

CEQA FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

Introduction

The Environmental Impact Report (EIR) prepared by the City of Los Angeles (City) for the Silver Lake Reservoir Complex Master Plan Project (proposed Project) analyzes the potential environmental effects associated with the redesign of approximately 116 acres of the 127-acre Silver Lake Reservoir Complex (SLRC) with community park amenities, which includes the City constructing various community park facilities and allowing some new public park uses within portions of the SLRC.

These findings have been prepared to comply with requirements of the California Environmental Quality Act (CEQA), California Public Resources Code Sections 21000 through 21189.57, and CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3. Pursuant to Public Resources Code Section 21081, and CEQA Guidelines, Section 15091, no public agency shall approve or carry out a project for which an EIR has been certified that 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 that must be supported by substantial evidence in the record are as follows:

- Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Environmental Review Process

A Notice of Preparation (NOP) was prepared pursuant to Section 15082 of the CEQA Guidelines, to notify agencies and interested parties that the City will be preparing a Draft EIR to evaluate potential environmental impacts of the proposed Project (see Appendix A of the Draft EIR). The NOP was also posted by the County Clerk in Los Angeles and was mailed on January 6, 2022, to a total of approximately 6,500 properties within an approximately 0.5-mile radius of the proposed Project area. In addition, the NOP was mailed to 23 interested parties, including local, state, and federal agencies and tribes, and emailed to a total of approximately 1,100 agencies, interested parties, groups, or individuals who had previously expressed interest in the proposed Project. A

Notice of Completion (NOC) was prepared by the City and uploaded to the State Clearinghouse website, and information on the proposed Project was posted on the CEQAnet Database. The NOP was made available online at the City's website and at two public libraries: Silver Lake Branch Library at 2411 Glendale Boulevard in Los Angeles, and the Los Angeles County City Terrace Library at 4025 East City Terrace Drive in Los Angeles. The NOP was published in the Los Angeles Times on January 6, 2022, and La Opinión on January 9, 2022, and available on the EastSider, a neighborhood news blog and website, for the duration of the 30-day scoping period starting January 6, 2022.

Similarly, after completion of the Draft EIR, an NOC was prepared along with a Notice of Availability of a Draft EIR (NOA) by the City and uploaded to the State Clearinghouse website and posted with the Los Angeles County Clerk. The public comment period started on October 6, 2022, and was extended through December 16, 2022. The NOA was made available online at the City's website, and the same two public libraries. The NOA was published in the Los Angeles Times on October 6, 2022, and La Opinión on October 9, 2022, and available on the EastSider for the duration of the public comment period. In addition, the NOA was mailed to approximately 1,100 agencies, interested parties, groups, or individuals who had previously expressed interest in the proposed Project, and an eBlast was sent to over 3,000 additional interested parties. A virtual public comment meeting was held in English and Spanish on October 26, 2022 to present the proposed Project, discuss the findings of the Draft EIR, and obtain verbal comments from the public.

Record of Proceedings

For the purposes of CEQA and these findings, the record of the administrative proceedings for the proposed Project includes, but is not limited to, the following:

Notice of Preparation	January 6, 2022
Public Scoping Meeting	January 19, 2022
Draft EIR and Notice of Availability	October 6, 2022
Draft EIR Public Meeting	October 26, 2022
Final EIR	July 19, 2023

Pursuant to CEQA Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City has based its decision are located in and may be obtained from the Office of the City Clerk, 200 North Spring Street, 3rd Floor, Los Angeles, CA; the Bureau of Engineering, 1149 South Broadway, Suite 600, Los Angeles CA; and any other relevant City department.

Project Summary

The proposed Project would re-develop the SLRC with a contemporary design that would create park zones blending vegetated areas with public spaces. The design would enhance the visual and recreational quality of the area to be consistent with goals and objectives of the Silver Lake–Echo

Park–Elysian Valley Community Plan (Community Plan) and provide the opportunity for the public to access natural park space. None of the existing public park facilities within the SLRC would be removed; rather, public spaces and facilities would be expanded, renovated, and redesigned to improve visitor experience, including the perimeter walking path/promenade. The proposed Project would impact approximately 116 acres of the 127-acre SLRC, including approximately 77 acres of open water. The existing area would be organized into a series of new spaces (park zones) surrounding the reservoirs. The proposed Project design would consist of seven park zones connected by a 2.5-mile, tree-lined promenade. These zones would include the Meadow, the Knoll, Ivanhoe Reservoir, the Eucalyptus Grove, the East and West Narrows, the South Valley, and Habitat Islands.

The proposed Project would remove portions of the existing perimeter fence over time as the park zones are constructed while maintaining or introducing new fencing needed to secure existing Los Angeles Department of Water and Power (LADWP) facilities, protect habitat, and protect the public. Fences around LADWP facilities would be approximately 8 feet high and with a minimum 6-inch clear zone along the bottom for small mammals to pass through.

The proposed Project would include off-site improvements along areas surrounding the SLRC. One improvement would include the addition of 90-degree parking along the north side of West Silver Lake Drive, east of Redesdale Avenue along the grassy area adjacent to the Silver Lake Recreation Center. Trees would be avoided along this area and parking would be added in a way that it would not encroach on trees. Currently, there are 10 parallel parking spaces along this segment of West Silver Lake Drive. By converting to 90-degree parking, a total of approximately 25 parking spaces would be added, resulting in a net increase in parking of 15 spaces at this location. Two of the new parking spaces would be dedicated to electric vehicle (EV) parking.

Additionally, bike lane improvements would occur along Silver Lake Boulevard, between Armstrong Avenue and Duane Street for a length of approximately 3,000 feet. The final configuration for the bike lane improvements along this area would be determined by a design committee during the development of final design drawings, which would include other City entities such as City Planning, City of Los Angeles Department of Transportation (LADOT), and the local Council Districts, to determine the final configuration.

Project Objectives

As set forth in Chapter 2, *Project Description*, of the Draft EIR, the fundamental objective of the proposed Project is to create a clear, bold design that repurposes the SLRC into a public park, while preserving and enhancing its unique character. The underlying purpose of the proposed Project is to put the SLRC to a beneficial public park use because it is no longer usable for storing potable water due to government regulations. Because LADWP is required to maintain the reservoirs for other environmental purposes, including maintaining the dams, the proposed Project would use the reservoirs as part of a park to benefit area residents.

Other objectives of the proposed Project are as follows:

- Preserve and enhance the unique character of the SLRC with increased points of access, improved internal circulation and access to the water's edge, and increased spaces for community and family gatherings.
- Expand existing active recreational uses and increase passive recreational uses.
- Enhance and expand wildlife habitat by introducing wetland and aquatic ecologies and improving upland habitat.
- Provide opportunities for the public to connect with nature and provide facilities for on-site environmental education and stewardship while limiting human/wildlife interactions through design and operations to protect habitat.
- Allow for continued underlying LADWP operations, access, and future use of designated areas of the site, thereby allowing continued use of the reservoirs and adjacent facilities that are intended to remain for proprietary use by LADWP.

Findings of Fact Required Under CEQA

Public Resources Code, Section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects.” The same provision states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” Section 21002 goes on to state that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mitigation measures and/or the design features and construction measures set forth in the Final EIR are included in the Mitigation Monitoring Program (MMP) adopted concurrently with these findings. The City will use the MMP to ensure compliance with proposed Project mitigation measures.

The CEQA Guidelines define a significant impact on the environment as “a substantial, or potentially substantial, adverse change in any of the physical conditions within an area affected by the projects, including land, air, water, flora, fauna, ambient noise, and objects of historic or aesthetic significance” (Section 15382). The Final EIR identified all potentially significant environmental effects resulting from implementation of the proposed Project. However, these significant effects can be fully mitigated through the adoption of feasible mitigation measures, except for temporary noise and vibration impacts during construction, and recreation impacts associated with those construction impacts. The Final EIR determined that the proposed Project will result in significant and unavoidable construction noise, vibration (human annoyance), and recreation impacts.

The findings provided in this document are based on substantial evidence in the entire record before the City. The references set forth in these findings to certain pages or sections of the

environmental documents for the proposed Project are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings. These findings do not attempt to describe the full analysis of each environmental impact contained in the Final EIR, its appendices, and additional documents in the case files for the proposed Project. Instead, a full explanation of these environmental findings and conclusions can be found in the Final EIR and those documents, and these findings hereby incorporate by reference and adopt the discussion and analysis in the Final EIR, its appendices, and additional documents in the case files for the proposed Project supporting the determination regarding the impacts of the proposed Project. In making these findings, the determinations and conclusions of the Final EIR relating to environmental impacts are hereby ratified, adopted, and incorporated in these findings, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings. In the event these findings inadvertently omit or inaccurately reflect facts stated in the Final EIR due to a clerical error, such statements are nevertheless hereby adopted and incorporated in the findings below by reference, and the language set forth in the Final EIR shall control.

Project Impacts

The analyses presented in Chapter 3 of the Draft EIR concluded that the proposed Project would result in no impact or a less-than-significant impact, without any required mitigation, for the following resource areas: agriculture and forestry resources, energy; greenhouse gas (GHG) emissions, hydrology and water quality, land use, population and housing, public services, transportation, and wildfire.

Based on comments received during the Draft EIR comment period, the City has decided to remove the option to have amplified speakers during special events as part of the proposed Project. Special events would still be allowed up to 12 times per year as detailed in the Draft EIR. Due to the removal of amplified speaker use from the proposed Project, the significance determinations related to operational noise in Section 3.12, *Noise and Vibration*, and operational impacts to recreation in Section 3.15, *Recreation and Parks*, of the Draft EIR have been reduced to less than significant.

Chapter 3 of the Final EIR identifies revisions, clarifications, and corrections as a result of the responses to public and agency comments received on the Draft EIR, new information that has become available since publication of the Draft EIR, or due to recognition of inadvertent errors or omissions.

Significant Adverse Impacts Mitigated to Less-than-Significant Levels Under CEQA

Having reviewed and considered the information contained in the Final EIR, and the proposed Project as designed and proposed for approval, the City did find that several significant adverse impacts (from construction or implementation of the proposed Project) were able to be avoided or reduced through implementation of feasible mitigation measures pursuant to Public Resources

Code Section 21081 and CEQA Guidelines Section 15091 (a)(1). Significant adverse impacts not mitigated to less-than-significant levels are discussed below.

The analyses presented in Chapter 3 of the Draft EIR concluded that the proposed Project would result in a less-than-significant impact with mitigation incorporated, for the following resource areas: aesthetics; air quality; biological resources; cultural resources; geology, soils, and minerals; hazards and hazardous materials; tribal cultural resources; and utilities and service systems.

Significant and Unavoidable Adverse Impacts Under CEQA

Having reviewed and considered the information contained in the Final EIR and the record of proceedings, and pursuant to Public Resources Code Section 21081 and CEQA Guidelines Sections 15093 and 15091(a)(3), the City adopts the following findings regarding the significant and unavoidable effects of the proposed Project.

The following significant and unavoidable effects of the proposed Project impacts were found to occur. The below findings are appropriate because there are no feasible mitigation measures available that would reduce the identified effects to below a level of significance. “Feasible” is defined in Section 15364 of the CEQA Guidelines to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” Section 15019(a)(3) of the CEQA Guidelines also provides that “other” considerations may form the basis for a finding of infeasibility.

Noise and Vibration

Significant Adverse Environmental Impacts (Noise Standards):

As described under Impact 3.12-1 (pp. 3.12-30 to 3.12-39 of the Draft EIR), construction activities would generally include demolition, site grading, trenching, excavation, paving, landscaping, building construction, and off-site improvements. For the purposes of the environmental analysis, the following park zones are assumed to be constructed simultaneously within groupings, with the second grouping constructed sequentially after the first:

1. Ivanhoe Overlook, the Eucalyptus Grove, Habitat Islands, the Knoll, the Meadow (1st half).
2. The East and West Narrows, the South Valley, Ivanhoe Spillway and Promenade, the Meadow (2nd half), and off-site improvements.

Construction noise levels on the proposed Project site and at noise-sensitive receptors would fluctuate depending on the particular type, number, and duration of use of the various pieces of construction equipment. Over the course of a construction day, the highest noise levels would be generated when multiple pieces of construction equipment are being operated concurrently. The proposed Project’s estimated construction noise levels were calculated for a scenario in which all pieces of construction equipment would operate simultaneously, with the loudest type of equipment located at the construction area nearest to the affected receptors to present a conservative impact analysis. The modeled worst-case construction scenario is presented in Table 3.12-11 and Table 3.12-12 in Section 3.12 of the Draft EIR. As shown, construction noise levels

would exceed the threshold of 5 dBA (i.e., A-weighted decibels) over ambient noise levels at noise-sensitive receptors R1 through R5, R7, and R8 for the first park zone grouping and at R1 through R8 for the second park zone grouping. Based on the modeled worst-case construction scenario presented in Table 3.12-11 and Table 3.12-12, the proposed Project could potentially exceed applicable thresholds, and impacts would be potentially significant¹.

Project Design Features:

PDF-NOISE-1: Haul Route. Prior to commencement of construction and operational maintenance activities, the City shall establish approved truck haul routes that avoid or minimize, to the extent feasible, unnecessary truck travel on local roadways through residential neighborhoods or adjacent to schools, and prioritize travel on collector and arterial streets.

PDF-NOISE-2: Construction Noticing and Community Liaison. Prior to commencement of construction activities, the City shall notify in writing adjacent residents and businesses along the Project route or worksite of proposed construction activities and the tentative schedule. The City shall require the construction contractor to designate a community liaison to respond to any issues and/or concerns related to construction activities, including any noise or vibration complaints. The community liaison shall maintain a log of communications and resolutions of issues or concerns and share the log with the City. Notices and construction signs will include a hotline and website address which will be updated quarterly and will include project-related information.

Mitigation Measures:

NOISE-1: Equipment Controls. Noise and vibration construction equipment whose specific location on the Project site may be flexible (e.g., compressors and generators) shall be located away from the nearest off-site noise-sensitive land uses (at least 100 feet away) if sufficient distance on the implementing Project site is available. If 100 feet is not feasible, the equipment shall have natural and/or manmade barriers (e.g., berms, intervening construction trailers, etc.) or a noise enclosure around the specific equipment location that screens the receptor from propagation of noise from such equipment. The barrier and/or enclosure shall block the line-of-site from the construction equipment to any similarly elevated noise-sensitive receptors. Noise enclosures shall provide sufficient space and gate access as needed for the safe operation of equipment, construction activities, material deliveries, and equipment access by construction personnel. A noise enclosure is not required if it would pose a safety risk or unreasonably prevent access to the construction equipment as deemed by the on-site construction manager such as in areas that have limited equipment maneuvering space or access. The contractor shall provide documentation verifying compliance with this measure.

NOISE-2: Mobile Noise Barriers. For construction areas within 500 feet of a residential land use or other sensitive receptor, the contractor shall install temporary noise barriers between the active construction area and the off-site noise-sensitive receptors. The mobile noise barriers shall achieve sound level reductions of a minimum of 10 dBA between the Project construction sites and the sensitive receptor location. These

¹ ESA, *CEQA Findings of Fact – Significant and Unavoidable Noise and Groundborne Vibration Impacts with Implementation of Feasible Mitigation Measures Memorandum*. 2023.

temporary noise barriers shall be used to block the line-of-sight between the construction equipment and similarly elevated ground-level noise-sensitive receptors. The barriers should allow for repositioning in order to block the noise at the sensitive receptor as construction activities move along the Project boundary. A noise barrier is not required if it would pose a safety risk or unreasonably prevent access to the construction area as deemed by the on-site construction manager such as in areas that have limited equipment maneuvering space or access. Any barrier capable of a reduction greater than 10 dBA would require greater height and heavier noise insulation which would make mobility of the barrier infeasible and cause safety concerns related to barrier stability. Further, noise barriers would only be effective if they block the line-of-sight to sensitive receptors. The elevation of the surrounding area increases quickly and receptors within the vicinity of all identified sensitive receptors may still have a direct line-of-sight to the Project site and may not benefit from the use of a mobile noise barrier. The contractor shall provide documentation verifying compliance with this measure.

NOISE-3: Construction Equipment Noise Shielding and Muffling Devices.

Contractors shall ensure that all construction equipment, fixed or mobile, are equipped with properly operating and maintained noise shielding and muffling devices, consistent with manufacturers' standards. Prior to the issuance of demolition permits, certification of muffler installation shall be submitted to the applicable City for review. The construction contractor shall keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturers' specifications.

The primary source of noise from construction equipment originates from the intake and exhaust portions of the engine cycle. According to FHWA, use of adequate mufflers systems can achieve reductions in noise levels of up to 10 dBA.² The contractor shall use muffler systems that provide a minimum reduction of 10 dBA compared to the same equipment without an installed muffler system, reducing maximum construction noise levels. Contractors shall include the muffler requirements in contract specifications. The contractor shall also keep documentation on-site prepared by a noise consultant verifying compliance with this measure. Mufflers providing a noise reduction greater than 10 dBA would be technically infeasible or cost prohibitive given the current best available technologies. Further, mufflers are only effective on equipment with internal combustion engines and would not result in noise reductions for hand tools and other light-duty construction equipment. Therefore, NOISE-3 incorporates muffling devices to the maximum extent feasible.

Finding:

Pursuant to CEQA Guidelines Section 15091(a)(1), changes or alterations have been required or incorporated into the proposed Project that will avoid or substantially lessen the significant environmental effects associated with construction noise as identified in the EIR.

Pursuant to CEQA Guidelines Section 15091(a)(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 EIR.

² FHWA, *Special Report – Measurement, Prediction, and Mitigation*, Chapter 4 Mitigation, https://www.fhwa.dot.gov/Environment/noise/construction_noise/special_report/hcn04.cfm. Accessed July 16, 2021.

Facts in Support of Findings:

While implementation of Mitigation Measures NOISE-1 through NOISE-3 would reduce noise levels and associated impacts at noise-sensitive receptors, noise levels could still exceed local jurisdiction significance thresholds when taking into account the potential worst-case overlap of the various construction phases as shown in Table 3.12-11 and Table 3.12-12, in Section 3.12 of the Draft EIR. Table 3.12-14 and Table 3.12-15 in the Draft EIR show the construction noise levels at each receptor after the implementation of Mitigation Measures NOISE-1 through NOISE-3. All receptors would experience a 10 dBA noise level reduction from implementation of muffling devices under Mitigation Measure NOISE-3. Mufflers under Mitigation Measure NOISE-3 providing a noise reduction greater than 10 dBA would be technically infeasible or cost prohibitive given the current best available technologies. Further, mufflers are only effective on equipment with internal combustion engines and would not result in noise reductions for hand tools and other light-duty construction equipment. Therefore, NOISE-3 incorporates muffling devices to the maximum extent feasible. Noise barriers implemented under Mitigation Measure NOISE-2 are assumed to reduce noise levels by 10 dBA at receptors where a noise barrier would block the line-of-sight between the receptor and the proposed Project site (e.g., R1 through R4, R6, and R8). However, the elevation of the surrounding residential areas increases moving away from the proposed Project site, and elevated receptors may still have a direct line-of-sight to the proposed Project site and may not benefit from the installation of a noise barrier. Noise barriers are not capable of blocking noise at noise-sensitive receptors that are elevated above a construction work site, such as residential units that are above grade of the proposed Project site. It is not feasible to install noise barriers with height sufficient to block the line-of-sight for all noise-sensitive receptors located at higher elevation residential units due to barrier foundation and wind load restrictions.

Because there could be receptors elevated above the construction work sites throughout the proposed Project area within the upper levels of a noise-sensitive receptor building (R1 through R8), construction noise would represent a temporary noise increase in excess of standards for receptors R1, R2, R3, R4, R6, and R8, and would be a significant and unavoidable impact. The City did not identify any other feasible mitigation available to render the effects less than significant. The City concludes, however, that the proposed Project's benefits outweigh its significant and unavoidable impacts, as set forth in the *Statement of Overriding Considerations*, below.

Chapter 3, *Revisions, Clarifications, and Corrections to the Draft Environmental Impact Report*, of the Final EIR further clarifies on page 3-31 that the predicted noise levels at the nearest receptors would not exceed 85 dBA, with the exception of occasional use of concrete saws and operation of individual pieces of construction equipment. Consequently, the significant and unavoidable noise impact is not generated by virtue of noise levels that would be considered harmful but, rather, as a result of the magnitude of the increase over existing ambient noise levels without construction at certain receptor locations. Therefore, proposed Project construction noise would not result in adverse health effects related to pain, the onset of hearing loss, or other significant health effects.

Significant Adverse Environmental Impacts (Groundborne Vibration-Human Annoyance):

As described under Impact 3.12-2 (pp. 3.12-53 through 3.12-56 of the Draft EIR), the proposed Project could potentially exceed applicable thresholds for human annoyance related to groundborne vibration. Table 3.12-24 provides the estimated vibration levels at the off-site sensitive uses due to construction equipment operation and compares the estimated vibration levels to the specified significance criteria for human annoyance. As shown, the estimated groundborne vibration levels from off-road construction equipment would exceed the significance criteria for human annoyance at the adjacent sensitive-receptor locations V1, V2, and V4 through V7. Therefore, potential vibration impacts with respect to human annoyance that would result from temporary vibration from off-road construction equipment would be significant prior to the implementation of mitigation measures at sensitive-receptor locations V1, V2, and V4 through V7.

Finding:

Pursuant to CEQA Guidelines Section 1509(a)(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 EIR.

Facts in Support of Findings:

As stated in the significance determination on page 3.12-56 of the Draft EIR, impacts regarding human annoyance at nearby sensitive receptors could exceed the significance thresholds (72 VdB [decibel notation] at residential uses). Potential mitigation measures to reduce vibration impacts from on-site construction activities with respect to human annoyance include the installation of a wave barrier, which is typically a trench or a thin wall made of sheet piles installed in the ground (essentially a subterranean sound barrier to reduce noise). However, wave barriers must be very deep and long to be effective and are not considered feasible for temporary applications, such as proposed Project construction. Constructing a wave barrier to reduce the proposed Project's construction-related vibration impacts would, in and of itself, generate groundborne vibration from the excavation equipment. In addition, it is not possible to prohibit the use of construction equipment within certain distances of sensitive receptors as such equipment would be required to construct the various proposed Project components at the proposed locations. Thus, it was concluded that there are no feasible mitigation measures that could be implemented to reduce the temporary vibration impacts from on-site construction associated with human annoyance at the vibration-sensitive receptors. Therefore, vibration impacts from proposed Project construction activities with respect to human annoyance would be significant and unavoidable. The City concludes, however, that the proposed Project's benefits outweigh its temporary significant and unavoidable impacts during construction, as set forth in the *Statement of Overriding Considerations* below.

Recreation***Significant Adverse Environmental Impacts (Recreational Facilities):***

As described under Impact 3.15-3 (pp. 3.15-15 and 3.15-16 of the Draft EIR), the proposed Project is itself a recreational facility, and thus the impacts associated with recreational facilities

are analyzed throughout Chapter 3, *Environmental Setting, Impact Analysis, and Mitigation Measures*, of the Draft EIR. With implementation of all proposed Project design features listed in Chapter 2, *Project Description*, Section 2.5.8, *Project Design Features* (pp. 2-34 through 2-40 of the Draft EIR), and mitigation measures listed in Executive Summary Table ES-1 of the Draft EIR, all impacts from the proposed Project except for those related to construction noise and vibration would be less than significant. The Draft EIR concluded that impacts related to noise levels at sensitive receptors and vibration (human annoyance) would remain following implementation of mitigation measures, as discussed above and in Section 3.12 of the Draft EIR, *Noise and Vibration*.

Finding:

Pursuant to CEQA Guidelines Section 15091(a)(1), changes or alterations have been required or incorporated into the proposed Project that will avoid or substantially lessen the significant environmental effects associated with construction noise and vibration as identified in the EIR.

Pursuant to CEQA Guidelines Section 1509(a)(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 EIR.

Project Design Features:

Implement PDF-NOISE-1 and PDF-NOISE-2, as shown above.

Mitigation Measures:

Implement Mitigation Measures NOISE-1 through NOISE-3, as shown above.

Facts in Support of Finding:

While implementation of Mitigation Measures NOISE-1 through NOISE-3 would reduce noise and vibration levels and associated impacts at sensitive receptors, to the extent feasible, temporary noise and vibration impacts (associated with human annoyance) during construction would be significant and unavoidable even after mitigation is applied. Facts in support of this finding are described above under *Significant and Unavoidable Adverse Impacts Under CEQA, Noise and Vibration*, with relevant conclusions from the Draft EIR incorporated therein by reference.

The City did not identify any feasible mitigation available to render temporary noise and vibration (human annoyance) effects less than significant. The effects therefore remain significant and unavoidable. The City concludes, however, that the proposed Project's benefits outweigh its significant and unavoidable impacts, as set forth in the *Statement of Overriding Considerations* below.

Cumulative Impacts

Cumulative impacts on aesthetics; agriculture and forestry resources; air quality; biological resources; cultural resources; energy; geology, soils, and mineral resources; GHG emissions; hazards and hazardous materials; hydrology and water quality; land use; population and housing;

public services; transportation; tribal cultural resources; and wildfire were found to be less than significant or less than significant with mitigation.

Significant Adverse Environmental Impacts (Construction Noise):

The proposed Project's contribution to cumulative impacts would be less than significant with implementation of mitigation measures, except for impacts to noise levels at nearby sensitive receptors during construction, which would remain significant and unavoidable despite implementation of feasible mitigation measures. It should be noted that only cumulative impacts related to on-site construction noise and associated sensitive receptors would remain significant and unavoidable. As shown in Table 3.12-13 of the Draft EIR, the proposed Project would not result in any significant off-site construction noise impacts due to construction trips. Further, based on revisions included in Chapter 3 of the Final EIR, operational noise and vibration impacts would be less than significant with implementation of Mitigation Measure NOISE-4.

As discussed under Impact 3.12-4 (pp. 3.12-57 through 3.12-60 of the Draft EIR), noise from the construction of two development projects within 1,000 feet of each other can contribute to a cumulative noise impact for receptors located midway between the two construction sites. As described on page 3.12-57 of the Draft EIR, Related Projects No. 4, No. 12, and No. 13 are located within 1,000 feet of the proposed Project site. Of those three related projects, the discussion under Impact 3.12-4 states that only one project (Related Project No. 4, the 2280 North Glendale Boulevard Project) would have the potential to create construction noise impacts to nearby sensitive receptors should its construction schedule overlap with the construction of the proposed Project. Residences located at the corner of Tesla Avenue and Armstrong Avenue Drive and residential receptors along Armstrong Avenue and Silver Lake Boulevard are located between the proposed Project site and Related Project No. 4 and could be exposed to construction noise from both the proposed Project and the related project. Therefore, cumulative impacts related to on-site noise generation would be potentially significant.

Mitigation Measures:

Implement Mitigation Measures NOISE-1 through NOISE-3 above.

Finding:

Pursuant to CEQA Guidelines Section 15091(a)(1), changes or alterations have been required or incorporated into the proposed Project that will avoid or substantially lessen the significant environmental effects associated with construction noise and vibration as identified in the EIR.

The City did not identify any feasible mitigation available to render these cumulative effects less than significant. The cumulative effects therefore remain significant and unavoidable. The City concludes, however, that the proposed Project's benefits outweigh its significant and unavoidable impacts, as set forth in the *Statement of Overriding Considerations* below.

Facts in Support of Finding:

As discussed on page 3.12-57 of the Draft EIR, the estimated construction noise levels from the proposed Project could exceed the 5-dBA significance threshold and contribute to cumulative noise impacts if constructed simultaneously with Related Project No. 4 at 2280 North Glendale

Boulevard. While implementation of Mitigation Measures NOISE-1 through NOISE-3 would reduce noise levels and associated impacts at noise-sensitive receptors during construction, noise levels could still exceed local jurisdiction significance thresholds when taking into account the potential worst-case overlap of the various construction phases as shown in Table 3.12-11 and Table 3.12-12, in Section 3.12 of the Draft EIR, with cumulative noise that would be generated from potential simultaneous construction of Related Project No. 4.

Furthermore, as discussed above for *Significant and Unavoidable Adverse Impacts Under CEQA, Noise and Vibration*, noise barriers are not capable of blocking noise at noise-sensitive receptors that are elevated above a construction work site, such as residential units that are above grade of the proposed Project site. It is not feasible to install noise barriers with height sufficient to block the line-of-sight for all noise-sensitive receptors located at higher elevation residential units due to barrier foundation and wind load restrictions. The City did not identify any feasible mitigation available to render the effects less than significant. The City concludes, however, that the benefits of the proposed Project outweigh its significant and unavoidable impacts, as set forth in the *Statement of Overriding Considerations*, below.

Land Use Findings

The City hereby finds that the proposed Project is in substantial conformance with the purposes, intent, and provisions of the City's Framework Element, the City of Los Angeles General Plan (General Plan), the Community Plan, as well as development standards in the Los Angeles Municipal Code's (LAMC) Planning and Zoning Code. The extent of the area that would be impacted, the nature and degree of impacts, and the type of land uses within that area are provided in Table 3.11-1, and discussed in Section 3.11, *Land Use*, Section 3.11.5, *Impacts and Mitigation Measures, Land Use Plans* (pp. 3.11-11 through 3.11-20) of the Draft EIR. In summary, the analysis concluded that the proposed Project is consistent with the adopted land use designation for the site in the Community Plan, the General Plan, and adopted environmental goals or policies contained in other applicable plans described in Table 3.11-1.

As discussed on page 3.11-19 of the Draft EIR, the proposed Project would be consistent with applicable provisions of the LAMC – which include Open Space Zoning. The entirety of the proposed Project area is zoned as Open Space (OS), which allows for the following applicable uses of the SLRC: parks and recreation facilities (including bicycle trails, walking trails, nature trails, park land/lawn areas, children's' play areas, child care facilities, picnic facilities, and athletic fields); public water supply reservoirs (uncovered) and accessory uses that are incidental to the operation and continued maintenance of such reservoirs; and water conservation and floodplain areas. The proposed Project would redesign existing park facilities. The zoning designation of the entire proposed Project area will not change with implementation of the proposed Project. The proposed uses would continue to be consistent with existing uses described above, which are permitted under the LAMC. Therefore, the proposed Project would not result in significant environmental impacts related to inconsistency with the LAMC's land use regulations. As such, impacts with respect to the land use provisions of the LAMC would be less than significant.

Project Alternatives

Where significant impacts are identified, Section 15126.6 of the CEQA Guidelines requires EIRs to consider and discuss alternatives to the proposed actions. Subsection (a) states:

- (a) 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. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

Subsection 15126.6(b) states the purpose of the alternatives analysis:

- (b) Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

In Subsection 15126.6(c), the CEQA Guidelines describe the selection process for a range of reasonable alternatives:

- (c) The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.

The range of alternatives required is governed by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed Project. Alternatives are limited to ones that would avoid or substantially lessen any of the significant effects of the proposed Project. Of those alternatives,

the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the proposed Project.

Based on the requirements of CEQA Guidelines Section 15126.6, the proposed Project objectives, and community input, a total of five project alternatives were identified during the EIR process. As described in Chapter 5, Section 5.3, *Alternatives to the Proposed Project*, of the five project alternatives, three alternatives – the required No Project Alternative (Alternative 1), Alternative 2, and Alternative 3 – were selected by the City to inform evaluation of the proposed Project in light of the significant and unavoidable impact of the proposed Project (i.e., construction noise and vibration and recreational facilities due to construction noise). For more information on the infeasibility of the two rejected alternatives and other hybrid alternatives, see *Alternatives Rejected from Further Consideration*, below. The findings regarding the alternatives are based on the Final EIR and the entire record of proceedings.

Based on the following analysis, and as further supported in Chapter 5, *Analysis of Alternatives*, and in Chapter 3, *Environmental Setting, Impact Analysis, and Mitigation Measures*, of the Draft EIR, the City finds, pursuant to CEQA Guidelines Section 15096(g)(2), that no feasible alternative or mitigation measure will substantially lessen all significant effect of the proposed Project, reduce the significant unavoidable impacts of the proposed Project to a level that is less than significant, or avoid any significant effect the proposed Project would have on the environment. Alternative 2 would reduce one significant and unavoidable impact of the proposed Project, vibration impacts as they relate to human annoyance, but would not reduce the two other impacts of noise during construction, and recreation. In addition, Alternative 2 would still result in a cumulative significant and unavoidable impact related to construction noise. Also, as set forth below, Alternative 2 would meet the project objectives to a lesser degree than the proposed Project.

Alternative 1 – No Project Alternative

Under the No Project Alternative, improvements to the SLRC would not occur and existing operations by LADWP and the City of Los Angeles Recreation and Parks Department (RAP) would continue. The Project site would not be redesigned with new community park amenities. The perimeter fence would not be removed, and additional areas within the SLRC would not be open to the public. The SLRC would remain as an enclosed facility, with public access limited to the existing areas managed by RAP. The existing amenities (the Meadow and South Valley Recreation Center facilities and Dog Park) would continue to be operated and maintained by RAP similar to existing conditions. Under the No Project Alternative, no wetland or upland habitat improvements, new lighting, pedestrian, or off-site improvements would occur. LADWP facilities would continue to operate under existing protocols, including maintenance of the dams and reservoirs. Access and use of existing facilities by LADWP would be maintained. Table 5-1 in Chapter 5, *Analysis of Alternatives*, of the Draft EIR provides a comparison of the proposed Project components to Alternative 1, No Project Alternative.

Impacts as Compared to the Proposed Project

Under Alternative 1, the proposed Project would not be implemented. Impacts to agriculture and forestry resources, land use and planning, and population and housing were analyzed to have similar impacts when compared with the proposed Project. Alternative 1 would result in fewer impacts than the proposed Project to the following resources areas, and it was analyzed that Alternative 1 would result in a significance determination of no impact to: aesthetics; air quality; biological resources; cultural resources; energy; geology, soils, and mineral resources; GHG emissions; hazards and hazardous materials; hydrology and water quality; noise; public services; recreation and parks; transportation; tribal cultural resources; utilities and service systems; and wildfire. The severity of the impacts resulting from Alternative 1 are summarized below.

Aesthetics

Under the No Project Alternative, no project components would be constructed, and the SLRC would continue to operate as under existing conditions. As such, no impacts to scenic vistas or scenic resources would result from this alternative since no construction or physical improvements would occur. However, the beneficial effect of the proposed Project relative to visual character and quality through an expanded and improved upland habitat with implementation of the Tree Succession Plan, improved recreational opportunities, and off-site safety improvements would not occur under Alternative 1. This alternative would avoid impacts associated with additional lighting and reflective surfacing of new structures. As such, overall, the No Project Alternative would result in fewer impacts than the proposed Project relative to aesthetics.

Air Quality

Under Alternative 1, no construction activities would be necessary and no addition of various community park facilities would occur. Accordingly, no additional air pollutant emissions would be generated by implementation of this alternative, and therefore no impacts to localized or regional construction emissions would occur. Similarly, given no net increase in air pollutant emissions, no impacts related to consistency with the Air Quality Management Plan (AQMP) would occur. Operational emissions associated with existing maintenance activities would continue. Impacts would be less than the proposed Project relative to air quality. At the same time, by not building the proposed recreational facilities, opportunities for vehicular trips to be replaced by trips by foot and bicycle would be reduced, which would potentially reduce any offsetting reduction in vehicular emissions and associated improvement in long-term air quality. In general, however, the No Project Alternative would result in fewer impacts than the proposed Project relative to air quality.

Biological Resources

Under the No Project Alternative, no new construction would occur and existing operations and maintenance activities would continue. Construction activities would not result in any physical changes to the environment. Additionally, the lack of physical impacts under this alternative would serve to avoid impacts to wildlife corridors and conflicts with local ordinances protecting biological resources. Construction impacts to biological resources would be less than under the proposed Project due to the lack of any physical development or ground disturbance or need for

tree removal. However, the proposed Project, which would result in the addition of approximately 500 trees to the Project site, and the proposed wetland and upland habitat improvements would not be realized. In general, however, the No Project Alternative would result in fewer impacts and fewer habitat improvements compared with the proposed Project.

Cultural Resources

Due to the lack of ground-disturbing activities or physical development under Alternative 1, no impacts to archaeological, paleontological, or historic resources would occur. Existing resources at the Project site, both known and undiscovered, would not be affected by implementation of this alternative. As such, impacts to cultural resources would be less than the proposed Project.

Energy

The No Project Alternative would not involve any changes to the Project site and would, therefore, not involve construction activities that have the potential to result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. Because the No Project Alternative would not introduce any new uses, there would be no change in energy consumption under this alternative, and no impacts would result related to energy. However, existing energy demands on site would be met with older, less energy-efficient fixtures. Therefore, the increased energy demand would be avoided, but the opportunity to increase energy efficiency would not occur. Impacts under the No Project Alternative may be slightly reduced compared to the proposed Project.

Geology, Soils, and Mineral Resources

The No Project Alternative would not result in any physical changes to the Project site and therefore would not have the potential to expose people or structures to increased risks associated with seismic ground shaking or seismic-related ground failure. Similarly, no impacts related to landslides, soil erosion, geologic stability, or alternative wastewater disposal systems would result from this alternative since no additional development would occur. This alternative would not result in any ground-disturbing activities, so no impact to paleontological resources or unique geologic features would occur. In addition, this alternative would not result in any impact related to mineral resources. Geology, soils, and minerals impacts under this alternative would be less than the proposed Project.

Greenhouse Gas Emissions

No new development would occur under the No Project Alternative, and existing operations and maintenance activities would continue. As such, no new additional GHG emissions would result from its construction. Therefore, this alternative would not result in any adverse impacts related to GHG emissions or consistency with any applicable plan, policy, or regulation to reduce GHG emissions, and impacts would be less than the proposed Project.

Hazards and Hazardous Materials

The No Project Alternative would not involve any construction activities and would not include ground-disturbing activities that could result in the release of hazardous materials into the

environment. This alternative would not result in construction activities or operations that would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing school. Similarly, this alternative would not interfere with an emergency response plan or emergency evacuation plan since no construction or operation would occur under this alternative. In addition, the No Project Alternative would not involve any changes to the Project site and, therefore, would not introduce new conditions that have the potential to exacerbate wildfire risks. Therefore, no impacts related to hazards and hazardous materials would occur under the No Project Alternative, and impacts would be reduced compared to the proposed Project.

Hydrology and Water Quality

Implementation of the No Project Alternative would not involve any physical changes to the environment, including construction activities or operational activities that could result in impacts regarding drainage patterns and flooding potential or increased stormwater runoff. Alternative 1 would not affect groundwater recharge or groundwater supplies or alter the drainage of the Project site. No impacts related to hydrology and water quality would occur under the No Project Alternative. Therefore, impacts would be reduced compared to the proposed Project.

Noise and Vibration

Under the No Project Alternative, no physical changes to the environment would occur, and therefore it would not have any potential to generate noise or vibration beyond what currently exists. Because this alternative would not result in any construction activities or planned events and would not modify the existing operation of facilities within the SLRC, no impacts related to noise or vibration would occur. The alternative would avoid the significant and unavoidable noise impacts associated with planned events at the park and construction and would avoid a significant unavoidable impact of construction vibration. Therefore, noise and vibration impacts would be less than under the proposed Project.

Public Services

The No Project Alternative would not involve any construction or operational activities at the Project site and would not result in any increased demand on public services. Alternative 1 would result in no impacts related to public services, and impacts would be reduced compared to the proposed Project.

Recreation and Parks

The No Project Alternative would not involve the construction or operation of new recreational facilities at the Project site. As such, because Alternative 1 would not provide new recreational facilities to meet the existing or future demand, this alternative could result in the increased use of existing neighborhood or regional parks or other recreational facilities such that substantial deterioration could occur, or could require the construction of new or expanded parks elsewhere, which might have adverse impacts on the environment not already identified in this EIR. However, Alternative 1 would avoid all of the significant and unavoidable impacts associated with recreation and parks due to construction and event noise. Therefore, Alternative 1 would result in fewer impacts related to recreation and parks compared to the proposed Project.

Transportation

Under the No Project Alternative, no construction activities would occur, and therefore it would not result in construction truck trips that would have the potential to conflict with a program, plan, ordinance, or policy addressing the circulation system. Alternative 1 would not introduce any new uses at the site and, as such, would not generate any new sources of traffic traveling to or from the Project site. The No Project Alternative would not substantially increase hazards due to a geometric design feature. In addition, this alternative would not result in inadequate emergency access. The No Project Alternative would not improve the bike lanes along Silver Lake Boulevard. As a result, this alternative would not improve conditions or implement priorities of the City's Mobility Plan. However, since fewer visitors would visit the site under Alternative 1, impacts would be reduced compared to the proposed Project.

Tribal Cultural Resources

The No Project Alternative would not involve any ground-disturbing activities. Therefore, this alternative would not have the potential to damage or destroy any previously unidentified archaeological resources. No impacts would occur on tribal cultural resources under the No Project Alternative, and impacts would be reduced compared to the proposed Project.

Utilities and Service Systems

Alternative 1 would not introduce any new uses at the Project site and would not increase demand on any utilities. No impacts related to utilities would occur under Alternative 1, and impacts would be reduced compared to the proposed Project.

Wildfire

Alternative 1 would not introduce any new uses at the Project site and would not increase potential human-related ignition sources. No impacts related to wildfire would occur under Alternative 1, and impacts would be reduced compared to the proposed Project.

Alternative 1 Effectiveness in Meeting Project Objectives

Alternative 1 would avoid or reduce impacts related to the majority of the resource areas. However, Alternative 1 would not meet the fundamental Project objective to repurpose the SLRC into a public park. Alternative 1 would meet one of the Project objectives, related to continued use by LADWP, because LADWP is required to maintain the reservoirs and dams. Alternative 1 would not achieve any of the other objectives, including to preserve and enhance the unique character of the SLRC with increased points of access, improved internal circulation and access to the water's edge, and increased spaces for community and family gatherings; expand existing active recreational uses and increase passive recreational uses; enhance and expand wildlife habitat by introducing wetland and aquatic ecologies; or provide opportunities for the public to connect with nature and provide facilities for on-site environmental education and stewardship.

Alternative 2 – Reduced Project Alternative

The Reduced Project Alternative, Alternative 2, would modify the existing SLRC into a public park, similar to the proposed Project, but it would not build any new structures. Alternative 2 would

be constructed within a similar overall footprint as the proposed Project and would focus only on the habitat enhancement aspect of the proposed Project. For example, recreational facilities such as a new Multi-Purpose Facility, play field, expanded Dog Park, or reconfiguration of the existing Recreation Center would not be constructed. Refer to Table 5-1 in Chapter 5 of the Draft EIR, *Analysis of Alternatives*, for a comparison of the proposed Project components to Alternative 2.

Alternative 2 would reduce the overall construction and operation intensity by eliminating some of the public-use built structures. Under Alternative 2, the seating terraces and informal play area would not be implemented in the Meadow. The Education Center, Multi-Purpose Facility, and shade structures would not be constructed. With the removal of the Education Center in the Meadow and the new Multi-Purpose Facility in the South Valley, educational and recreational opportunities would be reduced compared to the proposed Project.

This alternative would include some updates to the South Valley's existing Recreation Center, but the center would not be reconfigured. Updates to the Dog Park would include improvements within the existing footprint of the Dog Park, adding grass and some seating areas for owners. Lighting throughout the Project site would be reduced. Special events would not be allowed as part of this alternative. Similar to the proposed Project, Alternative 2 would remove the perimeter fence to allow for increased public access and improve wildlife access to the water. Alternative 2 would also be operated similarly to the proposed Project. Tree removals would still be required, similar to the proposed Project. Off-site bike improvements would occur along Silver Lake Boulevard, and no new parking would be added near the South Valley along West Silver Lake Drive.

Impacts as Compared to the Proposed Project

Under Alternative 2, the proposed Project would be reduced in size by eliminating several built structures. Impacts to aesthetics; agriculture and forestry resources; biological resources; cultural resources; energy; geology, soils, and mineral resources; hazards and hazardous materials; hydrology and water quality; land use and planning; population and housing; public services; transportation; tribal cultural resources; utilities and service systems; and wildfire were analyzed to have similar impacts when compared with the proposed Project. Impacts to air quality, GHG emissions, noise and vibration, and recreation and parks were analyzed to be less than the proposed Project. Although impacts to these environmental resources would be reduced, the significance determinations would not change for any resource area under Alternative 2, except for vibration (construction vibration impacts related to human annoyance), which would be reduced from significant and unavoidable to less than significant with mitigation. The severity of the impacts resulting from Alternative 2 that differ from the proposed Project are summarized below.

Air Quality

Under Alternative 2, the duration of construction activities would be less than the proposed Project since no new structures would be built. Although daily emissions during peak grading days would be similar to the proposed Project, the duration of construction would be reduced. Once constructed, visitorship to the park would be slightly less due to the elimination of special

events. Operational air pollutant emissions from vehicle traffic generated by the park would be similar to the proposed Project. Impacts on air quality would be less than the proposed Project.

Greenhouse Gas Emissions

Under Alternative 2, construction durations would be similar or slightly shorter than the proposed Project. GHG emissions associated with construction would be slightly less than the proposed Project. Similar to the proposed Project, this alternative would be consistent with applicable plans, policies, and regulations to reduce GHG emissions. Impacts would be slightly less than the proposed Project.

Noise and Vibration

Fewer construction activities would occur under Alternative 2 that could generate noise or vibration. As a result, construction noise and vibration would be slightly less than the proposed Project. Construction noise would remain significant and unavoidable. However, construction-related vibration would be eliminated since no new structures would be built. Once implemented, the Reduced Project Alternative would not allow permitted special events. This would reduce the impact of the proposed Project related to operational noise; however, the impacts would remain less than significant. Therefore, construction vibration impacts would be less than under the proposed Project.

Recreation and Parks

Alternative 2 would support public access of the park, similar to the proposed Project. It would not result in the increased use of other neighborhood or regional parks or recreational facilities such that substantial deterioration could occur, or could require the construction of new or expanded parks elsewhere, which might have adverse impacts on the environment not already identified in this EIR. Since special events would not occur, Alternative 2 would further reduce the less-than-significant operation impact to recreation and parks. However, construction noise would remain significant and unavoidable. Therefore, Alternative 2 would adversely impact recreation and parks less than the proposed Project.

Alternative 2 Effectiveness in Meeting Project Objectives

As described in Section 5.6.2 of the Draft EIR, *Ability to Meet Project Objectives*, Table 5-7, Alternative 2 – Reduced Project Alternative, meets all of the Project objectives but some less so than the proposed Project. Specifically, the following objectives would not be met to the same extent as under the proposed Project, for the reasons provided below for each objective:

- Preserve and enhance the unique character of the SLRC with increased points of access, improved internal circulation and access to the water's edge, and increased spaces for community and gatherings.

Improvements to the South Valley would occur. However, seating terraces or shade structures within the park would be limited. Alternative 2 would increase spaces for community and family gatherings, but less so than under the proposed Project.

- Expand existing active recreational uses and increase passive recreational uses.

Alternative 2 would implement some of the Master Plan’s enhancement concepts, but would exclude seating terraces and shade pavilions. The Dog Park would not be improved and fewer improvements to the South Valley would be implemented. The multi-purpose facility would not be constructed.

- Provide opportunities for the public to connect with nature and provide facilities for on-site environmental education and stewardship.

Alternative 2 would enhance natural habitats including upland, wetland, and aquatic habitats, providing opportunities for connection with nature. However, the alternative would not include the construction of the Educational Center.

Alternative 3 – Silver Lake Reservoirs Natural Lands and Open Space Preserve Alternative

Alternative 3 would be a hybrid of Project components. Alternative 3 would be constructed within a similar overall footprint as the proposed Project and would focus on limiting public access to the Knoll, Eucalyptus Grove, and the water’s edge. It would include a reconfigured and expanded lawn in the Meadow, with expanded ornamental and rain gardens. In the Knoll, only damaged or dying trees would be removed and, as a result, the tree succession plan for tree planting would be reduced. There would be no public access to the Knoll, and the Education Center, nature trails, and seating terraces would not be constructed. For the Ivanhoe Reservoir, only the walking path would be expanded. In the Eucalyptus Grove, only damaged or dying trees would be removed, and the tree succession plan for tree planting would be reduced. In the East and West Narrows, the walking path would be updated and expanded. An 8-foot high, non-scalable, continuous perimeter fence with gates for pedestrian and wildlife access would be constructed. The reservoirs would remain similar to existing conditions, with some new wetland habitat around the perimeter of the Silver Lake Reservoir. Promenades and walking paths would be constructed under this alternative, but would be moved farther away from the water’s edge at both reservoirs where feasible. This alternative would retain all current public use facilities while improving the more heavily used facilities in the South Valley.

Impacts as Compared to the Proposed Project

Under Alternative 3, impacts to cultural resources; energy; geology, soils, and mineral resources; hazards and hazardous materials; hydrology and water quality; land use and planning; population and housing; public services; transportation; tribal cultural resources; utilities and service systems; and wildfire would be similar when compared with the proposed Project. While impacts to aesthetics, air quality, agriculture and forestry resources, biological resources, cultural resources, GHG emissions, noise, and recreation and parks were analyzed to be less than the proposed Project, as described below and as further supported in Chapter 5, *Analysis of Alternatives*, of the Draft EIR, the significance determinations would not change for any resource area under Alternative 3. The severity of the impacts resulting from Alternative 3 that differ from the proposed Project are summarized below.

Aesthetics

Under Alternative 3, the intensity of the proposed Project would be reduced and habitat areas (without the habitat islands) would provide some opportunities to create and conserve greenspace and open space, and encourage growth of native plant species to create habitat. This alternative would limit public access to the water and would not include habitat islands or other built facilities. Impacts to scenic vistas or scenic resources would be similar to the proposed Project. Retention of the fence would affect views of the SLRC from off site, but would remain consistent with land use plans and policies for visual resources and character of park land uses. However, since this alternative would avoid impacts associated with additional lighting and reflective surfacing of new structures, it would result in fewer aesthetic impacts than the proposed Project.

Agriculture and Forestry Resources

The Project site is currently not used for agriculture and does not contain agricultural resources that meet the Prime and Statewide soil criteria. The Project site does not contain lands zoned for forest land or timberland. Under Alternative 3, impacts on agriculture or forestry resources would be similar to the proposed Project.

Air Quality

Under Alternative 3, the duration of construction activities would be reduced slightly since fewer community park facilities would be built. However, daily emissions during peak construction days would be similar to the proposed Project. Once constructed, visitorship to the park would be less due to fewer facilities and no special events. However, operational air pollutant emissions from vehicle traffic generated by the park would be similar to the proposed Project. Impacts would be slightly less than the proposed Project.

Biological Resources

Alternative 3 would promote natural features of the park and reduce public access to areas that could support wildlife. Fewer visitor-serving structures would be constructed, and the reservoirs would remain similar to existing conditions. Wetland habitat would be created around the perimeter of the Silver Lake Reservoir, although habitat islands would not be installed. Also, similar to the proposed Project, wildlife corridors would not be adversely affected, and no impact to habitat conservation plans would occur under this alternative. Since only damaged or dying trees would be removed, the tree succession plan for tree planting would be reduced. Once constructed, Alternative 3 would create new wetland habitat and modestly improve existing upland habitat. Some areas would have limited public access and the perimeter fence would be retained, reducing disturbance to habitat. In summary, although some biological values would be prioritized under Alternative 3, impacts to biological resources from construction would be similar to the proposed Project, but the enhancements and reduced public access would benefit wildlife resulting in reduced impacts compared to the proposed Project.

Cultural Resources

Due to ground-disturbing activities and physical development under this alternative, impacts to archaeological, paleontological, or historic resources would be similar to the proposed Project,

although to a lesser extent. Impacts to existing resources at the Project site, both known and undiscovered, would be slightly less under Alternative 3.

Greenhouse Gas Emissions

Fewer construction activities would occur under this alternative, and as a result, GHG emissions associated with construction would be slightly less than the proposed Project. Similar to the proposed Project, this alternative would be consistent with applicable plans, policies, and regulations to reduce GHG emissions. Impacts would be slightly less than the proposed Project.

Noise and Vibration

Fewer construction activities would occur under Alternative 3 that could generate noise or vibration. As a result, construction noise and vibration would be less than the proposed Project, but still remain significant and unavoidable. Once constructed, Alternative 3 would not allow permitted special events. This would further reduce the less-than-significant impact of the proposed Project during operations. Therefore, operational noise impacts would be less under Alternative 3 than under the proposed Project.

Recreation and Parks

Alternative 3 would support public access of the park in certain areas, but less than the proposed Project. It would not result in increased use of other neighborhood or regional parks or recreational facilities such that substantial deterioration could occur, or could require the construction of new or expanded parks elsewhere, which might have adverse impacts on the environment not already identified in this EIR. Since special events would not occur, Alternative 3 would avoid a significant and unavoidable operation impact to recreation and parks, although construction noise would remain significant and unavoidable. Therefore, Alternative 3 would impact recreation and parks less than the proposed Project.

Alternative 3 Effectiveness in Meeting Project Objectives

Alternative 3 – Silver Lake Reservoirs Natural Lands and Open Space Preserve would meet some of the Project objectives. It would not enhance the public points of access to the water's edge or improve community and family gathering opportunities. Alternative 3 would also not enhance and expand wildlife habitat by introducing wetland and aquatic ecologies. The habitat enhancements that would occur under Alternative 3 would be focused on limiting public access to the Knoll, Eucalyptus Grove, and the water's edge.

Environmentally Superior Alternative

Section 15126.6 of the CEQA Guidelines requires that an “environmentally superior” alternative be identified. The environmentally superior alternative is the alternative that would be expected to generate the least amount of significant impacts. As shown in Table 5-5 of the Draft EIR, and as further supported by the revisions to the Draft EIR Table 5-5 shown in Final EIR Chapter 3, *Revisions, Clarifications, and Corrections to the Draft Environmental Impact Report* (pp 3-48 and 3-49), Alternative 2 to the proposed Project would eliminate the significant and unavoidable impact of the proposed Project, which is the construction vibration (human annoyance) impact.

Although the No Project Alternative would result in the fewest impacts on the existing environment, this alternative would not result in the benefits expected under the proposed Project, Alternative 2, or Alternative 3, or meet the fundamental project objective of repurposing the Project site into a public park.

Pursuant to Section 15126.6(e)(2) of the CEQA Guidelines, when the No Project Alternative is identified as the environmentally superior alternative, the EIR must also identify an environmentally superior alternative from the remaining alternatives. As noted in Table 5-6 of the Draft EIR, impacts associated with Alternative 2 and Alternative 3 would be less than the proposed Project due to the reduced amount of construction and elimination of permitted special events. Since Alternative 2 would construct the fewest structures, it would result in the least amount of construction and least noise, vibration, and air emissions. Nonetheless, Alternative 2 is considered the environmentally superior alternative. CEQA Guidelines do not require an agency to select the environmentally superior alternative (CEQA Guidelines Sections 15042-15043), and allow for the selection of alternatives that more effectively meet project objectives and obtain project benefits. Alternative 2 would meet all of the Project objectives, but to a lesser degree than the proposed Project. Eliminating the ability to provide special events at the park diminishes the objective to “increase spaces for community and family gatherings.” In addition, by eliminating all built structures, Alternative 2 would not provide all the recreational and community benefits included in the proposed Project and envisioned in the primary Project objective.

Alternatives Rejected from Further Consideration

Section 15126.6(c) of the CEQA Guidelines requires that an EIR “identify any alternatives that were considered by the Lead Agency but were rejected as infeasible during the scoping process,” as well as explain the reasons for the lead agency’s determination. An alternative may be eliminated from consideration if it: (1) fails to meet most of the project’s basic objectives, (2) is infeasible, or (3) is unable to avoid significant environmental impacts.

As set forth Draft EIR, Section 5.2, *Alternatives Rejected from Further Consideration*, and as further supported in Final EIR, Section 2.2.11, *Alternatives Analysis*, and other evidence in the record, the following alternatives were eliminated from further consideration and were not subject to detailed analysis in the EIR:

Recreation Focused Alternative

Under the Recreation Focused Alternative, the Project would include more intensive active recreational uses identified in the SLRC Master Plan such as a new playground, pool, splashpad, boat house, pool house, and café. Public water activities including boating and swimming would be permitted. Under this alternative, the Project site would be intended to accommodate special events on a regular basis, and extended hours would be allowed with additional lighting for nighttime activities. Project elements related to wildlife habitat creation, including wetland terraces, islands, and embankment enhancements, would not occur.

This alternative was rejected and not considered further because it: (1) would not serve to reduce any of the proposed Project’s significant impacts; (2) would increase operational noise impacts

with the increase in park attendance focused around the reservoir and active recreational activities and increase water use related to swimming pool and splashpad operations; and (3) would not meet the Project objectives of enhancing and expanding wildlife habitat by introducing wetland and aquatic ecologies and improving upland habitat and providing opportunities for connecting with nature, environmental education, and stewardship.

Alternative Project Site

The proposed Project is the redevelopment of the SLRC. Creating new recreational facilities in a different location would not meet the fundamental Project objective to repurpose the site. The City already owns the Project site and cannot reasonably be expected to acquire, control, or access an alternative site that would meet the Project's basic objectives in a timely fashion. It is expected that significant and unavoidable impacts associated with noise for any other site within Los Angeles where land is available for use as a park would still occur, as the City is built out, and funds for acquiring a new property are not available. Therefore, this alternative site is not considered feasible since the City does not own another suitable site that would achieve the underlying purpose and objectives of the proposed Project.

Hybrid Alternatives

As discussed in Section 5.5.4 of the Draft EIR, hybrids of the evaluated alternatives were considered, but they were rejected because, if the components of any of these alternatives were combined to create a new alternative, the new Project alternative would not result in a substantially different conclusion when comparing environmental impacts and meeting the Project objectives relative to the proposed Project and the alternatives considered. An EIR need not consider multiple hybrid variations on the alternatives when the relative advantages and disadvantages of other alternatives can be assessed from a review of the alternatives presented in an EIR. Furthermore, the EIR allows for a wide range of choices with varying degrees of environmental impacts. An EIR may support the ultimate approval by decision-makers of hybrid alternatives whose features and impacts occur within the analytical continuum between the "bookends" created by the least-impacting and most impacting alternatives.

Statement of Overriding Considerations

As set forth in the preceding sections, the City's approval of the proposed Project will result in significant and unavoidable effects relating to construction noise and vibration (associated with human annoyance), depending on the proximity of sensitive receptors. In addition, the proposed Project will also result in significant and avoidable impacts to recreation, as they relate to the noise and vibration (human annoyance) impacts. Despite the occurrence of these significant effects, however, the City, in accordance with CEQA Guidelines Section 15093, chooses to approve the proposed Project because, in the City's view, the economic, social, and other benefits that the proposed Project will produce will render the significant effects acceptable.

The following statement identifies the specific reasons why, in the City's judgment, the benefits of the proposed Project as approved outweigh its unavoidable significant effects. Any one of these reasons is sufficient to justify approval of the proposed Project. Thus, even if a court were

to conclude that not every reason is supported by substantial evidence, the City would stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding CEQA findings, which are incorporated by reference into this section and in the documents found in the Record of Proceedings, *supra*.

1. The proposed Project is consistent with the City's goal to create a clear, bold design that repurposes the SLRC into a public park, while preserving and enhancing its unique character.

As discussed in Section 2.4, *Project Objectives*, of the Draft EIR, the underlying purpose of the proposed Project is to put the SLRC to a beneficial public park use because it is no longer usable for storing potable water due to government regulations. Because LADWP is required to maintain the reservoirs for other environmental purposes, including maintaining the dams, the proposed Project would use the reservoirs as part of a park to benefit area residents.

As described in Section 2.5, *Project Description*, of the Draft EIR (p. 2-7), the proposed Project would re-develop the SLRC with a contemporary design that would create park zones, blending vegetated areas with public spaces. The design would enhance the visual and recreational quality of the area to be consistent with goals and objectives of the Community Plan and provide the opportunity for the public to access natural park space. Existing public spaces would be removed with the intent of expanding, renovating, and redesigning them to improve visitor experience.

As set forth in Table 3.1-1 in Draft EIR Section 3.1, *Aesthetics*, the SLRC footprint and shape would remain intact; its significant landscape features would be preserved; and no significant viewsheds would be detrimentally affected as a result of the proposed Project's new construction or alterations. While there would be some changes to the grading and orientation of these open spaces, the overall footprint, feeling, and setting would remain intact. These spaces would remain green open species for passive recreation. The existing mature trees and plants would remain, and the overall footprint of these open spaces would not change. Further, the open water views of both reservoirs would remain intact.

For these reasons, the City concludes that the Project's benefits in repurposing the SLRC into a public park outweigh its significant and unavoidable impacts.

2. The proposed Project will preserve and enhance the unique character of the SLRC with increased points of access, improved internal circulation and access to the water's edge, and increased spaces for community and family gatherings.

As set forth in Section 2.5.2, *Off-site Improvements*, of the Draft EIR, the proposed Project would include the addition of 90-degree parking along the north side of West Silver Lake Drive, east of Redesdale Avenue adjacent to the Silver Lake Recreation Center. A total of approximately 25 parking spaces would be added, resulting in a net increase in parking of 15 spaces. Furthermore, additional off-site improvements under the Project would include two new pedestrian-activated flashing beacon crossings added along West Silver Lake Drive and near the corner of Silver Lake Boulevard and Armstrong Avenue, as shown in Figure 2-17 of the Draft EIR.

As described in Section 2.5.6, *Circulation*, of the Draft EIR, the proposed Project includes a total of approximately 33 acres of redeveloped useable space, including approximately 10 acres for active and passive recreation and approximately 5.5 miles of walking paths and trails to provide public access throughout the Project area. Table 2-2 of the Draft EIR provides a summary of all circulation improvements that would be implemented. Connections to the proposed Project area from the surrounding neighborhood were informed by the existing bus stop locations along West Silver Lake Drive and Glendale Boulevard, as well as the existing pedestrian pathways in the neighborhood. This network is depicted in Figure 2-17 and Figure 3.16-1 of the Draft EIR.

Furthermore, as set forth on page 2-30 of the Draft EIR, an accessible vehicle and bus parking area would be located at the corner of Silver Lake Boulevard and Armstrong Avenue to allow for public access to park amenities as well as accommodate larger group education programs. Multimodal transportation would be encouraged through the inclusion of mobility hub elements such as bike share and drop-off locations for ride share services. New pedestrian-activated flashing beacon crossings would be added along Silver Lake Boulevard and West Silver Lake Drive. In addition, strategic openings would be proposed along the low concrete wall that currently surrounds the SLRC to create additional entry points into the proposed Project site. The proposed pathways, described in Table 2-2 and shown on Figure 2-17 of the Draft EIR, would be implemented as pedestrian-only with bike circulation around the perimeter. Bike parking and/or bike share stations would be located at all key pedestrian connection points.

As described in Section 2.5.1, *Proposed Park Zones*, of the Draft EIR (pp. 2-7 through 2-25) the various improvements at the seven park zones proposed by the Project would provide increased access to the water's edge and provide increased spaces for community and family gatherings. Such improvements would include, but are not limited to, constructing a new Multi-Purpose Facility and expanding the existing Dog Park; providing seating terraces, overlook areas, and promenade enhancements; expanding the existing lawn in the Meadow; and constructing an Education Center, picnic grove, and informal play areas at the Project site.

For these reasons, the City concludes that the Project's benefits in increasing points of access, improving internal circulation and access to the water's edge, and increasing spaces for community and family gatherings outweigh its significant and unavoidable impacts.

3. The proposed Project will expand existing active recreational uses and increase passive recreational uses.

As described above, and as further supported in Chapter 2, *Project Description*, of the Draft EIR, the proposed Project includes a total of approximately 33 acres of redeveloped useable space, including approximately 10 acres for active and passive recreation and approximately 5.5 miles of walking paths and trails to provide public access throughout the Project area. For these reasons, the City concludes that the Project's benefits in expanding existing active recreational uses and increasing passive recreational uses outweigh its significant and unavoidable impacts.

4. The proposed Project will enhance and expand wildlife habitat by introducing wetland and aquatic ecologies and improving upland habitat.

As set forth in Section 2.5.1, *Proposed Park Zones, Habitat Islands*, the proposed Project would construct approximately 3.5 acres of floating habitat islands that would introduce wetland plants to the open water area, and provide nesting and foraging habitat for birds with minimal disturbance from humans and predatory wildlife on land. As a habitat enhancement feature, Silver Lake Reservoir would be stocked with fish species that would provide food supply for wading birds. Introduced fish species may include piscivorous (predator) fish such as small bass, and planktivorous (prey) fish such as minnows and crappies. Marine invertebrates would also be introduced to the reservoir. Fish would likely be introduced at a ratio of three prey fish for every predator fish.

As set forth in Table 2-1 of the Draft EIR, the proposed Project includes upland habitat improvements at the Knoll and Eucalyptus Grove park zones. The proposed Project would implement a replanting strategy over time to enhance and restore the upland habitat value within the Knoll and Eucalyptus Grove, with implementation of habitat fencing to protect wildlife and keep people out of upland planted areas (Draft EIR pp. 2-15 and 2-16).

For these reasons, the City concludes that the Project's benefits in enhancing and expanding wildland habitat by introducing wetland and aquatic ecologies and improving upland habitat outweigh its significant and unavoidable impacts.

5. The proposed Project will provide opportunities for the public to connect with nature and provide facilities for on-site environmental education and stewardship while limiting human/wildlife interactions through design and operations to protect habitat.

As described in Section 2.5.1, *Proposed Park Zones, The Meadow*, the proposed Education Center would include small indoor and outdoor teaching and assembly spaces, including two interior classrooms. The proposed Education Center would be connected directly to Silver Lake Reservoir via an accessible pathway. This area would provide educational opportunities for visitors. Additionally, as set forth in Section 2.5.1, *Proposed Park Zones, Ivanhoe Overlook*, an approximately 1,200-square-foot shade pavilion would be added to the northwestern perimeter of the reservoir, sitting on a deck that projects over the existing reservoir edge to provide a sheltered space for outdoor education or community gathering. The shade pavilion/outdoor education classroom would include signage to educate visitors about the wetlands.

Section 2.5.8, *Project Design Features*, of the Draft EIR provides a list of design features that would be implemented as part of the Project to limit human/wildlife interaction and protect habitat. Specifically, PDF-BIO-1 through PDF-BIO-14 include various design measures that would be implemented to support this objective, such as those requiring wildlife fencing signage, tree protective fencing, restrictions on grading/trenching in proximity to tree protection zones, and others (refer to pp. 2-34 through 2-36 and Section 3.4, *Biological Resources*, of the Draft EIR). As described in Section 2.7.1, *Operation and Maintenance Plans*, of the Draft EIR, a Wildlife Management Plan would be created and implemented to protect wildlife during landscape maintenance activities or any type of event that has the potential to impact wildlife.

For these reasons, the City concludes that the Project's benefits in providing opportunities for the public to connect with nature and providing facilities for on-site environmental education and stewardship outweigh its significant and unavoidable impacts.

6. The proposed Project will allow for continued underlying LADWP operations, access, and future use of designated areas of the site, thereby allowing continued use of the reservoirs and adjacent facilities that are intended to remain for proprietary use by LADWP.

As described in Section 2.5, *Project Description*, of the Draft EIR, The proposed Project would remove portions of the existing perimeter fence over time as the park zones are constructed while maintaining or introducing new fencing needed to secure existing LADWP facilities, protect habitat, and protect the public. Figure 2-4 of the Draft EIR provides a conceptual plan for locating fences and guardrails. Fences around LADWP facilities would be approximately 8 feet high and with a minimum 6-inch clear zone along the bottom for small mammals to pass through. Further, as set forth in Table 2-2 of the Draft EIR, the proposed promenade would be required to maintain a 15-foot clear pathway, at minimum, for LADWP maintenance and operations. As discussed in the Draft EIR Section 2.7.3, *Horticulture Maintenance and Water Management, Park Water Systems*, the proposed Project, through LADWP, would continue to replenish reservoir water as needed through the existing Pollock Well No. 3, similar to existing conditions.

For these reasons, the City concludes that the Project's benefits outweigh its significant and unavoidable impacts.

Other CEQA Considerations

- A. The City is the lead agency under CEQA for the proposed Project evaluated in the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the information in the EIR for the proposed Project prior to approving the Project, that the Draft EIR which was circulated for public review reflected its independent judgement, and that the Final EIR reflects the independent judgement and analysis of the City.
- B. The City finds that the EIR provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the proposed Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review period and responds to comments made during the public review period.
- C. Textual refinements and errata were compiled and presented to the decision-makers for review and consideration. The City has determined that City staff made every effort to notify the decision-makers and the interested public/agencies of each textual change in the various documents associated with Project review. These textual refinements arose for a variety of reasons. First, it is inevitable that draft documents would contain errors and would require

clarifications and corrections. Second, textual clarifications were necessitated to describe refinements suggested as part of the public participation process.

- D. The City has determined that it has evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the City prepared written responses describing the disposition of key environmental issues raised. The Final EIR provides adequate, good-faith, and reasoned response to the comments. The City reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR. The City has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed in the Draft EIR.
- E. The City determines that these findings recognize that the determination of significance thresholds and conclusions of significance and non-significance are judgments within the discretion of the City; the significance thresholds and determinations of significance and nonsignificance used in the Final EIR are supported by substantial evidence in the record, including the expert opinion of the Final EIR preparers and City staff; and the significance thresholds used in the Final EIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project.
- F. The City finds that, in weighing the evidence on the whole record, the conclusions of the Final EIR are supported by substantial evidence, including evidence from the expert opinion of the Final EIR preparers and City staff. The City also finds that the level of detail is sufficient to provide an informed understanding of the issues presented, and that conclusions stated in the comment letters disputing the expert opinion, data, analysis, and conclusions of the Final EIR preparers and City staff, including but not limited to comment letters received from Amy Minteer (Chatten Brown Carstens & Minteer LLP); Travis Longcore (Los Angeles Audubon Society); Daniel Cooper (Resource Conservation District of the Santa Monica Mountains); Amanda Zellmer (Occidental College); and Benjamin Harris (Los Angeles Waterkeeper), are not credible based on evidence presented in the Final EIR and the whole record, including but not limited to the fact that any contrary opinions presented were not supported based on expert analysis and modeling conducted in the Final EIR on the specific facts and circumstances of the Project. Notwithstanding the lack of credibility of the comments, the City finds that disagreements on issues in question have been adequately and in good faith discussed, and substantial evidence in the whole record supports the reasonably explained approach in the Final EIR regarding the scope of analysis, methodology, and accuracy of data relied upon.
- G. The Final EIR documents changes to the Draft EIR, and the Final EIR provides additional information that was not included in the Draft EIR. Having reviewed the information contained in the Draft EIR and the Final EIR and in the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the City finds that there are no new significant impacts, substantial increase in the severity of a previously disclosed impact, significant information in the record of proceedings, or other criteria under CEQA that would require recirculation of the Draft EIR, or preparation of a

supplemental or subsequent EIR. Recirculation is not required where new information added makes insignificant modifications in an adequate EIR (CEQA Guidelines Section 15088.5 [b]). The City finds that substantial evidence supports the decision not to recirculate the EIR (CEQA Guidelines Section 15088.5[e]).

1. The changes to the Project description do not deprive the public of a meaningful opportunity to comment on a substantial adverse environmental effect of the proposed Project or a feasible way of mitigating or avoiding such effects, because no such significant impacts have been identified from either the circulated draft Project description or the final modification in the Project description.
 2. The Responses to Comments contained in the Final EIR fully considered and responded to comments claiming that the proposed Project would have significant impacts or more severe impacts not disclosed in the Draft EIR and include substantial evidence that none of these comments provided substantial evidence that the proposed Project would result in changed circumstances, significant new information, considerably different mitigation measures, or new or more severe significant impacts than were discussed in the Draft EIR.
 3. The City has thoroughly reviewed the public comments received regarding the proposed Project and the Final EIR as it relates to the Project to determine whether under the requirements of CEQA any of the public comments provide substantial evidence that would require recirculation of the Draft EIR prior to its adoption, and has determined that recirculation of the EIR is not required.
 4. None of the information submitted after publication of the Final EIR constitutes significant new information or otherwise requires preparation of a supplemental or subsequent EIR. The City does not find this information and testimony to be credible evidence of a significant impact, a substantial increase in the severity of an impact disclosed in the Final EIR, or a feasible mitigation measure or alternative not included in the Final EIR.
- H. The City finds and declares that substantial evidence is included for each and every finding made herein that is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.
- I. The City is certifying an EIR for, and is approving and adopting findings for, the entirety of the actions described in these findings and in the EIR, as comprising the proposed Project.

Conclusion

As explained above, the City has carefully considered the competing stakeholder interests in the proposed Project, including balancing the benefits of the Project against the potentially significant and unavoidable environmental effects. The City has concluded that these effects are outweighed by the economic, social, environmental, and other benefits the proposed Project will bring to the City and its citizens as discussed herein and as supported by substantial evidence in the record of proceedings.