

DATE: March 16, 2017

TO: Watershed Conservation Authority Governing Board

FROM: Robert Romanek, Consulting Project Manager

THROUGH: Mark Stanley, Executive Officer

SUBJECT: Item 17: Consideration of 1) a resolution certifying the Final Program Environmental Impact Report prepared for the Emerald Necklace Implementation Plan – Phase 1; and adopting Findings of Fact, and a Mitigation Monitoring and Report Program pursuant to the California Environmental Quality Act; and, 2) a resolution adopting and approving the Emerald Necklace Implementation Plan – Phase 1.

RECOMMENDATION: Staff recommends that the Watershed Conservation Authority (WCA):

1. Consider a resolution to:
 - a. Certify the Final Program Environmental Impact Report prepared for the Emerald Necklace Implementation Plan – Phase 1; and
 - b. Adopt Finding of Fact, and
 - c. Adopt a Mitigation Monitoring and Report Program.
2. If the Final Program Environmental Impact Report for the Emerald Necklace Implementation Plan – Phase 1 (therein referenced as “Final PEIR”) is certified, consider a resolution to adopt and approve the Emerald Necklace Implementation Plan – Phase.

PROJECT DESCRIPTION: The Proposed Project is a 17-mile interconnected network of existing and envisioned bikeways, multi-use trails, parks, and greenways along the Rio Hondo and the San Gabriel River. Along the Rio Hondo the Emerald Necklace stretches from Peck Road Water Conservation Park in the north to the Whittier Narrows Recreation Areas in the south. Along the San Gabriel River it stretches from Hanson Quarry in the north to Whittier Narrows Recreational Area in the south.

Within the Emerald Necklace are existing Class I bikeways located on the east bank of the Rio Hondo and the west bank of the San Gabriel River. A County multi-use trail also runs along the western bank of the San Gabriel River. Along the west bank of the Rio Hondo there are some recorded County “Riding and Hiking Trail” easements scattered throughout for the purpose of Parks and Recreation multi-use trails. While a continuous County multi-use trail is not currently developed along this location, there remains the opportunity to complete these trails and create an interconnected multi-use trail loop along the Emerald Necklace in the future, inclusive of developing channel and railroad crossings, bridges, and/or underpasses.

The Emerald Necklace Implementation Plan – Phase 1 (Proposed Project) includes 15 related projects that would close gaps in a regional recreational trails network and increase access to trails for hundreds of thousands of people along the Rio Hondo and San Gabriel Rivers. The Proposed Project would:

1. Completion of a trail loop through a “Clasp” of the Emerald Necklace allowing a full loop with access to multiple park resources or “jewels”, core to the principle of the Emerald Necklace;
2. Connect Whittier Narrows Recreation Area to other park areas by strategically placing Class I bicycle trail segments and new multi-use trails continuously along the 17-mile loop;
3. Provide access to the Emerald Necklace for surrounding communities by constructing bridges and outer leave trails along and over the San Gabriel River, San Jose Creek and the Rio Hondo to allow people to safely cross and move along the rivers; and
4. Develop trail access points and other trail and park elements. The projects are organized in four distinct regional areas: Quarry Clasp to the north, Whittier Narrows to the south, San Jose Creek to the east, and Rio Hondo, known as “Westside” to the west.

The projects may be implemented in any order depending on funding and community needs. It should also be noted that the numbering of the projects does not indicate prioritization. The 15 projects are summarized as follows:

The Quarry Clasp Area

- Project 1, Quarry Clasp Park Development: The project consists of the acquisition of land for the development of a public park at the intersection of Durfee Avenue and Clark Street in the City of Arcadia.
- Project 2, Quarry Clasp Multi-Use Trail and Bicycle Path: Project 2 would connect both a multi-use trail and a combination of Class I bicycle path and Class IV bikeway from the Foothill Transit parking lot on Peck Road to the existing Class I bicycle path on the San Gabriel River. This connection is referred to as the “Clasp” of the Emerald Necklace. These trails would connect to the extension (Project 3, Peck Road Signalized Crossing) of the Rio Hondo Class I bicycle path in the Peck Road Water Conservation Park at an existing traffic light on Peck Road at the Foothill Transit Driveway
- Project 3, Peck Road Signalized Crossing and Trail Connectivity: Project 3, in conjunction with Project 2, the Quarry Clasp Multi-Use Trail and Bicycle Path, would connect Peck Road Water Conservation Park, a regional recreation area on the Rio Hondo, to the San Gabriel River Trail. This connection extends the Quarry Clasp of the Emerald Necklace to Peck Water Conservation Park. The project would modify an existing lighted intersection on Peck Road to accommodate a safe crossing for all trail users. In addition, the Foothill Transit parking lot entrance would be modified to accommodate both the Class I bicycle path and the multi-use trail.
- Project 4, carried forward for separate CEQA review by the Los Angeles County, Department of Public Works after the scoping period. Implementation Plan Project 4 is not included as part of the Implementation Plan or PEIR.

The Whittier Narrows Area

- Project 5, Class I Bicycle Path on Rosemead Boulevard to Legg Lake: Project 5 would improve recreational connectivity on Rosemead Boulevard from San Gabriel Boulevard to the Whittier Narrows Recreation Area. This project includes development of a Class I bicycle path and a multi-use trail on the eastern shoulder of Rosemead Boulevard and partially on the adjacent strawberry field, leased from the U.S. Army Corps of Engineers. Right of way would need to be acquired from

the USACE for this project. The proposed bicycle path and multi-use trail would link the El Bosque del Rio Hondo Park and a western spur of the San Gabriel River Trail on Siphon Road to Legg Lake.

- Project 6, Class IV Bikeway from El Bosque del Rio Hondo to Lincoln Avenue On San Gabriel Boulevard: The intent of this project is to fill in the missing gap between the northern and southern portions of the Rio Hondo Class I bicycle path with a Class IV bikeway. Specifically, this project would extend the existing Class I bicycle path on the north side of San Gabriel Boulevard from the end of the northern section of the Rio Hondo Bicycle Path to Lincoln Avenue. To gain the width necessary for the new Class IV bikeway, all traffic lanes would be reduced and the center raised median relocated to allow an expansion of the north sidewalk.
- Project 7, Class I Bicycle Path from the Rio Hondo to Legg Lake through the Southern California Edison Easement: Project 7 has three components that would connect the northern section of the Rio Hondo Class I bicycle path directly to the Legg Lake recreation area parking lot. The first project component would develop an approximately half-mile long Class I bicycle path located on the north side of the Southern California Edison (SCE) transmission line corridor to connect the Rio Hondo Bike Path to Rosemead Boulevard.
- Project 8, Pellissier Village Multi-Use Trail from State Route 60 to Peck Road Bridge: Project 8 would develop a pedestrian path and includes multi-use trail improvements with a stormwater management component, such as a bio-swale, to reduce pollution running into the San Gabriel River. The hardened pedestrian trail would connect to an accessible ramp on the northeast side of the new Peck Road Bridge.
- Project 9, Pellissier Bridge at Blackwill Arena Staging Area: The proposed shared-use Pellissier Bridge would span the San Gabriel River at a critical location to link existing recreational facilities on both the west and east sides of the river. The Blackwill Arena Staging Area is located on the east side of the river and the Whittier Narrows Nature Center is located directly across the river to the west. The shared-use bridge would be flush with the proposed adjoining paths and would be approximately 540 feet long by 15 feet wide.

The San Jose Creek Area

- Project 10, Multi-Use Trail and Bridge Connections from the San Jose Creek Trail to San Gabriel River Trail: The intent of Project 10 is to close the half-mile gap between the San Gabriel River Trail, a Class I bicycle path on the west side of the river, and the existing trails along San Jose Creek. The project includes two multi-use bridges; one located over San Jose Creek and the other spanning the San Gabriel River.
- Project 11, Multi-Use Trail from San Jose Creek to the Duck Farm on the San Gabriel River: This project would temporarily connect both the existing and proposed San Jose Creek Class I bicycle path and the multi-use trail to Phase 1 of the Duck Farm on the San Gabriel River when it opens to the public in the spring of 2018. The extension of the multi-use trail would utilize the existing flood control maintenance road.

The Westside Area

- Project 12, Alhambra Wash from State Route 60 to the Garvey Community Center: The Westside Multi-Use Trail Project from SR-60 to the Garvey Community Center would improve approximately 1.25 miles or 6,700 lineal feet of multi-use trail utilizing the existing Los Angeles

County riding and hiking easement. Approximately half of the project trail length is located within the natural area of the Rio Hondo. Flood waters from the Alhambra Wash have created a scour pool called the Alhambra Oasis in this area. Equestrians and hikers skirt around the oasis which contains water throughout the year. Therefore, this project would formalize and better define the multiuse trail with a combination of fencing, trail footing improvements, landscaping with native trees and shrubs, and signage.

- Project 13, Rosemead Boulevard Access Ramp: Project 13 would construct an accessible ramp on the east side of Rosemead Boulevard connecting to the Westside Multi-Use Trail, now named the Rio Hondo River Trail, on the Rio Hondo Channel. Rosemead Boulevard rises on an embankment to cross the Rio Hondo; the ramp would be constructed adjacent to the sidewalk on the embankment in the public road right of way. The ramp would be approximately 300 feet in length.
- Project 14, Rosemead Boulevard Underpass: This project proposes re-contouring the backside of the levee and improving the underpass at Rosemead Boulevard to ensure a wide and safe multi-use trail on the west side of the Rio Hondo. Trail construction would meet Los Angeles County Trails Manual standards. Project coordination with the construction of a ramp or ramps on the back side of the levee is also necessary to ensure that the design and final location of the ramp(s) conform to the underpass improvements.
- Project 15, Multi-Use Trail from Rosemead Boulevard to Valley Boulevard: Project 15 would assemble a continuous, unimpeded trail, now called the Rio Hondo River Trail, on the west side of the Rio Hondo from Rosemead Boulevard to Valley Boulevard for equestrians, hikers, and mountain bikers. This project would formalize and better define the multi-use trail with a combination of fencing, trail footing improvements, landscaping with native trees and shrubs, and signage. The multi-use trail would be constructed in Los Angeles County riding and hiking easement located behind the asphalt levee maintenance road following the river channel alignment.
- Project 16, Interstate 10 Freeway Underpass Improvements: Development of the West Side Multi-Use Trail, now named the Rio Hondo River Trail, would require trail improvements at the I-10 underpass currently utilized Los Angeles County Flood Control District maintenance vehicles. The underpass has recently been renovated and the new tunnel height exceeds the County of Los Angeles Trails Manual standard of 12-foot clearance on multiuse trails. This project would connect the new multi-use trail in the hiking and riding easement to the maintenance roadway, allowing recreational trail user access through the renovated underpass tunnel.

The Proposed Project is located in the San Gabriel Valley in the southeastern portion of Los Angeles County. A WCA territory map indicating the location of the Proposed Project is included as Exhibit A. Additionally, a figure identifying the location of the 15 projects within the Emerald Necklace Implementation Plan – Phase 1 is attached at Exhibit B.

BACKGROUND: In 2005, Amigos de los Rios, in conjunction with various cities and stakeholders, developed a Vision Plan for the Emerald Necklace. The Vision Plan identified opportunities for development of greening and tributary channel naturalization projects along and in proximity to the San Gabriel River and the Rio Hondo. Stemming out the Vision Plan the WCA initiated an in-depth planning study of the Emerald Necklace in 2010 with from LACFCD and Southern California Edison totaling \$500,000. Subsequent funding was also provided by the Rivers and Mountains Conservancy (RMC) through a grant in the amount to \$31,000 and by the Los Angeles County Flood Control District in an

approximate amount of \$30,000. The resulting product of this planning work are a feasibility study, Emerald Necklace Master Plan, identification of 44 feasible projects, and the Emerald Necklace Implementation - Phase 1 that puts forth greater project detail for 15 prioritized project.

This planning work has been informed by the ad-hoc Emerald Necklace Coordination Committee, comprised of agencies and organizations with purview over project implementation, operations, and maintenance. Led by the staff of Los Angeles County Board of Supervisors, District 1 and including participation for the County Departments of Public Work and Park and Recreation, as well as the Los Angeles County Flood Control District, Rivers and Mountains Conservancy, and the Amigos de los Rios, the Coordination Committee completed a prioritization process. This process identified 29 of the 44 projects within the Master Plan priority projects, and subsequently identified 16 of those 29 priority projects as Phase 1 projects. Development of an Implementation Plan – Phase 1 (Implementation Plan) and a Program Environmental Impacts Report (PEIR) for the 16 priority projects was then led by the WCA for scoping the plan and managing consultants. The purpose of the Implementation Plan is to allow the variety of agencies that have purview in these areas and/or funding to understand each project's costs, benefits, constraints and opportunities.

The PEIR is a programmatic document that provides an assessment of the potential significant environmental effects of implementing the projects included in the Implementation Plan. The PEIR provides information regarding the potential significant direct, indirect, and cumulative environmental impacts associated with the proposed Implementation Plan at a program level of review, and does not consider project-specific environmental impacts as project timing and designs are speculative and implementation of these projects are not yet reasonably foreseeable due to a lack of a capital funding strategy.

DISCUSSION: Two separate resolutions are recommend to be considered sequentially by the WCA Governing Board as part of this items. First, staff is recommending consideration of a resolution certifying the Final PEIR; and adopting Findings of Fact and a MMRP pursuant to CEQA. WCA, as the CEQA Lead Agency, must prepare and certify a Final PEIR before approving the Implementation Plan, thus staff is also recommending consideration of a secondary sequenced resolution to adopt and approve the Implementation Plan once the Final PEIR is certified. Due to the length of the Implementation Plan, it has not been attached as an exhibit to this staff report, but is incorporated by reference. Additionally, the Implementation Plan can be publicly viewed on the WCA website at www.wca.ca.gov/emerald_necklace_greening_and_trails or through this [direct link](#). The Implementation Plan is composed of the following elements:

- Executive Summary, including an introduction, project background, and description of the Proposed Project.
- Individual project reports for each of the 15 Phase 1 projects, providing more detailed descriptions of the projects, identification of changes (incorporated since each project was identified within the feasibility study), signage recommendations (e.g., interpretive signage, wayfinding, and mile markers), conceptual cost estimates, and summaries of the results forming a benefit-cost analysis.
- Appendix A – Benefit-Cost Analysis
- Appendix B – Mitigation Monitoring and Reporting Program

FURTHER DISCUSSION / IDENTIFICATION AND DISCLOSURE OF ENVIRONMENTAL IMPACTS: In accordance with the California Environmental Quality Act (CEQA), WCA issued a Notice of Preparation

(NOP) of the Draft PEIR for the Implementation Plan (Draft PEIR) on March 14, 2013, and circulated the NOP for a period of 30 days. Additionally, WCA publicly noticed and held a scoping meeting on April 3, 2013 at Bassett Park in Los Angeles County for the purpose of inviting comments from local, state, federal agencies, and other interested agencies, organizations and individuals on the scope and content of the environmental information to be addressed in the PEIR. Scoping comments were collected and considered in the preparation of the PEIR. It should be noted that Implementation Plan Project 4 was carried forward for separate CEQA review by the Los Angeles County, Department of Public Works after the scoping period. Implementation Plan Project 4 is not included as part of the Implementation Plan or PEIR.

A Draft PEIR was prepared after an Environmental Checklist (Initial Study Checklist), completed March 2013, identified the potential for significant environmental impacts. The areas of potential significant impacts studied in the Draft PEIR include the following resources:

Resource Topics	
Aesthetics	Hydrology and Water Quality
Air Quality	Land Use and Planning
Biological Resources	Noise
Cultural and Paleontological Resources	Public Services
Geology and Soils	Recreation
Greenhouse Gas Emissions	Transportation/Traffic
Hazards and Hazardous Materials	Utilities and Service Systems

As details of the projects that would be implemented under the Emerald Necklace Implementation Plan – Phase 1 have yet to be developed, and are currently unknown, potential for environmental impacts have been evaluated within the Draft PEIR at a programmatic level of review. A Program Environmental Impact Report is an Environmental Impact Report which is prepared on a series of actions that can be characterized as one large program (CEQA Guidelines Section 15168), such as the Emerald Necklace Implementation Plan – Phase 1 that proposes a series of projects related to both geographical impacts and as part of a single contemplated action. While detailed project information is unknown, preparation of this PEIR is intended to establish a framework for future "tiered" or project-level environmental documents that are prepared in accordance with the overall program. Additional advantages of the PEIR are summarized as follows:

- Subsequent activities in the program will be reviewed against the project description in the Program EIR to determine if the later activity would have new effects or if new mitigation measures would be required. As a related advantage, individual project development can commence without concern that the peacemealing prohibition within CEQA has been violated, particularly with regards to disclosing cumulative environmental impacts.
- If the new activity is covered in the discussion of effects and mitigation measures, the agency can approve the activity as being within the scope of the project covered by the Program EIR, and no new environmental document would be required.
- A Program EIR is intended to be used to simplify the task of preparing subsequent environmental documents, as needed. Individual projects can be approved for implementation once enough detail is available to: 1) determine if the PEIR adequately describes the environmental impacts,

and, 2) further determine whether the recommended mitigation measures are adequately defined, or if they should be modified. If the level of environmental review in the PEIR is determined to inadequately describes the environmental impacts, or if the nature or impacts of the projects chance, subsequent environmental documentation and CEQA procedural compliance will be required.

The Draft PEIR identified potential significant direct, indirect, and cumulative environmental impacts that would result from implementation of the Proposed Project. The Draft PEIR also identified the potential mitigation measures as well as impact determinations before and after implementation of proposed mitigation. As indicated by the Draft PEIR, all environmental impacts are less than significant with the incorporation of mitigation measures. Due to the length of the Draft PEIR document, it has not been attached as an exhibit to this staff report, but can be publicly viewed on the WCA website at www.wca.ca.gov/emerald_necklace_greening_and_trails. The Draft PEIR consist of the following sections and appendices:

- PEIR Executive Summary ([linked here](#))
- Section 1.0 – Introduction ([linked here](#))
- Section 2.0 – Project Description ([linked here](#))
- Section 3.0 – Environmental Analysis ([linked here](#))
- Section 4.0 – Alternatives to the Proposed Project ([linked here](#))
- Section 5.0 – Other CEQA Considerations ([linked here](#))
- Section 6.0 – Agencies and Persons Consulted ([linked here](#))
- Section 7.0 – References ([linked here](#))
- Section 8.0 – List of Prepares ([linked here](#))
- Section 9.0 – Acronyms and Abbreviations ([linked here](#))
- Appendix A – Initial Study/NOP and Scoping Comments ([linked here](#))
- Appendix B – Air Quality ([linked here](#))
- Appendix C – Biological Resources ([linked here](#))
- Appendix D – Cultural Recourses ([linked here](#))
- Appendix E – Greenhouse Gas ([linked here](#))
- Appendix F – Noise ([linked here](#))
- Appendix G – Traffic ([linked here](#))

On October 19, 2016, WCA initiated the 45-day public review and comment period by issuing a Notice of Availability (NOA) of the Draft PEIR to interested parties who requested such notice, the State Office of Planning and Research, and others; and on the same date, published the NOA in the San Gabriel Valley Tribune and filed the NOA at the Los Angeles County Clerk. In addition, WCA placed paper copies of the Notice of Availability and Draft PEIR at WCA's Main Office in the City of Azusa, and at El Monte Public Library, and posted an electronic copy of the NOA and Draft PEIR on the WCA website. Additionally, during

the 45-day public review and comment period for the Draft PEIR, WCA publicly noticed and held a public meeting on October 26, 2016 at Bassett Park in Los Angeles County for purposes of providing an overview on the Implementation Plan draft project implementation reports and Draft PEIR and information on how to submit comments on the Draft PEIR. In addition, during the noticed comment period for the Draft PEIR, WCA consulted with responsible and trustee agencies, regulatory agencies, and others.

The 45-day public review and comment period on the Draft PEIR ended on December 2, 2016. Approximately 15 written comment letters on the Draft PEIR were received by WCA, including two comment letters that were received after the closing of the 45-day public comment period. WCA evaluated written comments received on the Draft PEIR and provided a written response to each comment, which are included in the Final PEIR for the Implementation Plan (Final PEIR). Of the two comments received after December 2, 2016, one was considered, with responses included in the Final PEIR and the other was detracted by the agency which submitted the comments and was not considered or responded to in the Final PEIR.

Due to the length of the Final PEIR, it has not been attached as an exhibit to this staff report, but can be publicly viewed on the WCA website at www.wca.ca.gov/emerald_necklace_greening_and_trails or through this [direct link](#). The Final PEIR consist of the following sections and appendices:

- The Draft PEIR, including an Executive Summary, Sections 1.0 through 9.0, and Appendices A-G (incorporated into the Final PEIR by reference)
- Section 1.0 – Introduction
- Section 2.0 – List of Commenters
- Section 3.0 – Comment Letters and Responses to Comments
- Section 4.0: Revisions to the Draft PEIR
- Section 5.0: Mitigation Monitoring and Reporting Program
- A revised Appendix G: Traffic Assessment ([linked here](#))

Section 2.0 of the Final PEIR includes a list of public agencies, organizations, and individuals commenting on the Draft PEIR; and Section 3.0 of the Final PEIR contains copies of comments on the Draft PEIR and WCA's written responses to comments raised during the review and consultation process. Section 4.0 of the Final PEIR includes clarifications and revisions to the Draft PEIR in response to comments received during the public review and comment period, and staff-initiated clarifications and revisions. The clarifications and revisions to the Draft PEIR in response to comments received and staff-initiated text revisions, included in the Implementation Plan and Final PEIR, have not produced significant new information requiring recirculation or additional environmental review under CEQA Guidelines section 15088.5(b).

As determined in the PEIR, the changes or alternations have been made to the Proposed Project that avoid or substantially lessen the significant environmental effects of this Proposed Project and mitigate all of the significant environmental effects to a less than significant level. Environmental factors listed in the PEIR as requiring mitigation to reduce residual impacts to a less than significant impact are listed below. The columns depict corresponding resource topics, mitigation measures, the applicability to each of the 15 projects within the Proposed Project. A total of 23 mitigation measures are proposed.

Environmental Factors	Mitigation Measures	Applicable Project
Aesthetics	A-1	Projects 9 and 10
Biological Resources	B-1	Projects 2, 7, 8, 9, 10, 11, and 12
	B-2	All 15 projects - all projects which may be scheduled to occur during bird breeding season (February 1 – August 31)
	B-3	Projects 9, 10, and 12
	B-4	Projects 9, 10, and 12
	B-5	Projects 9, 10, and 12
	B-6	Projects 1, 2, 5, 7, 8, 9, 10, 11, and/or 12 - applicable to ground disturbance activities within burrowing owl breeding season (March 1 through August 31)
	B-7	Projects 7, 9, 10, and 12
	B-8	Projects 7, 9, 10, and 12
	B-9	Projects 9, 10, and 12
	B-10	Projects 9, 10, and 12
	B-11	Projects 9, 10, and 12
Cultural and Paleontological Resources	CR-1	Projects 1, 2, 6, 7, 8, 9, 10, 11, and 12
	CR-2	Project 6 and 7
	CR-3	All 15 projects - all projects involving construction activities
	CR-4	Projects 6, 7, 9, and 10
Geology and Soils	G-1	Projects 1, 3, 6, 7, 9, 10, 13, 14, 15, and 16
Hazards and Hazardous Materials	HM-1	All 15 projects - all projects involving road lane closures
Hydrology and Water Quality	H-1	All 15 projects - all projects involving ground disturbance
Noise	N-1	Potential for all 15 projects
	N-2	Potential for all 15 projects
	N-3	Potential for all 15 projects
	N-4	Potential for all 15 projects

On March 2, 2017, WCA posted on its website all comments and proposed, written responses to comments received during the 45-day review and comment period on the Draft PEIR; and on the same date posted the proposed Final PEIR on its website. Pursuant to Public Resources Code Section 21092.5 and CEQA Guidelines Section 15088, WCA provided written responses to all public agencies that commented on the Draft PEIR at least 10 days prior to certifying the PEIR.

When making findings pursuant to CEQA Guidelines Section 15091(a)(1), WCA must also adopt a mitigation monitoring and reporting program (MMRP) to ensure compliance with the mitigation measures identified in the PEIR which avoid or substantially lessen significant effects, and which are fully enforceable through permit conditions, agreements, or other measures as required by CEQA Guidelines Section 15091(d). A MMRP is included as Section 5.0 of the Final PEIR and is incorporate into this report by reference.

In complying with Public Resources Code Sections 21081 and 21081.5 and CEQA Guidelines Section 15091, CEQA Findings of Fact are required to be prepared for every significant impact of the Implementation Plan identified in the PEIR and for each alternative evaluated in the PEIR, including an explanation of the rationale for each finding. In accordance with CEQA requirements, WCA has prepared “CEQA Findings of Fact”, included as Exhibit C.

FISCAL INFORMATION: There is no fiscal impact associated with the recommended action.

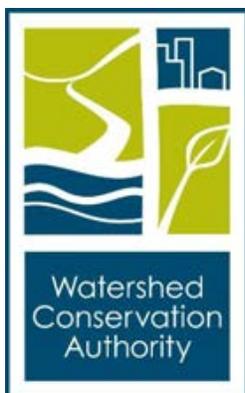
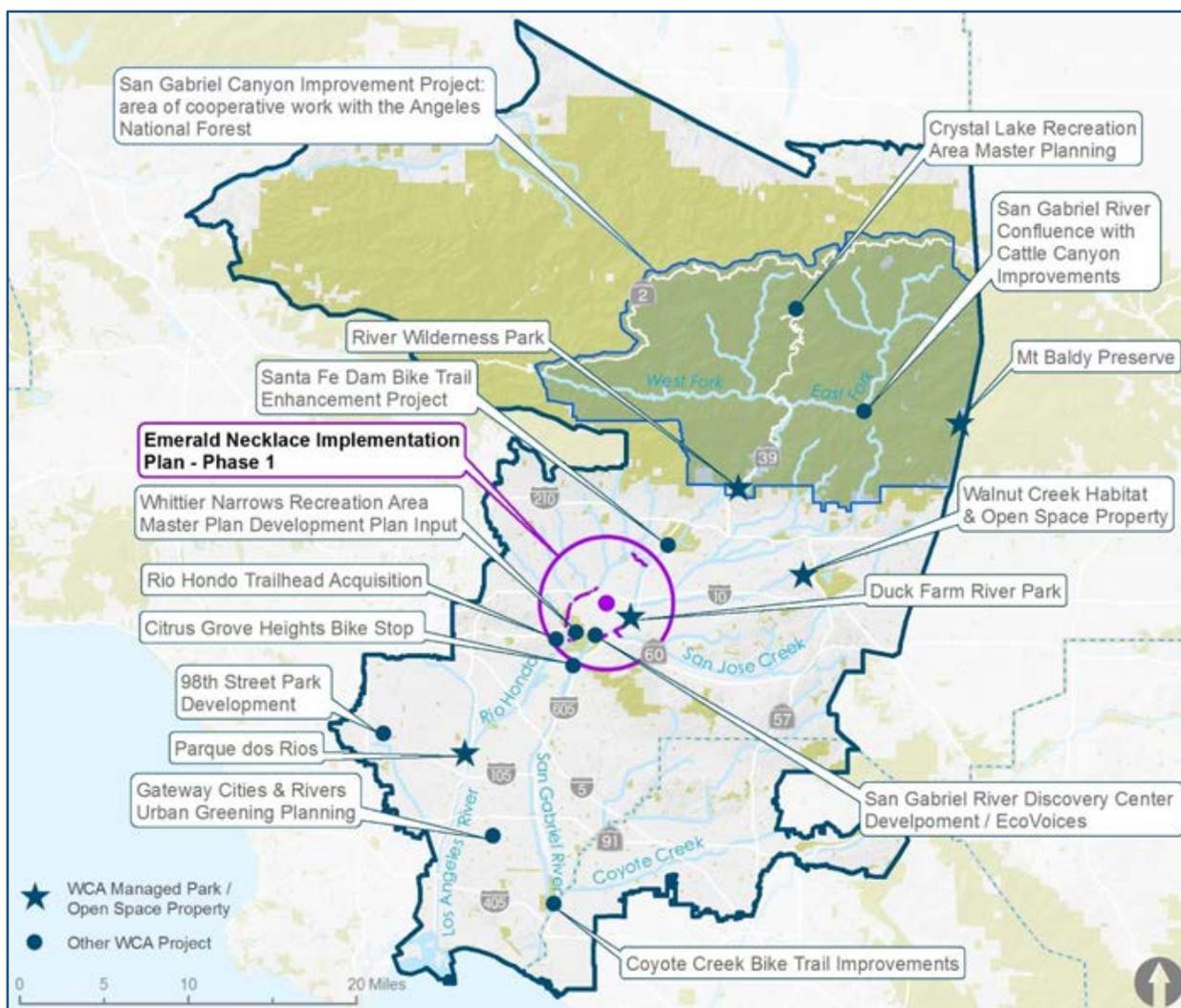


Exhibit A

Territory Map: Emerald Necklace Implementation Plan – Phase 1



EMERALD NECKLACE

FEASIBILITY STUDY & IMPLEMENTATION PLAN - PHASE I

The Emerald Necklace is an extraordinary 17-mile loop of bicycle and multi-use trails which links parks and open spaces along two waterways, the San Gabriel River and the Rio Hondo. Phase I's 16 projects will close gaps in this regional recreational trails network and increase access to hundreds of thousands of constituents. Ongoing efforts will also add gateways, signage and greening. Further phases identified in the feasibility study will continue to expand the system in following years, contingent on funding and public support.

Westside Multi-Use Trail: A Trail for All User Groups

The primary benefit of this trail would be to create a continuous loop around the Emerald Necklace for equestrians, and improve recreational potential for all user groups. The secondary benefit is improving access to the Emerald Necklace system for west side communities.

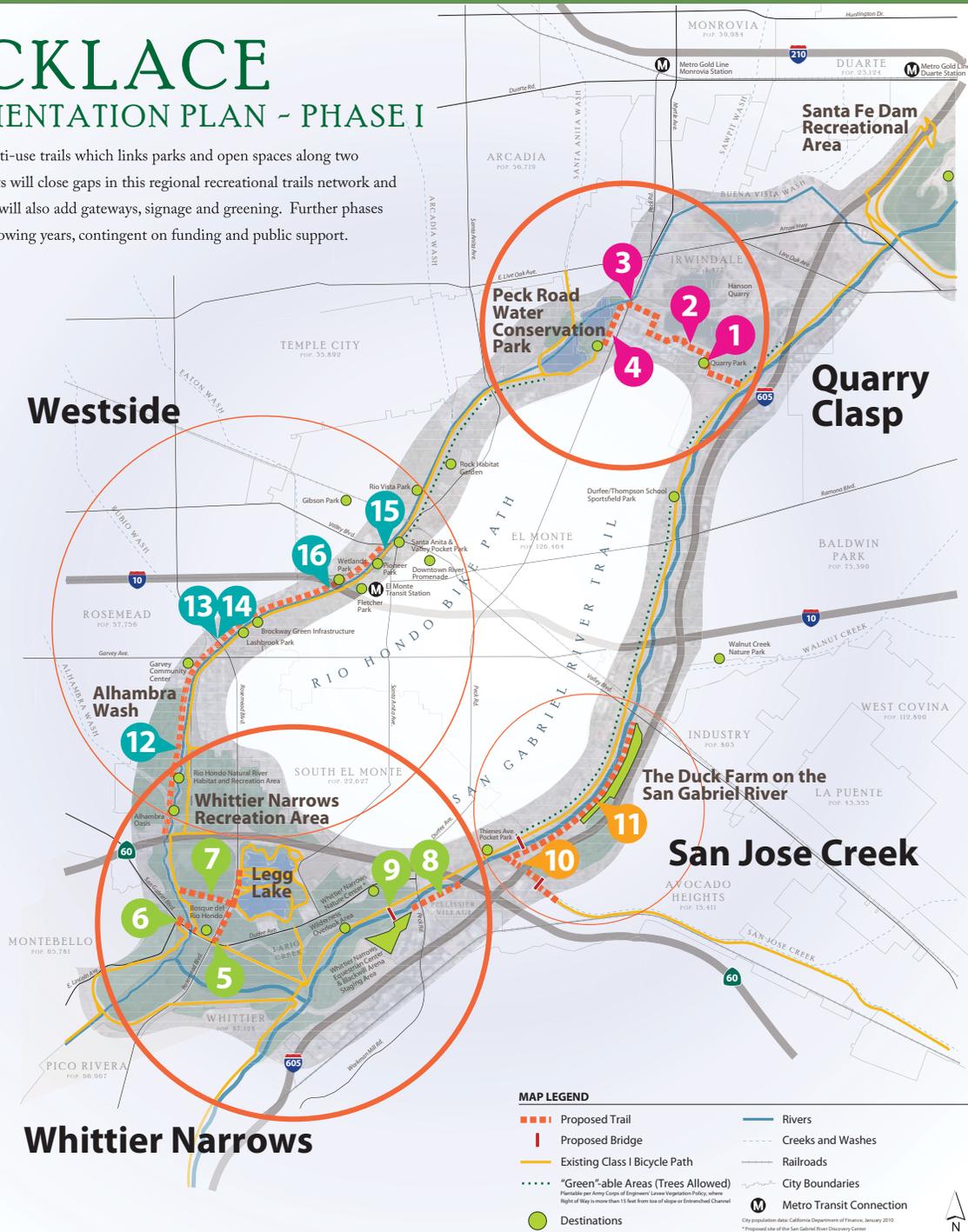
- 12** Multi-Use Trail: Alhambra Wash from State Route 60 to the Garvey Community Center with Gates, Signage, etc.
- 13** Street Access Ramps at Rosemead Blvd. with Gates & Signage
- 14** Underpass at Rosemead Blvd.
- 15** Multi-Use Trail: Rosemead Blvd. to Valley Blvd.
- 16** 10 Freeway Underpass Improvements

Whittier Narrows Connectivity: Linking Existing Park Resources

Trail connections at the southern end of the necklace involve strategic placement of Class I bike path segments and new Multi-Use Trails within the area. Internal circulation within the Whittier Narrows area will be improved so pedestrians and bicyclists can access all park areas currently inaccessible without a car.

- 5** Class I Bicycle Path: Adjacent to Rosemead Blvd. to Legg Lake
- 6** Class IV Bicycle Path: From El Bosque del Rio Hondo to Lincoln Ave. on San Gabriel Blvd. with Enhanced Signalized Crossing, Signage & Wayfinding
- 7** Class I Bicycle Path: From the Rio Hondo to Legg Lake through the Southern California Edison Easement
- 8** Multi-Use Trail: Pellissier Village from State Route 60 to Peck Road Bridge
- 9** Multi-Use Bridge: Pellissier Bridge at Blackwill Arena Staging Area

PROJECT COMPONENTS



Quarry Clasp: Completing the Loop

Multi-Use Trail extension projects from Peck Road Water Conservation Park east to the San Gabriel River will connect the trail gap between the Class I bike paths on the Rio Hondo and the San Gabriel Rivers.

- 1** Park Development with Trail, Gates, Signage and Amenities
- 2** Multi-Use Trail and Bike Paths
- 3** Signalized Crossing at Peck Road with Signage and Wayfinding
- 4** Rio Hondo Multi-Use Trail and Class I Bicycle Path: Connection in Peck Road Water Conservation Park

San Jose Creek Regional Access: Connecting Communities East of the San Gabriel River

Trail completions and creek/bridge crossings will improve access to the Emerald Necklace for a significant population east of the San Gabriel River.

- 10** Multi-Use Trails and 2 Multi-Use Bridges: From San Jose Creek Trail to San Gabriel River Trail
- 11** Multi-Use Trail: From San Jose Creek to the Duck Farm on the San Gabriel River

Figure 2-3

EMERALD NECKLACE STEERING COMMITTEE:

PLANNING CONSULTANTS:

12

©16 jurisdictional data, California Department of Parks, January 2016
*Proposed site of the San Gabriel River Discovery Center

Emerald Necklace Implementation Plan – Phase 1

State Clearinghouse # 2013031056

CEQA Findings of Fact (“Findings”)

March 16, 2017

I. INTRODUCTION

The Program Environmental Impact Report (“EIR”) prepared for the Emerald Necklace Implementation Plan (the “Project”) addresses the potential environmental effects associated with 15 related projects that would close gaps in a regional recreational trails network and increase access to the trails to hundreds of thousands of people in the project area. The Project is located in the San Gabriel Valley in the southeastern portion of Los Angeles County. The Project is a 17-mile interconnected network of bikeways, multi-use trails, parks, and greenways along the Rio Hondo and the San Gabriel River. Along the Rio Hondo the Emerald Necklace stretches from Peck Road Water Conservation Park in the north to the Whittier Narrows Recreation Areas in the south. Along the San Gabriel River it stretches from Hanson Quarry in the north to Whittier Narrows Recreational Area in the south.

The Watershed Conservation Authority (“WCA”) is proposing to: 1) complete a trail loop through a “Clasp” of the Emerald Necklace allowing a full loop with access to multiple park resources or “jewels” is the core principle of the Emerald Necklace, 2) connect Whittier Narrows Recreation Area to other park areas by strategically placing Class I bicycle trail segments and new multi-use trails, 3) provide access to the Emerald Necklace for surrounding communities by constructing bridges and outer leave trails along and over the San Gabriel River, San Jose Creek and the Rio Hondo to allow people to safely cross and move along the rivers, and 4) develop trail access points and other trail and park elements. The projects are organized in four distinct regional areas: Quarry Clasp to the north, Whittier Narrows to the south, San Jose Creek to the east, and Westside to the west. The projects may be implemented in any order depending on funding and community needs. It should also be noted that the numbering of the projects does not indicate prioritization. The 15 projects are summarized as follows:

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- Project 1, Quarry Clasp Park Development: The project consists of the acquisition of land for the development of a public park at the intersection of Durfee Avenue and Clark Street in the City of Arcadia.
- Project 2, Quarry Clasp Multi-Use Trail and Bicycle Path: Project 2 would connect both a multi-use trail and a combination of Class I bicycle path and Class IV bikeway from the Foothill Transit parking lot on Peck Road to the existing Class I bicycle path on the San Gabriel River. This connection is referred to as the “Clasp” of the Emerald Necklace. These trails would connect to the extension (Project 3, Peck Road Signalized Crossing) of the Rio Hondo Class I bicycle path in the Peck Road Water Conservation Park at an existing traffic light on Peck Road at the Foothill Transit Driveway

- Project 3, Peck Road Signalized Crossing and Trail Connectivity: Project 3, in conjunction with Project 2, the Quarry Clasp Multi-Use Trail and Bicycle Path, would connect Peck Road Water Conservation Park, a regional recreation area on the Rio Hondo, to the San Gabriel River Trail. This connection extends the Quarry Clasp of the Emerald Necklace to Peck Water Conservation Park. The project would modify an existing lighted intersection on Peck Road to accommodate a safe crossing for all trail users. In addition, the Foothill Transit parking lot entrance would be modified to accommodate both the Class I bicycle path and the multi-use trail.
- Project 4, carried forward for separate CEQA review by the Los Angeles County Department of Public Works after the scoping period. Implementation Plan Project 4 is not included as part of the Implementation Plan or PEIR.

The Whittier Narrows Area

- Project 5, Class I Bicycle Path on Rosemead Boulevard to Legg Lake: Project 5 would improve recreational connectivity on Rosemead Boulevard from San Gabriel Boulevard to the Whittier Narrows Recreation Area. This project includes development of a Class I bicycle path and a multi-use trail on the eastern shoulder of Rosemead Boulevard and partially on the adjacent strawberry field, leased from the U.S. Army Corps of Engineers. Right of way would need to be acquired from the USACE for this project. The proposed bicycle path and multi-use trail would link the El Bosque del Rio Hondo Park and a western spur of the San Gabriel River Trail on Siphon Road to Legg Lake.
- Project 6, Class IV Bikeway from El Bosque del Rio Hondo to Lincoln Avenue On San Gabriel Boulevard: The intent of this project is to fill in the missing gap between the northern and southern portions of the Rio Hondo Class I bicycle path with a Class IV bikeway. Specifically, this project would extend the existing Class I bicycle path on the north side of San Gabriel Boulevard from the end of the northern section of the Rio Hondo Bicycle Path to Lincoln Avenue. To gain the width necessary for the new Class IV bikeway, all traffic lanes would be reduced and the center raised median relocated to allow an expansion of the north sidewalk.
- Project 7, Class I Bicycle Path from the Rio Hondo to Legg Lake through the Southern California Edison Easement: Project 7 has three components that would connect the northern section of the Rio Hondo Class I bicycle path directly to the Legg Lake recreation area parking lot. The first project component would develop an approximately half-mile long Class I bicycle path located on the north side of the Southern California Edison (SCE) transmission line corridor to connect the Rio Hondo Bike Path to Rosemead Boulevard.
- Project 8, Pellissier Village Multi-Use Trail from State Route 60 to Peck Road Bridge: Project 8 would develop a pedestrian path and includes multi-use trail improvements with a stormwater management component, such as a bio-swale, to reduce pollution running into the San Gabriel River. The hardened pedestrian trail would connect to an accessible ramp on the northeast side of the new Peck Road Bridge.
- Project 9, Pellissier Bridge at Blackwill Arena Staging Area: The proposed shared-use Pellissier Bridge would span the San Gabriel River at a critical location to link existing recreational facilities on both the west and east sides of the river. The Blackwill Arena Staging Area is located on the

east side of the river and the Whittier Narrows Nature Center is located directly across the river to the west. The shared-use bridge would be flush with the proposed adjoining paths and would be approximately 540 feet long by 15 feet wide.

The San Jose Creek Area

- Project 10, Multi-Use Trail and Bridge Connections from the San Jose Creek Trail to San Gabriel River Trail: The intent of Project 10 is to close the half-mile gap between the San Gabriel River Trail, a Class I bicycle path on the west side of the river, and the existing trails along San Jose Creek. The project includes two multi-use bridges; one located over San Jose Creek and the other spanning the San Gabriel River.
- Project 11, Multi-Use Trail from San Jose Creek to the Duck Farm on the San Gabriel River: This project would temporarily connect both the existing and proposed San Jose Creek Class I bicycle path and the multi-use trail to Phase 1 of the Duck Farm on the San Gabriel River when it opens to the public in the spring of 2018. The extension of the multi-use trail would utilize the existing flood control maintenance road.

The Westside Area

- Project 12, Alhambra Wash from State Route 60 to the Garvey Community Center: The Westside Multi-Use Trail Project from SR-60 to the Garvey Community Center would improve approximately 1.25 miles or 6,700 lineal feet of multi-use trail utilizing the existing Los Angeles County riding and hiking easement. Approximately half of the project trail length is located within the natural area of the Rio Hondo. Flood waters from the Alhambra Wash have created a scour pool called the Alhambra Oasis in this area. Equestrians and hikers skirt around the oasis which contains water throughout the year. Therefore, this project would formalize and better define the multiuse trail with a combination of fencing, trail footing improvements, landscaping with native trees and shrubs, and signage.
- Project 13, Rosemead Boulevard Access Ramp: Project 13 would construct an accessible ramp on the east side of Rosemead Boulevard connecting to the Westside Multi-Use Trail, now named the Rio Hondo River Trail, on the Rio Hondo Channel. Rosemead Boulevard rises on an embankment to cross the Rio Hondo; the ramp would be constructed adjacent to the sidewalk on the embankment in the public road right of way. The ramp would be approximately 300 feet in length.
- Project 14, Rosemead Boulevard Underpass: This project proposes re-contouring the backside of the levee and improving the underpass at Rosemead Boulevard to ensure a wide and safe multi-use trail on the west side of the Rio Hondo. Trail construction would meet Los Angeles County Trails Manual standards. Project coordination with the construction of a ramp or ramps on the back side of the levee is also necessary to ensure that the design and final location of the ramp(s) conform to the underpass improvements.
- Project 15, Multi-Use Trail from Rosemead Boulevard to Valley Boulevard: Project 15 would assemble a continuous, unimpeded trail, now called the Rio Hondo River Trail, on the west side of the Rio Hondo from Rosemead Boulevard to Valley Boulevard for equestrians, hikers, and

mountain bikers. This project would formalize and better define the multi-use trail with a combination of fencing, trail footing improvements, landscaping with native trees and shrubs, and signage. The multi-use trail would be constructed in Los Angeles County riding and hiking easement located behind the asphalt levee maintenance road following the river channel alignment.

- Project 16, Interstate 10 Freeway Underpass Improvements: Development of the West Side Multi-Use Trail, now named the Rio Hondo River Trail, would require trail improvements at the I-10 underpass currently utilized Los Angeles County Flood Control District maintenance vehicles. The underpass has recently been renovated and the new tunnel height exceeds the County of Los Angeles Trails Manual standard of 12-foot clearance on multiuse trails. This project would connect the new multi-use trail in the hiking and riding easement to the maintenance roadway, allowing recreational trail user access through the renovated underpass tunnel.

The Program EIR analyzes the overall environmental impacts of the Project on a programmatic level, as a whole, and does not analyze project-specific impacts. Each project must go through another CEQA review process prior to implementation, when greater project specific details are known, and in light of the Implementation Plan and EIR to determine if the project falls within the scope of the Proposed Project. These impacts would be analyzed in detail by lead agencies with purview over project implementation relying on the EIR as the base environmental document for environmental review. If the lead agency finds that the subsequent activity would be consistent with the Project, and would not result in new effects or require new mitigation measures, the lead agency can approve the activity as being within the scope of the project covered by the EIR and no new environmental document would be required in accordance with California Environmental Quality Act (“CEQA”) Guidelines Section 15168. Otherwise, subsequent environmental documentation must be prepared, tiered from the PEIR by incorporating by reference its general discussions and the analysis of cumulative impacts. Subsequent environmental documents, if any, would be focused on project- and site-specific impacts.

Detailed information regarding the Project, environmental setting, environmental effects, and alternatives is included in the EIR. The EIR consists of the Draft EIR dated October 2016 and the Final EIR dated February 2017.

These findings have been prepared to comply with requirements of the California Environmental Quality Act (“CEQA”) (Pub. Resources Code, § 21000 et seq.) and the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.).

II. RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the Record of Proceedings for the Project consists of the following documents, at a minimum:

- The Notice of Preparation and all other public notices issued by WCA in conjunction with the Project;
- The Draft and Final EIRs for the Emerald Necklace Implementation Plan – Phase 1, and all documents included as appendices and cited as “References” in those documents;

- All comments submitted by agencies or members of the public during the 45-day public comment period on the Draft EIR;
- All comments and correspondence submitted to WCA with respect to the Project;
- The Mitigation Monitoring and Reporting Program for the Project (Section 5.0 of the Final EIR);
- All findings and resolutions adopted by WCA Governing Board in connection with the Project (including these findings), and all documents cited or referred to therein;
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the Project prepared by WCA, consultants to WCA, or responsible or trustee agencies with respect to WCA's compliance with the requirements of CEQA and with respect to the WCA's actions on the Project;
- All documents submitted to WCA by other public agencies or members of the public in connection with the Project, up through the close of the public comment period on December 2, 2016;
- Matters of common knowledge to WCA, including, but not limited to, federal, state, and local laws and regulations;
- Any documents expressly cited in these findings, in addition to those cited above; and
- Any other materials required to be in the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

The custodian of the documents comprising the record of proceedings is the Watershed Conservation Authority, 100 North Old San Gabriel Canyon Road, Azusa, California 91702.

The WCA Governing Board has relied on all of the documents listed above in reaching its decision on the Project, even if not every document was formally presented to the WCA Governing Board as part of WCA files generated in connection with the Project. Without exception, any documents set forth above not found in the Project files fall into one of two categories. Many of them reflect prior planning or decisions of which WCA was aware in approving the Project. (See *County of Santa Cruz v. Local Agency Formation Commission* (1978) 76 Cal.App.3d 381, 391-392 [142 Cal.Rptr. 873]; *Dominey v. Department of Personnel Administration* (1988) 205 Cal.App.3d 729, 738, fn. 6 [252 Cal.Rptr. 620].) Other documents influenced the expert advice provided to WCA staff or consultants, who then provided advice to the WCA Governing Board. For that reason, such documents form part of the underlying factual basis for the WCA Governing Board's decisions relating to the approval of the Project. (See Pub. Resources Code, § 21167.6, subd. (e)(10); *Browning-Ferris Industries v. County Board of Supervisors of County of San Jose* (1986) 181 Cal.App.3d 852, 866 [226 Cal.Rptr. 575]; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 153, 155 [39 Cal.Rptr.2d 54].)

III. FINDINGS 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 statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed 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.”

The mandate and principles announced in Public Resources Code section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See Pub. Resources Code, § 21081, subd. (a); CEQA Guidelines, § 15091, subd. (a).) For each significant environmental effect identified in an EIR for a project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The first such finding is that “[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) The second permissible finding is that “[s]uch 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.” (CEQA Guidelines, § 15091, subd. (a)(2).) The third potential conclusion is that “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(3).) Public Resources Code section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” CEQA Guidelines section 15364 adds another factor: “legal” considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors* (“Goleta II”) (1990) 52 Cal.3d 553, 565 [276 Cal. Rptr. 410].)

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417.) “[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Id.*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.)

The CEQA Guidelines do not define the difference between “avoiding” a significant environmental effect and merely “substantially lessening” such an effect. WCA must therefore glean the meaning of these terms from the other contexts in which the terms are used. Public Resources Code section 21081, on which CEQA Guidelines section 15091 is based, uses the term “mitigate” rather than “substantially lessen.” The CEQA Guidelines therefore equate “mitigating” with “substantially lessening.” Such an understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy 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.” (Pub. Resources Code, § 21002.)

For purposes of these findings, the term “avoid” refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. For reasons set forth

in the EIR, all of the significant environmental effects identified therein can be fully “avoided” – that is, reduced to a less than significant level – by the adoption of the recommended mitigation measures. Because the WCA Governing Board has chosen to adopt all such recommended mitigation measures, there is no need to identify any instances in which a significant effect has been merely “substantially lessened,” rather than “avoided,” by the adoption of mitigation measures. It may be worth noting, though, that WCA understands the term “substantially lessen” to refer to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less than significant level. These interpretations appear to be mandated by the holding in *Laurel Hills Homeowners Association v. County Board of Supervisors* (1978) 83 Cal.App.3d 515, 519-527 [147 Cal.Rptr. 842], in which the Court of Appeal held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question less than significant. In any event, there is no need here to address the legal implications of a finding that a significant effect has been substantially lessened but not avoided. All such effects associated with the Project have been avoided (reduced to a less than significant level) through incorporation of standard construction measures and design features into the Project and through the adoption of mitigation measures.

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that will otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency. (CEQA Guidelines, § 15091, subds. (a), (b).)

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or a feasible environmentally superior alternative, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project’s “benefits” rendered “acceptable” its “unavoidable adverse environmental effects.” (CEQA Guidelines, §§ 15093, 15043, subd. (b); see also Pub. Resources Code, § 21081, subd. (b).) The California Supreme Court has stated, “[t]he wisdom of approving...any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (*Goleta II*, 52 Cal.3d at p. 576.)

Such a statement of overriding considerations is not required for this Project because, as noted above, the Project incorporates standard construction measures (e.g., pollution prevention and erosion control) and design features (e.g., traffic calming measures) to minimize potentially significant effects and all remaining significant effects will be mitigated to less than significant levels through the adoption of mitigation measures. This result also relieves WCA of having to consider whether any alternative other than the one chosen by WCA is environmentally superior in any respect. (See *Laurel Hills*, supra, 83 Cal.App.3d at p. 521; *Citizens for Quality Growth v. City of Mount Shasta* (1988) 198 Cal.App.3d 433, 445.)

IV. LEGAL EFFECTS OF FINDINGS

These findings constitute the WCA Governing Board’s best efforts to set forth the evidentiary and policy bases for its decision to approve the Project in a manner consistent with the requirements of CEQA. To the extent that these findings conclude that various construction measures and design features incorporated into the Project and proposed mitigation measures outlined in the Draft EIR, as revised in the Final EIR, are feasible and have not been modified, superseded, or withdrawn, WCA hereby binds itself to implement these measures. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when the Governing Board adopts a resolution approving the Project.

V. MITIGATION MONITORING PROGRAM

A Mitigation Monitoring and Reporting Program (“MMRP”) has been prepared for the Project and has been adopted by WCA by the same resolution that has adopted these Findings. (See Section 5.0 of the Final EIR, Pub. Resources Code, § 21081.6, subd. (a)(1); CEQA Guidelines, § 15097.) As a condition of the EIR approval process, WCA must adopt the MMRP. Through this condition, WCA has ensured the implementation of all identified construction, design and mitigation measures. WCA will use the MMRP to track compliance with the measures incorporated into the Project and the Project mitigation measures. The MMRP will remain available for public review during the compliance period.

VI. SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The EIR identified several potentially significant environmental effects (or “impacts”) that the Project could cause. All of these significant effects can be fully avoided (i.e., mitigated to less than significant levels) through the adoption of the feasible mitigation measures identified in the MMRP (Section 5.0 of the Final EIR). Stated another way, for all identified significant effects, “changes or alterations have been required in, or incorporated into, the project which avoid...the significant environmental effect[s] identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) WCA is responsible for carrying out the construction-related mitigation measures as well as monitoring and reporting, as stated in the MMRP. Incorporation of these measures will ensure that mitigation of significant environmental effects will occur. Since the WCA Governing Board is not rejecting any measures as “infeasible” (id., § 15091, subds. (a)(2), (a)(3)), all recommended mitigation measures set forth in the EIR are adopted and are sufficient to render the significant effects less than significant.

This Section lists the potentially significant environmental effects and the mitigation measures that reduce these effects to less than significant. The EIR also identifies impacts that are not significant or potentially significant environmental impacts, either because of the standard construction measures or design measures that have been incorporated into the Project or because the analysis did not reveal any evidence that the impacts could be significant. WCA identified a number of standard construction measures that would be implemented as part of the Project in order to comply with relevant laws or regulations and design features that would ensure sensitive resources are protected during implementation of each project. The impacts that are not significant are not listed in this section, as nothing in CEQA requires findings to address such impacts.

The EIR presents the reasoning regarding why or why not, in light of such inquiries regarding the significance of impacts, the impacts were identified as significant prior to mitigation and less than

significant after mitigation. Rather than repeat all of these points herein, the WCA Governing Board instead incorporates the entire EIR by reference herein and relies on the explanations in the EIR regarding the nature of the effects at issue and the effectiveness of the mitigation measure(s). For the sake of creating an unambiguous record of the WCA Governing Board's decision to adopt and carry out all recommended mitigation measures, however, each significant effect and all recommended (and adopted) mitigation measures are set forth below.

Impact A-1 (Aesthetics): Bridge structures could impact visual character and glare within and surrounding the project area.

Mitigation Measure A-1: Design Requirements to Reduce Visual Contrast.

Project structures shall be designed to reduce visual contrast with the project's surroundings by repeating forms, colors, lines and textures of the project's location. This can be achieved by using materials and color schemes that blend with the natural landscape and vegetation.

Finding: The mitigation measure identified above has been incorporated into the Project to avoid significant environmental effects relating to visual character and glare within and surrounding the project area associated with proposed bridge structures (Projects 9, and 10), as determined in the Final EIR. These "changes or alterations have been required in, or incorporated into, the project which avoid...the significant environmental effect[s] identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) These changes shall be implemented by WCA or another lead agency with purview over project implementation. Incorporation of these measures will ensure that mitigation of significant environmental effects will occur.

Impact B-1 (Biological Resources): Construction activities could adversely affect special-status plant species.

Mitigation Measure B-1: Conduct Focused Rare Plant Surveys.

Nevin's Barberry: Prior to ground disturbing construction activities (e.g. grading, vegetation removal) for Projects 7, 9, 10, and 12 a focused rare plant survey for Nevin's Barberry shall be conducted. Because this plant is a shrub species that is obvious at any time of the year, the survey may be conducted during any season.

Brand's Phacelia: Prior to ground disturbing construction activities (e.g. grading, vegetation removal) for Projects 2, 7, 8, 9, 10, 11, and 12 a focused rare plant survey for Brand's phacelia shall be conducted. The survey shall take place during the blooming period for Brand's phacelia (March through June). Biologists will use a nearby population as a reference, if feasible, to verify that the target rare plant is blooming at the time of the survey.

Additional Rare Plant Species: During surveys for the aforementioned plant species, prior to ground disturbing construction activities (e.g. grading, vegetation removal) for Projects 2, 7, 8, 9, 10, 11, and 12, biologists shall also seek and identify plant species that are listed as California Species of Special Concern or listed as California Native Plant Society ("CNPS") List 1A, 1B, or 2.

If sensitive plant species are not found during the surveys, then no further mitigation is required. In the event a listed plant is discovered onsite, the location and numbers of the species shall be recorded by a qualified biologist. The California Department of Fish and Wildlife (“CDFW”), United States Fish and Wildlife Service (“USFWS”) and WCA shall be formally notified and consulted regarding the presence of either the federal and/or state listed or candidate species onsite.

If the plant can be avoided by construction, a Preservation and Management Plan for the species found will be prepared and shall include, but not be limited to, the following:

- 1) Provision of protective fencing or buffers between development and any listed plant that may be found onsite as required by CDFW or USFWS. This buffer zone shall be designated with appropriate fencing to exclude construction vehicles and public access, but not wildlife access;
- 2) The size of the buffer depends upon the use of the immediately adjacent lands, and includes consideration of the plant’s ecological requirements (e.g., sunlight, moisture, shade tolerance, edaphic physical and chemical characteristics) that are identified by a qualified plant ecologist and/or botanist. At minimum, the buffer shall be at least ten feet and demarcated by fencing that is installed with the assistance of a qualified plant ecologist. A smaller buffer may be established, provided there are adequate measures in place to avoid the take of the species, with the approval of the USFWS and/or CDFW;
- 3) Stormwater runoff, irrigation runoff, and other drainage from developed areas shall not pass through areas populated by the listed species;
- 4) Listed species areas shall not be artificially shaded by structures or landscaping within the adjacent development areas;
- 5) Pesticide use shall not be permitted within listed plant areas;
- 6) The WCA will be responsible for monitoring the listed plant areas during construction and after project completion to ensure avoidance.

If the plant cannot be avoided by construction, the CDFW and/or USFWS will be consulted. The following steps will be needed:

- 1) For direct impacts to the federal-listed and state-listed Nevin’s barberry, the CDFW will be consulted regarding the potential need for a permit under the CESA and the USFWS will be consulted for the potential need for a permit under the Endangered Species Act (“ESA”). Mitigation for the impact will be developed through this process and could include payment of in-lieu fee, preservation of another population of the plant, transplantation, or creation of a preserve.
- 2) For direct impacts to plants that are candidate species for listing (Brand’s phacelia), the USFWS will be consulted for the potential need for a permit under the ESA. Mitigation for the impact will be developed through this process and could include payment of in-lieu fee, preservation of another population of the plant, transplantation, or creation of a preserve.

Finding: The mitigation measure identified above has been incorporated into the Project to avoid significant environmental effects on special-status plant species during construction activities (Projects

2, 7, 8, 9, 10, 11, and 12), as determined in the Final EIR. These “changes or alterations have been required in, or incorporated into, the project which avoid...the significant environmental effect[s] identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) These changes shall be implemented by WCA or another lead agency with purview over project implementation. Incorporation of these measures will ensure that mitigation of significant environmental effects will occur.

Impact B-2 (Biological Resources): Construction activities could adversely affect birds that nest in the project area and violate the Migratory Bird Treaty Act.

Mitigation Measure B-2: Conduct nesting bird surveys to ensure that there would not be significant impacts to nesting birds and no violation of the Migratory Bird Treaty Act.

If activities with the potential to destroy nests or cause birds to abandon nests are scheduled to occur during the bird breeding season, occurring February 1 – August 31, a pre-construction nesting bird survey shall be conducted by a qualified biologist within the footprint for all Projects and within a buffer of 500 feet of the Project limits. A qualified biologist is one having at least one year of nesting bird survey experience. The survey area shall include all potential bird nesting areas, including grasslands, scrub habitat, woodlands, and isolated trees that are within 500 feet of ground disturbance and vegetation clearing activities. The survey shall be conducted within the nesting season and no more than 30 days prior to commencement of ground disturbance activities.

If active bird nests are found, the qualified biologist will recommend measures to avoid impacts to the nest while it is active. At a minimum the nest itself will be protected while it is active and a no-disturbance buffer will be established around the nest to protect it from indirect Project effects due to noise and dust. Recommended buffers are 500 feet for raptors and sensitive species and 300 feet for all other birds. The biologist can adjust the buffer limits based on the setting, topography, exposure of the nest to adverse effects, and other factors. Direct removal of the nest and construction activities within the buffer zone will be avoided until the nest is deemed no longer active by the qualified biologist.

Finding: The mitigation measure identified above has been incorporated into the Project to avoid significant environmental effects on nesting birds during construction activities (Projects 1 through 16), as determined in the Final EIR. These “changes or alterations have been required in, or incorporated into, the project which avoid...the significant environmental effect[s] identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) These changes shall be implemented by WCA or another lead agency with purview over project implementation. Incorporation of these measures will ensure that mitigation of significant environmental effects will occur.

Impact B-3 (Biological Resources): Construction activities could adversely affect occupied habitat of special-status bird species.

Mitigation Measure B-3: Conduct a habitat assessment for Western Yellow-billed Cuckoo.

A habitat assessment shall be conducted for Projects 9, 10, and 12 a year prior to planned ground disturbing activities. If the habitat assessment determines that suitable habitat for Western Yellow-billed Cuckoo is present and would be directly impacted by Projects 9, 10, or 12 then a USFWS protocol survey

shall be conducted to ensure compliance with federal and state Endangered Species Acts. The survey period for Western Yellow-billed Cuckoo extends from June 15 to August 15, consisting of four surveys. If Western Yellow-billed Cuckoo are located during the survey, and their occupied habitat may be impacted by the Project, a request for take authorization must be submitted, processed, and approved with the USFWS and CDFW prior to the ground disturbance activities that may affect this species. This will involve a consultation process under the ESA and California Endangered Species Act (“CESA”).

Mitigation Measure B-4: Conduct a habitat assessment for Southwestern Willow Flycatcher.

A habitat assessment shall be conducted for Projects 9, 10, and 12 within a year prior to ground disturbing activities. If the habitat assessment determines that suitable habitat for the southwestern willow flycatcher is present and would be directly impacted by Projects 9, 10, or 12 then USFWS protocol surveys shall be conducted to ensure compliance with federal and state Endangered Species Acts. The survey period for southwestern willow flycatcher extends from May 15 to July 17, consisting of five surveys. If southwestern willow flycatcher are located during the survey, and their occupied habitat may be impacted by a Project, a request for take authorization must be submitted, processed, and approved with the USFWS and CDFW prior to the ground disturbing activities that may affect this species. This will involve a consultation process under the ESA and CESA.

Mitigation Measure B-5: Conduct a habitat assessment for Least Bell’s Vireo.

A habitat assessment shall be conducted for Projects 9, 10, and 12 within a year prior to proposed ground disturbing activities. If the habitat assessment determines that suitable habitat for the least Bell’s vireo is present and would be directly impacted by Projects 9, 10, or 12 then United States Fish and Wildlife protocol surveys shall be conducted to ensure compliance with federal and state endangered species acts. The survey period for least Bell’s vireo extends from April 10 to July 31, consisting of eight surveys. If least Bell’s vireo are located during the survey, and their occupied habitat may be impacted by the Project, a request for take authorization must be submitted, processed, and approved with the USFWS and CDFW prior to the ground disturbance activities that may affect this species. This will involve a consultation process under the ESA and CESA.

Finding: The three mitigation measures identified above have been incorporated into the Project to avoid significant environmental effects to occupied habitat of special-status bird species during construction activities (Projects 9, 10, and 12), as determined in the Final EIR. These “changes or alterations have been required in, or incorporated into, the project which avoid...the significant environmental effect[s] identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) These changes shall be implemented by WCA or another lead agency with purview over project implementation. Incorporation of these measures will ensure that mitigation of significant environmental effects will occur.

Impact B-4 (Biological Resources): Construction activities could adversely affect burrowing owls within the project area.

Mitigation Measure B-6: Conduct a habitat assessment and preconstruction survey for burrowing owls. Prior to ground disturbing activities within the burrowing owl breeding season, March 1 through August 31, a habitat assessment and pre-construction burrowing owl survey will be conducted by a qualified

biologist within suitable habitat within the project area footprint and a 500-foot buffer surrounding the footprint for Projects 1, 2, 5, 7, 8, 9, 10, 11, and/or 12. A qualified biologist must have at least one year of experience conducting burrowing owl surveys. The assessment and preconstruction survey shall conform to the California Department of Fish and Game Report on Burrowing Owl Mitigation. If burrowing owls are located during the survey, and may be impacted by Projects 1, 2, 5, 7, 8, 9, 10, 11, and/or 12, then measures to avoid the burrowing owl will be developed prior to any ground disturbance that might affect the owl or its burrows, as determined by a qualified biologist. At a minimum a burrowing owl mitigation plan shall be prepared to be submitted to WCA and the CDFW for review and approval. The approved plan shall be implemented prior to the ground disturbance activities that may affect this species.

Finding: The mitigation measure identified above has been incorporated into the Project to avoid significant environmental effects to burrowing owls during construction activities (Projects 1, 2, 5, 7, 8, 9, 10, 11, and/or 12), as determined in the Final EIR. These “changes or alterations have been required in, or incorporated into, the project which avoid...the significant environmental effect[s] identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) These changes shall be implemented by WCA or another lead agency with purview over project implementation. Incorporation of these measures will ensure that mitigation of significant environmental effects will occur.

Impact B-5 (Biological Resources): Construction activities could result in placement of fill material into waters of the United States and disturbance of wetlands.

Mitigation Measure B-7: Conduct a jurisdictional delineation and prepare regulatory permit applications. Due to the potential of Projects 7, 9, 10, and 12 to affect potentially jurisdictional features of the Rio Hondo, San Gabriel River, and San Jose Creek or tributaries thereto, a jurisdictional delineation shall be conducted within each of these project areas prior to the implementation of each Project to determine the extent of jurisdiction present and the extent to which a Project footprint affects jurisdictional resources. If such resources are planned to be impacted by a Project, then regulatory permits will be required for that Project by submitting applications to the United States Army Corps of Engineers for a Section 404 Clean Water Act Permit, to CDFW for a Section 1600 Streambed Alteration Agreement, and to the Regional Water Quality Control Board (for a Section 401 Water Quality Certification). Once the permits have been issued, the impacts to jurisdictional features can occur.

Finding: The mitigation measure identified above has been incorporated into the Project to avoid significant environmental effects on wetlands and other waters of the United States during construction activities (Projects 7, 9, 10, and 12), as determined in the Final EIR. These “changes or alterations have been required in, or incorporated into, the project which avoid...the significant environmental effect[s] identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) These changes shall be implemented by WCA or another lead agency with purview over project implementation. Incorporation of these measures will ensure that mitigation of significant environmental effects will occur.

Impact B-6 (Biological Resources): Construction activities could adversely affect oak trees protected on land located within the unincorporated area of Los Angeles County.

Mitigation Measure B-8: Protection of oak tree.

An oak tree survey and report shall be conducted by an oak tree consultant, as deemed acceptable by the Los Angeles County Director of Regional Planning and County Forester & Fire Warden, to document the trees being proposed to be impacted for Projects 7, 9, 10, and 12. An oak tree permit is required prior to cutting, destroying, removing, relocating, inflicting damage, or encroaching into the protected zone of any oak trees with a breast-diameter-height of eight inches or more. All protection and replacement measures shall be consistent with the Los Angeles County Oak Tree Ordinance.

Finding: The mitigation measure identified above has been incorporated into the Project to avoid significant environmental effects to oak trees within parcels of land located within the unincorporated area of Los Angeles County (Projects 7, 9, 10, and 12), as determined in the Final EIR. These “changes or alterations have been required in, or incorporated into, the project which avoid...the significant environmental effect[s] identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) These changes shall be implemented by WCA or another lead agency with purview over project implementation. Incorporation of these measures will ensure that mitigation of significant environmental effects will occur.

Impact B-7 (Biological Resources): Construction activities could adversely affect habitat of special-status reptile and amphibian species.

Mitigation Measure B-9: Conduct a habitat assessment for Western Pond Turtle.

A habitat assessment shall be conducted for Projects 9, 10, and 12 a year prior to planned ground disturbing activities. If the habitat assessment determines that suitable habitat for western pond turtle is present and would be directly impacted by Projects 9, 10, or 12 then CDFW shall be consulted in order to develop mitigation for this species. Mitigation may consist of acquisition and protection in perpetuity of occupied habitat for the species or payment of in-lieu fees for habitat protection to a CDFW-approved entity.

Mitigation Measure B-10: Conduct a habitat assessment for Western Spadefoot Toad.

A habitat assessment shall be conducted for Projects 9, 10, and 12 a year prior to planned ground disturbing activities. If the habitat assessment determines that suitable habitat for western spadefoot toad is present and would be directly impacted by Projects 9, 10, or 12 then CDFW shall be consulted in order to develop mitigation for this species. Mitigation may consist of acquisition and protection in perpetuity of occupied habitat for this species or payment of in-lieu fees for habitat protection to a CDFW-approved entity.

Mitigation Measure B-11: Conduct a habitat assessment for Two-striped Garter Snake.

A habitat assessment shall be conducted for Projects 9, 10, and 12 a year prior to planned ground disturbing activities. If the habitat assessment determines that suitable habitat for two-striped garter snake is present and would be directly impacted by Projects 9, 10, or 12 then CDFW shall be consulted in order to develop mitigation for this species. Mitigation may consist of acquisition and protection in perpetuity of occupied habitat for this species or payment of in-lieu fees for habitat protection to a CDFW-approved entity.

Finding: The three mitigation measures identified above have been incorporated into the Project to avoid significant environmental effects on special-status reptile and amphibian species (Projects 9, 10, and 12), as determined in the Final EIR. These “changes or alterations have been required in, or incorporated into, the project which avoid...the significant environmental effect[s] identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) These changes shall be implemented by WCA or another lead agency with purview over project implementation. Incorporation of these measures will ensure that mitigation of significant environmental effects will occur.

Impact CR-1 (Cultural and Paleontological Resources): Construction activities could adversely affect unknown cultural resources if ground disturbing activities occur beyond the depth of previous disturbances.

Mitigation Measure CR-1: Conduct an archeological survey and subsequent environmental assessment. All projects resulting in ground disturbing activities in areas that are unpaved and/or lack ornamental vegetation shall be surveyed by qualified archaeologists and the results shall be provided in subsequent environmental documents that will be prepared for the individual projects of the Emerald Necklace Implementation Plan – Phase I (Projects 1, 2, 6, 7, 8, 9, 10, 11, and 12). If cultural resources are identified as a result of the surveys, they shall be evaluated using California Register of Historical Resources eligibility criteria to determine whether they are Historical Resources for the purposes of CEQA. An impacts analysis shall be carried out for identified Historical Resources and mitigation measures shall be provided for Historical Resources that will be significantly impacted. The results of the evaluation and the impacts analysis, as well as the mitigation measures, shall be provided in the specific environmental document written for the project.

Mitigation Measure CR-2: Monitoring during ground disturbances

All ground-disturbing activities below previously disturbed areas necessary for construction of Projects 6 and 7 shall be monitored by an archaeological monitor and a Native American monitor from a Gabriellino group, as recommended by the cultural resources survey report (CR-1). The archaeological monitor and the Native American monitor shall have the power to temporarily halt or divert equipment to allow for recording and evaluation of any encountered resources. If evaluated as eligible for the California Register of Historical Resources and determined eligible by WCA, the archaeological site must be avoided and preserved. If this is not feasible, an archeological data recovery program shall be developed and implemented by a qualified archaeologist in consultation with the Native American monitor. The data recovery report shall be submitted to the South Central Coastal Information Center.

Finding: The two mitigation measures identified above have been incorporated into the Project to avoid significant environmental effects to unknown cultural resources if ground disturbing activities occur beyond the depth of previous disturbances (Projects 1, 2, 6, 7, 8, 9, 10, 11, and 12), as determined in the Final EIR. These “changes or alterations have been required in, or incorporated into, the project which avoid...the significant environmental effect[s] identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) These changes shall be implemented by WCA or another lead agency with purview over project implementation. Incorporation of these measures will ensure that mitigation of significant environmental effects will occur.

Impact CR-2 (Cultural and Paleontological Resources): Construction activities could adversely affect unknown human remains if ground disturbing activities occur beyond the depth of previous disturbances.

Mitigation Measure CR-3: Discovery of human remains during construction activities

If human remains of any kind are found during construction activities, all activities must cease immediately and the Los Angeles County Coroner must be notified, as required by state law (Section 7050.5 of Health and Safety Code). If the coroner determines the remains to be of Native American origin, he or she will notify the Native American Heritage Commission. The NAHC will then identify the most likely descendant(s) ("MLD") to be consulted regarding treatment and/or reburial of the remains (Section 5097.98 of the Public Resources Code). Work may resume once the MLD's recommendations have been implemented or the remains have been reburied by the landowner if no agreement can be reached with the MLD (Section 5097.98 of the Public Resources Code).

Finding: The mitigation measure identified above has been incorporated into the Project to avoid significant environmental effects to unknown human remains if ground disturbing activities occur beyond the depth of previous disturbances (Projects 1 through 16), as determined in the Final EIR. These "changes or alterations have been required in, or incorporated into, the project which avoid...the significant environmental effect[s] identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) These changes shall be implemented by WCA or another lead agency with purview over project implementation. Incorporation of these measures will ensure that mitigation of significant environmental effects will occur.

Impact CR-3 (Cultural and Paleontological Resources): Construction activities could adversely affect unknown paleontological resources if deep excavations encounter older Quaternary deposits as well as older Quaternary Alluvium or the Fernando formation.

Mitigation Measure CR-4: Monitoring during deep excavations

A qualified vertebrate paleontologist shall monitor deep excavations that extend into the older Quaternary deposits, as well as any excavations in the exposures of older Quaternary Alluvium or in the exposures of the Fernando formation in the Whittier Narrows area (Projects 6, 7, and 9) and the San Jose Creek area (Project 10). Sediment samples shall be collected and processed to determine the small fossil potential in the project area. The monitor will be equipped to recover fossils and sediment samples during excavation and will have the authority to temporarily halt or divert equipment to allow for recovery of large or numerous fossils. If the final engineering design of Projects 6 and 7 determine that the older Quaternary alluvium deposits would not be disturbed then paleontological monitoring would not be necessary for Projects 6 and 7.

Any fossils recovered during monitoring shall be prepared to a point of identification and preservation and be deposited in an accredited and permanent scientific institution. A report detailing the findings with an appended itemized inventory of identified specimens shall be prepared. The report and inventory shall be submitted to WCA and the scientific institution where the fossils are deposited. When WCA receives the report, inventory, and verification of acceptance of the specimens by the scientific institution, mitigation will be complete.

Finding: The mitigation measure identified above has been incorporated into the Project to avoid significant environmental effects to unknown paleontological resources if deep excavations encounter older Quaternary deposits as well as older Quaternary Alluvium or the Fernando formation (Projects 6, 7, 9 and 10), as determined in the Final EIR. These “changes or alterations have been required in, or incorporated into, the project which avoid...the significant environmental effect[s] identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) These changes shall be implemented by WCA or another lead agency with purview over project implementation. Incorporation of these measures will ensure that mitigation of significant environmental effects will occur.

Impact G-1 (Geology and Soils): Project design could introduce geotechnical conditions that could cause risk of life and property, loss of topsoil, and introduce seismic hazards.

Mitigation Measure G-1: Geotechnical investigation and recommendations.

A qualified geotechnical firm shall conduct site specific geotechnical investigations during the design of projects that contain a structural component such as bridges and foundations (Projects 1, 3, 6, 7, 9, 10, 13, 14, 15, and 16). The geotechnical firm shall review the site and grading plans for each project that contains a structural component as the Emerald Necklace is implemented and comment further on the geotechnical aspects of the project. Geotechnical investigations shall disclose the geological conditions of project sites and recommend the appropriate measures to be incorporated into the design and construction of each project.

Finding: The mitigation measure identified above has been incorporated into the Project to avoid significant environmental effects from geotechnical conditions that could cause risk of life and property, loss of topsoil, and introduce seismic hazards (Projects 1, 3, 6, 7, 9, 10, 13, 14, 15, and 16), as determined in the Final EIR. These “changes or alterations have been required in, or incorporated into, the project which avoid...the significant environmental effect[s] identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) These changes shall be implemented by WCA or another lead agency with purview over project implementation. Incorporation of these measures will ensure that mitigation of significant environmental effects will occur.

Impact HM-1 (Hazards and Hazardous Materials): Construction activities could affect emergency response and evacuation plans when road lanes or other access points are closed.

Mitigation Measure HM-1: Traffic Control Plan

Prior to any lane closures, WCA (or its contractor) shall prepare a Traffic Control Plan to ensure proper access to residences and businesses by emergency vehicles during construction and to maintain traffic flow.

Finding: The mitigation measure identified above has been incorporated into the Project to avoid significant environmental effects on emergency response and evacuation plans that may occur during construction activities (Projects 1 through 16), as determined in the Final EIR. These “changes or alterations have been required in, or incorporated into, the project which avoid...the significant

environmental effect[s] identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) These changes shall be implemented by WCA or another lead agency with purview over project implementation. Incorporation of these measures will ensure that mitigation of significant environmental effects will occur.

Impact H-1 (Hydrology and Water Quality): Construction activities could discharge pollutants including erosion and/or siltation.

Mitigation Measure H-1: Implement water quality control measures during construction.

Prior to ground disturbing activities or any activity affecting federal or state waters, WCA shall submit for approval to the State Water Resources Control Board, a Notice of Intent (NOI) to be covered under a National Pollutant Discharge Elimination System General Permit for Stormwater Discharges Associated with Construction Activity (“General Permit”) in compliance with Section 402 of the Clean Water Act. As part of the General Permit, WCA shall prepare a Storm Water Pollution Prevention Plan (“SWPPP”) which will: (1) require implementation of Best Management Practices (“BMPs”) so as to prevent a net increase in sediment load in stormwater discharges relative to preconstruction levels; (2) prohibit discharges of stormwater or non-stormwater at levels which would cause or contribute to an exceedance of any applicable water quality standard contained in the regional basin plan; (3) discuss in detail the BMPs for the project related to control of sediment and erosion, non-sediment pollutants, and potential pollutants in non-stormwater discharges; (4) describe post-construction BMPs for the project; (5) explain the monitoring and maintenance program for the project’s BMPs; (6) require reporting of violations to the RWQCB; and (7) list the parties responsible for SWPPP implementation and BMP maintenance both during and after construction. Upon acceptance of the NOI by the State Board, the WCA shall implement the SWPPP and will modify the SWPPP as directed by the Storm Water Permit.

Finding: The mitigation measure identified above has been incorporated into the Project to avoid significant environmental effects on water quality in nearby and adjacent rivers that may occur during construction activities (Projects 1 through 16), as determined in the Final EIR. These “changes or alterations have been required in, or incorporated into, the project which avoid...the significant environmental effect[s] identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) These changes shall be implemented by WCA or another lead agency with purview over project implementation. Incorporation of these measures will ensure that mitigation of significant environmental effects will occur.

Impact N-1 (Noise): Construction activities could introduce noise to non-sensitive land uses surrounding the project area.

Mitigation Measure N-1: Timing of noise-generating construction activities.

Prior to approval of grading plans and/or issuance of building permits, plans shall include a note indicating that noise-generating project construction activities shall only occur between the hours of 7:00 a.m. to 7:00 p.m. on weekdays, with no activity allowed on Sundays or holidays. The project construction supervisor shall ensure compliance with the note and the County shall conduct periodic inspections at its discretion.

Mitigation Measure N-2: Noise mufflers for construction equipment.

Prior to Proposed Project construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest to the project site.

Mitigation Measure N-3: Location of equipment staging.

The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receivers nearest the project site throughout the project construction period.

Mitigation Measure N-4: Timing and routing of haul truck deliveries.

The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment (between the hours of 7:00 a.m. to 7:00 p.m. on weekdays, with no activity allowed on Sundays or holidays). The contractor shall prepare a haul route exhibit and shall design delivery routes to minimize the exposure of sensitive land uses or residential dwellings to delivery truck-related noise.

Finding: The mitigation measure identified above has been incorporated into the Project to avoid significant environmental effects of noise (Projects 1 through 16), as determined in the Final EIR. These "changes or alterations have been required in, or incorporated into, the project which avoid...the significant environmental effect[s] identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) These changes shall be implemented by WCA or another lead agency with purview over project implementation. Incorporation of these measures will ensure that mitigation of significant environmental effects will occur.

VII. SUMMARY OF FINDINGS

Based on the analysis of environmental impacts and mitigation measures in the EIR, summarized above, the Watershed Conservation Authority Governing Board finds that:

Changes or alternations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effects of this Project and mitigate all of the significant environmental effects to a less than significant level, as identified in the EIR. These changes will be implemented by WCA or another lead agency with purview over project implementation. WCA is committed to implementing the measures listed in the MMRP within its authority and responsibility. Incorporation of these measures into the Project will ensure that mitigation of significant environmental effects will occur.

VIII. PROJECT ALTERNATIVES; OVERRIDING CONSIDERATIONS

CEQA provides that, where a significant environmental effect can be substantially lessened (i.e., mitigated to an "acceptable level") solely by the adoption of mitigation measures, the lead agency, in drafting its findings, has no obligation to consider the feasibility of alternatives with respect to that impact, even if the alternative would mitigate the impact to a greater degree than the proposed project.

(Pub. Resources Code, § 21002; Laurel Hills Homeowners Association v. City Council (1978) 83 Cal.App.3d 515, 521; see also Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 730-731; and Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal.3d 376, 400-403.) The discussion of impacts and mitigation measures above reveals that all identified impacts will be reduced to a level of insignificance by the implementation of the mitigation measures identified in the Mitigation Monitoring and Reporting Plan contained in Section 5.0 of the Final EIR and incorporated into these findings by reference. WCA need not, therefore, consider alternatives, and may adopt the Project as proposed.

Nor, under CEQA, is WCA required to adopt a “statement of overriding considerations” under the circumstances. The requirement to adopt a statement expressly concluding that the economic or social benefits of a proposed project outweighs its adverse environmental effects is only triggered where such effects will remain significant even with implementation of feasible mitigation measures. (CEQA Guidelines, §§ 15002, subd. (a)(4), 15021, subd. (d), 15093; see also Pub. Resources Code, § 21081, subd. (b).) Here, WCA has bound itself to the mitigation measures that are within its own authority and responsibility and agrees to carry out all of those mitigation measures, as identified throughout these findings and the MMRP.

March 16, 2017 - Item 17

RESOLUTION 2017-16

RESOLUTION OF THE WATERSHED CONSERVATION AUTHORITY CERTIFYING THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE 1; AND ADOPTING FINDINGS OF FACT, AND A MITIGATION MONITORING AND REPORTING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the Watershed Conservation Authority (WCA) has been established as a joint powers agency between the Rivers and Mountains Conservancy and the Los Angeles County Flood Control District;

WHEREAS, the WCA has further been established to focus on projects which will provide open space, habitat restoration, and watershed improvement projects in both the San Gabriel and Lower Los Angeles Rivers watershed;

WHEREAS, the Emerald Necklace Implementation Plan – Phase 1 (“Implementation Plan”) sets forth a program of projects to close gaps in regional recreational trails network and increase access to the trails to hundreds of thousands of people in the project area;

WHEREAS, the Implementation Plan consists of project implementation reports consisting of project descriptions, design guidance, disclosures of implementation challenges, signage strategies, conceptual cost estimates, and benefit-cost analyses;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) (Cal. Pub. Res. Code § 21000 et seq.) and CEQA Guidelines (Cal. Code Regs., Tit. 14, §15000 et seq.), WCA is the Lead Agency responsible for preparing the Final Program Environmental Impact Report for the Implementation Plan;

WHEREAS, an Environmental Impact Report (EIR) is a public document used by governmental agencies to analyze the significant environmental impacts of a project. CEQA Guidelines Section 15168 specifies that a Program EIR can be prepared on a series of actions that can be characterized as one large project related either geographically, as logical parts in the chain of contemplated actions, in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways;

WHEREAS, the Program EIR for the Implementation Plan (PEIR) is a programmatic document that provides an assessment of the potential significant environmental effects of implementing the projects included in the Implementation Plan;

WHEREAS, the PEIR provides information regarding the potential significant direct, indirect, and cumulative environmental impacts associated with the proposed Implementation Plan at a program level of review, and does not consider project-specific environmental impacts as project timing and designs are speculative and implementation of these projects are not yet reasonably foreseeable due to a lack of a capital funding strategy;

WHEREAS, the PEIR describes feasible mitigation measures necessary to avoid or substantially lessen significant impacts, and a reasonable range of alternatives capable of avoiding or reducing these effects in accordance with CEQA Guidelines Sections 15126.4 and 15126.6;

WHEREAS, the PEIR is a program level document which analyzes environmental impacts of the Implementation Plan on a programmatic level, as a whole, and does not analyze project-specific impacts. Each project must go through another CEQA review process prior to implementation, and in light of the Implementation Plan and PEIR to determine if the project falls within the scope of the Implementation Plan. These impacts would be analyzed in detail by lead agencies with purview over project implementation relying on the PEIR as the base environmental document for environmental review. If the lead agency finds that the subsequent activity would be consistent with the Implementation Plan, and would not result in new effects or require new mitigation measures, the lead agency can approve the activity as being within the scope of the project covered by the PEIR and no new environmental document would be required in accordance with CEQA Guidelines Section 15168. Otherwise, subsequent environmental documentation must be prepared, tiered from the PEIR by incorporating by reference its general discussions and the analysis of cumulative impacts. Subsequent environmental documents, if any, would be focused on project- and site-specific impacts;

WHEREAS, WCA issued a Notice of Preparation (NOP) of the Draft PEIR for the Implementation Plan (“Draft PEIR”) on March 14, 2013, and circulated the NOP for a period of 30 days pursuant to CEQA Guidelines Section 15082(a), 15103 and 15375;

WHEREAS, pursuant to CEQA Guidelines Section 15082 and Government Code Section 65080(b) et seq., WCA publicly noticed and held a scoping meeting on April 3, 2013 at Bassett Park in Los Angeles County for the purpose of inviting comments from local, state, federal agencies, and other interested agencies, organizations and individuals (“Interested Parties”) on the scope and content of the environmental information to be addressed in the PEIR;

WHEREAS, Implementation Plan Project 4 was carried forward for separate CEQA review after the scoping period. Implementation Plan Project 4 is not included as part of the Implementation Plan PEIR;

WHEREAS, on October 18, 2016, WCA filed a Notice of Completion with the State Office of Planning and Research (OPR) in the manner prescribed by CEQA Guidelines Section 15085;

WHEREAS, on October 19, 2016, WCA initiated the 45-day public review and comment period by issuing a Notice of Availability (NOA) of the Draft PEIR to Interested Parties who requested such notice, OPR, and others; and on the same date, published the NOA in the San Gabriel Valley Tribune and filed the NOA at the Los Angeles County Clerk. In addition, WCA placed paper copies of the Notice of Availability and Draft PEIR at WCA’s Main Office in the City of Azusa, and at El Monte Public Library, and posted an electronic copy of the NOA and Draft PEIR on the WCA website pursuant to CEQA Guidelines Section 15087 (a)(2);

WHEREAS, during the 45-day public review and comment period for the Draft PEIR, WCA publicly noticed and held a public meeting on October 26, 2016 at Bassett Park in Los Angeles County for purposes of providing an overview on the Implementation Plan draft project implementation reports and Draft PEIR and information on how to submit comments on the Draft PEIR. In addition, during the noticed comment period for the Draft PEIR, WCA consulted with responsible and trustee agencies, regulatory agencies, and others, pursuant to CEQA Guidelines Section 15086;

WHEREAS, the 45-day public review and comment period on the Draft PEIR ended on December 2, 2016, in compliance with CEQA Guidelines Section 15105;

WHEREAS, approximately fifteen (15) written comment letters on the Draft PEIR were received by WCA, including two (2) comment letters that were received after the closing of the 45-day public comment period;

WHEREAS, pursuant to CEQA Guidelines Section 15088(a), WCA evaluated written comments received on the Draft PEIR and provided a written response to each comment, which are included in the Final PEIR, Section 3.0;

WHEREAS, the Final PEIR for the Implementation Plan ("Final PEIR") consists of: (1) the Draft PEIR, including an Executive Summary, Sections 1.0 through 9.0, and Appendices A-G; (2) Section 1.0: Introduction; (3) Section 2.0: List of Commenters; (4) Section 3.0: Comment Letters and Responses to Comments; (5) Section 4.0: Revisions to the Draft PEIR; (6) Section 5.0: Mitigation Monitoring and Reporting Program; and (7) a revised Appendix G: Traffic Assessment;

WHEREAS, Section 2.0 of the Final PEIR includes a list of public agencies, organizations, and individuals commenting on the Draft PEIR; and Section 3.0 of the Final PEIR contains copies of comments on the Draft PEIR and WCA's written responses to comments raised during the review and consultation process, as required by CEQA Guidelines Section 15132;

WHEREAS, Section 4.0 of the Final PEIR includes clarifications and revisions to the Draft PEIR in response to comments received during the public review and comment period, and staff-initiated clarifications and revisions;

WHEREAS, on March 2, 2017, WCA posted on its website all comments and proposed, written responses to comments received during the 45-day review and comment period on the Draft PEIR; and on the same date posted the proposed Final PEIR on its website. Pursuant to Public Resources Code Section 21092.5 and CEQA Guidelines Section 15088, WCA provided written responses to all public agencies that commented on the Draft PEIR at least 10 days prior to certifying the PEIR;

WHEREAS, the clarifications and revisions to the Draft PEIR in response to comments received and staff-initiated text revisions, included in the Implementation Plan and Final PEIR, have not produced significant new information requiring recirculation or additional environmental review under CEQA Guidelines section 15088.5(b);

WHEREAS, when making findings pursuant to CEQA Guidelines Section 15091(a)(1), WCA must also adopt a mitigation monitoring program to ensure compliance with the mitigation measures identified in the PEIR which avoid or substantially lessen significant effects, and which are fully enforceable through permit conditions, agreements, or other measures as required by CEQA Guidelines Section 15091(d);

WHEREAS, in compliance with Public Resources Code Sections 21081 and 21081.5 and CEQA Guidelines Section 15091, CEQA Findings of Fact are required to be prepared for every significant impact of the Implementation Plan identified in the PEIR and for each alternative evaluated in the PEIR, including an explanation of the rationale for each finding. Implementation of the Implementation Plan will not result in significant and unavoidable environmental impacts that cannot be fully mitigated to less than significant;

WHEREAS, in accordance with CEQA requirements set forth herein, WCA has prepared “CEQA Findings of Fact”, incorporated into this Resolution by this reference as if fully set forth herein;

WHEREAS, WCA has prepared a Mitigation Monitoring and Reporting Program, incorporated into this Resolution by this reference as if fully set forth herein and as Section 5.0 of the Final PEIR, in compliance with Public Resources Code §21081.6 and CEQA Guidelines §15097;

WHEREAS, pursuant to CEQA Guidelines Section 15089(a), WCA, as the Lead Agency, must prepare and certify a Final PEIR before approving the Implementation Plan;

WHEREAS, the WCA Governing Board has had the opportunity to review the Final PEIR as well as the staff report related to the Final PEIR, and consideration of the certification of the Final PEIR was made by the WCA Governing Board as part of a public meeting held on March 16, 2017; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred, **NOW**

Therefore be it resolved that the WCA hereby:

1. **ADOPTS** the staff report dated June 16, 2016.
2. **FINDS** that the Final PEIR prepared for the Implementation Plan was completed in compliance with CEQA.
3. **FINDS** that the Final PEIR was presented to WCA Governing Board, and the WCA Governing Board has reviewed and considered the information contained in the Final PEIR prior to approving the Implementation Plan.
4. **FINDS** that the Final PEIR reflects WCA Governing Board’s independent judgment and analysis.
5. **FINDS** that the Final PEIR incorporates in full the Draft PEIR, including an Executive Summary, Sections 1.0 through 9.0, and Appendices A-G; in addition to Final PEIR Section 1.0: Introduction; Section 2.0: List of Commenters; Section 3.0: Comment Letters and Responses to Comments; Section 4.0: Revisions to the Draft PEIR; Section 5.0: Mitigation Monitoring and Reporting Program; and a revised Appendix G: Traffic Assessment.
6. **ADOPTS** Findings of Fact, attached hereto and incorporated herein as Exhibit A.
7. **ADOPTS** the Mitigation and Monitoring Program, incorporated by reference as Section 5.0 of the Final PEIR.
8. **CERTIFIES** the Final PEIR for the Implementation Plan.
9. **DIRECTS** the Executive Officer, or designee, to file a Notice of Determination within five (5) working days after approval of the Project.

10. **DIRECTS** the Executive Officer, or designee, to make the Implementation Plan and other related materials that constitute the record of the proceedings upon which its decision is based available at the WCA's main office, 100 North Old San Gabriel Canyon Road, Azusa, California to facilitate public access to these documents.

~ End of Resolution ~

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Motion: _____ Second: _____

Ayes: _____ Nays: _____ Abstentions: _____

Passed and Adopted by the Board of the
WATERSHED CONSERVATION AUTHORITY
On March 16, 2017

M. Janet Chin, Board Chair

ATTEST: _____
David Edsall
Deputy Attorney General

March 16, 2017 - Item 17

RESOLUTION 2017-17

RESOLUTION OF THE WATERSHED CONSERVATION AUTHORITY ADOPTING AND APPROVING THE EMERALD NECKLACE IMPLEMENTATION PLAN, FOR WHICH A PROGRAM ENVIRONMENTAL IMPACT REPORT WAS PREPARED AND CERTIFIED IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the Watershed Conservation Authority (WCA) has been established as a joint powers agency between the Rivers and Mountains Conservancy and the Los Angeles County Flood Control District;

WHEREAS, the WCA has further been established to focus on projects which will provide open space, habitat restoration, and watershed improvement projects in both the San Gabriel and Lower Los Angeles Rivers watershed;

WHEREAS, the description of the Emerald Necklace Implementation Plan – Phase 1 (“Implementation Plan”) is, by this reference, incorporated into this Resolution as if fully set forth herein;

WHEREAS, a Program Environmental Impact Report for the Implementation Plan (PEIR) was prepared and certified by the WCA Governing Board, as the Lead Agency, prior to approving the Implementation Plan;

WHEREAS, the PEIR describes feasible mitigation measures necessary to avoid or substantially lessen significant impacts, and a reasonable range of alternatives capable of avoiding or reducing these effects in accordance with Californian Environmental Quality Act (CEQA) Guidelines Sections 15126.4 and 15126.6;

WHEREAS, the PEIR is a program level document which analyzes environmental impacts of the Implementation Plan on a programmatic level, as a whole, and does not analyze project-specific impacts. Each project must go through another CEQA review process prior to implementation, and in light of the Implementation Plan and PEIR to determine if the project falls within the scope of the Implementation Plan. These impacts would be analyzed in detail by lead agencies with purview over project implementation relying on the PEIR as the base environmental document for environmental review. If the lead agency finds that the subsequent activity would be consistent with the Implementation Plan, and would not result in new effects or require new mitigation measures, the lead agency can approve the activity as being within the scope of the project covered by the PEIR and no new environmental document would be required in accordance with CEQA Guidelines Section 15168. Otherwise, subsequent environmental documentation must be prepared, tiered from the PEIR by incorporating by reference its general discussions and the analysis of cumulative impacts. Subsequent environmental documents, if any, would be focused on project- and site-specific impacts;

WHEREAS, the PEIR concluded that implementation could result in a number of significant effects on the environment and identified mitigation measures that would reduce the significant effects to a less-than-significant level;

WHEREAS, in connection with the approval of a project involving an Environmental Impact Report that identifies one or more potentially significant environmental effects, CEQA, as amended, requires the

decision making body of the lead agency to incorporate feasible mitigation measures that would reduce those significant environment effects to a less-than-significant level;

WHEREAS, whenever a lead agency approves a project requiring the implementation of measures to mitigate or avoid significant effects on the environment, CEQA also requires a lead agency to adopt a Mitigation Monitoring and Reporting Program to ensure compliance with the mitigation measures during project implementation; and

WHEREAS, the WCA is the Lead Agency on the Implementation Plan, and the WCA Governing Board is the decision-making body responsible for approving the Implementation Plan;

WHEREAS, prior to the adoption of this Resolution, the WCA reviewed, considered, and certified a PEIR, and adopted CEQA Findings of Fact and a Mitigation Monitoring and Reporting Program for the Implementation Plan in accordance with the requirements of the CEQA and state and local guidelines implementing CEQA;

WHEREAS, the PEIR, the CEQA Findings of Fact, and the Mitigation Monitoring and Reporting Program for the Project are, by this reference, incorporated into this Resolution as if fully set forth herein;

WHEREAS, the Project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the California Department of Fish and Game Code; and

WHEREAS, the actions contemplated by this resolution approve the Implementation Plan. Approval of projects contained within the Implementation Plan require separate approval actions by lead agencies with purview over project implementation; NOW

Therefore be it resolved that the WCA hereby:

1. **FINDS** all actions required to be taken by applicable laws in connection with the approval of the Implementation Plan have been taken.
2. **ADOPTS** the staff report dated March 16, 2017.
3. **ADOPTS AND APPROVES** the Emerald Necklace Implementation Plan – Phase 1.
4. **FINDS** that the CEQA Findings of Fact and the Mitigation Monitoring and Reporting Program have been prepared in accordance with CEQA and CEQA Guidelines.

~ End of Resolution ~

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Motion: _____ Second: _____

Ayes: _____ Nays: _____ Abstentions: _____

Passed and Adopted by the Board of the
WATERSHED CONSERVATION AUTHORITY
On March 16, 2017

M. Janet Chin, Board Chair

ATTEST: _____
David Edsall
Deputy Attorney General