

Considering the above information, could the Project have a significant impact (individually or cumulatively) on the environment?

☐ Potentially significant
 ☒ Less than significant with Project mitigation
 ☐ Less than significant/No Impact

FIGURES

- Figure 1. Local Vicinity Map
- Figure 2. Aerial Photograph
- Figure 3. Existing Site Improvements
- Figure 4. Existing Landscape Improvements
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- Figure 30. Trees to Remain Plan
- Figure 31. Nest Tree Plan
- Figure 32. Tsunami Inundation Map

APPENDICES

APPENDIX A: NOISE STUDY, MESTRE GREVE & ASSOCIATES

APPENDIX B: AIR QUALITY ANALYSIS, MESTRE GREVE & ASSOCIATES

APPENDIX C: ARBORICULTURAL STUDIES

- Arboricultural Study - Villa Venetia (Dudek)
 - Attachment 1 Tree Photo Log
 - Attachment 2 Tree Location Map
 - Attachment 3 Tree Inventory
 - Attachment 4 Heron Tree Decline Photos

APPENDIX D: VILLA VENETIA INFRASTRUCTURE SUMMARY REPORT OF EXISTING & PROPOSED DRAINAGE, SEWER AND WATER, PSOMAS ENGINEERING

APPENDIX E: VILLA VENETIA ENERGY SAVINGS BEFORE AND AFTER REHABILITATION, LDI MECHANICAL, INC.

APPENDIX F: ANALYSIS OF PROPOSED ELECTRICAL SYSTEM- VILLA VENETIA, MRC ENGINEERING, INC.

APPENDIX G: TEMPORARY USE OF PUBLIC PARKING AREAS FOR VILLA VENETIA REHABILITATION, LOS ANGELES COUNTY BEACHES AND HARBORS DIVISION

APPENDIX H: TRAFFIC ANALYSIS FOR PROPOSED VILLA VENETIA REHABILITATION, PIRZADEH & ASSOCIATES

APPENDIX I: GEOTECHNICAL STUDY REPORT, GANICO GEOTECHNICAL, INC.

APPENDIX J: MARINA DEL REY APARTMENT AVAILABILITY AND PRICING, LYON MANAGEMENT GROUP, INC.

APPENDIX K: BIOLOGICAL MONITORING, JEFFREY FROKE, PH.D., CALIFORNIA WILDLIFE ECOLOGY

- Annual Monitoring Report Summaries for Marina del Rey Heronry - Villa Venetia (Froke)
 - Attachment 1- 2005-2006 Summary
 - Attachment 2- 2007 Summary
 - Attachment 3- 2008 Summary
 - Attachment 4- 2009 Summary
 - Attachment 5- 2010 Summary

APPENDIX L: VILLA VENETIA BIOLOGY PEER REVIEWS

- Doug Willick, Wildlife Biologist, "Review of Villa Venetia Biological Assessment, Dated March 18, 2010"
- Robert A. Hamilton, Hamilton Biological Inc. "Review of Heron & Cormorant Materials Parcel 64 Proposed Redevelopment Project, Dated March 24, 2010"
- Peter H. Bloom, Zoologist, Bloom Biological, Inc., "Untitled Letter, Dated March 13, 2010"
- Carl G. Thelander, Wildlife Biologist, BioResource Consultants, "Untitled Letter, Dated March 17, 2010"
- Richard A. Erickson, LSA Associates, Inc., "Review of Villa Venetia Biological Studies, Dated March 16, 2010"

APPENDIX M: PCR HISTORICAL RESOURCES ASSESSMENT

APPENDIX N: COMMENTS & RESPONSES TO VILLA VENETIA INITIAL STUDY DATED APRIL 6, 2010

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- Robert van de Hoek's report of 56 fledglings suggests the presence of approximately 37 GBH nests on Parcel 64, assuming an average of three (3) hatchlings per nest and a chick mortality rate before fledging @ 50 pct.
- California Department of Fish and Game (2010) describes "sensitive species" as any species that is listed either as threatened or endangered by the California and/or federal government, a California "Fully Protected Species," or "Species of Special Concern." "Special Animals" are not classified as "sensitive species."
- The IUCN Red List of Threatened Species is widely recognized as the most comprehensive, objective global approach for evaluating the conservation status of plant and animal species. From its small beginning, the IUCN Red List has grown in size and complexity and now plays an increasingly prominent role in guiding conservation activities of governments, NGOs and scientific institutions. The introduction in 1994 of a scientifically rigorous approach to determine risks of extinction that is applicable to all species, has become a world standard. The current version of the Red List (v.2) is available at www.iucnredlist.org.
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- GUANOTROPHY is a pathogenic condition in soils beneath heronries and rookeries that has resulted from the excessive deposition and accumulation of bird excrement. Other definitions, e.g., in aquatic biology, or dealing with bat caves, apply elsewhere.
- Arboreal heronries are continuously subjected to the effects of aging timber and deterioration brought on by a wide range of natural causes, e.g., wood-consuming insects, forest pathogens, weather effects (lightening and wind strikes), fire and flooding, and systemic breakdowns associated with guano deposition and guanotrophy.
- Stemming from heavy concentrations of excrement, guanotrophic soils adversely affect the welfare of the trees that uphold heronries. Generally marked as an excessive buildup of nutrients, e.g., potassium and ammonium, in underlying soils (or freshwater), the condition achieves phytotoxic levels as decreased pH generates (and donates) excess hydrogen ions, which in turn decrease the absorption of anions, e.g., phosphide, nitride, and chloride. Because of the lacking buffer capacity, vegetation growth is slowed and regeneration is inhibited (see Salisbury & Ross 1969). Further, increased soluble salts will adversely affect water potential at the roots of trees (Wiese 1978); also see Gillham (1956) and Weseloh & Brown (1971). From DNA microarray analysis, Hess et al. 2006 very recently have offered new insights to the interaction of potassium and ammonium in soils that help explain the troubling toxicity associated with guanotrophism underneath heronries. For discussion of the specific effects of cormorants on heronry vegetation, see for example Cuthbert et al. 2002.
- For a more detailed description to guanotrophy, see Froke, J.B. 2007. Marina del Rey Heronry Report for 2005-2006. Prepared for the County of Los Angeles and Lyon Capital Management (1 February).
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- Froke, J. B. 2009. The Marina Del Rey Heronry: Heron Use of Parcel 64 During 2008 (01 March).
- The "qualified biologist" shall be a person who has earned a Masters degree or Doctorate in ornithology, wildlife ecology, vertebrates field

biology, or a closely comparable field, and who has no fewer than 10 years professional experience formally studying colonial or flocking birds. This qualification will ensure full and competent evaluation of the subject resources and accuracy in reporting field observations. The services of the qualified biologist shall be contracted for by the project owner.

When determining whether rehabilitation inside the 200-ft buffer area may continue, the qualified biologist shall consider whether (a) the observed nest is actively under construction by the pair, or actively attended by one or both parents as an indication of brooding eggs and/or rearing hatchlings or nestlings; and, (b) presence of live nestlings. When there may be doubt about the presence of hatchlings or nestlings, the qualified biologist will make all reasonable efforts to confirm presence or absence, including waiting or employing an elevated viewing platform, e.g., building roof or powered lift. Neither the qualified biologist nor any person under his or her supervision shall be permitted to climb a nest tree during the designated nesting period to confirm nest status.

In all cases, buffers are measured as a radial distance from the nest tree drip line of an active heron or cormorant nest.

BSSC are those species so designated by CDFG and included in its authorized publication: Shuford, W.D. and T. Gardali (eds). 2008. California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California. Studies of Western Birds No. 1, Western Field Ornithologists (Camarillo) and California Department of Fish and Game (Sacramento).

Herein, per the definition of the California Department of Fish and Game, *sensitive species* shall mean any bird species that is either rare, threatened or endangered per the federal Endangered Species Act (ESA), California Endangered Species Act (CESA), is a CA Fully Protected Species, i.e., *White-tailed Kite [Elanus leucurus]* or is a *California Bird Species of Special Concern* (Shuford, W. D. & T. Gardali (eds.). 2008. California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California. Studies of Western Birds No. 1. Western Field Ornithologists [Camarillo] and California Department of Fish and Game [Sacramento]).

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Asbestos Operations and Maintenance Program, Villa Venetia Apartments, Property Conditions Assessment, LLC, May 20, 2004

Lead-Based Paint Operations & Maintenance Plan, Villa Venetia Apartments, Property Condition Assessments, LLC, May 20, 2004. Report available upon request.

Asbestos Operations & Maintenance Plan, Villa Venetia Apartments, Property Condition Assessments, LLC, May 20, 2004. Report available upon request.

APPENDIX “A”

APPENDIX “B”

APPENDIX “C”

APPENDIX “D”

APPENDIX “E”

APPENDIX “F”

APPENDIX “G”

APPENDIX “H”

APPENDIX “I”

APPENDIX “J”

APPENDIX “K”

APPENDIX “L”

APPENDIX “M”

APPENDIX “N”

Villa Venetia Apartments Rehabilitation Project (Marina del Rey Parcel 64)
County Project No. R2009-00752/Environmental Review No. RENV200900048
Mitigation Monitoring Program

Impact Mitigation	Responsible Agency or Party	Action Required	Monitoring Agency or Party	Timing
Biota				
BIO-1(a) Designated Periods - To protect herons & cormorants from potential disturbances related to the rehabilitation project during the nesting season, work on exterior portions of the apartment facility generally shall be limited to times outside of the <i>designated nesting period</i> , which is February 1 - August 31. That is to say, outdoor work activities normally will take place during the <i>designated work period</i> , which is September 1 - January 31.	Project Applicant	Exterior building work shall normally be limited to the period of September 1 – January 31	Los Angeles County Department of Regional Planning	Throughout rehabilitation
BIO-1(b) Nesting Bird Surveys - A <i>qualified biologist</i> ^a shall conduct weekly nesting bird surveys beginning no later than November 1. The weekly surveys shall continue for two weeks following the designated nesting period, i.e., until September 15 of each project year (the date extension will serve to confirm departure of nest-dependent fledglings). Weekly surveys shall not be required from September 16 through October 31, but a survey shall be conducted between October 5 and October 15. Commencement of rehabilitation work to exterior portions of the project during the designated nesting period shall be specifically approved by the qualified biologist, who will have determined whether nesting birds would be affected by the work.	Project Applicant	A qualified biologist shall determine when exterior building rehabilitation work can occur	Los Angeles County Department of Regional Planning	Throughout rehabilitation
BIO-2(a) Regular Communication - Effective communication among the project manager, contractor and qualified biologist about, e.g., the objectives, status and procedure of ongoing and planned work will best assure coordination of the following measures that will avoid or mitigate the potential effect of work actions on nesting herons, cormorants and other birds during the work timeframe. The qualified biologist shall attend project management meetings as often	Project Applicant	A qualified biologist shall monitor the rehabilitation schedule to ensure the protection of nesting birds	Los Angeles County Department of Regional Planning	Throughout rehabilitation

Impact Mitigation	Responsible Agency or Party	Action Required	Monitoring Agency or Party	Timing
as weekly during the designated nesting period. Attendance at project meetings will be coordinated with weekly resource surveys and monitoring. During these meetings, the qualified biologist will ensure adequate consideration for how projected work items might relate to protecting birdlife, which will stay an ongoing priority for the project, and in so doing he/she will stay informed and responsive to nesting bird and rehabilitation activities that mutually affect one another, e.g., safe operation of mechanized equipment in the vicinity of nesting Great Blue Herons and their nest trees.				
BIO-2(b) Contractor & Crew Familiarization - Before the start of any onsite clearing and rehabilitation activity, the qualified biologist shall meet with contractors and supervisors to familiarize them with the identity of a Great Blue Heron and Double-crested Cormorant. Further, to minimize disturbance of nesting GBH and DCC, crew familiarization also shall include the identification of onsite trees that have been or are used by the birds for nesting. Basic illustrations and notices about identification of GBH and DCC will be posted in the onsite contractor's office or offices.	Project Applicant	Pre-rehabilitation meeting with the biologist, contractors and supervisors to identify Great Blue Heron and Double-crested Cormorant	Los Angeles County Department of Regional Planning	Prior to the start of rehabilitation
BIO-3(a) Saving All Nest Trees - To ensure suitable nesting habitat for GBH and DCC on the project site following project completion, the project will retain all of the eight (8) extant trees that have been documented in use by the birds, during 2005-2009 and to present. Specifically, the following trees will not be removed, damaged, or relocated inside or outside of the Villa Venetia property as long as each tree is alive and standing: Nos. 1, 3, 4, 6, 10, 11, and P-1 and P-2. Each of the eight (8) trees shall be surrounded by an easily distinguished fence-line made of typical orange mesh construction fence material. The fenced perimeter of each nest tree shall be delineated by the drip-line of the tree. The qualified biologist shall observe and record the welfare status of each of the eight (8) nest trees during weekly survey rounds (January 1 – September 15) and monthly (September 16 – December 31).	Project Applicant	Preserve the existing eight extant trees during rehabilitation	Los Angeles County Department of Regional Planning	Throughout rehabilitation

Impact Mitigation	Responsible Agency or Party	Action Required	Monitoring Agency or Party	Timing
BIO-3(b) Equipment & Vehicle Placement - To protect historically documented and active heron and cormorant nest sites, it shall at all times be prohibited to park, stage and/or service and make repairs to any project vehicles and/or mechanized equipment, e.g., compressors, generators, cement-mixers, and tractors, and all other equipment and materials underneath any of the eight (8) identified nest trees, measured as a minimum of 10 ft outside of the tree drip-line.	Project Applicant	No vehicles or mechanized equipment shall be repaired under any of the eight nest trees	Los Angeles County Department of Regional Planning	Throughout rehabilitation
BIO-3(c) Setbacks and Buffer Areas - Before exterior work may start or continue into the designated nesting period, as specifically approved by the qualified biologist, the biologist will assure that the proposed work activity will take place no closer than 200 ft (from the nest tree drip line) of an already active GBH or DCC nest. ^b Should heron or cormorant pairs initiate nesting inside of the 200-ft buffer ^c area after authorized work has started, that work effort will not be required to halt or cease. On the other hand, if a work activity that was started pursuant to the preceding conditions would subsequently be expanded during the designated nesting period, the work expansion shall not be approved inside of the active 200-ft buffer.	Project Applicant	A qualified biologist shall monitor the rehabilitation schedule for exterior work to ensure the protection of nesting birds	Los Angeles County Department of Regional Planning	Throughout rehabilitation
BIO-4(a) Raptors - Each of the preceding mitigation measures (Bio-1[a] - Bio-3[c]) shall expressly apply to the protection of any diurnal or nocturnal raptor, or bird of prey, and specifically species in the families Strigidae, Tytonidae, Accipitridae, and Falconidae that is listed by CDFG as <i>threatened or endangered, fully protected</i> (White-tailed Kite, exclusively), or a <i>Bird Species of Special Concern</i> (BSSC). ^d Comparable to herons and cormorants, an active raptor nest that is located inside of the project area, and during the designated nesting season (February 1 - August 31), shall be protected by a 200-foot setback or buffer area (radial measurement). The restriction of the 200-ft setback (from the nest tree drip line) from an active raptor nest may be suspended by the qualified biologist after he or she has confirmed that the target breeding pair has	Project Applicant	A qualified biologist shall ensure that mitigation measures Bio 1(a) – 3(a) also apply to raptors and birds of prey as identified in the mitigation measure	Los Angeles County Department of Regional Planning	Throughout rehabilitation

Impact Mitigation	Responsible Agency or Party	Action Required	Monitoring Agency or Party	Timing
completed or otherwise concluded its nesting effort.				
<p><u>BIO-4(b) Sensitive Species of Birds</u> - Each of the preceding mitigation measures (Bio-1[a] - Bio-3[c]) shall expressly apply to the protection of any <i>sensitive species</i> ° of bird that is confirmed to be actively nesting inside the project rehabilitation area during the designated nesting period. The qualified biologist shall conduct weekly surveys for all nesting bird species, including sensitive species, throughout the combined pre-nesting and nesting periods (January 1 through August 31). These surveys will specifically target the presence and location of any sensitive species that may be nesting in landscape vegetation and to confirm active nesting. Whereas the minimum setback distance or buffer area (radius) for herons and cormorants is 200 feet (from the nest tree drip line), the minimum setback for rehabilitation work from the active nest of a <i>sensitive species</i> during the designated nesting season is 100 feet. The prescription of a 100-ft setback (from the nest tree drip line) from the nest of a sensitive species may be suspended by the qualified biologist after he or she has confirmed that the breeding pair has completed or otherwise concluded nesting.</p>	Project Applicant	A qualified biologist shall ensure that mitigation measures Bio 1(a) – 3(a) also apply to sensitive bird species	Los Angeles County Department of Regional Planning	Throughout rehabilitation
<p><u>BIO-4(c) Vegetation Clearing and Removal</u> - All initial ground-clearing and exterior vegetation removal shall be conducted outside of the designated nesting period for any <i>sensitive species</i> of bird, which is February 1 – August 31, and specifically during September 1 through January 31.</p>	Project Applicant	Ground clearing and exterior vegetation removal shall be restricted to specific times of the year	Los Angeles County Department of Regional Planning	Throughout rehabilitation
<p><u>BIO-5(a) Sound Pressure Levels (SPL)</u> - The qualified biologist shall be equipped to monitor sound pressure levels on the project site throughout the designated nesting period (Feb 1 - August 31). In the event work related sound levels (‘noise’) exceed or may exceed 85 dB, and herons and/or cormorants are confirmed to have active nests onsite, the biologist</p>	Project Applicant	A qualified biologist shall monitor on-site noise levels during nesting	Los Angeles County Department of Regional Planning	Throughout rehabilitation

Impact Mitigation	Responsible Agency or Party	Action Required	Monitoring Agency or Party	Timing
<p>shall carefully observe and evaluate the actions of the birds for potential indications of stress, e.g., overly extended periods of parents' absence or inattentiveness to dependent nestlings, and furtiveness and anxiety of nestlings in a manner that might cause a premature exit from nest. This measure will rely on the comprehensive expertise of the qualified biologist to detect and interpret the behavioral ecology and actions of the different species, and to determine whether the observed signals from the birds may be related to ongoing rehabilitation activities.</p> <p>Along with independent field sampling for sounds and potentially disruptive noise, the qualified biologist shall coordinate with specialized sound consultants to ensure the accuracy of field readings. As warranted by the qualified biologist, information garnered from the field monitoring may make necessary the employment of adaptive mitigation measures that will buffer or shield nesting herons and cormorants from louder project generated and extra-ambient sounds, using 85 dB as the threshold for requiring mitigation. The objective is to preclude or buffer project noise that is generated within 200 ft (from the nest tree drip line) of an active nest and greater than 85 dB from reaching and affecting nesting herons and cormorants and their young. The qualified biologist will coordinate with the contractor on site to further implement mitigation if the noise levels generated by the rehabilitation are determined to be disturbing the nesting birds. The types of mitigation which will be considered may include the use of sound panels or shielding drapes, and baffles or covers for engine units, etc.</p>		season of February 1 to August 31		
<p>BIO-5(b) Specific Project Related Sounds - To reduce or eliminate the potential effect of sharp and abrupt sounds on nesting herons and cormorants during the designated nesting period, and only as may be allowed by OSHA, the contractor/s should be discouraged from employing back-up alarms, the SPLs of which may reach 100+ dB, on project vehicles and equipment. Compliance would be voluntary, and would not be necessary during the designated work period.</p>	Project Applicant	Control noise from mechanical equipment, contractors, and crews	Los Angeles County Department of Regional Planning	Throughout rehabilitation

Impact Mitigation	Responsible Agency or Party	Action Required	Monitoring Agency or Party	Timing
Project contractors and crews shall be prohibited from operating radios (including car radios), disc-players and other amplified sound equipment on the project site, throughout the course of rehabilitation. The contractor shall be responsible for posting signage on the project site to reinforce these noise restrictions.				
<u>BIO-5(c) Shielding Eye-level Views from Nests</u> - To buffer nesting GBH and DCC from disturbance and the potential disruptive effects of viewing proximal rehabilitation activities and workers at an eye-to-eye level, all exterior windows and glazed doors on the 3rd floor at the NW corner of the apartment complex, directly facing cypress trees 4 and 6 (see Figure 31, Nest Tree Plan), shall be covered or shielded with an opaque material throughout the heron and cormorant nesting season (February 1 to August 31).	Project Applicant	Exterior windows and glazed doors on the 3 rd floor of the building at the northwest corner of the site facing cypress trees 4 and 6 shall be covered or shielded with opaque materials	Los Angeles County Department of Regional Planning	Throughout heron and cormorant nesting season
<u>BIO-5(d) Buffering Effects of Exterior Rehabilitation Work</u> - To buffer nesting GBH and DCC from potential visual and aural disturbance and disruptive effects during the rehabilitation project, all exterior work, e.g., resurfacing and painting, on building sections that immediately face any of eight (8) identified nest trees (nos. 1, 3, 4, 6, 10, 11, and P-1 and P-2, see Figure 31, Nest Tree Plan) shall be suspended during the designated nesting period (February 1 to August 31). However, the designated work period (September 1 - January 31) may be extended into the designated nesting period per authorization from the qualified biologist, when he or she has confirmed that no active heron or cormorant nests is situated within 200 ft of the proposed extension.	Project Applicant	A qualified biologist shall monitor the timing of exterior work on all building sections that face any of the eight identified nest trees with regards to nesting birds	Los Angeles County Department of Regional Planning	Throughout rehabilitation

Impact Mitigation	Responsible Agency or Party	Action Required	Monitoring Agency or Party	Timing
<p>BIO-5(e) Exterior Screening from Offsite Areas - Prior to the start of any exterior rehabilitation to building 13908/13910 and the parking area and landscaping that are next to building 13908/13910, an opaque barrier or screen, e.g., fine mesh, at least 12 feet in height above the ground shall be installed along the entire length of the E/NE side of the project site from Fiji Way to the SE pointing corner of the facility. The appropriate location for the barrier or screen would be next to the existing chain-link fence that separates the Villa Venetia driveway from the public bicycle trail running parallel to it.</p> <p>The rationale for the 12-ft screen is twofold: First is to provide a visual break between Ballona Wetlands Area A (SEA #29) and the rehabilitation site, thus benefiting herons that may be roosting and hunting inside the adjoining wetlands. This measure will adequately mitigate the potential indirect effect of the project on the birds and the SEA site by shielding the main rehabilitation activity from the birds' view. However, to avoid disrupting any heron pair that may elect to nest in tree 10 and/or 11, similar screening along the E/SE side of the project site (SW corner of Area A to UCLA's Parcel 65) will not be required. The second purpose of the measure is to curtail the escape of fugitive dust from the rehabilitation project onto Area A, including heron sites and other habitats. It should be noted that the project will otherwise employ all dust control measures as pursuant to County ordinance.</p>	Project Applicant	An opaque barrier shall be installed prior to interior/exterior work on building 13908/13910 as well as the parking area and landscaping rehabilitation for the same building	Los Angeles County Department of Regional Planning	Prior to start of work on or adjacent to building 13908/13910
<p>BIO-5(f) Outdoor Lighting - Throughout the designated pre-nesting and nesting periods (fully, Jan 1 - August 31), all outdoor lighting that has been installed or is mobile for rehabilitation work shall be shielded or aimed in a manner that downcasts light and that ensures lighting is not cast over active nests.</p>	Project Applicant	Outdoor lighting shall be shielded to protect active nests	Los Angeles County Department of Regional Planning	Throughout rehabilitation
Traffic/Access				
<p>TR-1 - The Project applicant shall submit a construction traffic</p>	Project Applicant	Prepare a	Los Angeles County	Prior to any

Impact Mitigation	Responsible Agency or Party	Action Required	Monitoring Agency or Party	Timing
management plan to the Los Angeles County Department of Public Works for approval prior to commencement of any rehabilitation activities. The Project applicant shall implement and maintain all measures in the approved traffic management plan during the Rehabilitation period of the Project		construction traffic management plan	Department of Public Works	rehabilitation activities
Environmental Safety				
HAZ-1 - It shall be the responsibility of the contractor to use and store all hazardous materials in compliance with all applicable laws and regulations. In addition, an OSHA compliance inspector will provide periodic monitoring throughout the course of the rehabilitation. Once the rehabilitation is complete, the contractor shall remove all rehabilitation associated hazardous materials from the site in compliance with all applicable laws and regulations	Project Contractor	Use and storage of hazardous must comply with laws and regulations	Los Angeles County Department of Public Works	Throughout rehabilitation
Mitigation Compliance				
MC-1 - As a means of ensuring compliance of the above mitigation measures, the applicant is responsible for submitting bi-annual mitigation compliance reports to the Los Angeles Department of Regional Planning for review, and for replenishing the mitigation monitoring account, if necessary, until such time as all mitigation measures have been implemented and completed.	Project Applicant	Submittal of annual mitigation compliance report; replenishing mitigation monitoring account	Los Angeles Department of Regional Planning	Annually until such time as all mitigation measures have been implemented and completed

- ^a The “qualified biologist” shall be a person who has earned a Masters degree or Doctorate in ornithology, wildlife ecology, vertebrates field biology, or a closely comparable field, and who has no fewer than 10 years professional experience formally studying colonial or flocking birds. This qualification will ensure full and competent evaluation of the subject resources and accuracy in reporting field observations. The services of the qualified biologist shall be contracted for by the project owner.
- ^b When determining whether rehabilitation inside the 200-ft buffer area may continue, the qualified biologist shall consider whether (a) the observed nest is actively under

construction by the pair, or actively attended by one or both parents as an indication of brooding eggs and/or rearing hatchlings or nestlings; and, (b) presence of live nestlings. When there may be doubt about the presence of hatchlings or nestlings, the qualified biologist will make all reasonable efforts to confirm presence or absence, including waiting or employing an elevated viewing platform, e.g., building roof or powered lift. Neither the qualified biologist nor any person under his or her supervision shall be permitted to climb a nest tree during the designated nesting period to confirm nest status.

^c In all cases, buffers are measured as a radial distance from the nest tree drip line of an active heron or cormorant nest.

^d BSSC are those species so designated by CDFG and included in its authorized publication: Shuford, W.D. and T. Gardali (eds). 2008. California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California. Studies of Western Birds No. 1, Western Field Ornithologists (Camarillo) and California Department of Fish and Game (Sacramento).

^e Herein, per the definition of the California Department of Fish and Game, *sensitive species* shall mean any bird species that is either rare, threatened or endangered per the federal Endangered Species Act (ESA), California Endangered Species Act (CESA), is a CA Fully Protected Species, *i.e.*, *White-tailed Kite [Elanus leucurus]* or is a *California Bird Species of Special Concern* (Shuford, W. D. & T. Gardali (eds.). 2008. California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California. Studies of Western Birds No. 1. Western Field Ornithologists [Camarillo] and California Department of Fish and Game [Sacramento]).

Villa Venetia Findings of Fact

On the basis of oral and written evidence contained in the administrative record of proceedings, the Board of Supervisors of the County of Los Angeles (the “Board”) has adopted a Mitigated Negative Declaration and approved an Option to Amend Lease Agreement to extend the term of the existing Villa Venetia Apartments (the “Option”) located at 13900 Fiji Way, Marina del Rey, CA 90292 (Lease Parcel # 64, Assessor’s Parcel Number 4224-011-901). Parcel 64 is located on a 6.45 acre site at the terminus of Fiji Way, east of the Marina del Rey small craft harbor, north of the UCLA boat house and Ballona Creek, and west of the Ballona Wetlands.

The Option contemplates improvements to the existing multi-family structures on Parcel 64 in the form of rehabilitation improvements to the exteriors of the existing buildings, the interiors of the 224 apartments, landscaping on the existing parcel, the existing onsite parking, and existing recreational facilities (the “Project”). The Mitigated Negative Declaration evaluates the potential environmental effects of the Project.

The adoption of the Mitigated Negative Declaration and the approval of the Option are based upon the following conclusion and findings:

1. Pursuant to the California Environmental Quality Act (“CEQA”) (Public Res. Code, §§ 21000 *et seq.*), the State CEQA Guidelines (14 CCR §§ 15000 *et seq.*) and the County’s Local CEQA Guidelines, the County of Los Angeles (the “County”) is the lead agency for the Project, as the public agency with the principal responsibility for approving the Project.
2. Pursuant to CEQA and the environmental reporting procedures of the County, the County prepared an Initial Study to determine the appropriate environmental review process for the Project.
3. On the basis of the Initial Study, and consistent with the requirements of CEQA, the County prepared the Mitigated Negative Declaration (together with the Initial Study, the “IS/MND”). The IS/MND has been carefully reviewed and considered by the County, modified where appropriate, and reflects the County’s independent judgment and analysis. The County’s Small Craft Harbor Commission considered the proposed IS/MND before making its recommendation on the Project to the County Board of Supervisors.
4. The IS/MND has determined that design features incorporated within the Project by the applicant and other revisions to the Project agreed to by the applicant would avoid any potential environmental effects or mitigate those potential effects to a point where clearly no significant effect on the environment would occur.
5. On June 1, 2010, after the initial release of the IS/MND for public review, the applicant submitted revised improvement plans for the Project. These revised plans made the following changes in the Project description:

- a. The relocation and redesign of the on-grade swimming pool between the two “T” buildings was eliminated from the Project description. The existing pool will remain.
- b. The proposed spa located near the swimming pool described above has been eliminated from the project description.
- c. The cantilevered overlooks for promenade improvements have been removed from the Project description. The current width of the promenade will not be increased.
- d. In addition to the eight existing trees to be retained according to the IS/MND, an additional 68 existing trees will be retained on site, for a total of 76.

Because each of these modifications to the Project description consists of reducing or eliminating proposed changes to the existing environmental conditions, these changes (i) do not require any additional environmental analysis, (ii) will not increase or create any significant effects, and (iii) do not constitute substantial revisions to the Project description or require substantial changes to the IS/MND. Because the IS/MND establishes that the proposed Project, with the mitigation proposed in the IS/MND, will not create any significant environmental effects, these proposed changes to the Project description will not necessitate any additional measures to mitigate an avoidable significant effect.

6. Pursuant to CEQA and the State CEQA Guidelines, the IS/MND was recirculated for public review and comment from July 5, 2010 to August 4, 2010. In addition to mailing written notice of the public’s availability to provide comments on the IS/MND to all property owners and occupants within a 500-foot-radius of the subject property, Planning staff also caused such written notice to be published in a local newspaper (*The Argonaut*) on July 1, 2010, and to be posted conspicuously at the vehicular entrance to the subject property during the entirety of the above-referenced 30-day public comment period.
7. Although not required to do so by CEQA, the County prepared responses to all written comments on the IS/MND and has made those responses available to the public prior to the Board meeting at which the Option was considered. The County has considered these comments and responses in connection with adopting the Mitigated Negative Declaration and the approval of the Option.
8. The IS/MND is sufficiently detailed so that all of the potentially significant environmental effects of the Project have been adequately evaluated and Project design features and feasible mitigation measures have been included in the Project to avoid or substantially lessen the Project’s potential environmental impacts.

9. Based on comments received during the public review period, minor modifications have been incorporated into the IS/MND. The County finds that all information added to the IS/MND in response to public comments merely clarifies, amplifies, or makes insignificant modifications to the already adequate IS/MND and no new information has been received that would require recirculation.
10. No credible expert evidence has been provided to create a fair argument that, with the incorporated design features and mitigation measures, the Project may result in a significant environmental effect when compared to existing conditions.
11. There is no substantial evidence in light of the whole record that the Project, as revised, may have a significant effect on the environment. Additionally, there is no substantial evidence in the record to indicate that additional mitigation is required by CEQA.
12. In response to a comment from the California Department of Fish & Game, the Project applicant has agreed to revise the schedule for conducting weekly nesting surveys for heron. Rather than commencing weekly surveys on January 1 as proposed by the IS/MND, weekly surveys will commence on November 1 of each year during the renovation process. The applicant will apply all nest avoidance measures described in the circulated IS/MND if heron or any other bird nesting activity is observed during any of the surveys. This measure, though not necessary to mitigate an avoidable significant effect, will, at a minimum, be equivalent to the previous Mitigation Measure Bio-1(b) in mitigating or avoiding potential significant effects of the Project and will not, in itself, cause or create a new significant effect on the environment. This additional mitigation will result in the modification of the current Mitigation Measure Bio-1(b) in the IS/MND, by substituting the current language of that measure with the following language:

“Mitigation Measure Bio-1(b):

“Nesting Bird Surveys – A qualified biologist shall conduct weekly nesting bird surveys beginning no later than November 1. The weekly surveys shall continue for two weeks following the designated nesting period, i.e., until September 15 of each Project year (the date extension will serve to confirm departure of nest-dependent fledglings). Weekly surveys shall not be required from September 16 through October 31, but a survey shall be conducted between October 5 and October 15. Commencement of rehabilitation work to exterior portions of the Project during the designated nesting period shall be specifically approved by the qualified biologist, who will have determined whether nesting birds would be affected by the work.”

13. The Project’s approved Mitigation Monitoring Program is adequately designed to ensure compliance with all mitigation measures during Project implementation.

14. The Project incorporates feasible design features and mitigation measures to assure that there is no potential for significant adverse impacts to bird species at the Project site, including, but not limited to, the following:
- a. With respect to visual and other disturbances, the IS/MND analyzes the potential effect of Project-related disturbances to (i) raptors and other sensitive species of birds (Mitigation Measures Bio-4[a-c]), (ii) nesting birds from uncontrolled sources of noise and visual disturbance (Mitigation Measures Bio-5[a, b]), and (iii) nesting and roosting birds from visual distraction (Mitigation Measures Bio-5[c-f]).
 - b. The IS/MND provides mitigation measures to protect and/or shield nesting birds, both onsite and offsite (i.e., Ballona Wetlands Area A (Mitigation Measure Bio-5[e])), from visual disturbance that might be associated with eye-level views of rehabilitation work from nesting areas (Mitigation Measure Bio-5[c]), exterior rehabilitation work (Mitigation Measure Bio-5[d]), and outdoor lighting (Mitigation Measure Bio-5[d]).
 - c. The IS/MND addresses potential sound and noise impacts on nesting birds (see Hazards-4, Noise [a]; Mitigation Measures Bio-5[a,b]). The IS/MND (Mitigation Measures Bio-5[a,b]) concludes that all project construction noise will meet and comply with County Municipal Code Section 12.08.440, which requires that construction noise levels shall be less than 80 dB for multi-family use and 85 dB for commercial use. Compliance with the County's Municipal Code and Marina del Rey heron management plan will reduce the potential noise impacts from noise generated during the rehabilitation work to less than significant levels.
 - d. With respect to dust impacts on nesting birds, the second purpose of Mitigation Measure Bio-5(e) is to curtail the escape of fugitive dust from the rehabilitation Project onto Ballona Area A, including heron sites and other habitats. It should be noted that the Project will also employ all dust control measures required by County ordinances and South Coast Air Quality Management District Rule 48 (requirements for dust control).
 - e. With regard to Project impacts on the breeding cycles/nesting patterns of herons and other federally protected birds or related impacts on nearby wetlands, the IS/MND evaluates this issue and concludes that with the implementation of mitigation measures the Project will not have a significant impact. Five independent biologists who did a peer review of the Project concurred with this conclusion (see Resources-3 Biota: Evaluation of Effects).

15. The Project will not result in significant effects related to run-off, including run-off into marina waters. This finding is supported by, among other facts in the administrative record, the following:
- a. Under CEQA, the potential environmental effects of a proposed project are compared to the actual or potential environmental effects under existing conditions. The structures that exist today will continue to exist at their same location after the completion of the proposed Project. The intensity of use will not change as a result of the rehabilitation, nor will the number of units. The Project will be subject to a wide array of regulations related to run-off and water quality that were not in effect when the site was originally developed. The Project will include many features which will control run-off in a manner far superior to existing conditions. Therefore, the proposed Project will not result in significant impacts, in comparison to the status quo, simply by virtue of its proximity to the marina.
 - b. Project design features and required compliance with County ordinances and regulations will preclude uncontrolled run-off into marina waters, both during and following the rehabilitation work. Fugitive run-off (and leaching) will be prevented through the application of professional design standards and landscape installation techniques, which will be employed onsite. For example, the Project improvements will not increase the percentage of impervious surface area on the Project site. The current impervious area is 86% and the proposed impervious area will be 85%. (IS/MND, p. 16). Therefore, the Project will not increase the quantity of storm water runoff from the site.
 - c. The Project will be required by State law to comply with the California Regional Water Quality Control Board (CRWQCB) by submitting a Notice of Intent (NOI) to the CRWQCB and the County National Pollutant Discharge Elimination System (NPDES) permit discharge requirements (IS/MND, pp. 15-16). Under the NPDES permit, the Project applicant is required to prepare and submit to the Los Angeles County Department of Public Works for review and approval a Storm Water Pollution Prevention Plan (SWPPP) and an Erosion Control Plan (IS/MND, pp. 15-16). The SWPPP and Erosion Control Plan will require approval prior to the issuance of the permit for the rehabilitation (IS/MND, pp. 15-16). The SWPPP and Erosion Control Plan will include Best Management Practices (BMPs) that shall be installed prior to the start of the rehabilitation and maintained throughout the rehabilitation period to control soil erosion and minimize surface water quality impacts (IS/MND, pp. 15-16).
 - d. The Project applicant is required to submit to the Los Angeles County Department of Public Works a Standard Urban Storm Water Mitigation Plan (SUSMP) reflecting post rehabilitation BMP measures that will be installed and maintained for compliance with regulatory requirements (IS/MND, p. 16). The Project proposes to provide BMPs,

such as vegetated swales and Filterra treatment planters or similar nonstructural BMPs in order to comply with the State storm water runoff water quality standards (IS/MND, p. 16). The applicant shall also prepare a low impact development plan to demonstrate compliance with the low impact development standards ordinance (IS/MND, p. 16). The SUSMP and low-impact development plans for the rehabilitation will be submitted and approved prior to issuance of the permit for rehabilitation (IS/MND, p. 16). As a result, the Project's post-development activities will not degrade the quality of storm water runoff and/or post-development non-storm water discharges will not contribute potential pollutants to the storm water conveyance system and/or receiving bodies (IS/MND, p. 16).

- e. The Project will reduce, rather than increase, fertilizer run-off. The Project landscape will emphasize a greater amount of California native plant species and, thus will require a reduced amount of fertilizer, e.g., nitrogen and phosphate, and water. As a result of adding native plants to the Project landscape, the Project will reduce the amount of fertilizer and water applied onsite, and, thus there will be no significant impacts related to nutrient leaching and loading of the surrounding environment. Under current conditions, approximately 900 lbs of a complete fertilizer with 160 lbs of actual nitrogen is applied annually with the balance consisting of phosphorus, potassium and micro nutrients. Installation of the native plants associated with the Project will require approximately 140 lbs of actual fertilizer to be applied depending upon the fertilizer analysis during installation with actual nitrogen ranging from 8-18 lbs. Sustainable and native design such as those included in the Project require up to 60% less fertilizer than typical landscapes and only require fertilization in the fall and winter months. Annual application would be approximately 360 lbs of actual material with the actual nitrogen consisting of 60 – 65 lbs (IS/MND, Appendix O).
16. The Project adequately addresses the possibility of asbestos containing materials being discovered in the structures proposed for rehabilitation. The IS/MND provides that “[m]aterials determined to contain asbestos or assumed to contain asbestos should be handled in accordance with all applicable regulations, including the National Emissions Standards for Hazardous Air Pollutants (NESHAPs), Occupational Safety & Health Administration (OSHA), and State regulations” (IS/MND, p. 60). Mitigation Measure HAZ-1 requires Project contractors to use and store all hazardous materials in compliance with all applicable laws and regulations (Mitigation Monitoring Program, p. 8). In response to a comment letter by the South Coast Air Quality Management District (SCAQMD), the IS/MND and Mitigation Monitoring Program have also been revised in to provide a specific reference to SCAQMD Rule 1403, although this reference does not constitute new mitigation or a revision to the Project. It merely clarifies the IS/MND.
17. The Project is consistent with the applicable air quality management plan as the Project will not contribute to population growth in the project area. Similarly, air quality impact

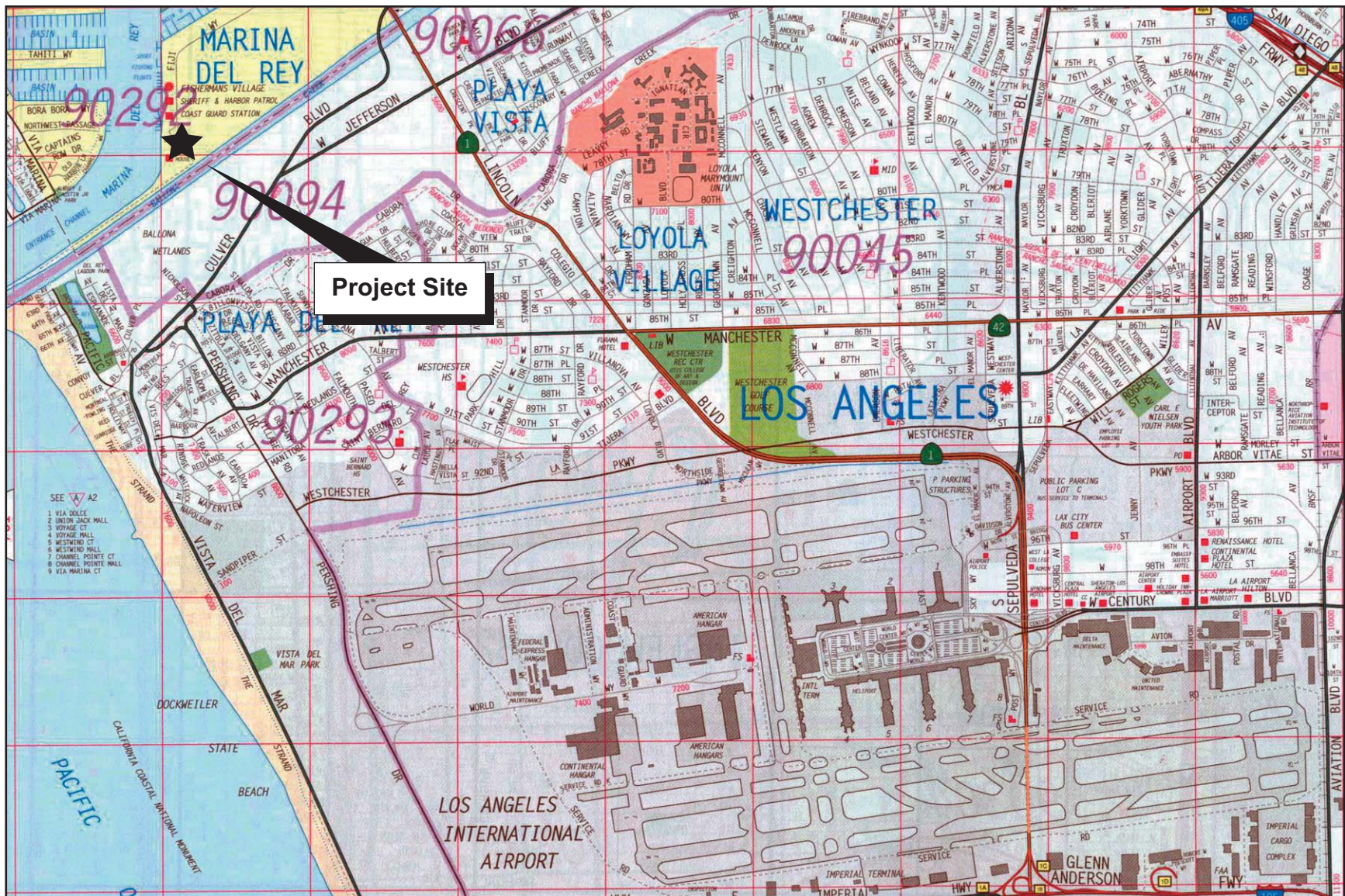
resulting from Project-related traffic will not violate any established air quality standards, nor contribute to an existing or projected air quality violation. Short-term construction activity emissions were calculated for a variety of rehabilitation activity phases and emissions associated with the project will not exceed any regional emission or localized significance threshold with implementation of construction BMPs. Therefore, the Project will result in less than significant impact air quality impacts.

18. The Project's amortized construction emissions are well below any proposed greenhouse gas (GHG) thresholds. In addition, the Project's incorporation of measures, including the replacement of energy-inefficient appliances with energy-conserving appliances, will reduce GHG emissions from existing conditions. Therefore, the Project will result in a less than significant impact on global climate change. These findings are supported by evidence in the Air Quality study prepared for the Project by Mestre Greve Associates (June 2010).
19. Construction traffic has the potential to impair traffic flows on surrounding roadways and disrupt access to adjacent sites. As such, the Project will incorporate a mitigation measure requiring the applicant to submit a construction traffic management plan to the Department of Public Works prior to commencement of any construction activity (see Mitigation Measure TR-1 of the adopted Mitigation Monitoring Program, p. 8). Compliance with the approved plan will reduce potential impacts to less than significant.
20. The Project will not result in any safety hazard or noise problem for persons using Los Angeles International Airport or for persons residing in or working in the Project area. The IS/MND considers the Project's potential noise impacts on surrounding land uses and concludes that, although the noise levels from construction of the Project will be greater than the existing ambient conditions, such noise will be temporary and intermittent and will not significantly impact any noise-sensitive receptors (IS/MND, pp. 13-14). Construction activities will generate intermittent and temporary noise. The Project will comply with the County Noise Control Ordinance (County Code Section 12.08.440). In addition, the Project will comply with mitigation measures to reduce construction noise impacts on sensitive receptors, including limiting construction hours to daytime hours and prohibiting construction on Sundays and legal holidays, equipping all mobile stationary equipment with standard factory mufflers, and erecting temporary noise barriers. As set forth in the Noise Study for the Project, prepared by Mestre Greve Associates and dated June 2010, Project construction noise will not exceed maximum levels set forth in County Code Section 12.08.440. Therefore, the Project will not result in a significant impact due to construction noise. Further, traffic volumes due to the Project will not change so mobile noise levels on roadways in the Project area will not increase due to the Project. In addition, the Project will not result in a safety hazard due to the use or release of hazardous materials (see Finding 15 above).].

21. Although the Project will result in all residents moving from their current apartment at some point during the proposed rehabilitation, not all residents will be relocated at the same time, some of the tenants will be able to relocate within Villa Venetia units not then being renovated, and adequate offsite replacement housing options are available. Because the same number of units will be present both before and after completion of the Project, there will be no permanent loss of housing which would require the construction of replacement housing elsewhere.
22. The State Mello Act (Government Code Section 65590) prohibits the demolition of existing residential dwelling units in the coastal zone that are occupied by persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety Code, unless provision has been made for the replacement of those dwelling units with units for persons and families of low or moderate income. It also requires that new housing developments constructed within the coastal zone shall, where feasible, provide housing units for persons and families of low or moderate income. The County's Marina del Rey Affordable Housing Policy establishes procedures for determining, on a case-by-case basis, a project's replacement and inclusionary housing obligations under the Mello Act. The replacement obligations only apply if units occupied by persons and families of low or moderate income are proposed to be demolished. The inclusionary requirements only apply to developments that construct net new dwelling units within the coastal zone.
23. The Project is not subject to the Mello Act's replacement housing or inclusionary housing obligations. The Project consists solely of the rehabilitation of existing residential units and appurtenant facilities; the Project neither includes the demolition of any such units nor the construction of new dwelling units onsite. The County Division of Building & Safety ("DBS") has determined, based on its standard criteria, that no demolition permit is required for the proposed renovation work to the apartment unit interiors or exteriors. Furthermore, DBS has determined that the rehabilitation of the existing structures will be grandfathered under prior structural seismic safety requirements and not subject to current regulations, as new construction would be. In addition, the rehabilitation Project will not result in a reduction or increase in the total number of existing units.
24. The Project improvements will neither increase the internal floor area nor height of any structure. None of the Project improvements will change the intensity of use or residential density of the apartment complex. Any impacts associated with the intensity of use, including traffic and parking, mobile noise, mobile air quality, public services and utilities, will be the same as those associated with the existing buildings and, therefore, less than significant.
25. None of the proposed improvements, including the removal or placement of vegetation, will occur in an environmentally sensitive habitat area.

26. The existing apartment complex is not eligible for listing in any federal, state, or local register of historic resources. Nor has any evidence been presented to show that the complex is "historically significant" as discussed in Section 15064.5(a) of the CEQA Guidelines. Therefore, the rehabilitation of the existing apartment complex will result in a less than significant impact with respect to historic or cultural resources.

The custodian of the documents or other material that constitute the record of proceedings upon which the Board's decision is based is the County of Los Angeles Department of Regional Planning, 320 West Temple Street, Los Angeles, CA 90012-3225.



Source: Thomas Bros. Maps



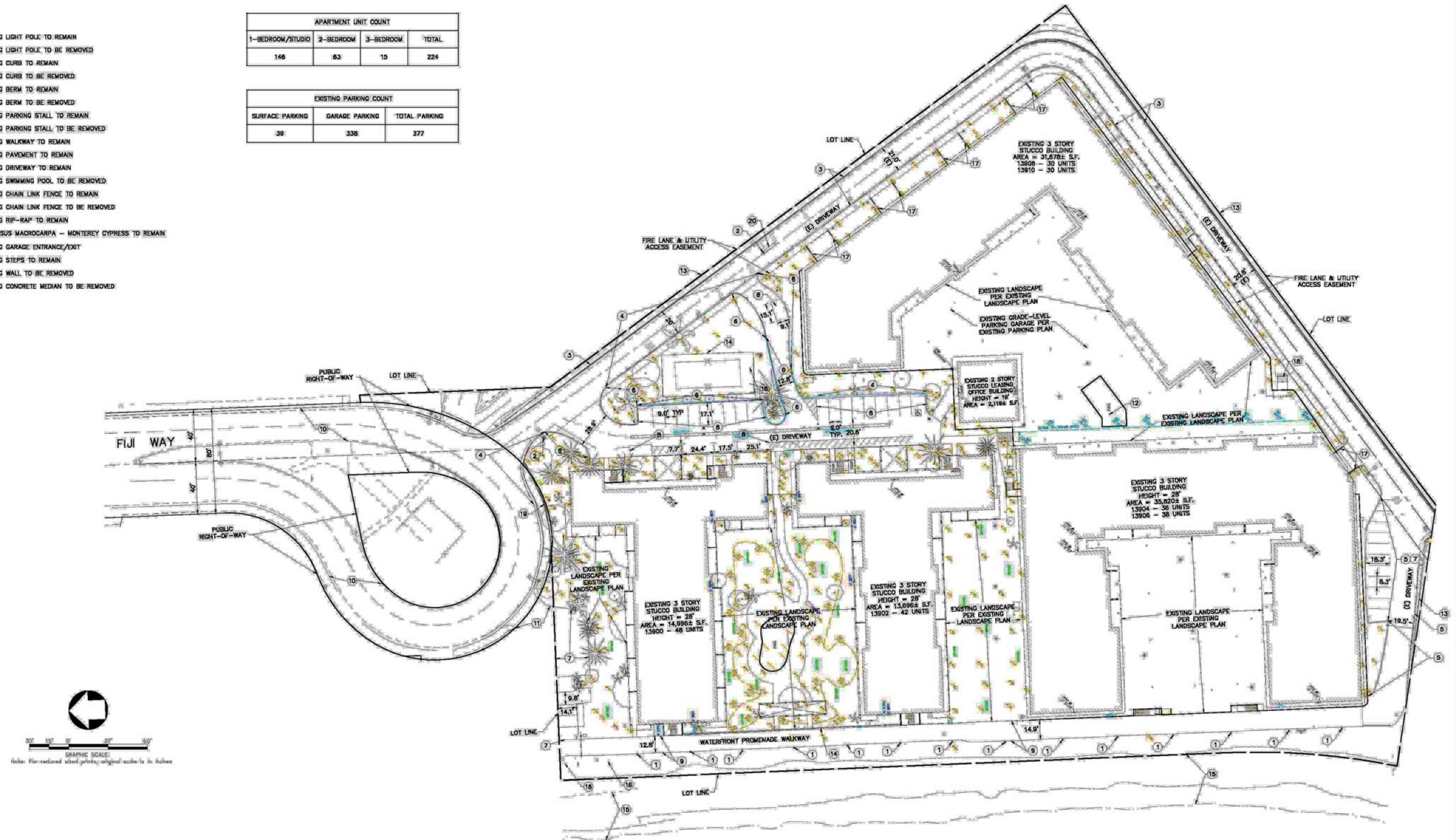
Source: Thomas Bros. Maps

LEGEND

- 1 EXISTING LIGHT POLE TO REMAIN
- 2 EXISTING LIGHT POLE TO BE REMOVED
- 3 EXISTING CURB TO REMAIN
- 4 EXISTING CURB TO BE REMOVED
- 5 EXISTING BERM TO REMAIN
- 6 EXISTING BERM TO BE REMOVED
- 7 EXISTING PARKING STALL TO REMAIN
- 8 EXISTING PARKING STALL TO BE REMOVED
- 9 EXISTING WALKWAY TO REMAIN
- 10 EXISTING PAVEMENT TO REMAIN
- 11 EXISTING DRIVEWAY TO REMAIN
- 12 EXISTING SWIMMING POOL TO BE REMOVED
- 13 EXISTING CHAIN LINK FENCE TO REMAIN
- 14 EXISTING CHAIN LINK FENCE TO BE REMOVED
- 15 EXISTING RIF-RAP TO REMAIN
- 16 CUPRESSUS MACROCARPA - MONTEREY CYPRESS TO REMAIN
- 17 EXISTING GARAGE ENTRANCE/EXIT
- 18 EXISTING STEPS TO REMAIN
- 19 EXISTING WALL TO BE REMOVED
- 20 EXISTING CONCRETE MEDIAN TO BE REMOVED

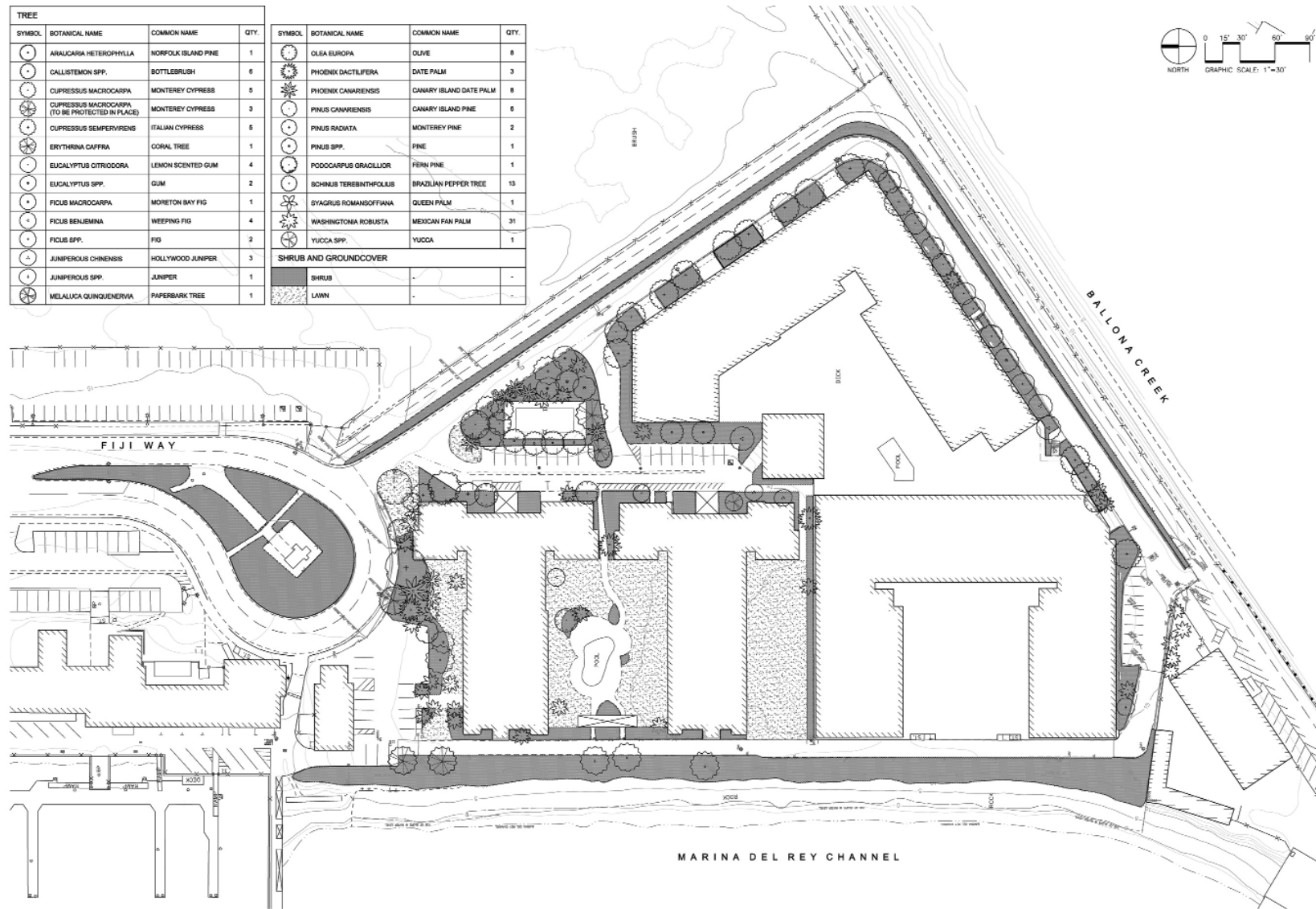
APARTMENT UNIT COUNT			
1-BEDROOM/STUDIO	2-BEDROOM	3-BEDROOM	TOTAL
146	63	15	224

EXISTING PARKING COUNT		
SURFACE PARKING	GARAGE PARKING	TOTAL PARKING
39	338	377



Source: Psomas

TREE							
SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.
	ARAUCHARIA HETEROPHYLLA	NORFOLK ISLAND PINE	1		OLEA EUROPA	OLIVE	8
	CALLISTEMON SPP.	BOTTLEBRUSH	6		PHOENIX DACTYLIFERA	DATE PALM	3
	CUPRESSUS MACROCARPA	MONTEREY CYPRESS	6		PHOENIX CANARIENSIS	CANARY ISLAND DATE PALM	8
	CUPRESSUS MACROCARPA (TO BE PROTECTED IN PLACE)	MONTEREY CYPRESS	3		PINUS CANARIENSIS	CANARY ISLAND PINE	6
	CUPRESSUS SEMPERVIRENS	ITALIAN CYPRESS	6		PINUS RADIATA	MONTEREY PINE	2
	ERYTHRINA CAFFRA	CORAL TREE	1		PINUS SPP.	PINE	1
	EUCALYPTUS CITRIODORA	LEMON SCENTED GUM	4		PODOCARPUS GRACILLIOR	FERN PINE	1
	EUCALYPTUS SPP.	GUM	2		SCHINUS TEREBINTHIFOLIUS	BRAZILIAN PEPPER TREE	13
	FICUS MACROCARPA	MORETON BAY FIG	1		SYAGRUS ROMANSOFFIANA	QUEEN PALM	1
	FICUS BENJAMINA	WEeping FIG	4		WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	31
	FICUS SPP.	FIG	2		YUCCA SPP.	YUCCA	1
	JUNIPERUS CHINENSIS	HOLLYWOOD JUNIPER	3	SHRUB AND GROUNDCOVER			
	JUNIPERUS SPP.	JUNIPER	1		SHRUB		
	MELALEUCA QUINQUENERVIA	PAPERBARK TREE	1		LAWN		



Source: Melendez



Source: Lyon Realty Adfisors



Source: Coe Architectural International



Source: Coe Architectural International



Site Boundary

Source: Google Earth

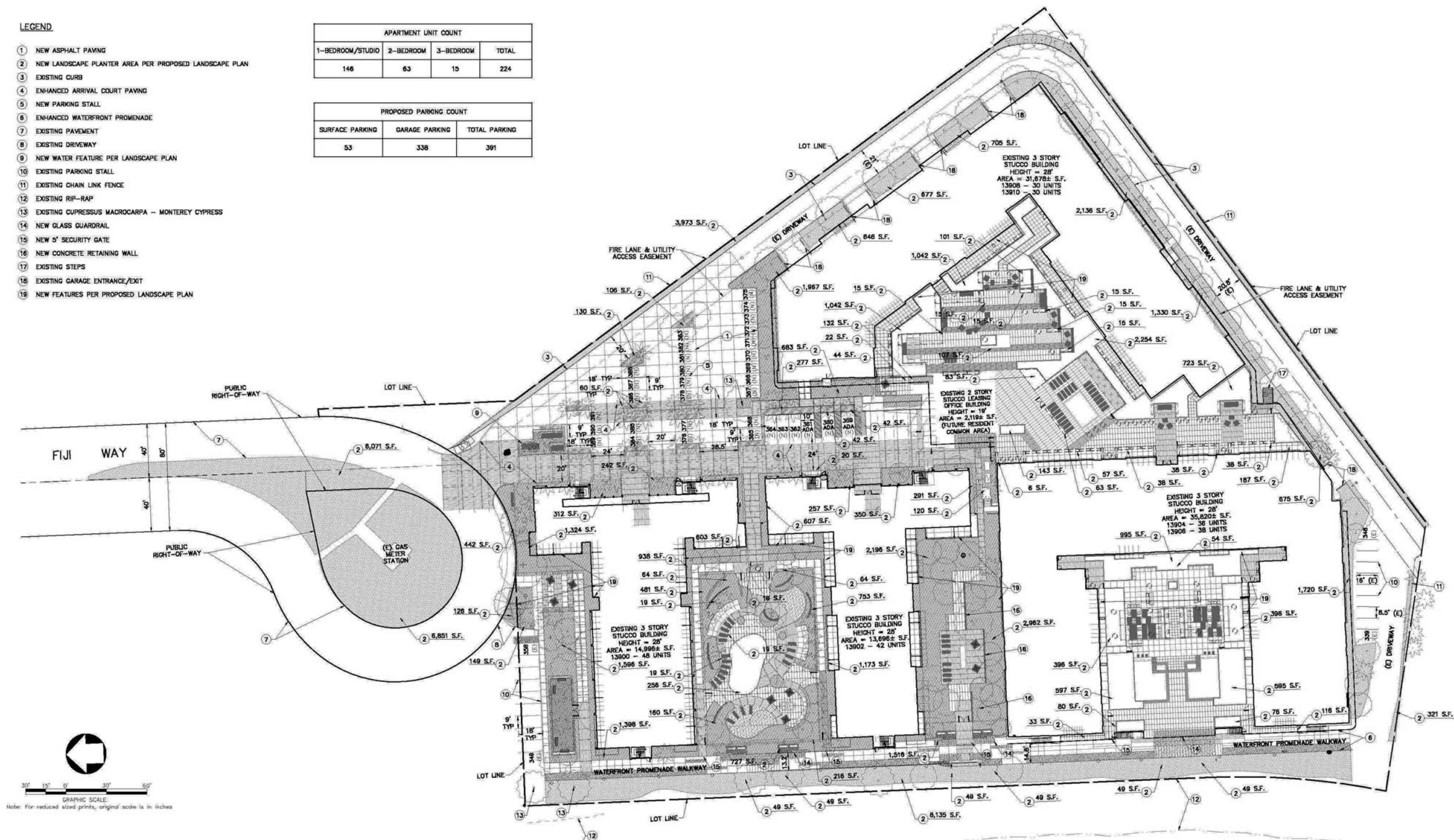
Figure 8
Existing Land Use Map

LEGEND

- 1 NEW ASPHALT PAVING
- 2 NEW LANDSCAPE PLANTER AREA PER PROPOSED LANDSCAPE PLAN
- 3 EXISTING CURB
- 4 ENHANCED ARRIVAL COURT PAVING
- 5 NEW PARKING STALL
- 6 ENHANCED WATERFRONT PROMENADE
- 7 EXISTING PAVEMENT
- 8 EXISTING DRIVEWAY
- 9 NEW WATER FEATURE PER LANDSCAPE PLAN
- 10 EXISTING PARKING STALL
- 11 EXISTING CHAIN LINK FENCE
- 12 EXISTING RIP-RAP
- 13 EXISTING CUPRESSUS MACROCARPA - MONTEREY CYPRESS
- 14 NEW GLASS GUARDRAIL
- 15 NEW 5' SECURITY GATE
- 16 NEW CONCRETE RETAINING WALL
- 17 EXISTING STEPS
- 18 EXISTING GARAGE ENTRANCE/EXIT
- 19 NEW FEATURES PER PROPOSED LANDSCAPE PLAN

APARTMENT UNIT COUNT			
1-BEDROOM/STUDIO	2-BEDROOM	3-BEDROOM	TOTAL
146	63	15	224

PROPOSED PARKING COUNT		
SURFACE PARKING	GARAGE PARKING	TOTAL PARKING
53	338	391



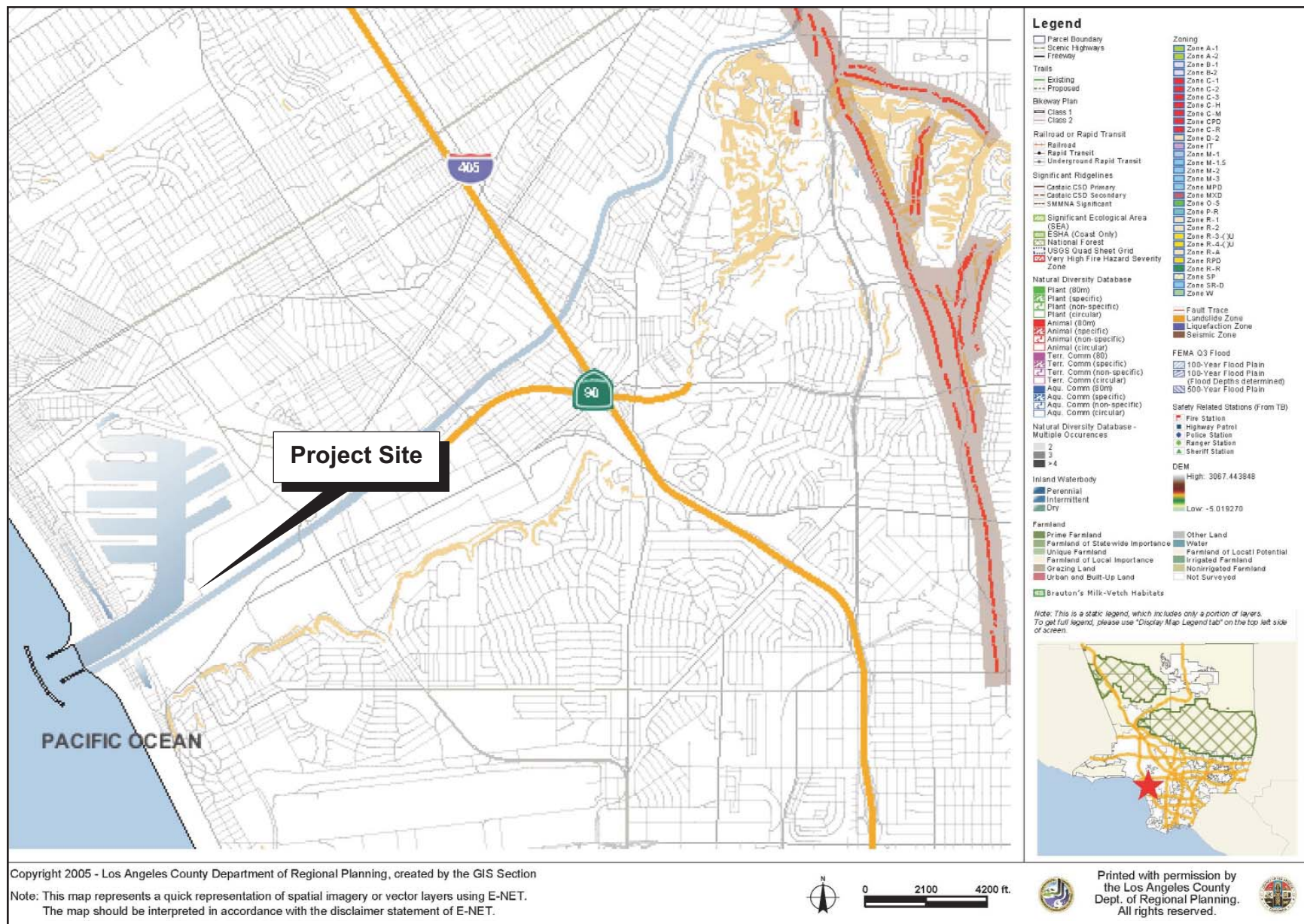
Source: Psomas



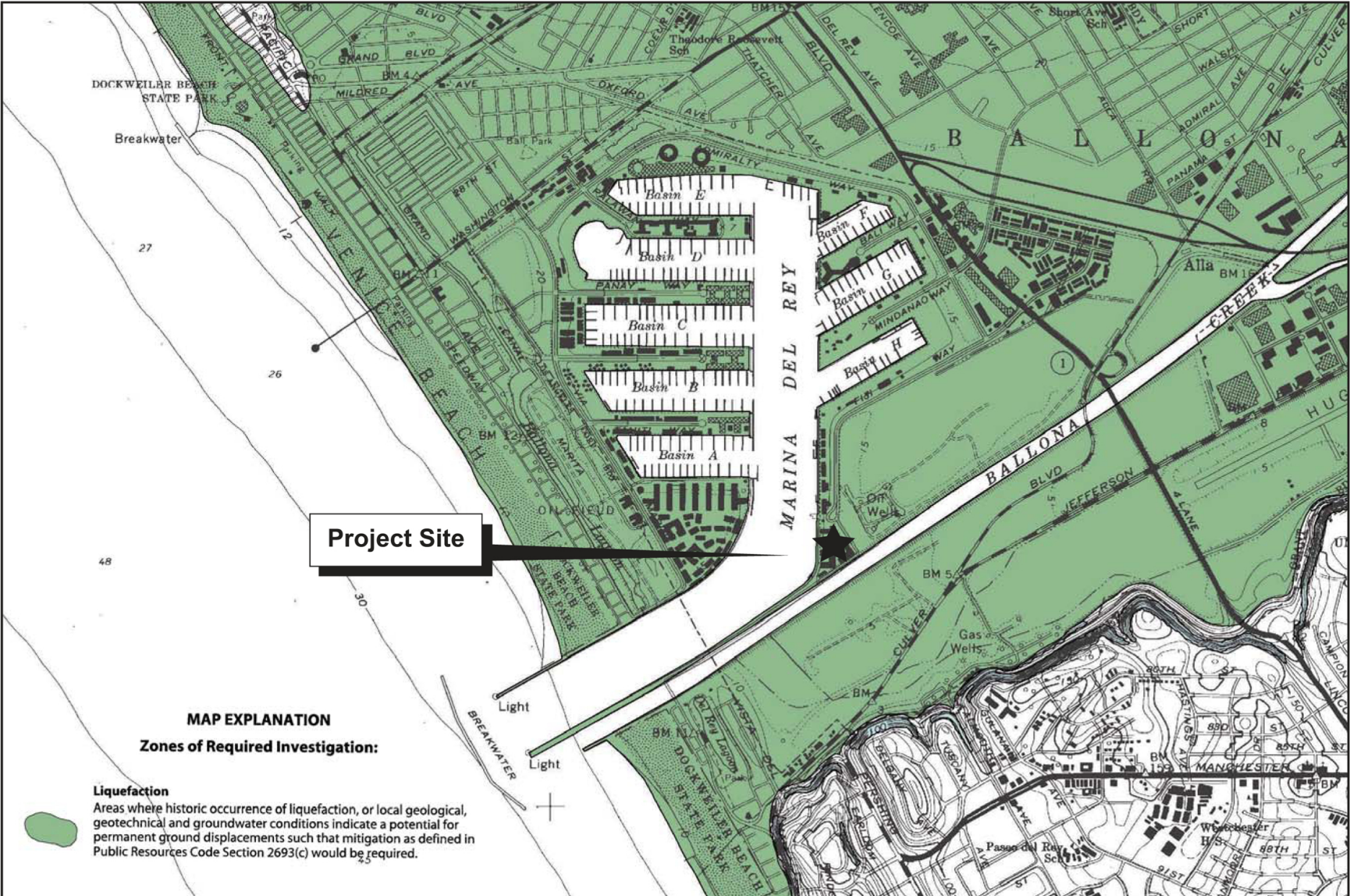
Source: Melendrez

Figure 10

Proposed Landscape Improvements



Source: Los Angeles County Department of Regional Planning



Project Site

MAP EXPLANATION

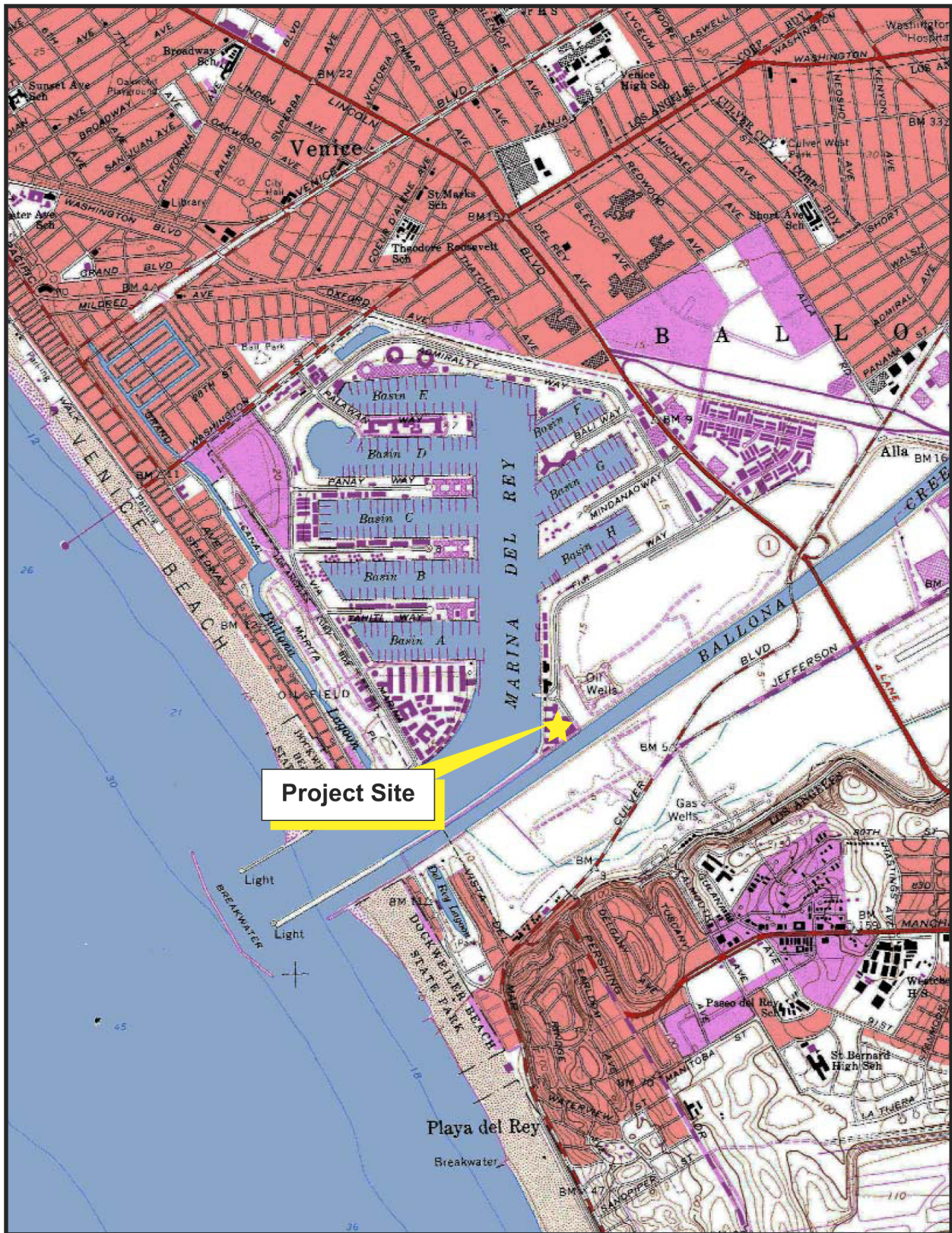
Zones of Required Investigation:

Liquefaction

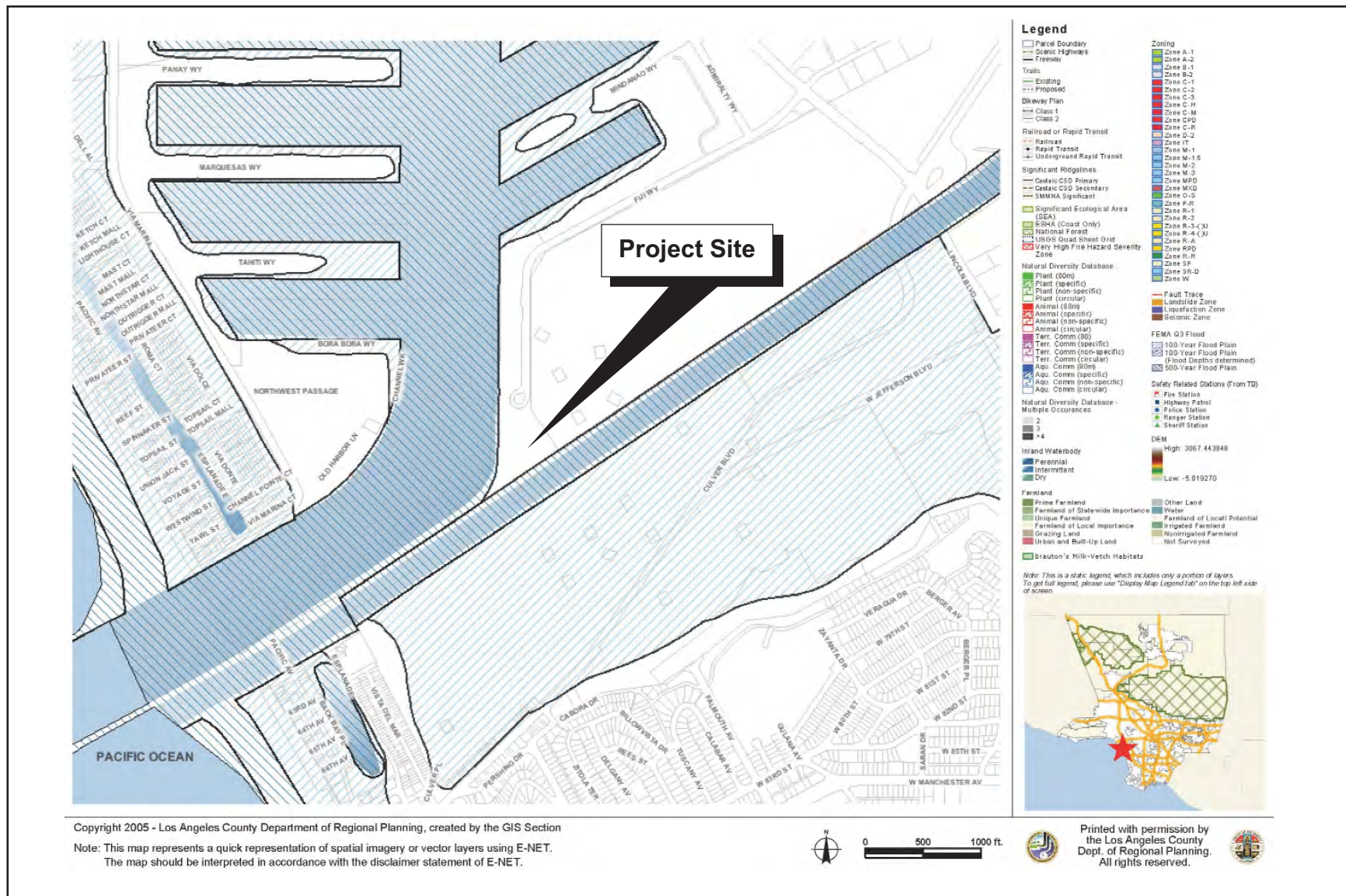
Areas where historic occurrence of liquefaction, or local geological, geotechnical and groundwater conditions indicate a potential for permanent ground displacements such that mitigation as defined in Public Resources Code Section 2693(c) would be required.

Source: State of California

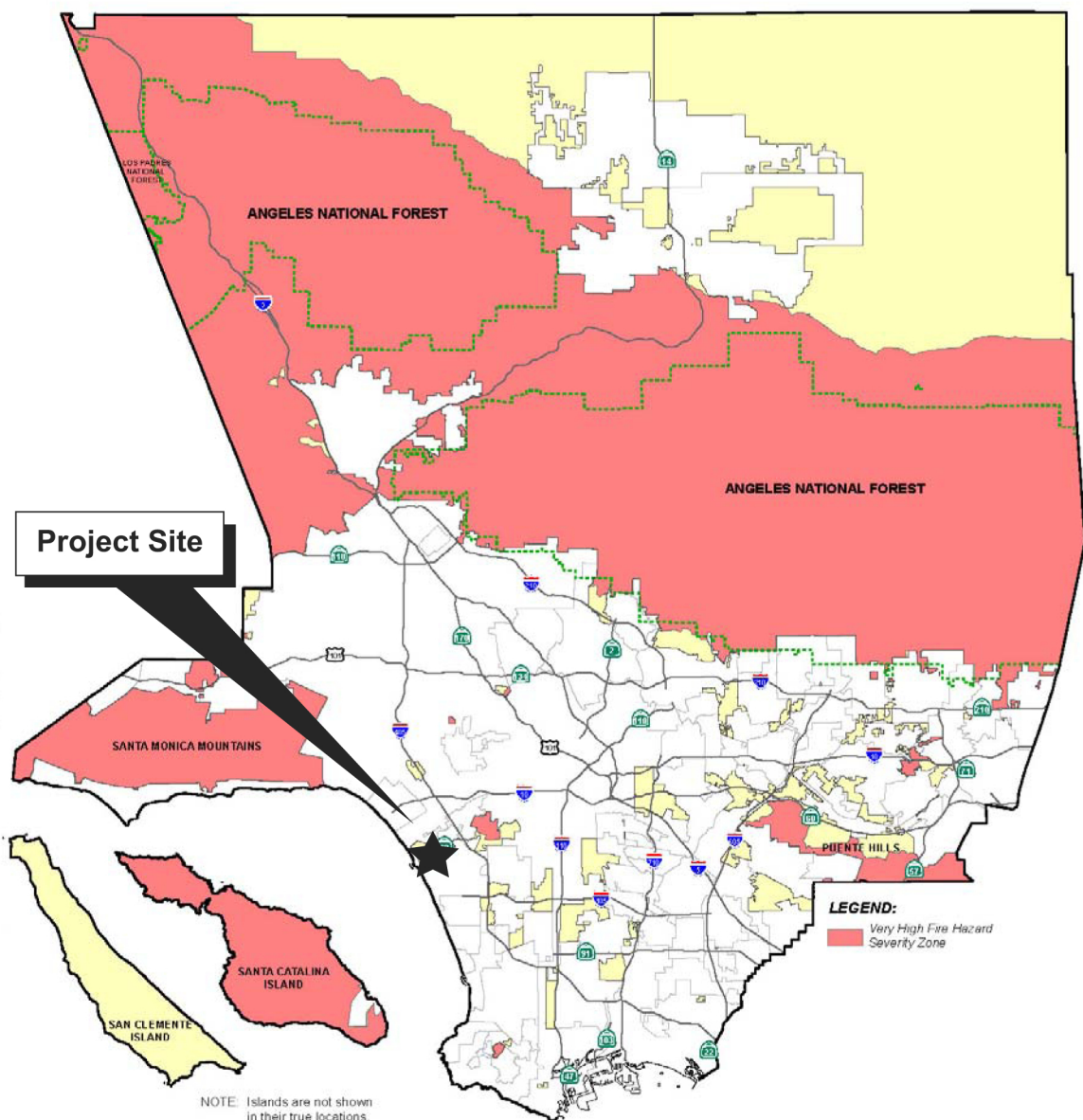
Figure 12
Liquefaction Areas



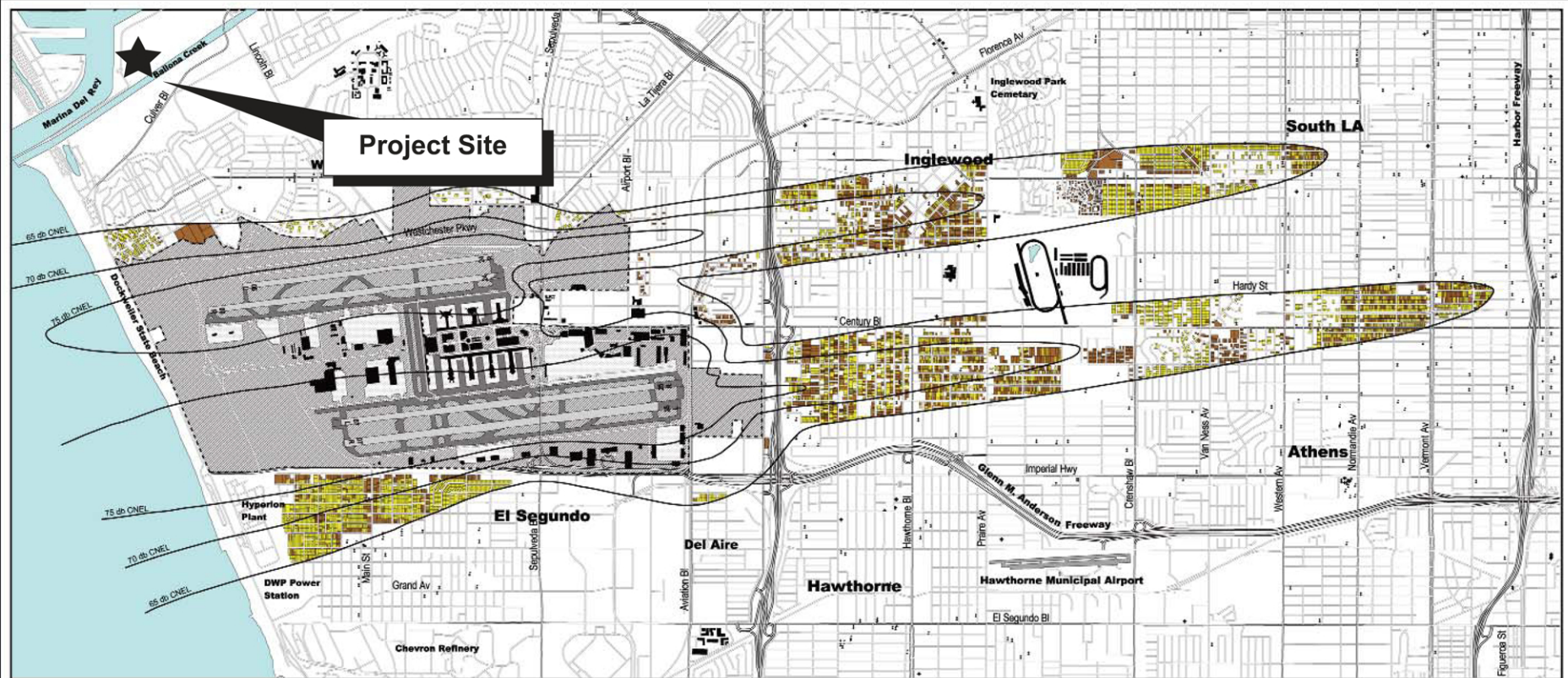
Source: USGS Topographic Maps, 2009



Source: FEMA



Source: LA County Draft General Plan



INCOMPATIBLE LAND USE

LOS ANGELES INTERNATIONAL AIRPORT
 Incompatible Land Use by Jurisdiction
 CNEL 65, 70, and 75 Accumulated by Noise Zones
 Total Cumulative Noise Impact Areas - All Jurisdiction

Landuse	CNEL 65 and above				CNEL 70 and above				CNEL 75 and above			
	ACRES	DU	PCLS	POP	ACRES	DU	PCLS	POP	ACRES	DU	PCLS	POP
G Family	727.0	5145	5106	15891	174.7	1221	1196	4264	11.3	66	66	168
M Family	568.4	13093	3119	41092	175.6	4014	843	13753	14.2	461	48	1053
Mbl Home	0.4	1	1	3	0.0	0	0	0	0.0	0	0	0
Schools	0.0	0	0	0	0.0	0	0	0	0.0	0	0	0
Churches	0.0	0	0	0	0.0	0	0	0	0.0	0	0	0
Hospital	0.0	0	0	0	0.0	0	0	0	0.0	0	0	0
Tl. Incom	1293.8	18239	8226	56986	350.3	5235	2039	18016	25.5	527	114	1222

NOTES

Noise Contours are generated using RoadCounters which supports the Federal Aviation Administration's Integrated Noise Model (INM) version 6.2. The modeled contour is based on annualized operational information gathered for the 12-month period ending December 31, 2007. The RoadCounters program is run yearly or quarterly and the resultant contour is adjusted to the current quarter's Noise Monitoring Station (NMS) annual average aircraft CNEL.

Source of information include: Runway Utilization Reports, Airline Quarterly Reports (AQR), FAA's Automated Radar Terminal System (ARTS) data, FAA Tower Traffic Records, and the Official Airline Guide (OAG).

Dwelling unit calculations are based on estimates made using June 1987 census information, supplemented with land use surveys. Population estimates reflect the increase from the 1990 census data for persons per dwelling unit. The land use database used to generate this report reflects all program made through LAWA's Land Use Mitigation Program through December 31, 2005.

Map projection is in State Plane East based on North American Datum of 1983 (NAD83), and is located in Zone 5 of the California Coordinate System of 1983.

Estimated percentage of Stage 3 Aircraft: 100%

Beginning on June 21, 2007, Runway 25R was subject to temporary closures on weekends due to Center Gateway construction. Noise levels for 4Q07 continue to reflect the resultant changes at all noise monitor locations. Closure ended in April 2008.

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LEGEND

- Residential - Single Family within Contour
- Residential - Multi-Family within Contour
- Airport Property
- Landmarks
- Churches
- Hospitals
- Schools
- Noise Contours
- Airport Boundary
- Interways
- Streets

LAX
 Los Angeles
 World Airports

4Q07

Airport Impact Area: CNEL 65, 70, and 75 dB Contours

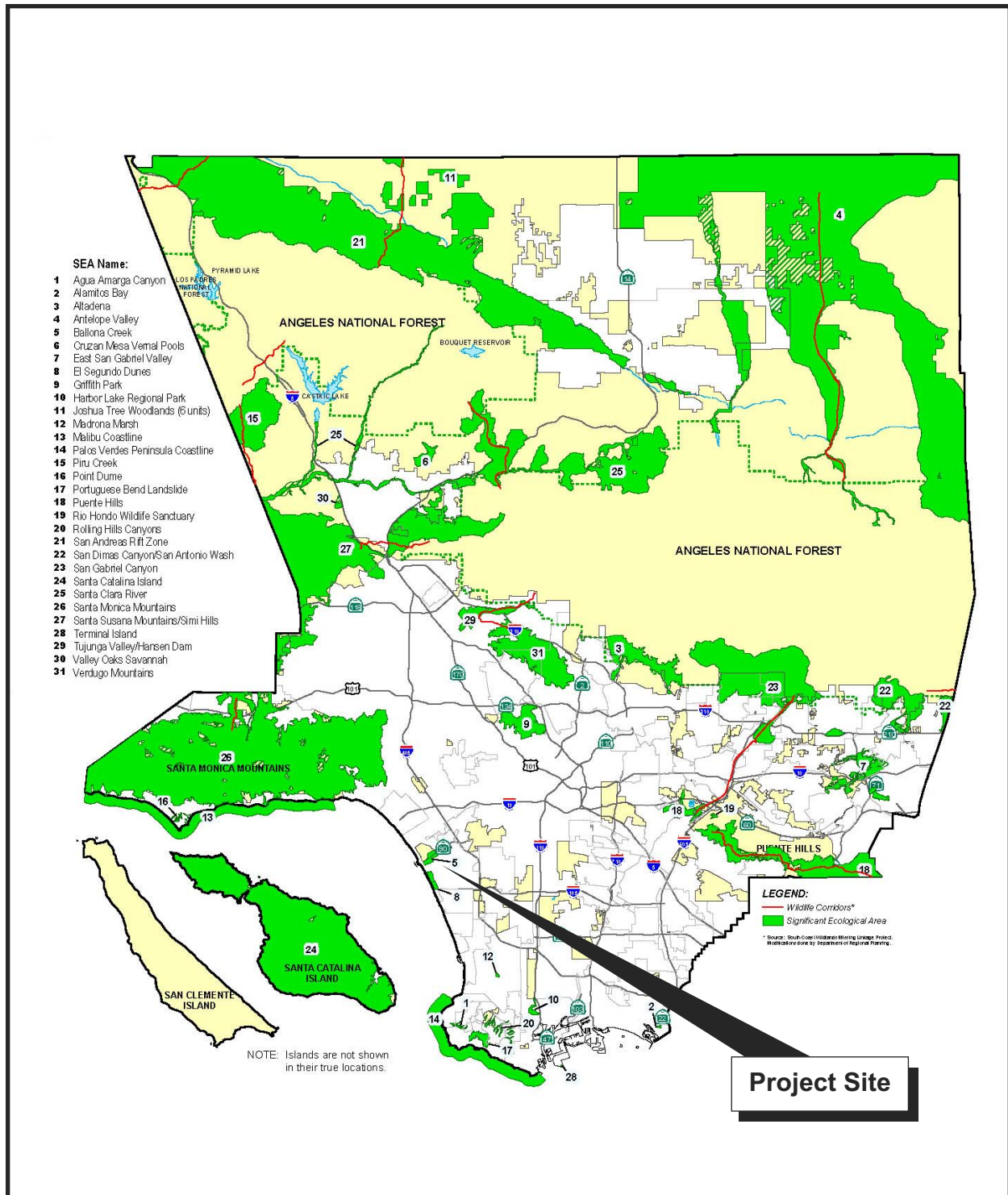
0.5 0 0.5 1 Miles

LAWA Noise Management
 Environmental Affairs Officers: Scott Tatro
 Checked by: Kathryn Paragis, Environmental Supervisor II
 Prepared by: Yambes S. Ispahyan, Environmental Specialist I
 Prepared On: January 06, 2009



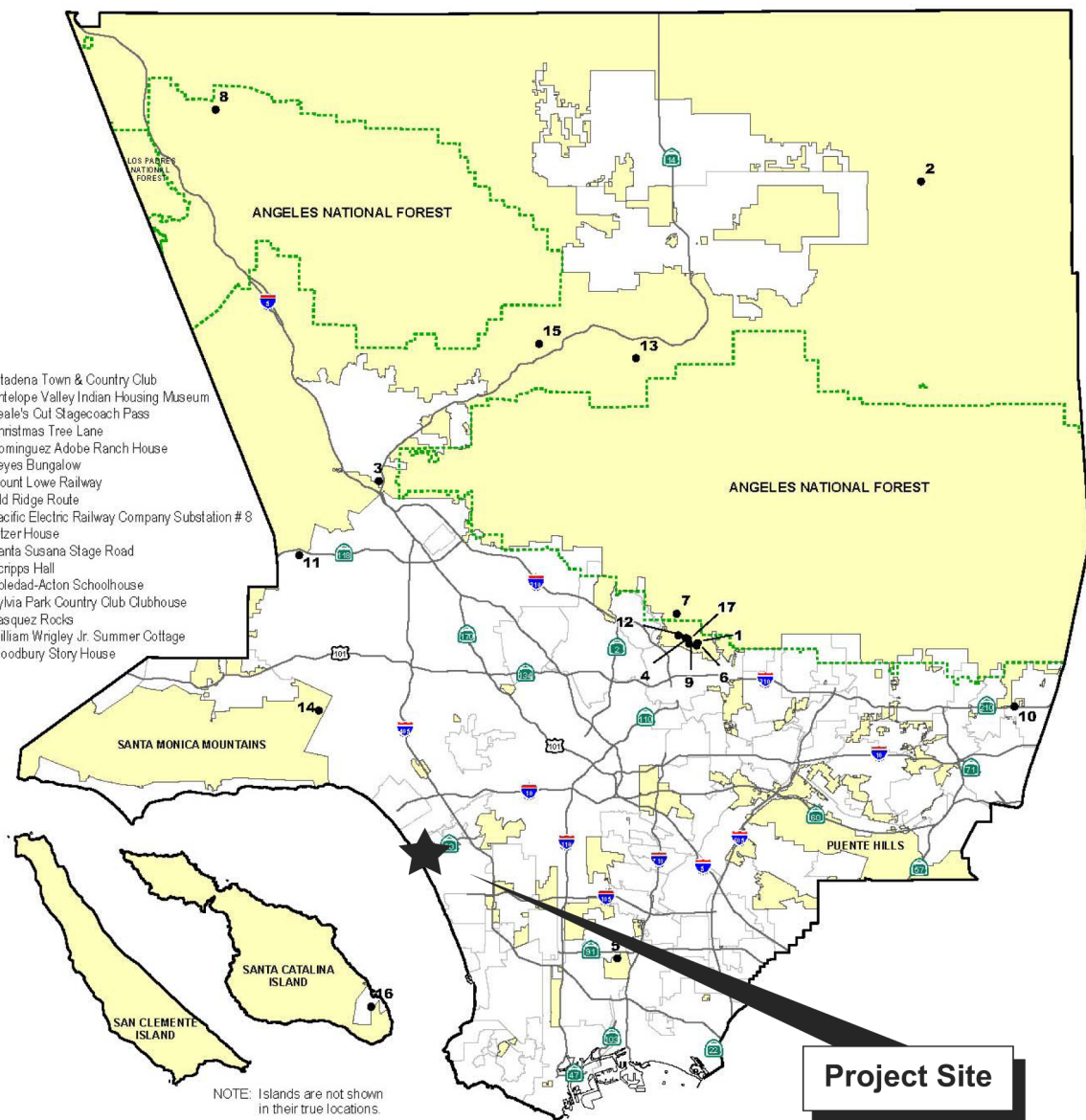
Source: LAWA Noise Management

Figure 16
 Noise Countours

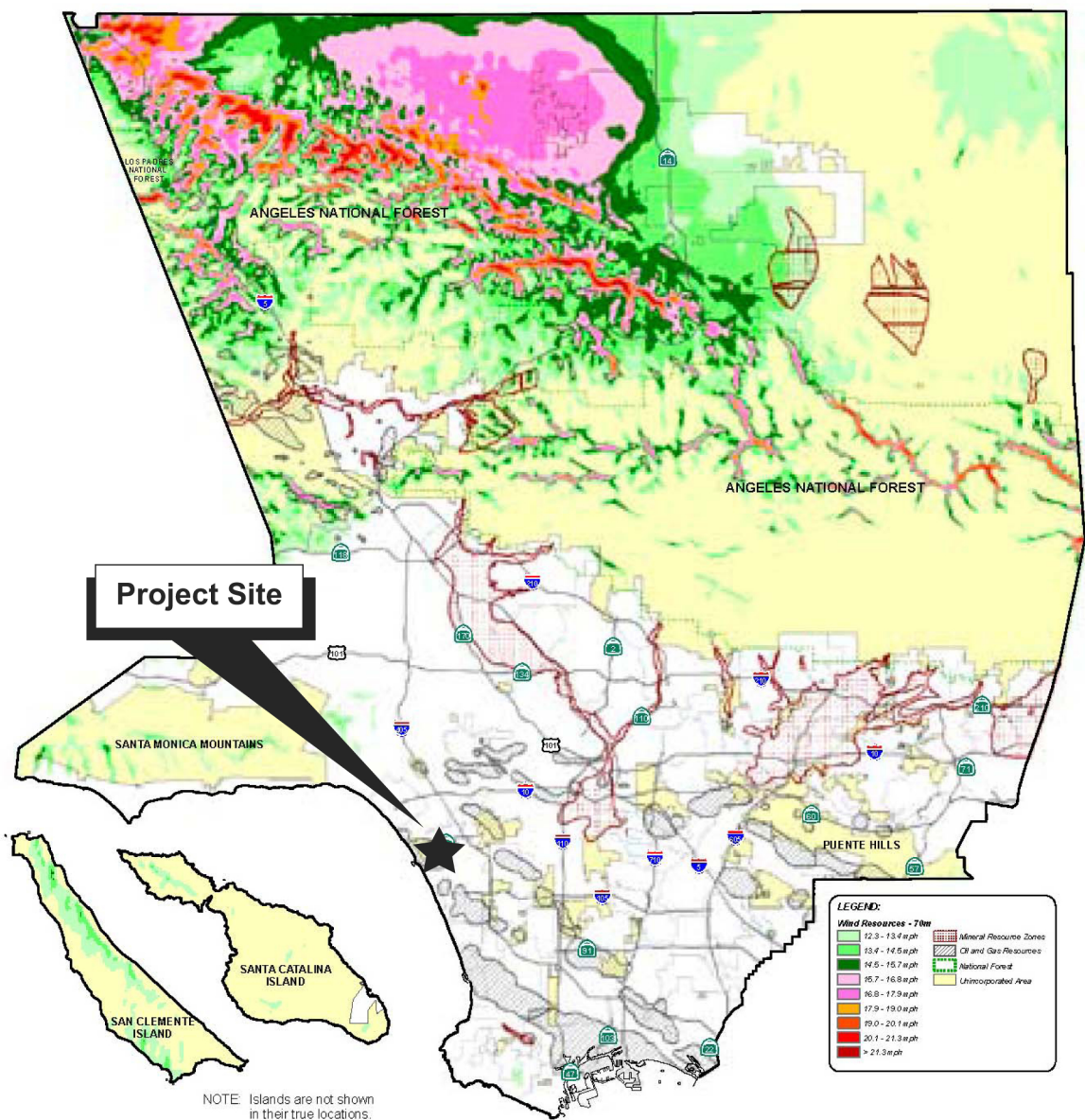


Source: LA County Draft General Plan

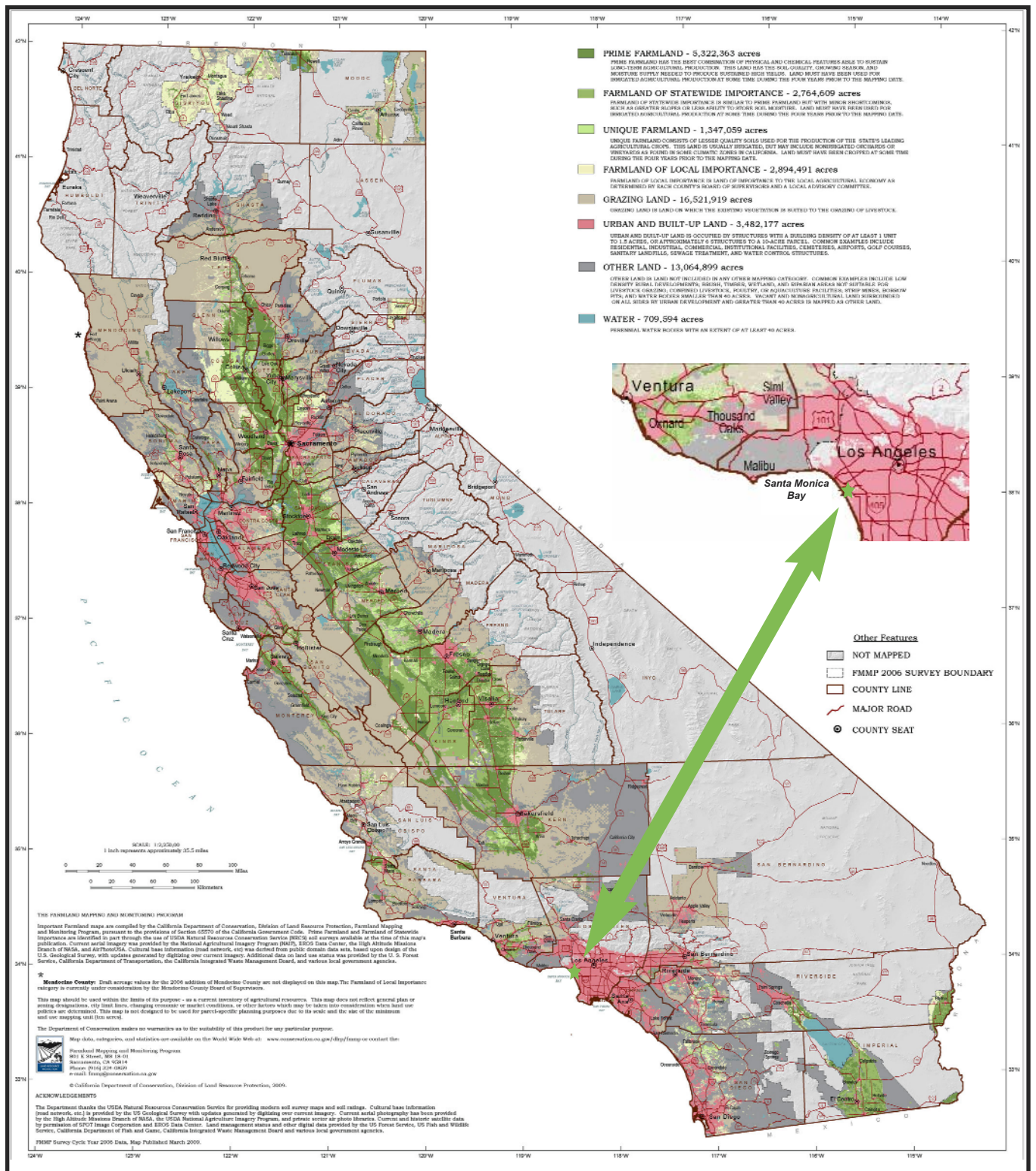
- 1 Alladena Town & Country Club
- 2 Antelope Valley Indian Housing Museum
- 3 Beale's Cut Stagecoach Pass
- 4 Christmas Tree Lane
- 5 Dominguez Adobe Ranch House
- 6 Keyes Bungalow
- 7 Mount Lowe Railway
- 8 Old Ridge Route
- 9 Pacific Electric Railway Company Substation # 8
- 10 Pitzer House
- 11 Santa Susana Stage Road
- 12 Scripps Hall
- 13 Soledad-Acton Schoolhouse
- 14 Sylvia Park Country Club Clubhouse
- 15 Vasquez Rocks
- 16 William Wingley Jr. Summer Cottage
- 17 Woodbury Story House



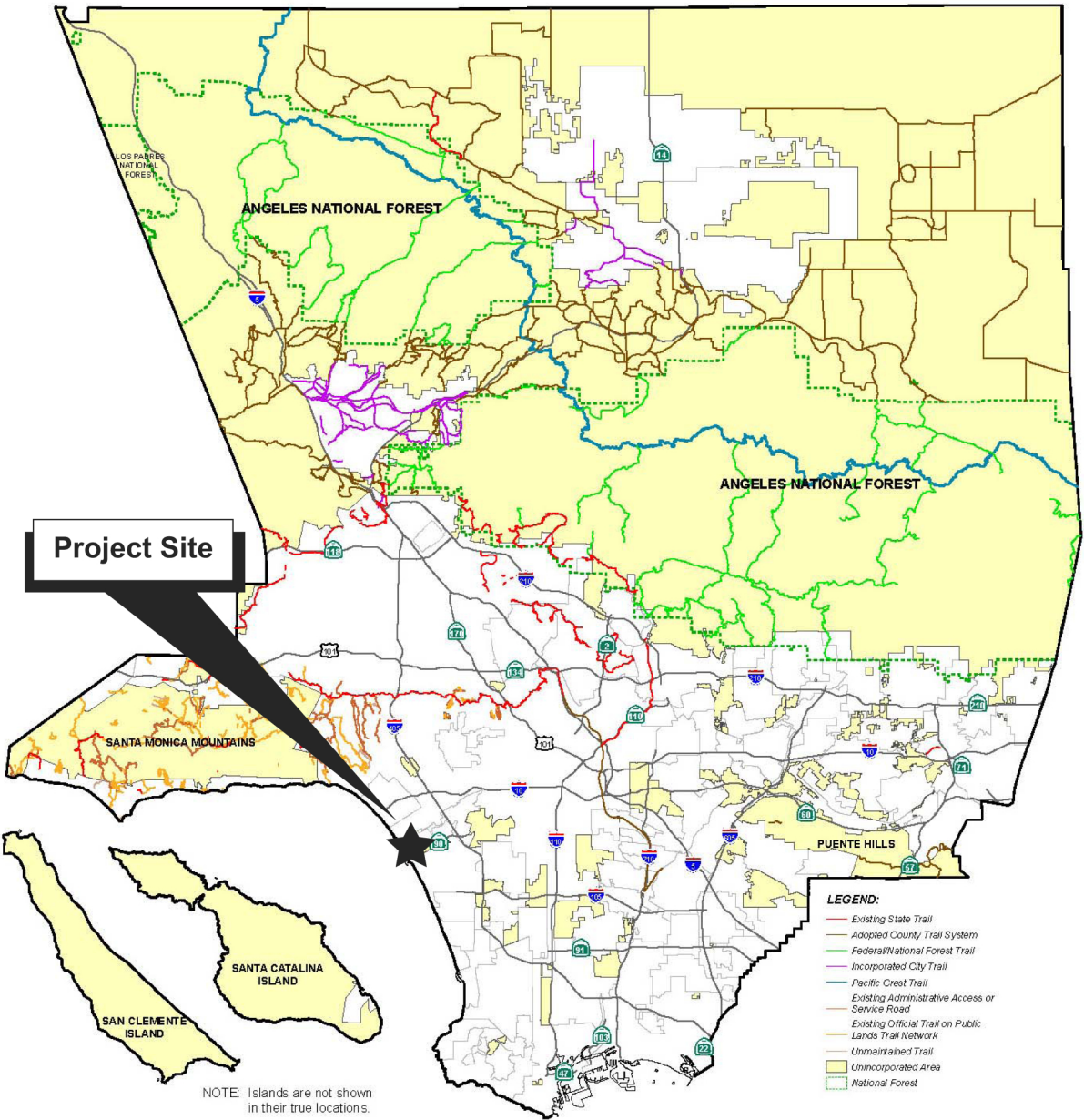
Source: LA County Draft General Plan



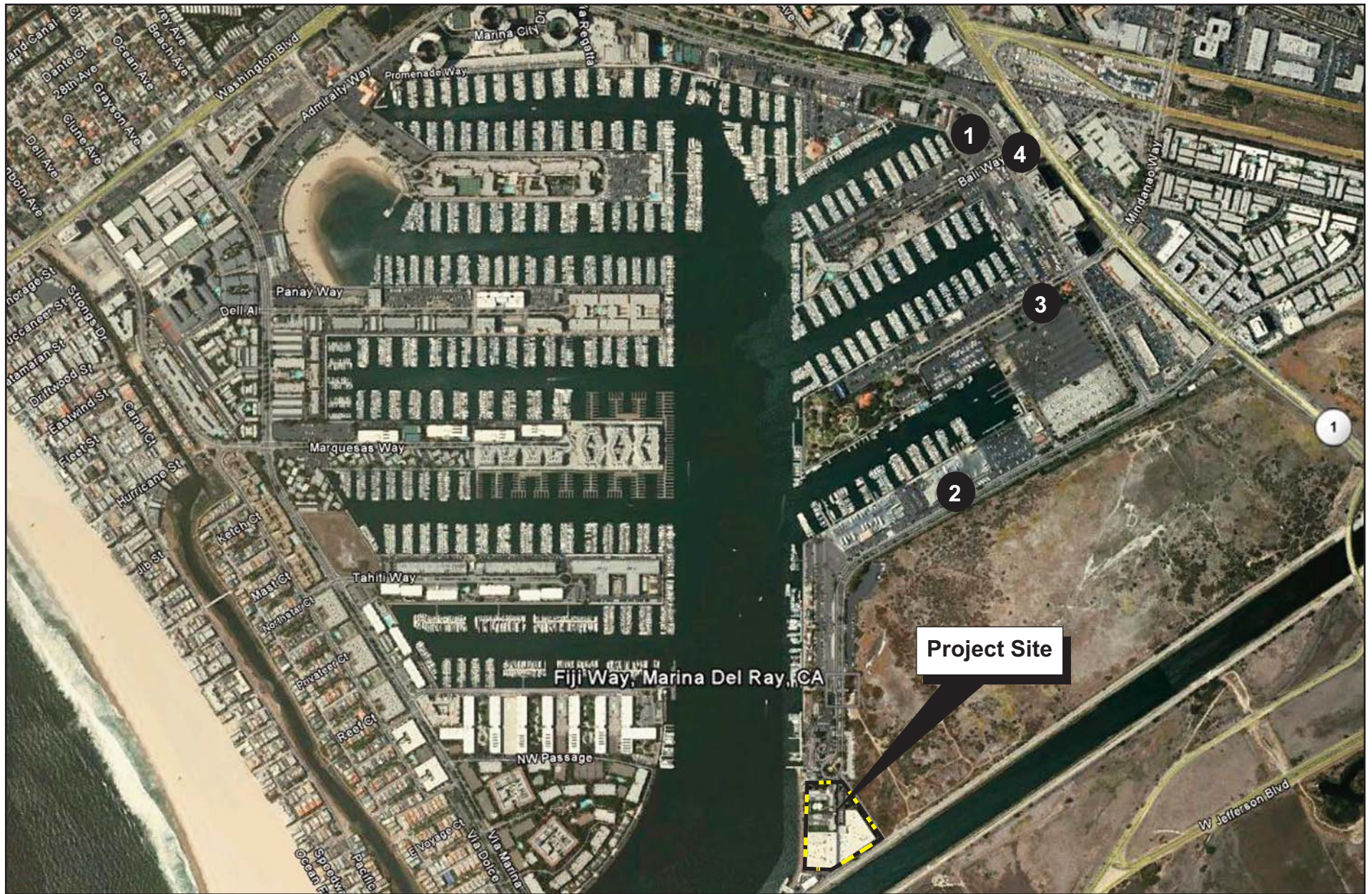
Source: LA County Draft General Plan



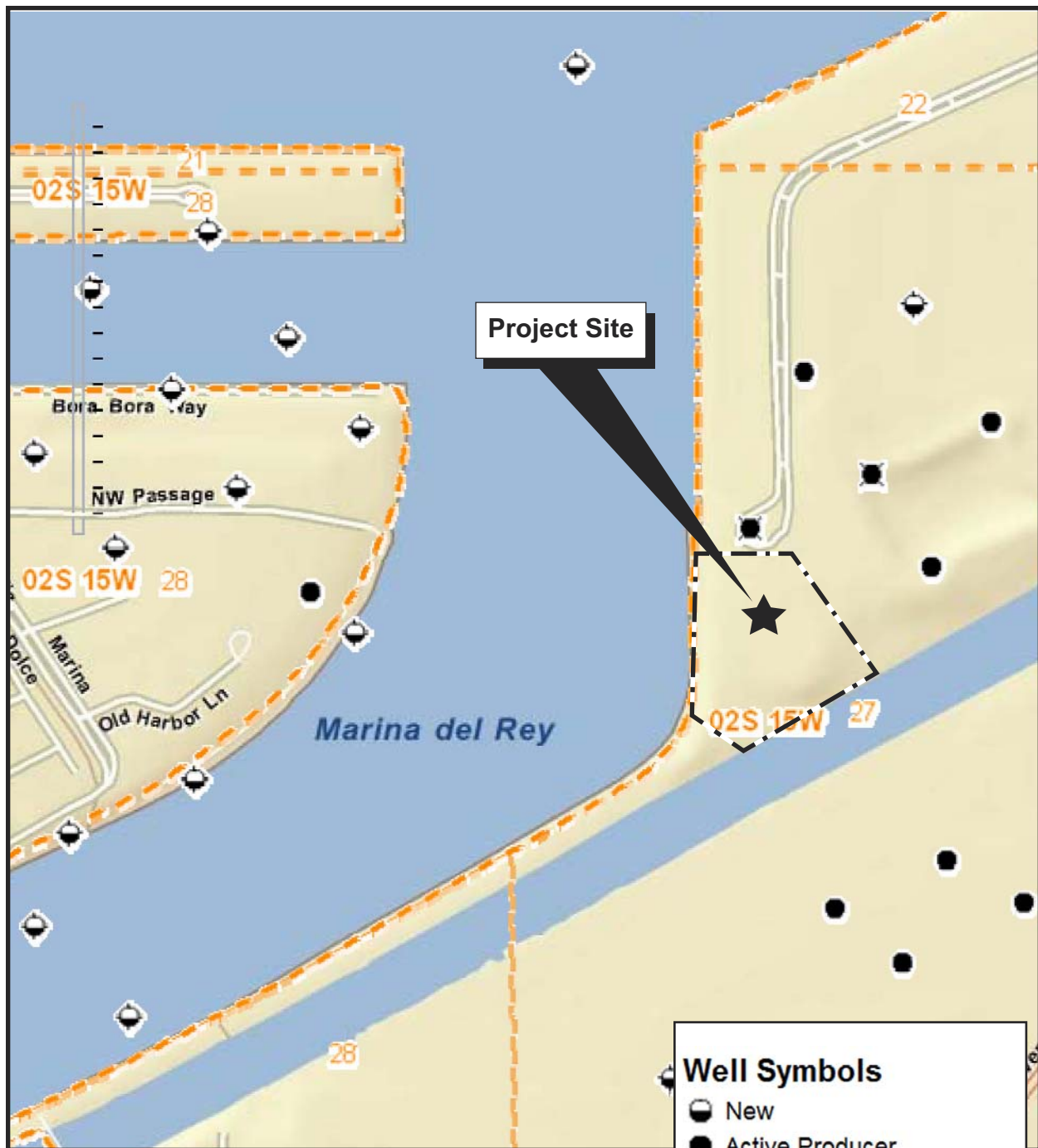
Source: State of California, The Natural Resources Agency



Source: LA County Draft General Plan



Source: Google Earth

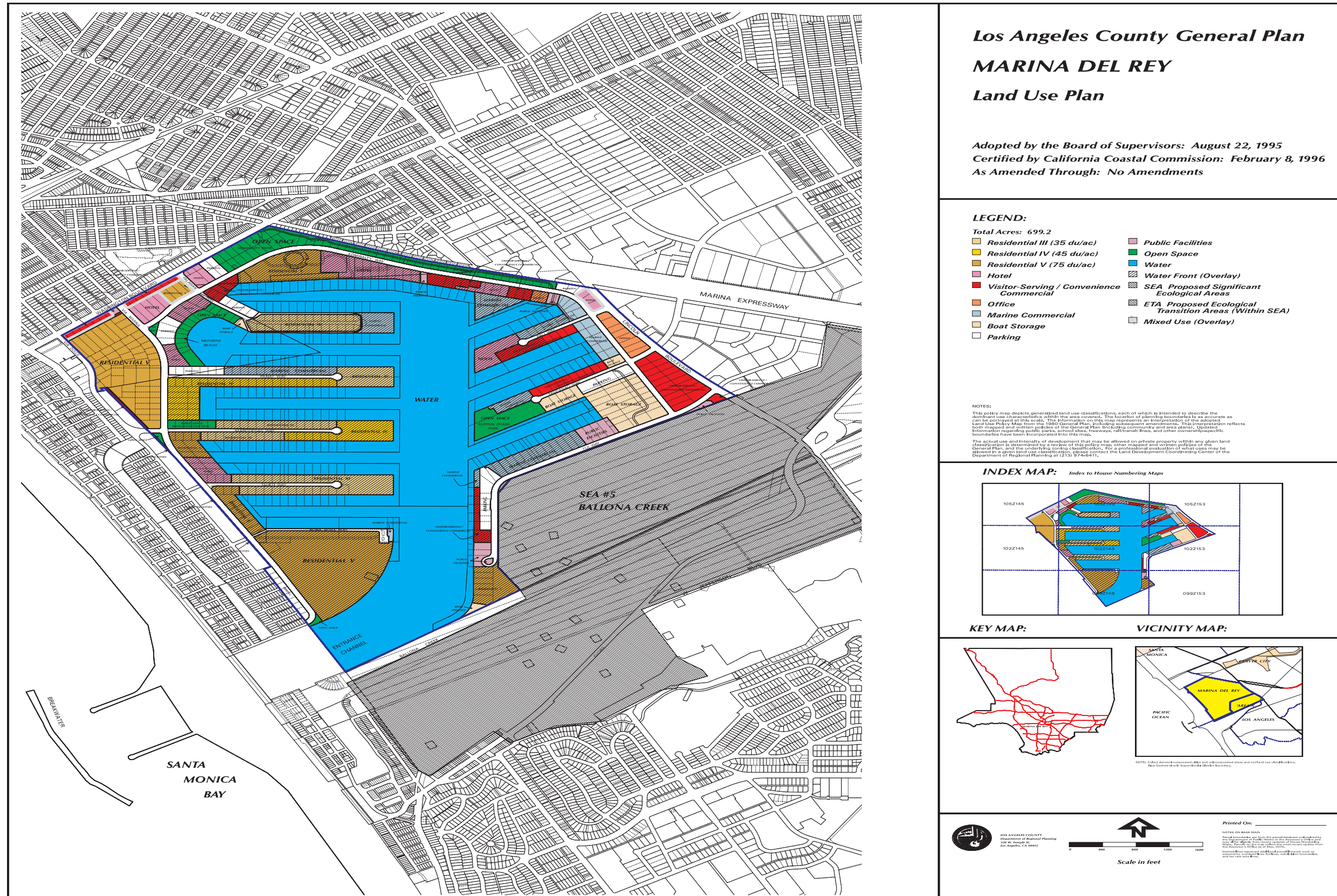


Source: State of California Department of Conservation

0 500 1,000
Feet

Well Symbols

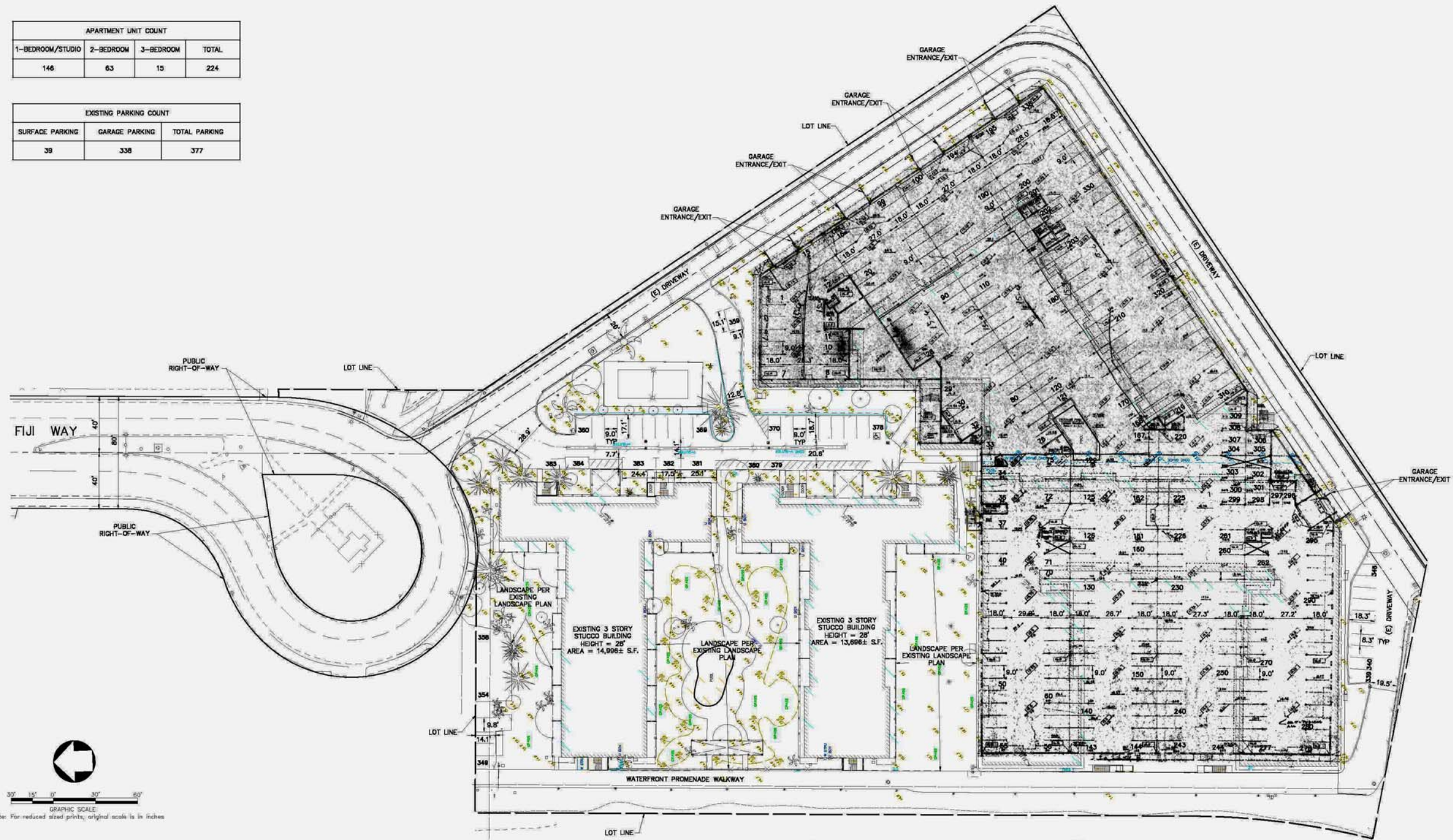
- New
- Active Producer
- Active Injector
- Dual
- Plugged
- ▲ Geothermal



Source: County of Los Angeles General Plan

APARTMENT UNIT COUNT			
1-BEDROOM/STUDIO	2-BEDROOM	3-BEDROOM	TOTAL
146	63	15	224

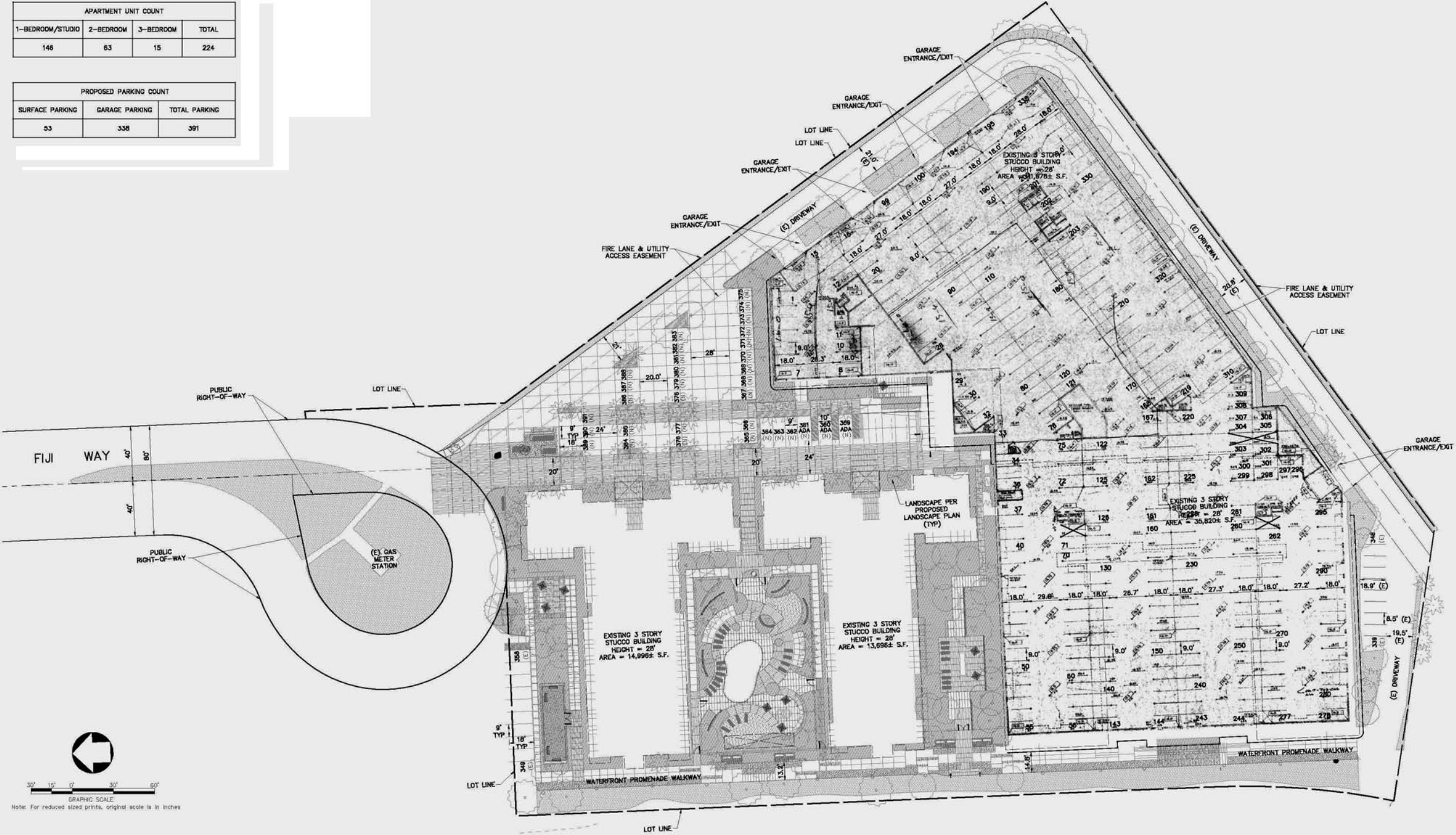
EXISTING PARKING COUNT		
SURFACE PARKING	GARAGE PARKING	TOTAL PARKING
39	338	377



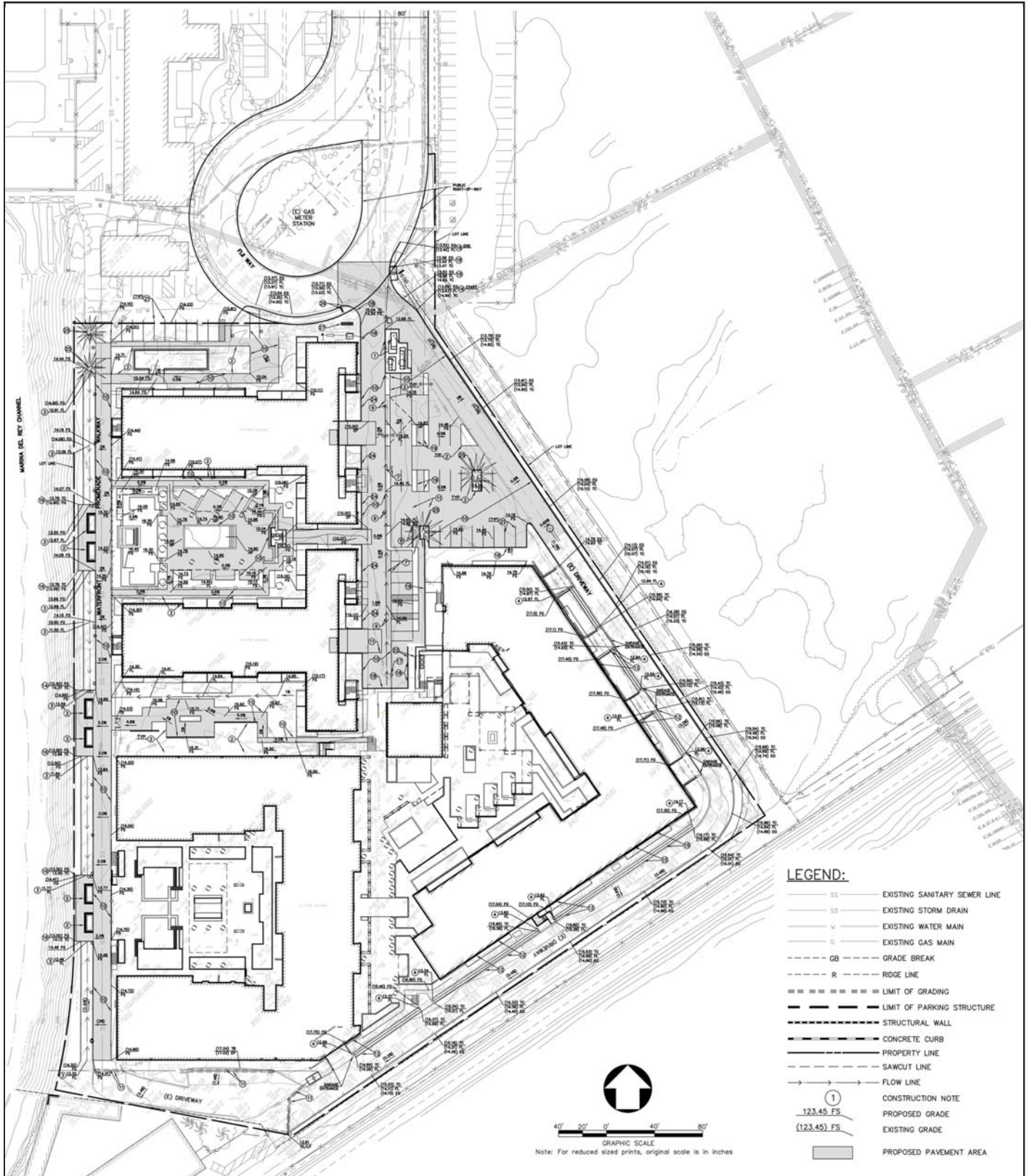
Source: Psomas

APARTMENT UNIT COUNT			
1-BEDROOM/STUDIO	2-BEDROOM	3-BEDROOM	TOTAL
148	63	15	224

PROPOSED PARKING COUNT		
SURFACE PARKING	GARAGE PARKING	TOTAL PARKING
53	338	391



Source: Psomas



Source: Posmas

EXISTING PLANTING TO BE REMOVED

TREE				
SYMBOL	BOTANICAL NAME	COMMON NAME	TOTAL QTY.	QTY. REMOVED
○	ARAUCARIA HETEROPHYLLA	NORFOLK ISLAND PINE	1	1
○	CALLISTEMON SPP.	BOTTLEBRUSH	6	6
○	CUPRESSUS MACROCARPA	MONTEREY CYPRESS	8	5
○	CUPRESSUS SEMPERVIRENS	ITALIAN CYPRESS	5	5
○	ERYTHRINA CAFFRA	CORAL TREE	1	1
○	EUCALYPTUS CITRICOLORA	LEMON SCENTED GUM	4	3
○	EUCALYPTUS SPP.	GUM	2	2
○	FICUS MACROCARPA	MORETON BAY FIG	1	1
○	FICUS BENJAMINA	WEeping FIG	4	4
○	FICUS SPP.	FIG	2	2
○	JUNIPERUS CHINENSIS	HOLLYWOOD JUNIPER	3	3
○	JUNIPERUS SPP.	JUNIPER	1	1
○	MELALUCA QUINQUEMNERVIA	PAPERBARK TREE	1	1

SYMBOL	BOTANICAL NAME	COMMON NAME	TOTAL QTY.	QTY. REMOVED
○	OLEA EUROPA	OLIVE	8	8
○	PHOENIX DACTYLIFERA	DATE PALM	3	3
○	PHOENIX CANARIENSIS	CANARY ISLAND DATE PALM	8	8
○	PINUS CANARIENSIS	CANARY ISLAND PINE	5	5
○	PINUS RADIATA	MONTEREY PINE	3	1
○	PINUS SPP.	PINE	1	1
○	PODOCARPUS GRACILLIOR	FERN PINE	1	1
○	SCHNUS TENEBrINThIFOLIUS	BRAZILIAN PEPPER TREE	13	13
○	SYAGRUS ROMANOFFIANA	QUEEN PALM	1	1
○	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	31	29
○	YUCCA SPP.	YUCCA	1	1

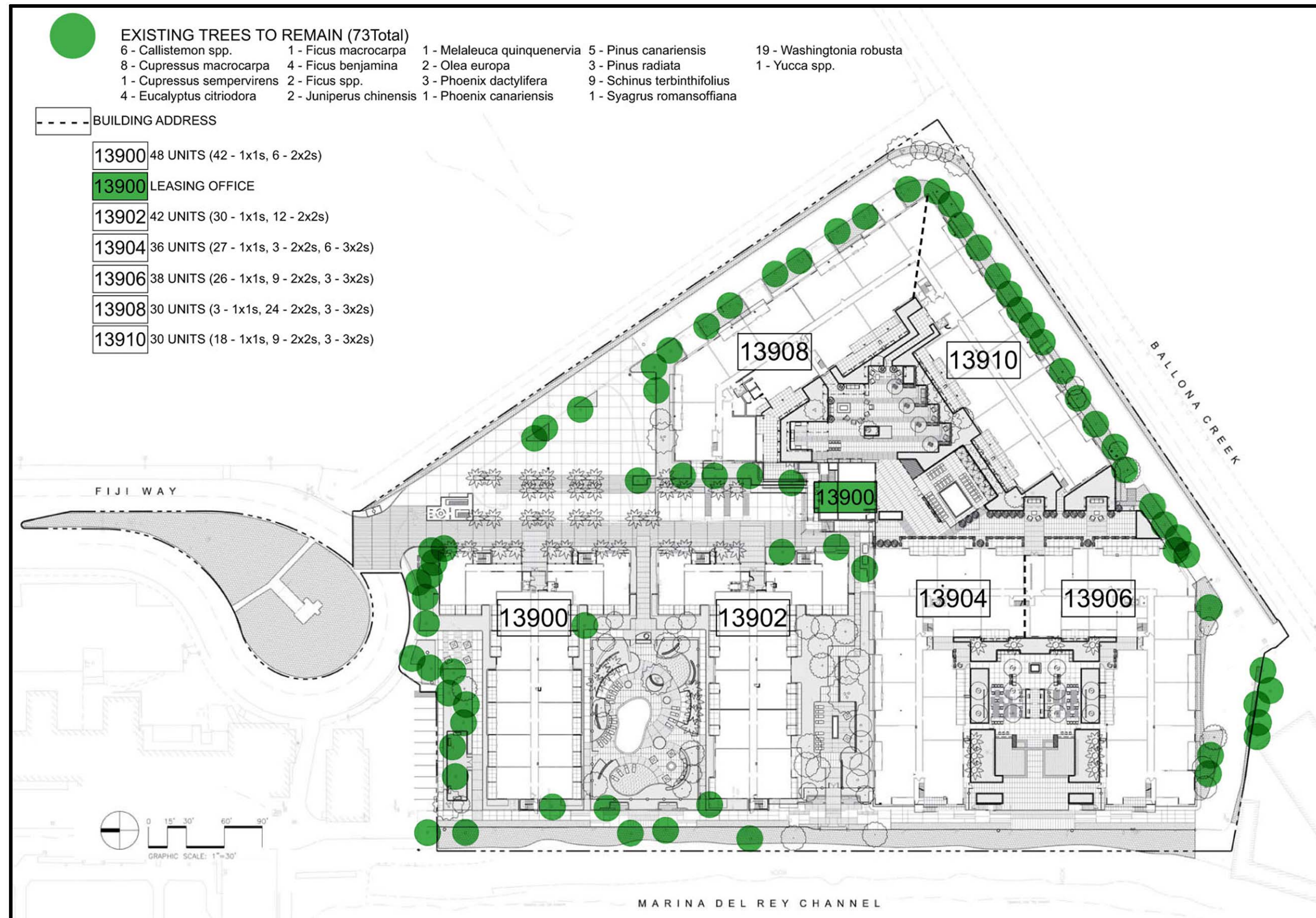
Total Number of Trees Removed: 106
Total Number of Trees Retained: 4

KEYNOTES
○ TREE TO BE REMOVED

- EXISTING TREES TO BE REMOVED
- BUILDING ADDRESS
- 13900 48 UNITS (42 - 1x1s, 6 - 2x2s)
- 13900 LEASING OFFICE
- 13902 42 UNITS (30 - 1x1s, 12 - 2x2s)
- 13904 36 UNITS (27 - 1x1s, 3 - 2x2s, 6 - 3x2s)
- 13906 38 UNITS (26 - 1x1s, 9 - 2x2s, 3 - 3x2s)
- 13908 30 UNITS (3 - 1x1s, 24 - 2x2s, 3 - 3x2s)
- 13910 30 UNITS (18 - 1x1s, 9 - 2x2s, 3 - 3x2s)



Source: Melendrez



Source: Melendrez



MdR Parcel 64	2005	2006	2007	2008	2009	TOTALS
No. Individual Trees w/ Active Nests	2	6	6	3	4	7
Total Number of Active Nests / Year	5	13	8	6	22	54
Specific Trees w/ Active Nests Per Each Year	4, 6	1, 3, 4, 6, P-2	1, 3, 4, 6, P-1	3, 4, 6	4, 6, 10, P-1	1, 3, 4, 6, 10, P-1, P-2



Parcel 64 (Villa): Trees 1, 4, 6 = Monterey Cypress; Trees 3, 11 = Monterey Pine;
Parcel 65 (UCLA): Tree 10 = Lemon-scented Gum; Palms 1-2 = Mexican Fan Palm
P-3, P-5, P-6, P-7 = Mexican Fan Palm (location only)

Source: Califuna

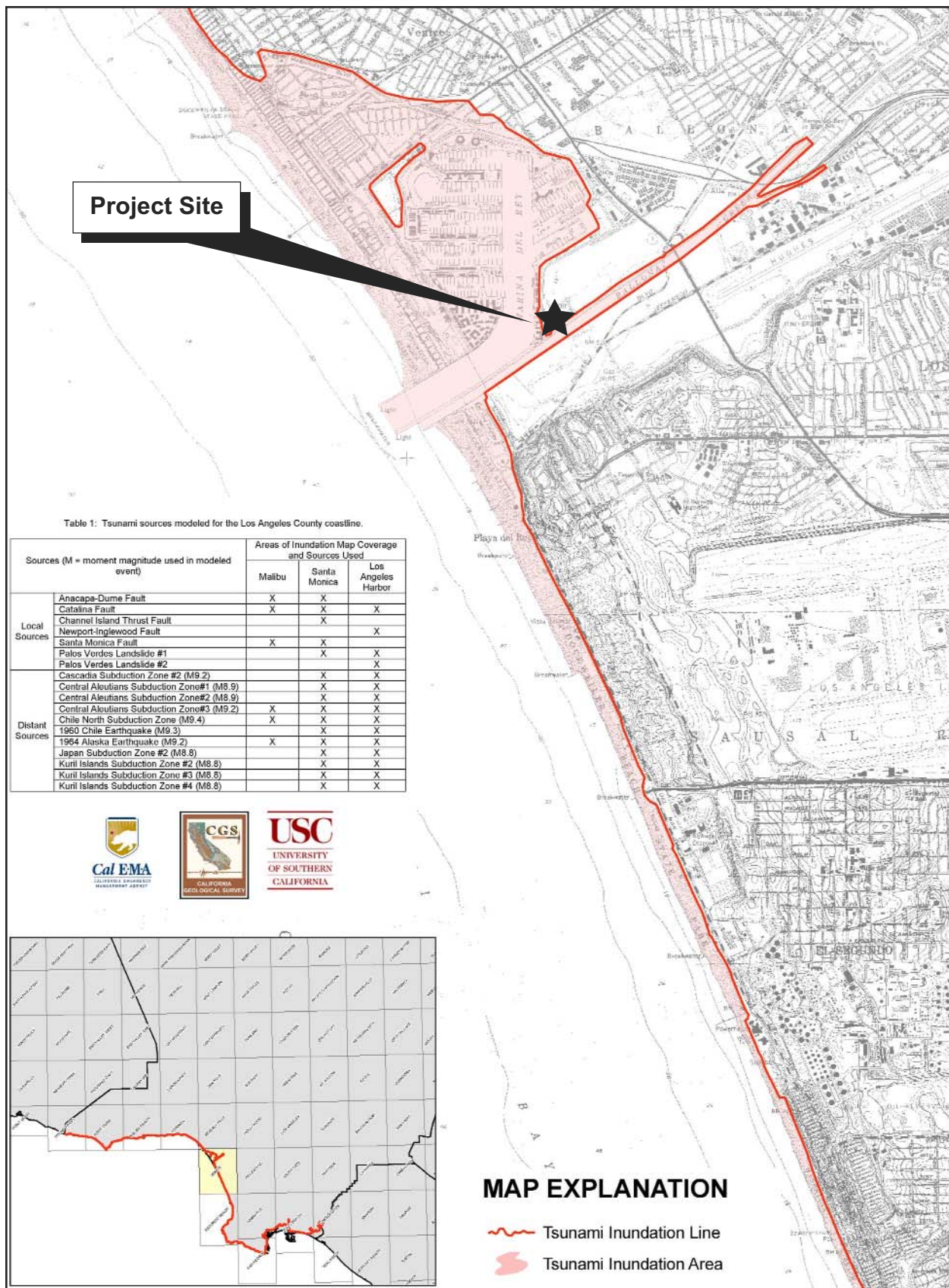


MdR Parcel 64	2005	2006	2007	2008	2009	TOTALS
No. Individual Trees w/ Active Nests	2	6	6	3	4	7
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P-3, P-5, P-6, P-7 = Mexican Fan Palm (location only)

Source: Califuna



Source: California Emergency Management Agency
California Geological Survey
University of Southern California