

A. California Environmental Quality Act (CEQA) Findings

1. The DEIR and FEIR has been prepared in accordance with CEQA, the State CEQA Guidelines, and the provisions of the County of Los Angeles.
2. The DEIR was published, circulated and reviewed in accordance with the requirements of CEQA, the State CEQA Guidelines, and the County of Los Angeles guidelines. The DEIR circulated for a 55-day public review period in conformance with the requirement of Section 15105 of the *CEQA Guidelines*. The Final EIR shall be reviewed and considered by the Board of Supervisors for approval and certification in accordance with Section 15090 of the State CEQA Guidelines prior to considering the proposed project for approval.
3. The County has exercised its independent judgment in evaluating the FEIR and has considered the information combined with the FEIR, including comments (and responses thereto) received during the public review period on the DEIR.
4. Pursuant to the State CEQA Guidelines Section 15091 and 15092, the Board of Supervisors hereby adopts Findings of Fact and an MMRP, which has been prepared in accordance with the State CEQA Guidelines Section 15097 to ensure that all reasonably feasible mitigation measures are implemented.

The Findings made by the County, pursuant to CEQA Section 21081 and CEQA Guidelines:

Section 15091, upon consideration of the proposed Project, are presented below. All significant impacts of the proposed project identified in the Final EIR are included herein and are organized according to the resources (environmental topics) affected. The Findings in this document are for the proposed Earvin "Magic" Johnson Park Master Plan and are supported by information and analysis from the Final EIR, which includes the Draft EIR, responses to comments on the Draft EIR, and the MMRP. For each significant and unavoidable impact, a Finding has been made as to one or more of the following, in accordance with CEQA Section 21081 and CEQA Guidelines Section 15091:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR.

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the FEIR.

A narrative of supporting facts follows each Finding. Whenever a Finding pursuant to CEQA Guidelines Section 15091(a)(3) is made, the County has determined there will be a significant unavoidable impact due to the proposed project and that mitigation measures and alternatives are not feasible to reduce the impact to a less than significant level. The Statement of Overriding Considerations applies to all such significant unavoidable impacts, as required by CEQA Section 21081 and CEQA Guidelines Sections 15092 and 15093.

B. Findings of Fact Regarding the Final Environmental Impact Report Prepared for the EMJ Park Application

The DEIR and FEIR, prepared in compliance with the State CEQA Guidelines, evaluates the potentially significant and significant adverse environmental impacts that could result from implementation of the EMJ Recreation Area Master Plan (Project). Implementation of the proposed Project includes expansion and comprehensive rehabilitation of the existing EMJ Park and the construction of new, state-of-the-art recreational facilities (Community Event Center, Equestrian Center, Gymnasium, South Agency Headquarters, Aquatic Center, Multi-Purpose soccer and football fields, wedding pavilion, skate park, etc.) and amenities (picnic areas, amphitheater, outdoor basketball courts, water features, walking trails and exercise amenities, children's play areas, dog park, sculpture garden and civic plaza, splash pad, reflecting pool, fishing lake, restrooms, etc.).

The proposed Earvin "Magic" Johnson Park Master Plan implementation, as well as operations and maintenance, represent the Project. The Master Plan depicts the synthesis of several plans presented to numerous groups to address the types of recreation and associated uses, the locations of these uses, and the sizes of these uses based on the activities envisioned for each.

1. IMPACTS FOUND TO BE LESS THAN SIGNIFICANT IN THE DEIR/FEIR

Environmental Analysis

4.1: AESTHETICS

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.1-1 through 4.1-20 of the DEIR, the Project would not have a substantial adverse effect on a scenic vista, it would not damage scenic resources, the character or quality of the site and its surroundings would not be substantially degraded, the project would not create a substantial light source which would adversely affect day or nighttime views in the area, and no cumulative impacts are expected to occur; therefore, the Project would result in no significant aesthetic impacts and no mitigation is required.

4.2: AIR QUALITY

Long Term

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.2-1 through 4.2-50 of the DEIR, according to SCAQMD, and as indicated in Table 4.2-7, the unmitigated operational emissions from the proposed Project would remain below SCAQMD thresholds for all pollutants (ROG, NO_x, CO, SO_x, PM₁₀, and PM_{2.5}). Therefore, implementation of the Project would not violate air quality standards or substantially contribute to an existing or projected air quality violation during long-term operations; therefore, this impact would be less than significant.

Operational Air Emissions Cumulative Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.2-1 through 4.2-50 of the DEIR, as discussed previously, the proposed Project would not result in long-term air quality impacts, since emissions would not exceed the SCAQMD adopted operational thresholds. Additionally, adherence to SCAQMD rules and regulations would alleviate potential significant impacts related to cumulative conditions on a project-by-project basis. Therefore, development associated with implementation of the proposed project and other related

cumulative projects would not result in significant impacts pertaining to operational air emissions; therefore, this impact would be less than significant.

Consistency with Regional Plans Cumulative Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.2-1 through 4.2-50 of the DEIR, the proposed Project would result in less growth than that allowed by the General Plans, and therefore, would not increase the amount of growth assumed in the 2012 AQMP. Therefore, development in the County and the City would not conflict or obstruct the 2012 AQMP. Also, since the Project would be consistent with the 2012 AQMP, the Project would not cumulatively contribute to impacts. Therefore, development associated with the proposed project and other related cumulative projects would not conflict with or obstruct implementation of the applicable air quality plan; therefore, this impact would be less than significant.

Objectionable Odors Cumulative Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.2-1 through 4.2-50 of the DEIR, construction activities in accordance with the projects identified in Table 4.13-12 and the proposed Project have the potential to generate airborne odors due to the construction equipment. However, these emissions would occur during daytime hours and would be isolated to the vicinity of the construction site. Odor emissions would be of short duration and temporary in nature. As stated previously, the Project proposes an equestrian facility center which could be considered a potential source of odors. Project compliance with EPA and the RWQCB rules and regulations and Mitigation MM Measure AQ-3 would reduce odor-related impacts to less than significant levels. Therefore, development associated with the proposed project would not generate substantial objectionable odors. Adherence to EPA and RWQCB rules and regulations would alleviate potential impacts related to cumulative conditions on a project-by-project basis and odor impacts related to cumulative projects would not be cumulatively considerable.

4.3: BIOLOGICAL RESOURCES

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.3-1 through 4.3-32 of the DEIR, a *Habitat Assessment* was conducted by Michael Baker International for the proposed Project site. Two sensitive species have been recorded as having potential to occur in the Project site, neither of which were observed: Western mastiff bat (*Eumops perotis californicus*), Pocketed free-tailed bat (*Nyctinomops femorosaccus*). However, these species were determined to potentially roost in trees and/or buildings onsite. Project implementation would only temporarily remove potential roosting areas and potential roosting sites would continue to be provided throughout other areas of the park not under construction at the same time. Implementation of Mitigation Measure MM BIO-1, which requires a pre-construction clearance survey for ground-disturbing activities scheduled within the breeding season of bats, will reduce potential impacts to bats to less than significant levels. Implementation of Mitigation Measure MM BIO-2, which requires a pre-construction nesting bird clearance survey for grubbing activities that cannot be completed outside of the avian breeding season, will reduce potential impacts to birds to less than significant levels.

The biological resources study concluded that, as defined by Clean Water Act Section 404, implementation of the Project would not have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. The Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors and it will not impede the use of native wildlife nursery sites. The Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, and the Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. For these reasons, implementation of the Project will not result in significant impacts to biological resources.

Cumulative Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.3-1 through 4.3-32 of the DEIR, impacts can be locally adverse but not significant because, although they would result in an adverse alteration of existing conditions, they would not substantially diminish or result in the permanent loss of an important resource on a population- or region-wide basis. Additionally, the landscape design will emphasize native plant species. There are no significant biological resources on the proposed Project site; therefore, impacts would be less than significant.

4.4: CULTURAL RESOURCES

Disturbance of Human Remains

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.4-1 through 4.4-18 of the DEIR, implementation of the Project would not disturb any human remains, including those interred outside of formal cemeteries; therefore, this impact would be less than significant.

4.5: GEOLOGY, SOILS, AND SEISMICITY

Liquefaction

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.5-1 through 4.5-16 of the DEIR, the Project site lies on a relatively flat surface. The occurrence of mass movement failures, such as landslides, rockfalls, or debris flows within such areas is generally not considered common and no evidence of mass movement was observed on the site during the geotechnical evaluation. The Project site is not located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project and potentially result in onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse; therefore, less than significant impacts are anticipated.

Expansive Soil

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.5-1 through 4.5-8 of the DEIR, implementation of the Project would not be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994) that would create a substantial risk to life or property. The onsite soils consist mainly of fine-grained clayey sand to sandy clay soils that are soft to very firm and have low expansion potential; therefore, impacts would be less than significant.

4.6: GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Direct or Indirect Greenhouse Gas Emissions

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.6-1 through 4.6-32 of the DEIR, Project-related GHG emissions for "business as usual" conditions include emissions from construction activities, area sources, and mobile sources. As previously stated, "Business as Usual" refers to emissions that would be expected to occur in the absence of GHG reduction measures. Table 4.6-1 presents the estimated CO₂, N₂O, and CH₄ emissions. As depicted in Table 4.6-1, the Project's "business as usual" GHG emissions would be 13,186.97 MTCO₂eq/yr. With implementation of Project design features and compliance with County and City required water conservation measures (County Part 4 and City Emergency Water Conservation Plan), the Project would result in GHG emissions of 2.54 MTCO₂eq per SP per year, which would not exceed the 4.8 MTCO₂eq/yr per SP per year GHG threshold. Therefore, impacts would be less than significant.

Plan, Policy, or Regulation Conflict

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.6-1 through 4.6-32 of the DEIR, the proposed Project would implement various design features consistent with the CCAP measures and Green LA goals and actions. Therefore, the proposed Project would help implement the CCAP and Green LA, and would not conflict with an adopted plan, policy, or regulation pertaining to GHGs and would reduce operational related GHG emissions. In addition, the

Project would be subject to applicable Federal, State, and local regulatory requirements, further reducing Project-related GHG emissions. The proposed Project would not hinder the State's GHG reduction goals established by AB 32 and other strategies to help reduce GHG emissions; therefore, a less than significant impact would occur.

Cumulative Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.6-1 through 4.6-32 of the DEIR, Greenhouse gas emissions generated by the proposed Project, combined with other related cumulative projects, would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases and would not have a significant impact on global climate change; therefore, cumulative impacts would be less than significant.

4.7: HAZARDS AND HAZARDOUS MATERIALS

Transport, Storage, Production, Use, and Disposal of Hazardous Materials

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.7-1 through 4.7-16 of the DEIR, ongoing operation activities would include transportation to and storage at the SAH of potentially hazardous materials including, but not limited to, gasoline, paint, wood stain, lacquer, herbicide, pesticide, fertilizer, and chlorine. The SAH storage areas are not open to the public. Only trained and authorized SAH personnel would be accessing this area regularly. The amount of materials that would be used in ongoing maintenance such as point, fertilizers and chlorine, are not expected to be large enough that an accidental spill would result in a significant hazard to the public or environment that could not be quickly cleaned up. All applicable regulations and safety standards related to the storage and application of materials would be followed; therefore, existing regulations applicable to hazardous materials would be complied to minimize the impacts to be less than significant.

Hazardous Emissions

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.7-1 through 4.7-16 of the DEIR, Project related operation and maintenance activities would include the transport, use, and storage of potentially hazardous material including but not limited to gasoline, paint, wood stains, herbicide, pesticide, fertilizers, chlorine, at the SAH facility and use/application throughout EMJ Park. However, the Project does not include the use of acutely hazardous materials or substances or emit hazardous emissions and potential impacts from implementation of the Project are not forecast to occur; therefore, this impact would be less than significant.

Hazardous Materials Site

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.7-1 through 4.7-16 of the DEIR, although portions of the Project contain some areas with soil contamination, the RAP is being implemented and cleanup of the contaminated areas are currently underway. As outlined in Mitigation Measure HAZ-1, no portion of the Project site would be developed until remediation has been completed and both the LARWQCB and the DTSC have deemed each particular use area to have been remediated below the thresholds appropriate for public use of the site. The Project site is not located on a site pursuant to Government Code § 65962.5; therefore, a less than significant impact would occur.

Airport Land Use Safety Hazard and Private Airstrip

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.7-1 through 4.7-16 of the DEIR, according to the respective Airport Land Use Compatibility documents for these airports, the Project site is well outside of the designated Airport Influence Areas for all airports, and not within the vicinity on any private airstrips. Therefore, the Project would not result in an airport land use related safety hazard for people residing or working in the Project area; therefore, a less than significant impact would occur.

Impairment of Emergency Response Plans

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.7-1 through 4.7-16 of the DEIR, the site is currently used for public recreation and would continue to be used for public recreation. The proposed amenities do not constitute a substantial change in use of the site or change in the roadway network around the site such that the Emergency Response Plan would be affected. Implementation of the Project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan; therefore, this impact would be less than significant.

General Public or Structural Exposure to a Significant Loss, Injury, or Death

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.7-1 through 4.7-16 of the DEIR, implementation of the Project would not expose people or structures to a significant risk of loss, injury or death involving fires, because the Project is not located within a Very High Fire Hazard Severity Zones (Zone 4), within a high fire hazard area with inadequate access, within an area with inadequate water and pressure to meet fire flow standards, and within proximity to land uses that have the potential for dangerous fire hazard; therefore, this impact would be less than significant.

Fire Hazard

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.7-1 through 4.7-16 of the DEIR, the County General Plan designates the entire Project site as Open Space Public Recreation (OS-PR). Fire service for the site is provided by Los Angeles County Fire Department. The site would be landscaped, irrigated, and maintained, and therefore, would not provide a new fire hazard to the area. The Project would not create a potentially dangerous fire hazard; therefore, impacts would be considered less than significant.

Cumulative Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.7-1 through 4.7-16 of the DEIR, the Project would not emit hazardous emissions, use acutely hazardous materials, create new hazard to airports or create a new fire hazard. With completion of the current remediation and compliance with all applicable laws and safety standards for the transportation, storage and use of hazardous materials (i.e. gasoline, paints, pesticides) the Project would not result in significant Project specific impacts or contribute to a cumulative impact.

4.8: HYDROLOGY AND WATER QUALITY

Water Quality

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.8-1 through 4.8-22 of the DEIR, the Project would not violate any water quality standards or waste discharge requirements. The County permittee's administrator of the MS4 permit is the LACDPW which would issue applicable local permits, conditions, and approvals for future phases of development of EMJ Park. A phase specific hydrology study following County guidelines is required to be prepared and submitted to LACDPW for review and approval prior to grading/construction of each phase of the proposed Project. With implementation of the following, the Project would not violate any water quality standards: SWPPP during construction, ongoing monitoring of the lake through sampling; regular maintenance including pet waste removal; implementation of site design BMPs; and design guidelines for SAH for ASTs. Therefore, potential impacts would be less than significant.

Groundwater Supplies

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.8-1 through 4.8-22 of the DEIR, the proposed Project includes a comprehensive renovation and minor expansion of the park boundary. Implementation of the Project is not anticipated to result in a substantial change in the amount of water used at the site; therefore, the Project is not anticipated to substantially deplete groundwater supplies. Although the proposed improvements would increase the overall

impervious surfaces of the site, the improved site would still have large areas that are landscaped and pervious and would continue to provide infiltration of stormwater during rain events. The Project is not anticipated to substantially interfere with groundwater recharge; therefore, impacts would be less than significant.

Drainage Patterns and Erosion

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.8-34 through 4.8-37 of the DEIR, the proposed Project improvements would be designed so that the stormwater discharged to the existing stormwater drainage system does not exceed the stormwater discharged in the current condition. Since the Project site would be improved with landscaping and hardscaping, the site would be largely stabilized and would not result in substantial erosion or siltation offsite; therefore, impacts would be less than significant.

Existing Drainage Pattern Alteration

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.8-1 through 4.8-22 of the DEIR, the proposed Project improvements would be designed so that onsite stormwater is discharged to the existing stormwater drainage system would not exceed the stormwater discharged in the current condition. Therefore, implementation of the Project would not result in a substantial increase in stormwater runoff that would result in flooding; therefore, less than significant impacts would occur.

Runoff Water

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.8-1 through 4.8-22 of the DEIR, implementation of the Project would not result in a substantial increase in stormwater runoff that would exceed the capacity of the existing stormwater drainage system. Prior to discharge to the lake, the stormwater runoff would be treated. Treatment options could include bioswales, filtration systems, and or ultraviolet (UV). Implementation of the Project would

not provide a substantial additional source of polluted runoff; therefore, impacts would be less than significant.

Water Quality Degradation

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.8-1 through 4.8-22 of the DEIR, Project related impacts would be less than significant. Refer to the response to Impact 4.8-1, above.

Levee or Dam Exposure

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.8-1 through 4.8-22 of the DEIR, the Project site would not be subject to flooding, and consequently, would not expose people or structures to significant risks from flooding. In addition, the improved onsite lake and water features (filtration gardens, model boat pond, and reflecting pool) are not impounded by a levee or dam. The water in these features would be retained by topography as a result of site grading and contouring. The potential of a release of onsite lake water as a result of levee or dam failure would not exist; therefore, impacts would be less than significant.

Proposed Housing or Structures in Relation to a 100-year Flood Hazard Area

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.8-1 through 4.8-22 of the DEIR, the Project site is not located within a 100-year flood hazard area, nor are any adjacent areas located within a 100-year flood hazard area. Additionally, the Project does not propose any new residential uses. Therefore, no housing would be placed within a 100-year flood hazard area with Project implementation; therefore, impacts would be less than significant.

Seiche, Mudflow, Tsunami

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.8-1 through 4.8-22 of the DEIR, the Project site has no potential for significant inundation by seiche, tsunami, or mudflow. A seiche or tsunami can be described as a wave

that is generated by an earthquake. The Project site is relatively flat and would include one relatively small lake once improvements have been completed. A large earthquake could produce waves in the lake, however, these waves would not be large enough to result in flooding of EMJ Park or adjacent areas. Additionally, the Project is located within a highly developed, relatively flat area, which would not be subject to considerable mudflows; therefore, impacts would be less than significant.

4.9: LAND USE AND PLANNING

Physical Division of an Established Community

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.9-1 through 4.9-18 of the DEIR, EMJ Park is already present in the community, and additional development of EMJ Park associated with the proposed Project is a continuation and enhancement of the existing park and involves renovating areas currently vacant. While additional structures and amenities are proposed within the EMJ Park, this would not impede or divide the existing community; therefore, a less than significant impact would occur.

Plan Consistency

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.9-1 through 4.9-18 of the DEIR, and as outlined in Table 4.9-6, Project implementation is consistent with applicable objectives and policies in the General Plan Land Use Element. Additionally, the Project would not conflict with an applicable land use plan, policy, or regulation; therefore, impacts would be less than significant.

Habitat, Conservation, and Natural Community Plans

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.9-1 through 4.9-18 of the DEIR, the County has adopted the Significant Ecological Area (SEA) program for land that contains irreplaceable biological resources. The proposed Project site is not located in a SEA, nor in any other habitat conservation plan at the regional or state level. The Project would not conflict

with any applicable habitat conservation plan or natural community conservation plan; therefore, a less than significant impact would occur.

Cumulative Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.9-1 through 4.9-18 of the DEIR, the Project and other cumulative projects in the County would be required to be consistent with land use regulations. Each future development project must comply with all applicable state laws, and each development project must address site-specific land use issues to County standards through implementation of recommendations outlined in site-specific land use evaluations. Therefore, the proposed Project, in combination with cumulative projects, would have a less than significant cumulative impact on land use.

4.10: NOISE

Long-Term (Mobile) Noise Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.10-1 through 4.10-55 of the DEIR, Existing and Existing With Project conditions, as well as forecast years 2020 Without Project, 2020 With Project, 2035 Without Project, and 2035 With Project would not create noise level over the accepted thresholds; therefore, noise levels resulting from the proposed Project would be less than significant.

Long-Term (Stationary) Noise Impacts – Mechanical Equipment

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.10-1 through 4.10-55 of the DEIR, noise impacts from mechanical equipment would be infrequent and intermittent. Since the closest sensitive receptors are existing residential uses 90 feet from the closest potential location of the HVAC equipment, potential noise levels would be below the County's limits of 50 to 65 dBA for residential uses. Potential noise levels would be below the County's noise standards. Therefore, long-term stationary noise impacts resulting from mechanical equipment would be less than significant.

Long-Term (Stationary) Noise Impacts – Parking Lots

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.10-1 through 4.10-55 of the DEIR, because the proposed surface parking lots would not result in substantially greater noise levels than what currently exists on and surrounding the Project site, a less than significant impact would occur.

Long-Term (Stationary) Noise Impacts – Amphitheater and Wedding Pavilion

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.10-1 through 4.10-55 of the DEIR, due to distance attenuation, crowd noise would be approximately 23.4 dBA at the nearest sensitive receptor (Animo Watts Charter High School, located approximately 280 feet southwest of the proposed amphitheater), which would not exceed the County's exterior noise standards of 50 dBA. A less than significant impact would occur.

Airport Noise Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.10-1 through 4.10-55 of the DEIR, the Project site is located approximately two miles from a public airport, the Compton/Woodley Airport (airport identifier CPM). The County Airport Land Use Commission (ALUC) governs land use within airport land use areas around each airport. According to the Airport Land Use Compatibility document for this airport, the Project site is well outside of the airport's designated Airport Influence Area. In addition, the Project site is located outside the 65 dBA CNEL noise contour. The proposed Project would not expose people working or visiting EMJ Park to excessive noise levels associated with CPM; therefore, a less than significant impact would occur.

Cumulative Impacts – Long-Term (Mobile) Noise Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.10-1 through 4.10-55 of the DEIR, traffic generated by the proposed Project combined with other related cumulative projects would not significantly contribute to

existing traffic noise in the area or exceed the County's or City's established standards; therefore, this impact would be less than significant.

4.11: PUBLIC SERVICES AND UTILITIES

Potential for Substantial Adverse Impacts to New or Physically Altered Facilities

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.11-1 through 4.11-34 of the DEIR, the proposed Project would include construction of several large new facilities, including a gymnasium, stadium, amphitheater, and equestrian and aquatic centers. However, Los Angeles County Fire Department already has significant resources in place in the Project area. Because the proposed Project is an expansion of EMJ Park, it would remain under the control of the Department of Parks and Recreation, and would continue to serve the same community. Implementation of the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities; therefore, this impact would be less than significant.

Water Treatment Requirements

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.11-1 through 4.11-34 of the DEIR, the incremental increase in wastewater generated from the site after implementation of the Project as compared to what is generated currently is not expected to affect the ability of the Sanitation Districts to meet treatment requirements set by the Regional Water Quality Control Board. Additionally, a separate sewer area study would be prepared following County guidelines and would be submitted to Public Works for review and approval prior to grading and/or construction of each phase of the proposed Project. Implementation of the Project would not result in the Project exceeding wastewater treatment requirements of the applicable Regional Water Quality Control Board; therefore, this impact would be less than significant.

Expansion or Creation of New Water or Wastewater Treatment Facilities

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.11-1 through 4.11-34 of the DEIR, the expanded and renovated Project, currently served by the Central Basin Municipal Water District for water and the Sanitation Districts for wastewater, would not require the construction of new water or wastewater treatment facilities, or the expansion of existing facilities, as the expected increases in water use and wastewater generation are anticipated to be within the capacity of existing systems; therefore, impacts regarding water and wastewater treatment facilities would be less than significant. The need for expanded infrastructure (i.e. delivery pipelines) would need to be evaluated and determined during the final design of each future phase of development.

Expansion or Creation of New Stormwater Drainage Facilities

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.11-1 through 4.11-34 of the DEIR, Project implementation is anticipated to result in minor modifications to the site topography and drainage; however, the Project would not result in a substantial increase in stormwater runoff that would result in flooding, and would not require the construction of new stormwater drainages or expansion of existing facilities; therefore, impacts regarding stormwater drainage facilities would be less than significant.

New or Expanded Water Entitlements

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.11-1 through 4.11-34 of the DEIR, implementation of the Project would result in an increase in water usage at the site because areas that are currently abandoned and not using water would be incorporated into the existing park. However, the increased water usage is covered by existing entitlements, and the existing water supplies of the Central Basin Municipal Water District are sufficient to meet the Project site's expanded needs; therefore, impacts regarding water entitlements would be less than significant.

Wastewater Treatment Provider Adequacy Determination

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.11-1 through 4.11-34 of the DEIR, the increase in wastewater as a result of implementation of the Project would not increase demand to a level that exceeds the Sanitation District's existing capacity. The District provides primary, secondary, and tertiary treatment of 510 million gallons of wastewater per day, of which 165 million gallons per day are available for reuse. Therefore, impacts regarding wastewater treatment capacity would be less than significant.

Landfill Service

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.11-1 through 4.11-34 of the DEIR, the closest landfill to the Project site is Whittier Landfill in Whittier, to the northeast of the Project site. This is only one of many landfills in the region, and Southern California has sufficient landfill capacity to meet the relatively minimal needs of the waste that would be generated by the Project. In addition, the Project would be required to recycle or reuse a minimum of 50 percent of its construction debris, as required by the California Green Building Standards Code, further reducing potential impacts regarding landfill capacity. A Recycling and Reuse Plan must be submitted to and approved by the County Department Public Work's Environmental Programs Division before a construction, demolition, or grading permit may be issued. Compliance with the above would ensure the Project's potential impacts regarding landfill capacity are reduced to a less than significant level.

Federal, State, and Local Statutes Compliance

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.11-1 through 4.11-34 of the DEIR, the proposed Project would comply with the applicable regulations; therefore, impacts regarding federal, state, and local statutes and regulations related to solid waste would be less than significant.

Cumulative Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.11-1 through 4.11-34 of the DEIR, the Project does not have a significant and unavoidable impact on public services and utilities. In addition, each future development project must comply with all applicable state laws, and each development project must address site-specific public service and utility issues to County standards. Therefore, the proposed Project, in combination with cumulative projects, would have a less than significant cumulative impact on public services and utilities.

4.12: RECREATION

Parks or Recreational Facilities

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.12-1 through 4.12-12 of the DEIR, although implementation of the Project is anticipated to result in an increased use of EMJ Park and amenities, substantial deterioration of the new facilities is not anticipated because operation and maintenance would be provided onsite on an ongoing basis. The Project is not anticipated to increase the use of other parks in the area, nor would the Project result in the potential deterioration of those facilities; therefore, impacts would be less than significant.

Cumulative Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.12-1 through 4.12-12 of the DEIR, the Project and other cumulative projects in the County would be required to be consistent with local regulations regarding recreational facilities. Each future development project must comply with all applicable state laws, and each development project must address site-specific recreational issues to County standards through implementation of recommendations outlined in site-specific recreation evaluations; therefore, the proposed Project, in combination with cumulative projects, would have a less than significant cumulative impact on recreation.

4.13: TRANSPORTATION AND CIRCULATION

Congestion Management Program

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.13-1 through 4.13-82 of the DEIR, the results of the queuing analysis performed for the freeway off-ramps of the monitored CMP intersections showed the 95th percentile queue lengths are not forecast to exceed the total lengths of the study off-ramps under any of the analysis scenarios without or with the proposed Project. Implementation of the Project would not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways; therefore, this impact would be less than significant.

Applicable Plan, Ordinance, or Policy

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.13-1 through 4.13-82 of the DEIR, implementation of the Project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit; therefore, this impact would be less than significant.

Change in Air Traffic Patterns

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.13-1 through 4.13-82 of the DEIR, the Project site is well outside of Airport Influence Areas for all three airports (Compton/Woodley Airport, Jack Northrop Field/Hawthorne Municipal Airport, and Los Angeles International Airport), and Project implementation would not result in a change in air traffic patterns for any of these airports; therefore, a less than significant impact is anticipated in this regard.

Hazards

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.13-1 through 4.13-82 of the DEIR, no new roadways on the transportation system within the Project area are proposed as part of the Project, and therefore, no hazardous roadway design features would result. Additionally, all improvements would be installed in conformance with County design standards to ensure that no hazardous transportation design features would be introduced by the Project; therefore, a less than significant impact would occur in this regard.

Emergency Access

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.13-1 through 4.13-82 of the DEIR, operation of the proposed Project would not result in inadequate emergency access because all Project design features would comply with design standards and regulations set forth by the County. During the course of the County's required review of the proposed Project, the Project's design was reviewed to ensure that adequate access to-and-from the site is provided for emergency vehicles. Additionally, implementation of a Construction Traffic Management Plan (TMP) to be established by the County prior to construction of any improvements as described in Impact 4.13-1, would ensure that construction-related impacts are minimized throughout all construction phases. Operational and construction impacts regarding emergency access would be less than significant and no mitigation would be required.

Alternate Transportation Facilities Performance Safety

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.13-1 through 4.13-82 of the DEIR, none of the Project components would interfere with, or alter, the use of public transit, bicycle, or pedestrian facilities, nor would any element of the Project's design preclude the use of these facilities or otherwise decrease the performance or safety of such facilities; therefore, this impact would be less than significant.

Cumulative Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.13-1 through 4.13-82 of the DEIR, the addition of Project-related traffic to Existing Plus Cumulative Traffic conditions traffic volumes does not result in an increase that exceeds the significant impact thresholds. Therefore, there are no cumulative impacts.

2. SIGNIFICANT IMPACTS WHICH CAN BE AVOIDED OR REDUCED WITH MITIGATION

In this section of the Findings of Fact, the County, as authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section Sections 15091 and 15092, identifies the significant impacts that can be eliminated or reduced to a less-than-significant level with the implementation of mitigation measures recommended in the DEIR and FEIR. These mitigation measures are hereby incorporated into the description of the Project and their implementation will be tracked through the Mitigation Monitoring and Reporting Program.

Environmental Analysis

4.2: AIR QUALITY

Short Term

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.2-1 through 4.2-50 of the DEIR, according to SCAQMD which has compiled a list of facilities and operations that tend to produce offensive odors. While almost any source may emit objectionable odors, it has been determined that odors generated during the EMJ Park construction activities would be temporary and are not considered to be a significant impact. The following air quality findings measure different aspects in which air quality could be affected; however, it findings concluded that: 1) ROG emissions would be below SCAQMD thresholds and impacts would be less than significant; 2) as noted in Table 4.2-6, construction equipment exhaust would not exceed SCAQMD thresholds, impacts would be less than significant; 3) according to the Department of Conservation Division of Mines and Geology, *A General Location Guide for Ultramafic Rocks in*

California – Areas More Likely to Contain Naturally Occurring Asbestos Report (dated August 2000), the proposed Project is not located in an area where naturally occurring asbestos is likely to be present and impacts would be less than significant; 4) lastly, although the unmitigated particulate matter levels are below the SCAQMD thresholds, and as a result are less than significant, Mitigation Measures AQ-1 and AQ-2 on pages 4.2-32 through 4.2-34 should be considered to help ensure fugitive dust emissions are minimized as the Basin is nonattainment for PM10 and PM2.5. Based on these short term air quality findings, implementation of the Project would not violate air quality standards or substantially contribute to an existing or projected air quality violation during construction; therefore, this impact would be less than significant with mitigation incorporated.

Short Term - Cumulative Impacts -Construction Air Emissions

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.2-1 through 4.2-50 of the DEIR, according to SCAQMD, although the unmitigated particulate matter levels are below the SCAQMD thresholds, and therefore are less than significant, Mitigation Measures AQ-1 and AQ-2 have been included to help ensure fugitive dust emissions are minimized as the Basin is nonattainment for PM10 and PM2.5. Short-term construction activities associated with the implementation of the proposed project and other related cumulative projects, would not result in significant air pollutant emission impacts; therefore, this impact would be less than significant with mitigation incorporated.

Long Term Localized Significance Thresholds

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.2-1 through 4.2-50 of the DEIR, according to SCAQMD, Localized Significance Thresholds (LSTs) were developed in response to SCAQMD Governing Boards' Environmental Justice Enhancement Initiative (I-4). The LST methodology assists lead agencies in analyzing localized impacts associated with project-specific level proposed projects. According to LST findings, as indicated in in Table 4.2-8, construction emissions would not exceed the LSTs. Operational emissions would not exceed the LSTs for SRA 12 and localized significance impacts for proposed

Project operations would be less than significant. Additionally, it can be reasonably inferred that CO hotspots would not be experienced at any intersections within the County and the City of Los Angeles near the Project site due to the low volume of traffic (3,489 net daily trips) that would occur as a result of Project implementation. Moreover, implementation of the Project would not conflict with or obstruct implementation of applicable air quality plans; however, the proposed Project would be required to comply with applicable emission reduction measures identified by the SCAQMD. These measures have been included as Mitigation Measures AQ-1 and AQ-2. Therefore, the proposed Project meets this *AQMP* consistency criterion and this impact would be less than significant with mitigation incorporated. Finally, the Project would be subject to compliance with these rules and regulations, which would be verified through the County's development review process. Compliance with SCAQMD rules and regulations and implementation of Mitigation Measure AQ-3 would ensure the Project would result in a less than significant impact involving the creation of objectionable odors.

4.3: BIOLOGICAL RESOURCES

Sensitive Species

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.3-1 through 4.3-32 of the DEIR, a *Habitat Assessment* was conducted by Michael Baker International for the proposed Project site. Two sensitive species have been recorded as having potential to occur in the Project site, neither of which were observed: Western mastiff bat (*Eumops perotis californicus*), Pocketed free-tailed bat (*Nyctinomops femorosaccus*). The biological resources study concluded the following:

- 1) Because there is only low potential for the previously mentioned two sensitive species to occur, vegetation removal activities associated with construction should be conducted outside of the avian breeding season to avoid impacts to nesting birds. Implementation of the Project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California

Department of Fish and Wildlife or U.S. Fish and Wildlife Service; therefore, this impact would be less than significant with Mitigation Measure BIO-1 incorporated;

- 2) The vicinity of the Project consists entirely of a heavily urbanized area that contains no wetlands of any kind; consequently, there would be no impacts to any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; therefore, this impact would be less than significant with Mitigation Measure BIO-1 and Mitigation Measure BIO-2 incorporated.

4.4: CULTURAL RESOURCES

The Cultural Resources Assessment conducted by BCR Consulting was completed pursuant to CEQA. For purposes of this Draft EIR, implementation of the Project would be considered to have a significant impact on cultural resources if it would do any of the following: Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5; Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5; Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, or contain rock formations indicating potential paleontological resources; and or Disturb any human remains, including those interred outside of formal cemeteries. The cultural resources study concluded the following:

Adverse Change to Historical Resources

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.4-1 through 4.4-18 of the DEIR, the records search and field survey did not identify any historic resources within the Project site. Therefore, this impact would be less than significant with the incorporation of Mitigation Measure CUL-1 in the event that previously undocumented cultural resources are identified during earthmoving activities.

Adverse Change to Archeological Resources

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.4-1 through 4.4-18 of the DEIR, the proposed Project would be constructed and operated on land that has been disturbed several times throughout its development history. A cultural resources records search did not reveal the presence of any known archeological resources within the Project area; therefore, this impact would be less than significant with the incorporation of Mitigation Measure *CUL-1* in the event that previously undocumented cultural resources are identified during earthmoving activities.

Direct or Indirect Destruction of Paleontological Resources

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.4-1 through 4.4-18 of the DEIR, the proposed Project would be constructed and operated on land that has been disturbed several times throughout its development history. A cultural resources records search did not reveal the presence of any known Paleontological resources within the Project area; therefore, this impact would be less than significant with the incorporation of Mitigation Measure *CUL-2* in the event that previously undocumented paleontological resources are identified during earthmoving activities.

Cumulative Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.4-1 through 4.4-18 of the DEIR, in the event of an unanticipated discovery of historic, archeological, or paleontological resources during construction of the proposed Project, Mitigation Measures *CUL-1* and *CUL-2* ensure that impacts would be mitigated to a less than significant level. Public Resources Code and the California Health and Safety Code mandate the process of how to handle the discovery of any human remains and would reduce impacts to a less than significant level.

4.5: GEOLOGY, SOILS, AND SEISMICITY

Earthquake Fault, Ground Failure, Liquefaction, Land Slides

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.5-1 through 4.5-16 of the DEIR, the project does not lie within a currently delineated Alquist-Priolo fault zone or in an area subject to seismic related ground failure. In addition, the Project site lies on a relatively flat surface. Due to the low relief of the site and surrounding area, the occurrence of mass movement failures, such as landslides, rockfalls, or debris flows within such areas is generally not considered common and no evidence of mass movement was observed on the site. Findings suggest that the potential for liquefaction to occur at the Project site is very low to low. Additionally, settlement generally occurs within areas of loose, granular soils with relatively low density. Since the site is underlain by relatively dense/stiff, older alluvial materials, the potential for settlement is considered low; therefore, this impact would be less than significant with Mitigation Measure GEO-1 incorporated.

Soil Erosion

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.5-1 through 4.5-8 of the DEIR, upon completion of Project construction, the majority of the Project site's surfaces would be stabilized by landscaping or hardscaping (trails, parking lots, roads, etc.). Because these surfaces would be stabilized, they would not be subject to substantial soil erosion or the loss of topsoil from the Project site; therefore, this impact would be less than significant with Mitigation Measures GEO-11 incorporated.

4.7: HAZARDS AND HAZARDOUS MATERIALS

Creation of Hazardous Conditions for the Public or Environment

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.7-1 through 4.7-16 of the DEIR, a Soil Vapor Extraction (SVE) system has been developed onsite and additional SVE systems will be developed with further expansion of these systems. Project site environmental cleanup efforts are

currently being completed by ExxonMobil Environmental Services Company and are anticipated to be part of a phased approach to the environmental cleanup of the site over a several-year period; therefore, this impact would be less than significant with Mitigation Measure HAZ-1 incorporated.

4.10: NOISE

Short Term Noise Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.10-1 through 4.10-55 of the DEIR, noise from construction activities is generated by two primary sources: 1) the transport of workers and equipment to construction sites, and 2) the noise related to active construction equipment. These noise sources can be a nuisance to local residents and businesses or unbearable to sensitive receptors. Potential future development associated with Project implementation could generate significant amounts of noise during grading and construction operations. Adjacent sensitive receptors would be exposed to sporadic high noise levels associated with construction activities (as a result of power tools, jack-hammers, truck noise, etc.). Additionally, construction noise can be created by the operation of heavy-duty trucks, backhoes, bulldozers, excavators, front-end loaders, scrapers, and other heavy-duty construction equipment. Table 4.10-8 describes the anticipated construction equipment noise levels and is based on the quantity, type, and Acoustical Use Factor for each equipment type that would be used. Construction noise levels have the potential to exceed the City's 75 dBA standard for construction. Therefore, implementation of Mitigation Measure NOI-1 is required to reduce construction noise to a less than significant level.

Long-Term (Stationary) Noise Impacts – Equestrian Event Noise

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.10-1 through 4.10-55 of the DEIR, typical PA system can generate 87.5 dBA at 20 feet. The nearest sensitive receptors are residential uses located approximately 275 feet to the north. The generated noise from the PA system would potentially result in a noise level of 64.7 dBA at these residential uses. As a result, use of the proposed PA system for announcements and sound event starter buzzers/horns

could potentially result in substantial temporary increases in ambient noise levels at sensitive receptors in the project vicinity. Therefore, Mitigation Measure NOI-3 is recommended to ensure that events at the training track and equestrian facility comply with City and County noise standards.

Long-Term (Stationary) Noise Impacts – Aquatic Center

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.10-1 through 4.10-55 of the DEIR, the aquatic center would be located in the southeastern portion of the Project area. The closest sensitive receptors to the aquatic center would be existing residential uses, located 510 feet to the east. Overall, noise associated with the swim center includes pool equipment, swim event spectators, and pool activities. For swim event spectator and pool activities, the PA system could exceed the County's exterior noise standard for residential uses. Mitigation Measure NOI-3 requires specific control measures to ensure noise impacts from spectator and pool activities would comply with the County's noise standards; while Mitigation Measure NOI-4 is required to ensure that noise impacts from mechanical equipment would be less than significant. Therefore, upon compliance with Mitigation Measures NOI-3 and NOI-4, impacts in this regard would be less than significant.

Long-Term (Stationary) Noise Impacts – Multi-purpose Stadium & Amenities

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.10-1 through 4.10-55 of the DEIR, during athletic games, crowd noise and cheers would be the most potentially disruptive noises to nearby sensitive receptors. As stated above, crowd noise would be 52.3 dBA at 10 feet. Crowd noise at the closest sensitive receptor (120 feet away) would be 30.7 dBA, which is well below the County's 50 dBA standard for residential properties. Other impacts such as the use of PA systems would also create noise impacts for sports events. However, the PA system would be strictly limited to the hours of 7:00 AM to 10:00 PM. Such restrictions would ensure that operational noise levels of the PA system would not result in an exceedance of the normally acceptable noise standard for residential land uses; therefore, upon implementation of Mitigation Measure NOI-3, impacts in this regard would be less than significant.

Cumulative Impacts – Short-term Construction Noise Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.10-1 through 4.10-55 of the DEIR, development associated with implementation of the proposed Project and other related cumulative projects would not result in significant short-term noise impacts to nearby noise sensitive receivers, following implementation of mitigation measures; therefore, this impact would be less than significant with Mitigation Measure NOI-1 incorporated.

Cumulative Impacts – Vibration Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.10-1 through 4.10-55 of the DEIR, project implementation combined with other related cumulative projects would not result in significant vibration impacts to nearby sensitive receptors.

Cumulative Impacts – Long-Term (Stationary) Noise Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.10-1 through 4.10-55 of the DEIR, the proposed Project combined with other related cumulative projects would not result in a significant increase in long-term stationary ambient noise levels; therefore, this impact would be less than significant with Mitigation Measures NOI-3 and NOI-4 incorporated.

3. SIGNIFICANT IMPACTS WHICH CANNOT BE AVOIDED

Section 21100(b)(2)(A) of the State CEQA Guidelines provides that an EIR shall include a detailed statement setting forth "in a separate section: any significant effect on the environment that cannot be avoided if the project is implemented". Accordingly, this section provides a summary of the significant and unavoidable environmental impacts of the proposed project that cannot be mitigated to a less than significant level even after the implementation of mitigation measures with respect to the following areas:

Environmental Analysis

4.10: NOISE

Groundborne Vibration

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.10-1 through 4.10-64 of the DEIR, section 12.08.560 of the County Municipal Code considers the vibration perception threshold is a motion velocity of 0.01 inch-per-second. As demonstrated in Table 4.10-9, the anticipated vibration levels at 50 feet of the single-family residences and institutional uses would range from approximately 0.001 to 0.074, and would exceed the 0.01 inch-per-second PPV significance threshold during construction operations occurring along the Project's northwestern and southwestern boundary. Although implementation of Mitigation Measure NOI-2, would lessen vibration impacts to residences along the northern boundary and schools along the southwest boundary it will not reduce them below the 0.01 inch-per-second threshold and therefore impacts are considered significant and unavoidable.

4.12: RECREATION

Adverse Physical Effects

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.12-1 through 4.12-12 of the DEIR, due to both fiscal and environmental constraints, it is anticipated that development of the proposed Project would occur in phases, and construction of the various amenities proposed as part of the EMJ Park Master Plan would be phased as well. It is anticipated that during construction, the existing amenities may be temporarily inaccessible to the general public for a short duration, depending on the type of construction being done. Additionally, for safety purposes, portions of EMJ Park may be inaccessible during construction to maintain visitor safety by separating visitors from potentially hazardous activities such as open trenches, construction equipment, and building materials. It is anticipated that development of the proposed Project components would occur in approximately six phases as outlined and shown in Exhibit 3.0-8, CEQA Conceptual Development Plan of the Draft EIR, with ultimate buildout of the Project site anticipated to occur by 2035. Mitigation

Measure REC-1 would require that during construction, the County implement a Pedestrian Safety Plan that includes appropriate signage and detour routes to enable visitors to access other various amenities. With implementation of Mitigation Measure REC-1, short-term construction-related pedestrian impacts would be less than significant. However, implementation of the Project includes the expansion of a recreational facility and construction of additional amenities which might have an adverse physical effect on the environment, more specifically, groundborne vibration during construction. This impact would be significant and unavoidable even with mitigation incorporated.

4. REVIEW AND REJECTION OF ALTERNATIVES

Section 15126.6 of the CEQA Guidelines requires the consideration and discussion of alternatives to proposed projects. According to these guidelines, an EIR shall "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.

State CEQA Guidelines Section 15126.6 (e) (1) declares that the specific alternative of "no project" shall also be evaluated along with its impact. The purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. The lead agency should proceed to analyze the impacts of the no project alternative by projecting what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.

Because not all significant effects can be substantially reduced to a less-than-significant level either by adoption of mitigation measures or by standard conditions of approval, the following section considers the feasibility of the Project alternatives as compared to the proposed Project.

As explained below, these findings describe and reject, for reasons documented in the DEIR and FEIR and are summarized below, each one of the Project alternatives, and the County finds that approval and implementation of the

initial Project design is appropriate. The evidence supporting these findings is presented in Chapter 8.0 of the DEIR.

Alternative 1: No Project

The “No Project” (Alternative 1) assumes that the proposed construction the EMJ Park does not occur. It is expected that the site would remain in its current condition under the No Alternative.

Finding

Specific economic, legal and other considerations make Alternative 1, identified in the DEIR/FEIR described above, a less desirable alternative for the Project and the County of Los Angeles.

Facts in Support of Finding

Alternative 1, the “No Project” Alternative, would not meet any of the Project objectives, with the exception of adequate traffic access and parking facilities (as there is adequate access and parking for the existing uses). The “No Project” Alternative would continue to provide recreational amenities to the local and regional residents. However, Alternative 1 would not include the development of a Master Plan for the site, and therefore, would not include the future development of increased park use opportunities and amenities. The “No Project” alternative assumes that the entire site will remain in its current condition.

Alternative 2: Alternative South Agency Headquarters Location Alternative

Alternative 2 considers the possible development phasing option of constructing the SAH on the southeast corner of the Project site, at the corner of El Segundo Boulevard and Clovis Boulevard. The proposed multi-purpose soccer & football fields would be located to the former UVA site. The western portion of the EMJ Park site is not constrained by remediation work required by the Remediation Action Plan (RAP). Therefore, as discussed in the development phasing section of the Project Description, the western portion is more likely to be available in the early phases of park development. Alternative 2 provides an analysis of the potential impacts associated with placing the SAH on the southeast corner of the Project site.

Finding

Specific economic, legal and other considerations make Alternative 2, identified in the DEIR/FEIR described above, a comparable alternative for the Project and the County of Los Angeles.

Facts in Support of Finding

Alternative 2 would meet all of the Project objectives previously identified above. Alternative 2 would include the development of a Master Plan that would include increased amenities at the Project site. Alternative 2 would have similar impacts to the proposed Project in all areas.

Alternative 3: Alternative Equestrian Center Location

Alternative 3 proposes to locate the Equestrian Center in the southeast corner of EMJ Park. The proposed multi-purpose soccer & football fields would then be located on the west side of EMJ Park, along Avalon Boulevard. The western portion of the EMJ Park site is not constrained by remediation work required by the Remediation Action Plan (RAP). Therefore, as discussed in the development phasing section of the Project Description, the western portion of the site is more likely to be available in the early phases of park development. The Alternative 3 evaluates the option of programming the Equestrian Center for construction at a later phase of park development. In this case the multi-purpose soccer & football fields which are one of the active recreational facilities, are alternatively located on the west side of the EMJ Park.

Finding

Specific economic, legal and other considerations make Alternative 3, identified in the DEIR/FEIR described above, a less desirable alternative for the Project Applicant and the County of Los Angeles.

Facts in Support of Finding

Alternative 3 would meet all of the Project objectives previously identified above. Alternative 3 would include the development of a Master Plan that would include increased amenities at the Project site. Alternative 3 would have similar impacts to the proposed Project in all areas with the exception of traffic and a more restricted access off of Clover Ave as compared to Avalon Ave in the proposed Project and Alternative 2.

5. STATEMENT OF OVERRIDING CONSIDERATIONS

The Los Angeles County Department of Parks and Recreation is the lead agency under CEQA for preparation and review of the Final EIR for the Earvin "Magic" Johnson Recreation Area Master Plan Project. As the lead agency, the County is also responsible for determining the potential environmental impacts of the proposed project and which of those impacts are significant, and which can be mitigated through impositions of mitigation measures or adoption of alternatives to avoid or minimize those impacts to a level of less than significant. CEQA then requires the lead agency to balance the benefits of a proposed action against its significant unavoidable adverse environmental impacts in determining whether to approve the proposed project. In making this determination the County is guided by CEQA Guidelines Section 15093 which provides as follows:

- a. CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."
- b. When the lead agency approves the project which will result in the occurrence of significant effects which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support the action based on the final EIR and/or other information in the record. The statement of overriding consideration shall be supported by substantial evidence in the record.
- c. If an agency makes a statement of overriding consideration, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute form and shall be in addition to, findings required pursuant to Section 15091.
- d. In addition, CEQA Section 21081 (b) requires that where a public agency finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment

opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in an EIR and thereby leave significant unavoidable effects, the public agency must also find that overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects of the project.

Although some potential project impacts have been substantially avoided or mitigated, as described in the Final EIR of this document, there remain significant unavoidable impacts for which complete mitigation is not feasible. Pursuant to CEQA Section 21081 (b) and the CEQA Guidelines Section 15093, the County has balanced the benefits of the proposed project against these unavoidable adverse impacts and has adopted all feasible mitigation measures with respect to these impacts. Both Alternative 2 and Alternative 3 meet the basic project objectives.

Statement of Overriding Consideration

The following benefits and consideration outweigh the identified significant and unavoidable adverse environmental impacts. Each of these benefits and considerations is a separate and independent basis that justifies approval of the project, so that if a court were to set aside the determination that any particular benefit or consideration would occur and justifies project approval, the Board would otherwise stand by its determination that the remaining benefit(s) or considerations are sufficient to justify and substantiate project approval.

Each benefit set forth below constitutes an overriding consideration warranting approval of the project independent of the other benefits, and the Board determines that the adverse environmental impacts of the project are "acceptable" if any of these benefits would be realized. The project would provide public benefits to the County as follows:

Economic Benefits

- Construction jobs will be generated for each phase of development throughout build out of the entire Master Plan.
- Additional long-term operation and maintenance jobs will be created and will be associated with the SAH.

- Additional long-term concession and vendor jobs will be created for the additional commercial components of the park including boating and fishing rentals, snack bars, etc. as well as vendors that will manage specific facilities at the park including the equestrian facility center and the aquatic center.

Social Benefits

The greatly expanded recreational amenities will provide numerous opportunities for members of the community to be active and for the County to promote healthy lifestyles.

- The expansion of trails would encourage a healthy lifestyle by allowing visitors to take advantage of the extensive trails and exercise amenities located throughout EMJ Park.
- Implementation of a Community Event Center. The Community Event Center would hold various activities throughout the year, that which the community would be encouraged to participate in. Some of these activities may include arts and crafts or youth summer educational programs.
- Implementation of a 21,000 square foot gymnasium. The gymnasium would be a public event area with two indoor basketball courts, a lobby, locker rooms, restrooms, and more. Youth and adults would feel encouraged to engage in recreational sporting activities during leisure times.
- Implementation of Multi-Purpose Soccer and Football Athletic Fields. The multi-purpose sports fields would allow for local sports teams or schools who do not have a designated area to play or practice on the fields (in accordance to EMJ policies).
- Implementation of an Equestrian Center. The Equestrian Center would allow for educational riding lessons for adolescents in the community. It would also allow for events and competitions.
- Implementation of an aquatic center. The aquatic center would include four outdoor pools, including competition, instructional, leisure, and activity pools. This would provide an opportunity for swimming lessons and another opportunity for exercise.
- Increased lighting at and use of the rehabilitated EMJ Park would increase safety as presence would discourage unlawful activity and vandalism. The

increased presence of County employees, due to presence of SAH onsite, will also increase safety at EMJ Park.

Environmental Benefits

- The re-purposing of the lakes into new water features will result in a lake with improved water quality. This would allow for continued fishing and ensure fish are safe for consumption. The current catch and release program for health and safety purposes would no longer be needed.

Conclusion

For the abovementioned reasons, adoption and implementation of the proposed Project would have environmental, economic, and social benefits that outweigh the unavoidable adverse noise impacts that will be temporary as they are generated from heavy construction equipment. Implementation of the proposed Project would help attain better services to its communities, improve quality of life and physical environment, and create temporary local jobs during construction phases and ongoing operational and maintenance jobs thereafter. Therefore, the County of Los Angeles has adopted this Statement of Overriding Considerations.