

**WHITTIER NARROWS DAM BASING RECREATION AREA
MASTER DEVELOPMENT PLAN INPUT**

PROGRAM ENVIRONMENTAL IMPACT REPORT

FINDINGS

A. PROJECT DESCRIPTION

The proposed MDPI represents a comprehensive effort to create a vision for future development and improvements in the WNDBRA and identifies a compilation of possible future projects. The MDPI is intended to support a future update of the *Whittier Narrows Dam Master Plan*, as may be undertaken by the USACE, but does not serve as a policy or regulatory document for the USACE.

As a planning document, the MDPI identifies potential facilities and uses that could be developed in the WNDBRA in the future. The MDPI also includes Recommendations and Short-Term Actions/Quick Wins for various programs and improvements that could be implemented by the WCA and its partner agencies.¹ These components include (1) administrative actions; (2) operational activities and programs; and (3) proposed facilities and improvements. Table 1 lists the proposed facilities and improvements that may result in environmental impacts.

**TABLE 1
PROPOSED FACILITIES AND IMPROVEMENTS**

Planning Area	ID Number	Proposed Facilities & Improvements
Conservation Zone	1	Arundo Removal and Riparian Enhancement
	2	Reintroduction of Native Species
	3	Water Quality Improvement Programs in Natural Areas
Area A	4	Skate Park or Court Sports
	5	Expansion of Existing Soccer Fields at current location
	6	Storm water BMPs
	7	Water Quality Treatment at Drainage Outlets on the Rio Hondo
	8	3 Natural Area River Parks along the Rio Hondo
	9	Entry Signage
	10	River crossings along the Rio Hondo
Area B	11	Amphitheater/Special Events Area
	12	Playground
	6	Storm water BMPs
	13	Loop Trails
Area C	9	Entry Signage
	14	Disc Golf Areas
	15	Mountain Bike Facility
	6	Storm water BMPs
	13	Loop Trails
	8	1 Natural Area River Park along the Rio Hondo

¹ These include the Los Angeles County Board of Supervisors, District 1; the Los Angeles County Departments of Parks and Recreation (LACDPR) and Los Angeles County Department of Public Works (LACDPW); the City of Pico Rivera; the Water Replenishment District (WRD); and the Rivers and Mountains Conservancy (RMC).

Planning Area	ID Number	Proposed Facilities & Improvements
	9	Entry Signage
	16	Archery Range Reconstruction
	1	Arundo Removal And Riparian Enhancement
Areas D and E	17	Waterplay/Splash Park
	18	Welcome Center
	19	Fitness Stations
	1, 2	Riparian Restoration at Islands at Legg Lake
	20	Additional Fishing Areas
	6	Storm water BMPs
	21	Green Streets
	22	Traffic Calming Measures
	9	Entry Signage
Area F Bicentennial Park/Sports Arena/Equestrian Center	23	Performance Pavilions or Small Event Areas
	6	Storm water BMPs
	13	Loop Trails
	8	2 Natural Area River Parks along the San Gabriel River
	9	Entry Signage
	24	Group Picnic Area
	25	Campground Restoration
	1	Arundo Removal and Riparian Enhancement
Area G Whittier Narrows Golf Course	6	Storm water BMPs
Natural Area	1	Arundo Removal and Riparian Enhancement
South of Dam	6	Storm water BMPs at Streamland Park and Pico Rivera Golf Course
Streets Near the WNDBRA	21	Green Streets
	22	Traffic Calming Measures
	9	Entry Signage
BMPs: Best Management Practices		

These facilities and improvements would be implemented by the WCA, its partner agencies, or other entities that may be interested in pursuing any project. However, the USACE will need to approve these projects, including incorporating them into the *Whittier Narrows Dam Master Plan*, if necessary, prior to any implementation.

The WCA would implement the operational and administrative actions called out in the MDPI to coordinate development within the WNDBRA, along with some pilot projects. However, the majority of proposed facilities and improvements would have to be spearheaded by the WCA's partner agencies, other public agencies, and stakeholders, in accordance with their priorities and as funding and approvals are obtained.

B. LEGAL REQUIREMENTS

CEQA and the State CEQA Guidelines require that the environmental impacts of a project be examined before a project is approved. Specifically, regarding findings, Section 15091 of the CEQA Guidelines states:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

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 final EIR.
 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 final EIR.
- (b) The findings required by subsection (a) shall be supported by substantial evidence in the record.
- (c) The finding in subsection (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subsection (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

The “changes or alterations” referred to in CEQA Guidelines Section 15091(a)(1) above, which are required in, or incorporated into, the project and that mitigate or avoid the significant environmental effects of the project, may include a wide variety of measures or actions as set forth in CEQA Guidelines Section 15370, including:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.

- (e) Compensating for the impact by replacing or providing substitute resources or environments.

Regarding a Statement of Overriding Considerations, Section 15093 of the CEQA Guidelines states:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other 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 a 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 its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, 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 for, and shall be in addition to, findings required pursuant to Section 15091.

The WCA has prepared a Final Program Environmental Impact Report (Final Program EIR) for the MDPI in accordance with the requirements of both CEQA and the CEQA Guidelines. Because the Final Program EIR identified significant effects that may occur as a result of implementation of the MDPI, and in accordance with the provisions of the Guidelines, the WCA Board of Directors hereby adopts these findings as part of the approval of the MDPI.

C. RECORD OF PROCEEDINGS

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

- a. The Notice of Preparation (NOP) and all other public notices issued by the WCA in conjunction with the MDPI;
- b. The Draft Program EIR and all appendices and technical reports;
- c. The Comments received during the public review comment period, including a list of all persons, organizations, and public agencies commenting;
- d. The Response to Comments and all appendices;
- e. All written and verbal public testimony presented during the noticed public hearing on March 30, 2011, for the MDPI at which such testimony was taken;
- f. Information provided in submissions of testimony from the public and other municipalities and agencies;
- g. The Mitigation Monitoring and Reporting Program (MMRP);
- h. Transmittal packages relating to the MDPI and the Program EIR to the WCA;
- i. All attachments and documents incorporated by reference identified in the above-listed items; and

- j. Any other relevant materials required to be in the record or proceedings by Section 21167.6(e) of the *California Public Resources Code*.

D. SUMMARY OF ENVIRONMENTAL IMPACTS

At a regular public hearing on March 30, 2011, the WCA Board determined that, based on all evidence presented, including, but not limited to the Final Program EIR; written and oral testimony given at meetings and hearings; and submission of comments from the public, organizations, and regulatory agencies; and the responses prepared for the public comments the following environmental impacts associated with the MDPI are:

- 1) Issues that are projected to have a less than significant impact or no impact and that do not require mitigation:
 - Agriculture and Forest Resources;
 - Greenhouse Gas Emissions;
 - Hazards and Hazardous Materials;
 - Land Use and Planning;
 - Mineral Resources;
 - Population, Housing and Employment;
 - Public Services;
 - Recreation; and
 - Utilities and Service Systems
- 2) Issues that are projected to have potentially significant impacts that can be avoided or reduced to a level considered less than significant through the identified mitigation measures:
 - Aesthetics;
 - Biological Resources;
 - Cultural Resources;
 - Geology and Soils;
 - Hydrology and Water Quality;
 - Noise; and
 - Transportation.
- 3) Potentially significant impact that cannot be avoided or reduced to a level considered less than significant:
 - Air Quality

No comments made in the public hearings conducted by the WCA Board or any additional information submitted to the WCA has produced any substantial new information requiring

recirculation or additional environmental review of the Final Program EIR under CEQA because no new significant environmental impacts were identified; no substantial increase in the severity of any environmental impacts would occur; and no feasible mitigation measures or project alternatives, as defined in Section 15088.5 of the State CEQA Guidelines, were rejected. Additionally, no substantial evidence exists which indicates that any of the circumstances described in Section 15162 of the State CEQA Guidelines would require preparation of a subsequent or supplemental EIR.

SECTION II IMPACTS THAT ARE LESS THAN SIGNIFICANT AND THEREFORE DO NOT REQUIRE MITIGATION

Section 15091 of the State CEQA Guidelines does not require specific findings to address environmental effects that an EIR identifies as “less than significant”. These findings will nevertheless fully account for all such effects identified in the Final Program EIR. The WCA Board hereby finds that the following potential environmental impacts and those issues with no significant impacts as they relate to the implementation of the MDPI and the proposed facilities and improvements that would be implemented in the WNCBRA pursuant to the proposed MDPI are less than significant, with the implementation of the project design features in the MDPI and with compliance with existing regulations and standard conditions.

A. AGRICULTURE AND FOREST RESOURCES

Potential Impact

There is no Prime or Unique Farmland or Farmland of Statewide or Local Importance, forestland, or timberland in or near the WNCBRA. Ongoing agricultural operations in the WNCBRA would not be displaced by implementation of the MDPI.

Finding

The MDPI would have less than significant impacts on agriculture and forest resources.

Facts in Support of Finding

Proposed facilities and improvements under the MDPI would have no impact on designated Farmlands. No change in agricultural zoning is proposed by the MDPI, and there are no Williamson Act Contracts within or near the WNCBRA. The WNCBRA is not zoned as forestland or timberland, and there are no forests in the WNCBRA. The MDPI does not propose new facilities or improvements on forest lands within the Angeles National Forest. The WNCBRA is not zoned as forestland or timberland, and the MDPI would not lead to the loss of forestland or the conversion of forestland to other uses.

Impacts associated with the potential future conversion of the agricultural fields and nurseries in the WNCBRA to other uses are considered less than significant since (1) the USACE is allowing agricultural operations within the WNCBRA until the current leases expire; (2) the MDPI does not specifically call for the displacement of agricultural operations or new uses in these areas;

and (3) the existing agricultural fields and nurseries are not designated as Farmland. No cumulative impacts on agriculture and forest resources would occur with the proposed MDPI (Draft Program EIR pages 5.2-4 to 5.2-6).

B. GREENHOUSE GAS EMISSIONS

Potential Impact

The construction and use of the proposed facilities and improvements called out in the MDPI would generate a minimal amount of greenhouse gas (GHG) emissions.

Finding

The MDPI would have less than significant impacts related to GHG emissions and climate change.

Facts in Support of Finding

GHG emissions from proposed facilities and improvements under the MDPI would be short-term and incremental as each project is constructed in the WNDBRA. Thus, GHG emissions from construction activities at the WNDBRA would be considered less than significant. Proposed facilities and improvements would not lead to a large number of permanent users/visitors who would come to the WNDBRA daily. Rather, the proposed facilities and improvements are likely to be used intermittently by residents of the surrounding communities and the larger region, mainly during the late afternoon hours on weekdays and during the weekends. Even the amphitheater is not anticipated to be in constant use; therefore, it would not generate vehicle trips that would result in significant GHG emissions. In addition, the proposed recreational facilities at the WNDBRA would meet the recreation demand from the surrounding residents, reducing the need to travel to venues farther than the WNDBRA.

Compliance with energy and water conservation regulations and trip reduction and waste recycling ordinances would also indirectly reduce operational GHG emissions. Long-term GHG emissions would be considered less than significant. GHG reduction plans and regulations are being implemented at the Statewide level, and compliance at the plan or project level is not necessary. Proposed facilities would comply with energy conservation regulations and Green building standards, including the County's Green Building Program and Countywide Energy and Environmental Policy. Therefore, the proposed MDPI does not conflict with GHG plans and regulations. It is very unlikely that the proposed facilities and improvements in the WNDBRA would generate GHG emissions of a magnitude to directly impact global climate change. Thus, the cumulative impact of the proposed MDPI on climate change would be less than significant (Draft Program EIR pages 5.17-16 to 5.17-18).

C. HAZARDS AND HAZARDOUS MATERIALS

Potential Impact

Hazardous materials use during construction and maintenance of the proposed facilities and improvements under the MDPI would be required to comply with existing regulations. Therefore, MDPI would not create hazards in the WNDBRA.

Finding

The MDPI would have a less than significant impact related to hazards and hazardous materials.

Facts in Support of Finding

Construction and maintenance activities at the WNDBRA may use or generate hazardous materials or wastes in quantities that would pose a hazard to the public. Compliance with existing hazardous material regulations would prevent undue hazards. Impacts would be less than significant and no mitigation is required. Hazardous materials use may lead to the accidental release of hazardous materials. Compliance with pertinent regulations would avoid the creation of a significant hazard to the public and would reduce the potential for the release of hazardous materials into the environment. Impacts would be less than significant. Hazardous material users and sites within the WNDBRA that are listed in governmental databases include a former dump site and hog ranch; the Whittier Narrows Golf Course; the Los Angeles County Sanitation District's (LACSD's) water reclamation plant; the USACE's maintenance yard; the Los Angeles County Departments of Parks and Recreation's (LACDPR's) maintenance yard; and gas transmission lines. These uses do not represent a significant hazard to the public or the environment with compliance with relevant regulations. Impacts would be less than significant.

Hazardous materials use at the WNDBRA may affect nearby schools. However, compliance with existing regulations would prevent undue hazards. The WNDBRA is not located within the Airport Influence Area for the El Monte Airport, as defined by the Los Angeles County Airport Land Use Commission (ALUC). There are no other airports, airfields, or heliports near the WNDBRA that may create hazards to visitors or other persons in the WNDBRA. No impact related to airport or aircraft hazards would occur with the proposed MDPI or proposed facilities and improvements in the WNDBRA.

Proposed facilities within the WNDBRA would be located where there is existing access to public roadways and would not interfere with emergency response or evacuation of adjacent sites. Construction on public roadways would be temporary and compliance with the Greenbook and Graybook will reduce interference with emergency response or emergency evacuation during construction. The proposed Traffic Calming Measures are not intended to divert traffic to adjacent areas but would improve pedestrian safety access between different areas of the WNDBRA. No significant adverse impacts on emergency response or evacuation are expected. The WNDBRA is located in a fully urbanized area with a low risk of wildland fires. No improvements are proposed on the undeveloped parcel owned by a private developer in the City of South El Monte and the undeveloped parcel formerly leased to WB Core, which are designated as a Moderate to High Fire Hazard Severity Zone. Compliance with existing health and safety regulations would prevent the creation of health risks and public safety hazards in the

WNDBRA. No significant cumulative adverse impacts are expected (Draft Program EIR pages 5.7-16 to 5.7-23).

D. LAND USE AND PLANNING

Potential Impact

No conflict with existing or planned land uses or policies would occur with the implementation of the MDPI.

Finding

The MDPI would have a less than significant impact related to land use and planning.

Facts in Support of Finding

There are no residential uses within the WNDBRA and there are no established communities that would be affected by the proposed facilities and improvements recommended by the MDPI. Proposed facilities at the interior of the WNDBRA would be located near other recreational areas, maintenance yards, river channels, and open spaces and would not result in land use incompatibility. Impacts related to traffic, air quality, noise, and aesthetics that may affect nearby residences and schools are addressed separately.

The MDPI would not conflict with local land use policies or regional plans. There is no habitat conservation plan or natural community conservation plan at or near the WNDBRA. The proposed MDPI does not replace or supersede the *Whittier Narrows Dam Basin Master Plan* but only recommends programs, facilities, and improvements that may be constructed or implemented in the WNDBRA. These programs, facilities, and improvements support the same objectives as the Master Plan. No cumulative land use impacts are expected (Draft Program EIR pages 5.9-9 to 5.9-14).

E. MINERAL RESOURCES

Potential Impact

Mineral resources in the WNDBRA would not be adversely affected by the proposed facilities and improvements under the MDPI.

Finding

The MDPI would have less than significant impacts on mineral resources.

Facts in Support of Finding

There are no designated Mineral Resource Zones (MRZs) within the WNDBRA. Also, there are no current or historical sand and gravel resource extraction activities in the WNDBRA. No oil pumping activities are ongoing at the WNDBRA, although oil production occurred in the past. The proposed MDPI facilities would not involve the construction of structures that would substantively preclude accessibility to underlying resources. Thus, availability of oil resources

would not be affected by the MDPI. Drilling wells in the Montebello oil field are located near the WNDBRA but would not be affected by the proposed facilities and improvements. Thus, no conflict with existing and future oil production at the Montebello oil field would occur. Cumulative impacts would be less than significant (Draft Program EIR pages 5.10-4 to 5.10-5).

F. POPULATION AND HOUSING

Potential Impact

No increase in population or housing would occur with the MDPI. In addition, no housing, household, or employee displacement would occur with implementation of the MDPI.

Finding

The MDPI would have less than significant impacts related to population and housing.

Facts in Support of Finding

The MDPI does not propose housing development within the WNDBRA; therefore, it would not result in direct population growth. Also, no housing displacement impacts would occur. Some facilities are proposed to replace existing land uses when the leases expire or when a facility no longer serves the demand from the surrounding area. Thus, replacement of these uses with other recreational facilities would not result in substantial population displacement and would not be considered a significant adverse impact. The MDPI would not result in a cumulatively considerable contribution to regional population growth or housing development (Draft Program EIR pages 5.12-3 to 5.12-4).

G. PUBLIC SERVICES

Potential Impact

Increases in demand for police and fire protection services in the WNDBRA would be limited due to the type and size of facilities proposed and the anticipated minor increase in user population.

Finding

The MDPI would have less than significant impacts on public services.

Facts in Support of Finding

Increase in the number of employees and visitors at the WNDBRA—roughly estimated to range from 2.0 to 2.6 million visitors or as much as 7 percent more by 2020—would not require new fire or police protection facilities. Compliance with existing regulations would prevent fire hazards and would deter crime in the WNDBRA. No demand for schools or libraries would be generated by the MDPI. The adoption of the MDPI and proposed facilities and improvements under the MDPI would not result in significant unavoidable cumulative impacts related to public services (Draft Program EIR pages 5.13-4 to 5.13-8).

H. RECREATION

Potential Impact

Beneficial impacts on recreation would occur with the implementation of the MDPI.

Finding

The MDPI would have no adverse impacts on recreation.

Facts in Support of Finding

Proposed facilities under the MDPI would provide additional opportunities for recreation, which would provide for meeting the recreational demand in the region and may promote greater use of the WNDBRA. Greater use of facilities may lead to deterioration, but ongoing and future maintenance by the LACDPR and the City of Pico Rivera would reduce deterioration. The MDPI itself would not contribute to the cumulative demand for parks and recreation (Draft Program EIR pages 5.14-3 to 5.14-5).

I. UTILITIES AND SERVICE SYSTEMS

Potential Impact

Proposed facilities and improvements proposed under the MDPI could be served by existing utilities and service systems.

Finding

The MDPI would have a less than significant impact on utilities and service systems.

Facts in Support of Finding

There are existing water, sewer, storm drain, solid waste disposal, telephone, gas and power lines, and other facilities that serve the WNDBRA. Proposed facilities called out in the MDPI would be served by these same infrastructure systems without the need to expand available capacities. There are adequate water supplies to provide irrigation water and restroom water. Coordination with appropriate utility service providers would ensure timely service. No significant cumulative adverse impacts would occur (Draft Program EIR pages 5.16-20 to 5.16-32).

**SECTION III
POTENTIALLY SIGNIFICANT EFFECTS
THAT HAVE BEEN MITIGATED BELOW A LEVEL OF
SIGNIFICANCE WITH THE ADOPTION OF MITIGATION MEASURES**

The WCA Board hereby finds that the following environmental impacts identified in the Final Program EIR are potentially significant but can be mitigated to a less than significant level. The potentially significant impacts and the mitigation measures which will reduce them to a less than significant level are summarized below.

A. AESTHETICS

Potential Impact

Proposed facilities and improvements in the WNCBRA would change the visual quality of individual sites and would introduce new sources of light and glare. Changes in visual quality would be less than significant, but light and glare impacts could adversely affect adjacent residences and light-sensitive areas outside the WNCBRA.

Finding

Pursuant to Section 21081(a)(1) of CEQA, changes or alterations have been required in, or incorporated into, the MDPI which mitigate this effect of light and glare below a level of significance.

Facts in Support of Finding

Proposed facilities would partially block views of the surrounding hills and the distant San Gabriel Mountains, but these scenic vistas would continue to be visible from various other vantage points throughout the WNCBRA. Impacts would be less than significant. No impact on scenic resources within a scenic highway would occur.

Proposed facilities and improvements under the MDPI would change the visual quality of the sites where individual projects would be built, as well as the overall views of the WNCBRA from public roadways and within the site. The MDPI includes programs (i.e., Signage Master Plan, Identity and Branding Program, Cleanup Activities, and Green Streets) to improve the visual quality and aesthetics at the WNCBRA. Impacts would be less than significant. Changes to the visual quality of the project area are not expected to be cumulatively significant.

New light sources would increase lighting levels at the WNCBRA. New light sources (parking lot lights and exterior security lighting) at the edges of the WNCBRA may create light spillover into nearby residences, where no intervening structures or land uses are present. Glare impacts may also occur, depending on the building materials used. Mitigation has been developed to reduce this impact, as provided below. Impacts would be less than significant after mitigation (Draft Program EIR pages 5.1-3 to 5.1-7).

Mitigation Measure

MM 5.1.1 Light and glare sources that would accompany proposed facilities and improvements shall be selected and designed to prevent light spillover and glare onto adjacent land uses. Controls on light intensity, type of source, light shields,

directional lighting, pole heights, operating hours, barriers/buffers, glazing materials, and other factors shall be incorporated into individual projects to prevent light and glare trespass into abutting residences and light-sensitive areas outside the WNCBRA.

B. BIOLOGICAL RESOURCES

Potential Impact

Proposed facilities and improvements under the MDPI would lead to the disturbance of sensitive plant and animal species and habitats in the WNCBRA.

Finding

Pursuant to Section 21081(a)(1) of CEQA, changes or alterations have been required in, or incorporated into the MDPI that mitigate this effect below a level of significance.

Facts in Support of Finding

Several special status plant species are known to occur in the vicinity of the WNCBRA. A number of other special status birds are transient and winter visitors of the area. In addition, the southern section of the WNCBRA is designated as a critical habitat for the coastal California gnatcatcher. The implementation of proposed facilities and improvements under the MDPI may lead to the disturbance or destruction of these sensitive plant and animal species. Compliance with resource agency requirements for the protection of sensitive species would be necessary. Proposed facilities and improvements would also need to comply with the County's Oak Tree Ordinance and Significant Ecological Area (SEA) program. In addition, mitigation would be needed to reduce impacts to less than significant levels.

The proposed programs, facilities, and improvements under the MDPI may affect wetlands and riparian resources since the majority of the WNCBRA is associated with some riparian habitat type or non-native vegetation growing in jurisdictional areas. Proposed Arundo Removal, Revegetation and the Conservation Zone under the MDPI would improve plant and animal habitats in the WNCBRA. Permitting from the appropriate agencies would be necessary for any ground-disturbing activities or activities that may affect the riparian habitats, including those dominated by non-native species.

The proposed facilities and improvements under the MDPI would not fully obstruct wildlife movement within the WNCBRA. Impacts would be less than significant. Cumulative impacts to biological resources would also be less than significant (Draft Program EIR pages 5.4-18 to 5.4-22).

Mitigation Measure

MM 5.4.1 Any project within the WNCBRA that involves the removal of vegetation or habitat shall conduct a site-specific biological resource assessment to determine if any special status species (e.g., Threatened or Endangered species, California Native Plant Society [CNPS] List 1B and 2 plants, or species protected under Section 15380 of CEQA) are potentially present in or near the proposed disturbance site, prior to any land clearing or disturbance. If potential habitat is

present in an area, focused surveys shall be conducted prior to construction activities in order to document the presence or absence of a species on the project site. Botanical surveys shall be conducted during the appropriate blooming period for a species that has the potential to occur in the study area (such as Nevin's barberry and Parish's gooseberry). Wildlife surveys would be necessary if potential habitat for western spadefoot, southwestern pond turtle, two-striped garter snake, tricolored blackbird, burrowing owl, western yellow-billed cuckoo, southwestern willow flycatcher, coastal California gnatcatcher, least Bell's vireo, Los Angeles pocket mouse or other sensitive animal species would be impacted. If special status species are found or if any critical habitat would be impacted, appropriate mitigation (such as compensation for lost habitat at a minimum ratio of 1:1; relocation of individuals; and/or avoidance of activities during the breeding season) would be required in coordination with the Lead Agency and appropriate resource agencies. If no special status species are found on the project site and no critical habitat would be impacted, no additional action is warranted.

C. CULTURAL RESOURCES

Potential Impact

The proposed programs, facilities, and improvements called out in the MDPI would lead to vegetation removal and ground disturbance that could affect cultural resources in the WND BRA.

Finding

Pursuant to Section 21081(a)(1) of CEQA, changes or alterations have been required in, or incorporated into, the MDPI that mitigate this effect below a level of significance.

Facts in Support of Finding

A number of other historical sites are known to have been present in the WND BRA. Since not all resources can be found during subsequent surveys, potentially significant adverse impacts on historical resources may occur with ground disturbing activities under the MDPI. Archaeological resources have also been found in the WND BRA and proposed facilities and improvements may adversely disturb or destroy these resources. Compliance with the *Whittier Narrows Historic Properties Management Plan* and the mitigation measures in the Draft Program EIR would protect significant cultural resources. Impacts would be less than significant after mitigation.

The WND BRA is considered to have low paleontological sensitivity. The discovery of human remains is expected to comply with the *California Health and Safety Code* and the *California Public Resources Code*. Since cultural resources are site-specific, no cumulative significant adverse impacts are expected (Draft Program EIR pages 5.5-10 to 5.5-13).

Mitigation Measures:

MM 5.5.1 Qualified Archaeological Monitors and Native American Monitors shall be present during all ground-disturbing activities at the WND BRA. The monitors shall attend pre-construction meetings; fence, flag, or mark the boundaries of significant resources if they are in jeopardy of disturbance by construction;

examine ground surfaces after vegetation removal but prior to grading; monitor all grading and stop or redirect grading to prevent damage to cultural resources; notify appropriate individual in the event of discovery of cultural resources; and comply with State and federal laws on the treatment of discovered human skeletal remains.

- MM 5.5.2** Prior to the implementation of each proposed program, facility, or improvement that involves vegetation clearing or grading, a cultural resources investigation shall be completed to evaluate whether any cultural resources remain exposed on the surface of the project area or can reasonably be expected to exist in the subsurface. If resources are discovered, management recommendations would be included that require evaluation of the resources for NRHP or CRHR eligibility. If eligible, a site shall be listed in the NRHP or CRHR prior to any work in or near the site.
- MM 5.5.3** All eligible sites shall be listed in the NRHP prior to any work in or near these sites. These include the La Merced Adobe and LAN-1311/H, which are now considered eligible, and the Old Mission and Basye Adobe, which are considered eligible if located.
- MM 5.5.4** The area north of Durfee Avenue and south of Legg Lake shall be surveyed after disking and prior to placement of plastic sheeting, and the subsurface shall be explored to determine if cultural remains are present. If cultural remains are observed, the boundaries, integrity, and research potential of the site shall be evaluated through test excavation. Because this area is subject to ongoing farming, re-locating archaeological resources and evaluating this site shall occur as soon as feasible. If eligible, it shall be listed in the NRHP or CRHR prior to any work in or near this site.
- MM 5.5.5** The area along State Route 60 west of the Rio Hondo shall be surveyed to find the exact location of archaeological resources and determine eligibility for listing in the NRHP. Subsurface exploration shall be conducted to confirm its presence. If eligible, it shall be listed in the NRHP or CRHR prior to any work on or near this site.
- MM 5.5.6** A treatment plan shall be developed and implemented for the area north of San Gabriel Boulevard and southeast of the Rio Hondo to protect further damage to cultural resources by oil drilling activities and other proposed improvements. The plan shall include worker education to prevent inadvertent damage; restrictions on future oil drilling and maintenance activities; fencing of the site; and enforcement monitoring. If preservation of the cultural site is infeasible, future damage shall be mitigated by data recovery.
- MM 5.5.7** Treatment of the La Merced Adobe shall include worker and visitor education and possibly site fencing. Site records shall also be completed and submitted to the South Central Coastal Information Center (SCCIC) at the California State University, Fullerton. SHPO concurrence of its eligibility to be listed in the NRHP shall be requested. Any future damage shall be avoided or mitigated through data recovery. It shall be listed in the NRHP prior to any work in or near this site.

MM 5.5.8 The Temple School and site shall be formally evaluated for NRHP eligibility, consisting of detailed documentation of the site and the architectural characteristics of the buildings, as prepared by a qualified Historian or Architectural Historian. The presence of historic-period archaeological deposits shall also be evaluated. If eligible, it shall be listed in the NRHP or CRHR prior to any work on or near this site.

D. GEOLOGY AND SOILS

Potential Impact

Proposed facilities and improvements in the WNDDBRA would be exposed to the geologic and seismic hazards in the area.

Finding

Pursuant to Section 21081(a)(1) of CEQA, changes or alterations have been required in, or incorporated into, the MDPI that mitigate this effect below a level of significance.

Facts in Support of Finding

An Alquist-Priolo Earthquake Hazard Zone (APEFZ) has been designated for the Alhambra Wash-East Montebello Fault, which is located at the western edge of the WNDDBRA. Extension of the APEFZ into the WNDDBRA would pass through areas proposed for trails and the Natural Area. Extension of the Whittier Fault from the east to the northwest would cross the dam and conservation pool area, where only habitat restoration is proposed under the MDPI. No structures are proposed near these fault extensions; thus, the risk of surface rupture is not expected to result in major property damage or personal injury. The Upper Elysian Park Blind Thrust and the Puente Hills Blind Thrust have no surface expressions and would not pose surface rupture hazards to the WNDDBRA. Thus, impacts related to surface rupture would be less than significant. However, the proposed facilities and improvements at the WNDDBRA would be subject to ground-shaking hazards. Compliance with applicable building codes and regulations would reduce hazards to acceptable levels.

The WNDDBRA is susceptible to earthquake-induced liquefaction. Design and construction of proposed facilities and improvements in accordance with the recommendations of the geotechnical investigation would reduce hazards to less than significant levels.

Because the WNDDBRA is relatively flat, the potential for major erosion is low. Any soil erosion would be internal to the area and would be considered less than significant. Other geologic hazards (i.e., soil expansion, lateral spreading, subsidence, etc.) may be present in the WNDDBRA and may affect proposed facilities and improvements, depending on their specific locations and soil conditions. Geotechnical investigations for individual facilities would identify hazards and recommend appropriate building design and construction methods. Impacts would be less than significant after mitigation.

With compliance with existing regulations and implementation of geotechnical and engineering practices related to seismic and geologic hazard reduction, structural integrity, and soil management, geologic and soils impacts on future development in the San Gabriel Valley are not expected to be cumulatively significant (Draft Program EIR pages 5.6-8 to 5.6-14).

Mitigation Measures

MM 5.6.1 The Engineering Geology Report or Soils Engineering Report that would be prepared for individual facilities and improvements in the WND BRA shall be prepared in accordance with County's Manual for the Preparation of Geotechnical Reports and shall determine liquefaction hazards at individual sites and provide appropriate recommendations to maintain the structural integrity of structures, utility lines, and infrastructure. Individual projects shall incorporate the recommendations of the Engineering Geology Report or Soils Engineering Report into the design and construction of the project to prevent liquefaction hazards.

MM 5.6.2 The geotechnical investigation that would be prepared for individual facilities and improvements shall determine soil expansion hazards in areas underlain by Chino soils and provide appropriate recommendations to maintain the structural integrity of structures, utility lines, and infrastructure. Individual projects shall incorporate the recommendations of the geotechnical investigation into the design and construction of the project to prevent soil expansion hazards.

E. HYDROLOGY AND WATER QUALITY

Potential Impact

Proposed facilities and improvements under the MDPI would change the local hydrology and generate storm water pollutants.

Finding

Pursuant to Section 21081(a)(1) of CEQA, changes or alterations have been required in, or incorporated into, the proposed MDPI that mitigate this effect below a level of significance.

Facts in Support of Finding

Construction, use, and maintenance of the proposed facilities and improvements under the MDPI would generate pollutants in the storm water in the WND BRA. Compliance with the National Pollutant Discharge Elimination System (NPDES) mandates for construction and post-construction best management practices (BMPs) and the County's Low Impact Development (LID) standards would reduce pollutants. A number of programs proposed in the MDPI (i.e., Water Quality Improvement, Water Quality Treatment, Green Streets, and Storm Water BMPs) would also improve water quality at the WND BRA. However, segments of the Rio Hondo and San Gabriel River and Legg Lake within the WND BRA are impaired water bodies and mitigation is provided to further reduce pollutants from proposed facilities and improvements that may enter the storm water and add to the impairment of these water bodies.

Limited demand for groundwater supplies or other direct impacts to groundwater would occur with the MDPI. Impact on groundwater resources would be less than significant. Impacts related to local changes in drainage patterns and erosion would also be less than significant.

The WND BRA is located within the 100-year floodplain, and proposed facilities and improvements are required to comply with USACE regulations so as not to interfere with the flood risk management functions of the facility. Compliance with standards and guidelines for

development within each flood elevation and with the development standards to prevent flood hazards to proposed facilities would not prevent flooding but would reduce impacts to less than significant levels. With the existing and proposed facilities and improvements designed and constructed in accordance with the USACE flood guidance, the structures would be flood-proof and inundation and seiche impacts would be less than significant.

Tsunami or mudflow hazards would not affect proposed facilities and improvements in the WND BRA. Cumulative impacts on hydrology and water quality would be less than significant (Draft Program EIR pages 5.8-21 to 5.8-32).

Mitigation Measure

MM 5.8.1 Proposed facilities under the MDPI shall be designed to incorporate BMPs within each individual development or improvement at the project site that would protect storm water quality within the WND BRA by reducing pollutants that could enter the storm water. These BMPs may include the use of catch basin filters or bioswales in parking lots; minimal use of pesticides and fertilizers; use of non toxic chemicals for maintenance and landscaping activities; regular removal of trash and debris; off-site disposal of grass clippings and organic materials; efficient irrigation systems; use of pervious pavements; and other site design, source control, or treatment control BMPs.

F. NOISE

Potential Impact

Proposed facilities and improvements under the MDPI would generate noise impacts during construction, use, and maintenance that could affect noise-sensitive users. Users of the proposed facilities could also be exposed to high noise levels.

Finding

Pursuant to Section 21081(a)(1) of CEQA, changes or alterations have been required in, or incorporated into, the proposed MDPI that mitigate this effect below a level of significance.

Facts in Support of Finding

Future outdoor recreational uses within the WND BRA could be exposed to high noise levels from State Route (SR) 60 and Interstate (I) 605, Rosemead Boulevard, Durfee Avenue, and other major roadways on and near the WND BRA. Since no project designs, site improvement plans, or building plans have been developed for individual projects, noise studies would have to be prepared prior to approval for each proposed project to ensure that the proposed uses would be compatible with future exterior ambient noise levels.

Since projected traffic volume increases with the proposed facilities and improvements under the MDPI would not double existing traffic volumes, increases in noise levels would be less than 3 A-weighted decibels (dBA) and would not be perceptible. Thus, traffic noise increases due to the MDPI would be less than significant.

Proposed recreational facilities may generate noise impacts during construction and, when large crowds are present, that could affect nearby residences, schools, and noise-sensitive uses. Compliance with the County or nearby City's noise and vibration regulations would reduce noise and vibration impacts. Mitigation would further reduce impacts to less than significant levels.

No impacts to airport or aircraft operations would occur with the proposed facilities and improvements under the MDPI, and the MDPI would not expose WNDDBRA users to excessive noise levels from aircraft. Construction activities conducted consistent with the Los Angeles County Noise Control Ordinance and affected local jurisdictions' regulations are not expected to result in a significant cumulative impact. The anticipated increase in traffic volumes on local streets and freeways would also not result in a perceptible ambient noise increase or significant cumulative traffic noise impacts (Draft Program EIR pages 5.11-12 to 5.11-20).

Mitigation Measures

- MM 5.11.1** Prior to the start of construction activities for individual projects, preparation of an acoustical study would be required for construction projects where heavy construction equipment would be utilized within 900 feet of a residential property or school, or within 300 feet of a commercial property. The acoustical study shall incorporate methods, such as the installation of a temporary noise barrier/curtain at the boundaries of the construction site, to meet applicable construction noise standards.
- MM-5.11.2** Noise studies shall be prepared prior to approval of each proposed project that includes recreational uses such as playgrounds, amphitheaters, a sports arena, and water recreation areas to ensure that the proposed facilities are compatible with the future exterior ambient noise environment. For amphitheaters, the ambient noise above conditionally acceptable levels shall be above 65 dBA CNEL; for sports arenas and outdoor spectator sports levels, above 70 dBA CNEL; and for water recreation facilities, above 70 dBA CNEL. Noise mitigation at these areas can be accomplished through use of noise barriers or by siting use areas away from the roadways and/or behind berms, hills, and structures.
- MM-5.11.3** A noise study shall be prepared for all projects that would be located within 500 feet of a home or school and that would support large crowds and outdoor recreational activities (such as the skate park or court sports, expansion of existing soccer fields, amphitheater/special events area, waterplay/splash park, performance pavilions, or small event areas) in order to demonstrate that the project would not adversely affect nearby noise-sensitive uses. Compliance may be achieved through limiting of activities to the daytime hours; siting of noise-generating activities as far as practicable from the nearest homes and schools; site design (bleachers and sound amplifiers/speakers facing away from noise-sensitive uses, use of intervening structures and topography); and the construction of noise barriers.
- MM-5.11.4** If pile driving and/or blasting are anticipated during the construction of a project that would be located within 900 feet of an existing structure, a technical study shall be prepared to evaluate and mitigate potential noise and vibration impacts to nearby structures and persons. Potential mitigation may include the use of non explosive rock removal methods and low-impact pile driving methods.

G. TRANSPORTATION

Potential Impact

Proposed facilities and improvements under the MDPI would generate new vehicle trips and increased demand for parking within and near the WNCBRA.

Finding

Pursuant to Section 21081(a)(1) of CEQA, changes or alterations have been required in, or incorporated into, the MDPI which mitigate this effect below a level of significance.

Facts in Support of Finding

The proposed facilities in the MDPI are estimated to generate a total of approximately 2,698 new weekday daily trips, including approximately 322 weekday PM peak hour trips. The facilities are also estimated to generate a total of approximately 2,875 weekend daily trips, including approximately 464 midday peak hour trips. This would conservatively double the number of PM peak hour and Saturday midday peak hour trips to and from the WNCBRA.

The Year 2030 Existing plus Ambient Growth peak hour traffic volumes were analyzed to determine the volume to capacity (V/C) ratio and level of service (LOS) for each of the analyzed intersections with and without the proposed facilities under the MDPI. The results show that five of the six intersections would operate at LOS D or better during both peak hours under the Existing plus Ambient Growth plus Project condition. The intersection of Rosemead Boulevard and San Gabriel Boulevard/Durfee Avenue currently operates and would continue to operate at LOS F during the weekday PM peak hour. This intersection would operate at LOS F with or without the proposed facilities and improvements in the MDPI. However, the MDPI's incremental contribution would not be considered a significant adverse impact.

The Year 2030 Cumulative analysis shows that five of the six intersections would operate at LOS D or better during both peak hours. The intersection of Rosemead Boulevard and San Gabriel Boulevard/Durfee Avenue would operate at LOS F during the weekday PM peak hour. This intersection would operate at LOS F with or without the proposed MDPI facilities and improvements. Again, the MDPI's incremental contribution would not be considered a significant adverse impact.

All street segments are projected to operate at an acceptable LOS during the weekday PM peak hour under both scenarios, with and without the proposed facilities under the MDPI. The MDPI would not conflict with the Congestion Management Program (CMP) and the proposed facilities would not generate traffic that would conflict with CMP standards.

The existing parking supply at the WNCBRA would be able to accommodate the increased parking demand generated by the MDPI in all areas due to the low occupancy of existing parking lots and the types of facilities proposed in these areas, with the exception of Area A. The existing parking supply in Area A would not be sufficient to accommodate the additional parking demand generated by the proposed facilities in this area and would require mitigation. Large events would also generate significant parking demand on a temporary basis and would require mitigation.

No impact related to airport or aircraft hazards would occur with the proposed MDPI or proposed facilities and improvements in the WND BRA. Green Streets, Traffic Calming Measures, and the Signage Master Plan would improve traffic safety in the area and no traffic hazards would be created by the MDPI. Compliance with County and Caltrans regulations would avoid hazards during construction and would retain emergency access.

Estimated increases in transit use would be relatively low and project-related impacts on the regional transit system would not be significant. The traffic analysis accounts for ambient growth and cumulative development in the project area and the results indicate that cumulative traffic impacts of the MDPI would be less than significant (Draft Program EIR pages 5.15-13 to 26).

Mitigation Measures

MM 5.15.1 Prior to implementation of any MDPI project that has the potential to generate additional traffic, a trip generation assessment shall be conducted. First, trip generation estimates shall be made for the specific project element, and any other project elements already completed at the time of the assessment. If trip generation estimates are less than or equal to the overall trip generation forecasted in the 2010 Traffic Study, no further traffic analysis would be needed. If trips for the analyzed project elements would substantially exceed those forecasted in the Traffic Study, a full traffic impact study shall be prepared. Also, if the location of specific major project elements is materially different than the locations analyzed in the 2010 Traffic Study, a full traffic impact study shall be prepared, depending on the number of estimated trips for the specific project elements, and the locations where the project elements would access the street network. The traffic study shall be prepared in accordance with the Traffic Impact Analysis Report Guidelines of the LACDPW Traffic Division, and any other applicable jurisdiction, and shall be subject to review and approval prior to implementation of any MDPI project that has the potential to generate additional traffic. The study shall identify the needed roadway, driveway, access, and intersection improvements to maintain traffic flows and acceptable LOS. Each proposed facility or improvement shall implement the recommendations of its traffic study as part of the project.

MM 5.15.2 Prior to the construction of any additional soccer fields in Area A, confirmation that adequate parking is planned, approved, and funded, and would be available to accommodate the needs of soccer fields and Skate Park/Court Sports, shall be provided to the County of Los Angeles for review and approval. Subject to future environmental review and approval, potential opportunities for additional parking include the following:

1. Paving of the overflow area at the northern end of Area A or other undeveloped areas that are not otherwise designated for park improvements or mitigation lands;
2. Re-use of a portion of the nursery area north of Rush Street once the existing lease expires;

3. Reduction in the buildout program for the soccer fields to a number that would allow parking to be accommodated on-site within Area A;
4. Allowing the use of parking lots in Area B if Caltrans agrees to the installation of a traffic signal and marked crosswalks across Rosemead Boulevard between the entrances to Areas A and B.

MM 5.15.3 Prior to the conduct of special events that could draw a large number of visitors, the concessionaire or event sponsor shall prepare a parking management plan to adequately accommodate projected parking demands. The parking management plan shall include designated parking areas, parking attendants, shuttles, transit opportunities, parking permits/restrictions at off-site locations unless agreements with property owners are in place, and visible enforcement. The parking management plan shall be subject to the approval of the County or the City of Pico Rivera and shall be implemented throughout the duration of the event.

SECTION IV

RESOLUTION REGARDING ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL CONSIDERED LESS THAN SIGNIFICANT

The WCA Board hereby finds that the following impacts cannot be fully mitigated to a less than significant level and that no feasible mitigation measures are available. A Statement of Overriding Considerations is therefore included in Section VIII herein.

A. AIR QUALITY

Potential Impact

Proposed facilities and improvements under the MDPI would generate air pollutants in the South Coast Air Basin (SoCAB), adding to existing violations of ambient air quality standards.

Finding

Due to existing exceedances of air quality standards in the SoCAB, no feasible mitigation is available to the WCA that could reduce the MDPI's air quality impact to a less than significant level and this impact will remain significant and unavoidable.

Facts in Support of Finding

Proposed facilities and improvements under the MDPI would lead to construction-related, traffic-related, and operational-related pollutant emissions. Construction-related emissions of criteria air pollutant and precursor emissions would contribute to existing or projected air quality violations in Los Angeles County and the SoCAB.

Due to the presence of sensitive receptors in and near the WND BRA, it is assumed that emissions could exceed the thresholds at nearby receptors, including the residences and schools to the north and east and the users of athletic fields, court sports, and exercise areas in the

WNDBRA. Compliance with South Coast Air Quality Management District (SCAQMD) regulations and implementation of mitigation would be needed.

While individually small, all proposed facilities, when taken together, are expected to generate vehicle trips and pollutant emissions that would have the potential to add to existing air pollution levels in the project area and that may exceed the SCAQMD thresholds. Due to existing pollutant levels in the County and the SoCAB, the pollutant emissions that would be generated by the proposed facilities could add to existing violations of ozone (O₃), nitrogen dioxide (NO₂), and particulate matter (PM) levels in the SoCAB. Impacts would be significant and unavoidable.

The long-term emissions from proposed facilities and improvements in the WNDBRA could exceed SCAQMD regional emissions thresholds and therefore would result in a long-term increase in pollutant emissions that (1) could lead to an increase in the frequency or severity of existing regional air quality violations; (2) could cause or contribute to new violations; or (3) could delay timely attainment of air quality standards. Thus, the MDPI is not consistent with the Air Quality Management Plan for the SoCAB. This impact would be significant and unavoidable. Since impacts from the MDPI would be significant and unavoidable, the project's contribution to a cumulative impact would also be significant and unavoidable.

No CO hotspots would be created by the MDPI due to low levels of CO in the SoCAB. Project-generated, construction-related, and Transport Refrigeration Unit (TRU) generated emissions of Toxic Air Contaminants (TACs) would not expose sensitive receptors to substantial emissions because (1) the use of off-road, heavy-duty diesel equipment for construction activities at the WNDBRA would be temporary (short in duration when compared to 70 years); (2) these emissions would be in combination with the highly dispersive properties of diesel PM; and (3) further reductions in exhaust emissions from improved equipment are expected. The MDPI does not propose any industrial use that would generate TACs; therefore, proposed facilities and improvements in the WNDBRA would not be sources of TACs. Also, users of the proposed facilities and improvements would not be exposed to significant amounts of TACs. Impacts would be less than significant.

Future WNDBRA employees, park users, and other groups of people that would gather at the WNDBRA would not be exposed to objectionable odors and impacts would be less than significant (Draft Program EIR pages 5.3-15 to 5.3-23).

Mitigation Measures

MM 5.3.1 Construction documents shall specify that during construction, construction contractors shall implement the following measures or provide information and data that demonstrates that implementation would not be feasible prior to issuance of a grading permit:

- a. Electricity shall come from power poles rather than diesel- or gasoline-fueled generators, compressors, or similar equipment;
- b. Construction parking shall be configured to minimize traffic interference;
- c. Construction trucks shall be routed away from congested streets and sensitive receptors;

- d. Construction activities that affect traffic flow on the arterial system shall be scheduled to off-peak hours to the extent practicable;
- e. Temporary traffic controls, such as a flag person(s), shall be provided where necessary to maintain smooth traffic flow; and
- f. Dedicated turn lanes for movement of construction equipment on- and off-site and signal synchronization shall be provided as necessary to maintain smooth traffic flow.

MM 5.3.2 Construction documents shall specify that during construction, construction contractors shall implement the following measures:

- a. All construction equipment shall be tuned and maintained in accordance with the manufacturer's specifications;
- b. Diesel truck idling time shall be five minutes or less, both on- and off-site; and
- c. Work crews shall shut off diesel equipment when not in use.

MM 5.3.3 Construction documents shall specify that construction contractors shall support and encourage ridesharing and transit incentives for the construction crews.

MM 5.3.4 Construction documents shall specify that during construction, construction contractors shall implement the following measures:

- a. The contractor shall suspend grading operations when wind gusts exceed 15 miles per hour;
- b. The contractor shall take measures (such as additional watering or the application of chemical suppressants) to stabilize disturbed areas and stockpiles prior to non-work days if windy conditions are forecasted for a weekend, holiday, or other day when site work is not planned.
- c. The contractor shall re-apply water, as necessary, during grading and earthmoving to ensure that visible emissions do not extend to residences or schools.

MM 5.3.5 Construction documents shall specify that during construction, construction contractors shall sweep paved roads within and adjacent to the project site if visible soil materials are carried to the streets. Street sweepers or roadway washing trucks shall comply with SCAQMD Rule 1186 and shall use reclaimed water, if available.

MM 5.3.6 Prior to grading activities involving more than 10 acres or excavating more than 500 cubic yards per day the contractor shall erect a dust control barrier adjacent to the excavation site when there are residential receptors within 250 feet of the excavation. The barrier shall be solid, thereby preventing dust transmission through the barrier, and at least six feet tall. Where feasible, openings in the barrier to allow equipment access shall be located on the side of the excavation furthest from sensitive receptors.

SECTION V RESOLUTION REGARDING ALTERNATIVES

When significant impacts can be mitigated by the adoption of mitigation measures, the lead agency has no obligation to consider the feasibility of alternatives with respect to that impact in its findings, especially if the alternative would mitigate the impact to a greater degree than the proposed project. The WCA has adopted mitigation measures to avoid or substantially lessen the potentially significant environmental impacts identified in the Final Program EIR. However, impacts on Air Quality would remain significant and unavoidable, even after the incorporation of mitigation measures.

Alternatives to the proposed MDPI include:

- ***No Project/No Action Alternative.*** This alternative assumes that no changes to the existing facilities and improvements at the WNDBRA would occur and current environmental conditions would remain as is.
- ***Current Master Plan Alternative.*** This alternative assumes that future facilities and improvements at the WNDBRA would be developed as allowed under the 1996 *Whittier Narrows Dam Master Plan*.
- ***Reduced Facilities Alternative.*** This alternative assumes that a different set of facilities and improvements would be implemented at the WNDBRA. Specifically, a number of recreational facilities that are proposed in the MDPI would not be developed in the WNDBRA.
- ***Conservation Only Alternative.*** This alternative assumes that existing facilities at the WNDBRA would be retained, but conservation programs would be implemented to preserve and/or restore natural areas and biological habitats. No new recreational facilities would be developed under this alternative.

A. NO PROJECT/NO ACTION ALTERNATIVE

The No Project/No Action Alternative would not result in environmental changes or impacts over existing conditions, and would avoid the significant unavoidable impacts that would occur with implementation of the proposed MDPI, including (1) short-term, construction-related air quality impacts and (2) long-term operational air quality impacts.

Finding

The WCA hereby finds that specific economic, legal, social, technological, or other considerations make this alternative infeasible. The No Project/No Action Alternative does not reflect the MDPI's vision for Restoration, Reconnection, River Enhancement, and Recreation. Also, the No Project/No Action Alternative would not meet any of the MDPI's Resource Objectives. Retention of the WNDBRA in its existing condition would not lead to the restoration of natural habitats along the Rio Hondo and San Gabriel River and would not meet the recreational needs of the surrounding areas, the San Gabriel Valley, or the County. Additionally, this alternative would not protect existing natural areas from invasive plant species and human intrusion, nor would it improve storm

water quality; water conservation; biodiversity; habitat connectivity; ecosystem functions; and recreation, education, interpretation, and employment opportunities at the WNDBRA.

B. CURRENT MASTER PLAN ALTERNATIVE

The Current Master Plan Alternative would lead to a different set of recreational facilities in the WNDBRA, resulting in less impacts on cultural resources; geology and soils; hazards and hazardous materials; land use and planning; mineral resources; population and housing; and utilities than the proposed MDPI. Air quality impacts are expected to be the same and would be significant and unavoidable. Impacts on aesthetics, agriculture and forest resources, biological resources, hydrology and water quality, noise, recreation, GHG emissions, and public services would be greater. Impacts on traffic cannot be readily compared since this alternative will have a higher peak hour trip generation but fewer average daily trips.

Finding

The WCA hereby finds that specific economic, legal, social, technological, or other considerations make this alternative infeasible. This alternative does not reflect the MDPI's vision for Restoration, Reconnection, and River Enhancement. However, it would meet the need for Recreation. This alternative would meet the MDPI's Resource Objectives for Flood Protection and Recreation. However, it would not meet the other objectives for Water Conservation, Water Quality, Habitat Connectivity, Ecosystem Functions, Biodiversity, Education and Interpretation, and Buffers, which are primarily related to the improvement of the natural environment at the WNDBRA. Additionally, this alternative would not improve the identity or aesthetic quality of the WNDBRA, nor would it reduce the significant unavoidable impacts related to air quality.

C. REDUCED FACILITIES ALTERNATIVE

The Reduced Facilities Alternative eliminates several recreational facilities that would otherwise be developed under the proposed MDPI. This alternative would result in less impacts than the proposed MDPI on most issue areas, except for impacts on agriculture and forest resources and land use and planning, which would be similar to the proposed MDPI. There would be less beneficial impacts on recreation due to the elimination of the skate park or court sports and additional soccer fields in Planning Area A, the amphitheater in Planning Area B, the splash park in Planning Area D, and the performance pavilions in Planning Area F.

Finding

The WCA hereby finds that specific economic, legal, social, technological or other considerations make this alternative infeasible. This alternative reflects the MDPI's vision for Restoration, Reconnection, and River Enhancement and Recreation. This alternative would also meet the MDPI's Resource Objectives for Flood Protection, Water Conservation, Water Quality, Habitat Connectivity, Ecosystem Functions, Biodiversity, Education and Interpretation, and Buffers. It would also meet the Resource Objectives for Recreation, although to a lesser degree with the reduction in recreational facilities that would be developed at the WNDBRA. Specifically, objectives AR-1, R-2, AR-3, AR-7 and AR-8 would only be partially met with the elimination of the skate park or court sports, amphitheater, splash park, and performance pavilions.

The Reduced Facilities Alternative would reduce potentially significant environmental impacts on air quality, but would not reduce them to a less than significant level. Due to existing violations of clean air standards in the SoCAB, any increase in air emissions would result in a significant impact. As such, this alternative would still have significant and unavoidable impacts on air quality.

D. CONSERVATION ONLY ALTERNATIVE

The Conservation Only Alternative would have limited environmental impacts since no new recreational facilities or site improvements would be implemented at the WNCDBRA. Rather, habitat conservation and restoration efforts and storm water quality programs would be expanded to benefit the natural environment at the WNCDBRA.

Finding

The WCA hereby finds that specific economic, legal, social, technological, or other considerations make this alternative infeasible. This alternative reflects the MDPI's vision for Restoration, Reconnection, and River Enhancement. However, it would not meet the need for Recreation. This alternative would meet all of the MDPI's Resource Objectives for Flood Protection, Water Conservation, Water Quality, Habitat Connectivity, Ecosystem Functions, Biodiversity, Education and Interpretation, and Buffers. However, it would not meet the Resource Objectives for Recreation, since no new recreational facilities would be developed at the WNCDBRA.

Thus, the WCA finds that this project alternative would not meet all of the objectives of the MDPI and/or would not reduce air quality impacts to less than significant levels.

E. CONCLUSION

These considerations make infeasible all of the project alternatives identified in the Program EIR.

SECTION VI RESOLUTION REGARDING CERTIFICATION OF EIR

The WCA Board finds that it has reviewed and considered the Final Program EIR in evaluating the MDPI, that the Final Program EIR is an accurate and objective statement that fully complies with CEQA and the State CEQA Guidelines, and that the Final Program EIR reflects the independent judgment of the Board.

The WCA Board certifies the Final Program EIR for the proposed MDPI based on the following findings and conclusions:

A. Findings

1. All significant environmental impacts from the implementation of the proposed MDPI have been identified in the Final Program EIR and, with implementation of the identified mitigation measures impacts, will be substantially lessened to a less than significant level on all issue areas, except for Air Quality.

2. Environmental, economic, social, and other considerations and benefits derived from the proposed MDPI override and make infeasible other mitigation measures for air quality beyond those incorporated into the MDPI. These benefits include environmental resource protection (water conservation, water quality improvement, habitat connectivity, biodiversity), increased recreational opportunities, multi-agency cooperation, stakeholder input and participation, a collective vision for the WNCBRA, and future guidance for the USACE.
3. Other reasonable alternatives to the proposed MDPI that could feasibly achieve some or all of the basic goals and objectives of the MDPI have been considered and rejected in favor of the proposed MDPI.

**SECTION VII
RESOLUTION ADOPTING A MITIGATION MONITORING AND REPORTING
PROGRAM**

Pursuant to Section 21081.6 of the *California Public Resources Code*, the WCA Board hereby adopts the Mitigation Monitoring and Reporting Program attached to this Resolution as Exhibit A. In the event of any inconsistencies between the mitigation measures as set forth herein and the Mitigation Monitoring and Reporting Program, the Mitigation Monitoring and Reporting Program shall prevail.

**SECTION VIII
STATEMENT OF OVERRIDING CONSIDERATIONS**

- A. The WCA declares that, pursuant to Section 15093 of the State CEQA Guidelines, the WCA has balanced the benefits of the proposed MDPI against any unavoidable environmental impacts in determining whether to approve the proposed MDPI. If the benefits of the MDPI outweigh the unavoidable adverse environmental impacts, those impacts may be considered “acceptable”.
- B. The WCA declares that the Final Program EIR prepared for the MDPI has identified and discussed significant effects which may occur as a result of implementation of the MDPI. Except for unavoidable significant impacts to Air Quality, the environmental effects of proposed facilities and improvements in the MDPI can be mitigated to less than significant levels with (1) the implementation of some programs, facilities and improvements contained in the MDPI; (2) compliance with existing regulations and standard conditions; and (3) implementation of the mitigation measures discussed in the Final Program EIR. Specifically, proposed facilities and improvements under the MDPI would contribute to existing violations of clean air standards in the South Coast Air Basin. This impact cannot be readily addressed by the MDPI, individual projects in the WNCBRA, or by the WCA because they are regional or area-wide and outside the purview of the WCA. Thus, air quality impacts will remain significant and unavoidable.

- C. The WCA declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate potential impacts on Air Quality. To the extent that any mitigation measures could not be incorporated, such mitigation measures are infeasible because of specific economic, legal, social, technological, and other considerations and the benefits of the proposed MDPI outweigh the unmitigated impacts.
- D. The WCA further finds that, except for the proposed MDPI, other alternatives set forth in the Final Program EIR are infeasible because they would prohibit the realization of the MDPI's objectives and the WCA's goals and/or because of specific economic, legal, social, technological, and other benefits that the WCA finds outweigh any environmental benefits of the alternatives.
- E. The WCA declares that, having reduced the significant adverse environmental effects of the proposed MDPI to the extent feasible by adopting the mitigation measures, having considered the entire administrative record on the proposed MDPI, and having weighed the benefits of the MDPI against its unavoidable adverse impacts after mitigation, the WCA has determined that the following social, economic, and environmental benefits of the proposed MDPI outweigh the potential unavoidable significant adverse impacts and render those potential adverse environmental impacts acceptable, based upon the following overriding considerations.

Public and Stakeholder Input

The MDPI was developed after an extensive public outreach effort to obtain input from stakeholders, interested individuals and groups, and users of the facility, as well as adjacent cities and other public agencies. The proposed MDPI brings together the interests, objectives, and issues of these different groups into a collective program of proposals for improvements to the WNCBRA. Thus, implementation of the MDPI would better serve the public and stakeholders who benefit the most from this facility.

Multi-Agency Cooperation

The development of the MDPI was led by the WCA, but several other public agencies are serving as partners (including the Los Angeles County Board of Supervisors, District 1; the LACDPR and Los Angeles County Department of Public Works (LACDPW); the City of Pico Rivera; the Water Replenishment District (WRD), and the Rivers and Mountains Conservancy). The Cities of South El Monte, Montebello, and Rosemead were also participants in the MDPI development process. The planning process for the MDPI has established initial steps toward open communication, coordination, and cooperation among these agencies and other interested groups. Upon approval, the WCA, its partner agencies, adjacent cities, community groups, volunteers, and other interested parties are expected to take on individual proposals in the MDPI for implementation. This cooperative arrangement is expected to promote a community spirit that would utilize both public and private resources available to achieve the collective vision for the WNCBRA.

Collective Vision

The proposed MDPI reflects a collective vision for the WND BRA and balances the objectives for Flood Protection, Water Conservation, Water Quality, Habitat Connectivity, Ecosystem Functions, Biodiversity, Education and Interpretation, Buffers, Recreation and Low Density Recreation within the WND BRA. The overarching vision translates into four major themes:

- **Restoration:** addresses enhancement of the native landscape through removal of invasive vegetation and follow up management actions; enhancement of water conservation and recharge opportunities; improvement of water quality in the Rio Hondo and San Gabriel River through more effective treatment of storm runoff; and improvement of water quality within the conservation pool through the implementation of area-specific Best Management Practices.
- **Reconnection:** addresses improved community connections to the WND BRA so that residents may walk or bike safely to the area; improved signage and way-finding that can strengthen identity; safe road crossings; and improved opportunities for stewardship.
- **River Enhancement:** enables visitors to experience a natural Southern California riparian environment in a safe and secure manner.
- **Recreation:** seeks to define a flexible program for public use that anticipates needs over a 15- to 20-year planning horizon. Concept proposals are not intended to be prescriptive, but rather provide guidance based on underlying resource values and use compatibility that can inform future land use decision-making.

The MDPI merges these four themes into one plan that promotes a complementary mix of programs, facilities, and improvements for the WND BRA.

Future Guidance

While the MDPI does not serve as a formal update to the 1996 *Whittier Narrows Dam Master Plan*, the ultimate goal of the MDPI is to provide a guidance document that contains recommendations that have been vetted through a robust community input process and that may be useful to help and inform a future USACE Master Plan update process. By initiating the planning process for the WND BRA, the MDPI encourages the early update of the Master Plan and provides the USACE with clear direction on what the public and stakeholders envision for the area.

Environmental Benefits

The MDPI would provide environmental benefits to the WND BRA through the implementation of a variety of projects aimed at biological resource protection, water quality improvement, pollutant reduction, public safety enhancement, and aesthetic improvements. These projects would augment existing programs and operations by the USACE, the County of Los Angeles, and the City of Pico Rivera, as well as support the

efforts of several community groups in the area that are calling for the protection and preservation of natural resources at the WNDBRA.

Recreational Benefits

The provision of additional recreational facilities in the WNDBRA would expand recreational opportunities for residents of the surrounding communities, the County, and the region. The centrally located facility would reduce the need for residents to travel to recreational facilities at farther locations, eliminating associated traffic, air quality and noise impacts. Since the proposed facilities would be located on underutilized sites within the WNDBRA, no displacement of the existing recreational uses would occur and the proposed facilities and improvements would better utilize the areas that are planned for recreational purposes.