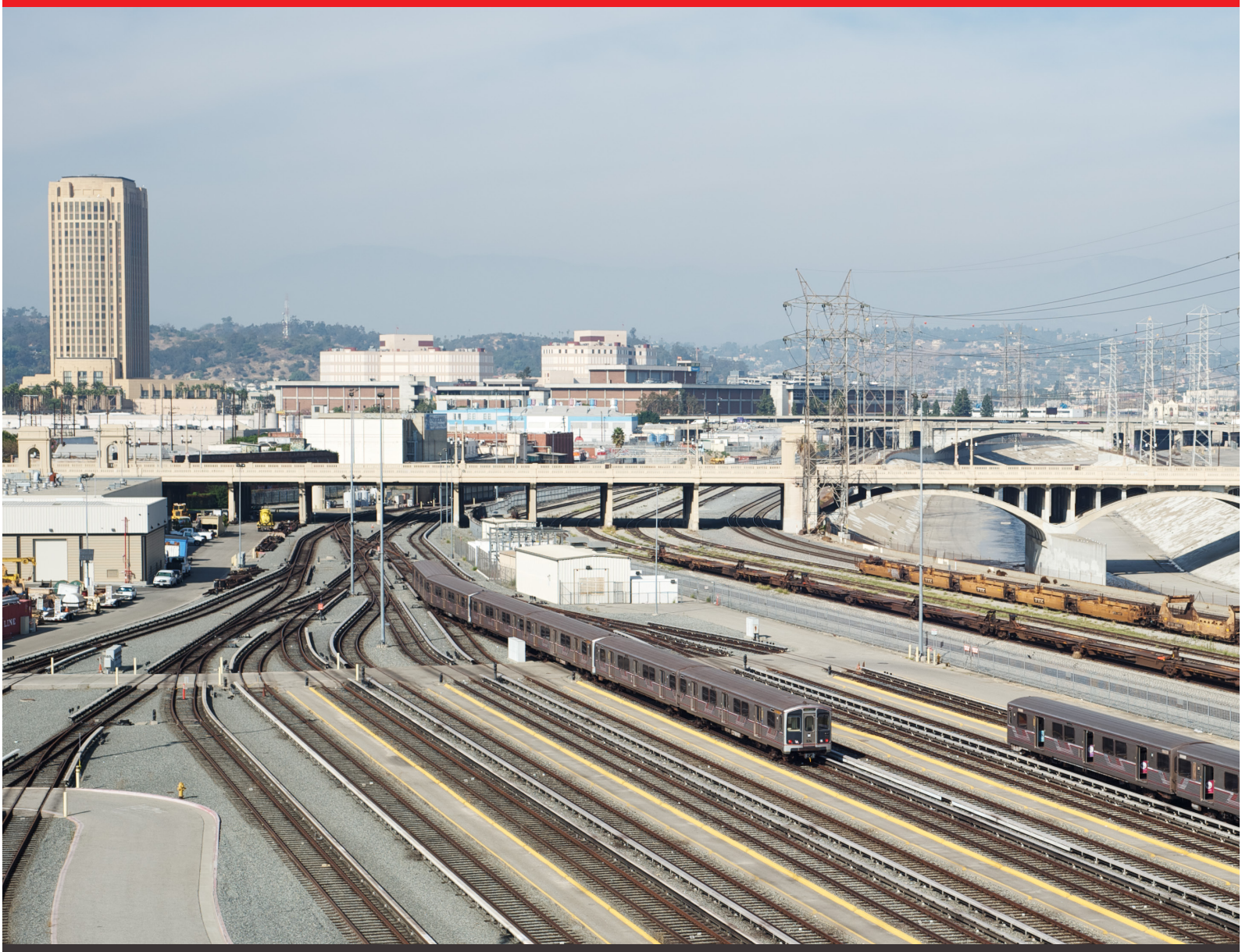
Attachment A

Los Angeles County
Metropolitan Transportation Authority

Division 20 Portal Widening and Turnback Facility Project

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

State Clearinghouse No. 2017101034
September 2018



Metro®

Findings of Fact and Statement of Overriding Considerations

Pursuant to CEQA Guidelines Section 15091 and Public Resources Code Section 21081

Division 20 Portal Widening/ Turnback Facility Project

October 2018

Metro

In Association with:

Terry A. Hayes Associates Inc.
ICF
ATS Consulting

GlobalASR
Paleo Solutions, Inc.
Arellano Associates

TABLE OF CONTENTS

ABBREVIATIONS/ACRONYMS

AQMP .....Air Quality Management Plan
CEQA.....California Environmental Quality Act
CRHR .....California Register of Historical Resources
CRMMP.....Cultural Resources Monitoring and Mitigation Plan
DTSC.....Department of Toxic Substances Control
EIR.....Environmental Impact Report
ESA.....Environmentally Sensitive Area
GHG.....Greenhouse Gases
Metro .....Los Angeles County Metropolitan Transportation Authority
MLD .....Most Likely Descendent
MMRP.....Mitigation Monitoring and Reporting Program
NAHC.....Native American Heritage Commission
OSF .....One Santa Fe
PRC.....Public Resources Code
PMMP.....Paleontological Monitoring and Mitigation Plan
RTP/SCS .....Regional Transportation Plan/Sustainable Communities Strategy
SCI-Arc .....Southern California Institute of Architecture
SCAQMD .....South Coast Air Quality Management District
SOI .....Secretary of the Interior
SWPPP .....Stormwater Pollution Prevention Plan

1. INTRODUCTION

The Los Angeles County Metropolitan Transportation Authority (Metro) followed a prescribed process, in accordance with California Environmental Quality Act (CEQA) regulations, to identify the issues to be analyzed, including the solicitation of input from the public, stakeholders, elected officials, and other affected parties. Implementation of the Division 20 Portal Widening/Turnback Facility Project (Proposed Project) would result in significant unavoidable impacts related to cultural resources and temporary construction noise and vibration, even with the incorporation of certain mitigation measures as part of the Proposed Project's approval. In accordance with CEQA, Metro, in adopting these Findings of Fact, also adopts a Mitigation Monitoring and Reporting Program (MMRP). Metro finds that the MMRP, which is included in Chapter 4 of the Final EIR and is provided as a part of these findings as Attachment B to the October Metro Board Report, meets the requirements of Public Resources Code (PRC) Section 21081.6 by providing for the implementation and monitoring of measures to mitigate potentially significant effects of the Proposed Project.

In accordance with the CEQA Guidelines, Metro adopts these findings as part of the approval of the Proposed Project. Pursuant to PRC Section 21082.1(c)(3) and CEQA Guidelines Section 15090, Metro certifies that the Final Environmental Impact Report (EIR):

1. Has been completed in compliance with the CEQA;

2. The FEIR was presented to the Board of Directors and that the Board reviewed and considered the information contained in the Final EIR prior to approving the Proposed Project; and

3. The Final EIR reflects Metro's independent judgment and analysis.

2. ORGANIZATION

The Findings of Fact and Statement of Overriding Considerations is comprised of the following sections:

Section 3. A brief description of the Proposed Project and its objectives;

Section 4. Statutory requirements of the findings and a record of proceedings;

Section 5. Significant impacts of the Proposed Project that cannot be mitigated to a less-than-significant level even with the identification and incorporation of all feasible mitigation measures;

Section 6. Potentially significant impacts of the Proposed Project that can be mitigated to a less-than-significant level;

Section 7. Potentially significant impacts of the Proposed Project that are not significant with implementation of regulatory compliance measures;

Section 8. Environmental impacts that are less than significant;

Section 9. Environmental resources to which the Proposed Project would have no impact;

Section 10. Potential cumulative impacts;

Section 11. Alternatives analyzed in the evaluation of the Proposed Project and findings on mitigation measures; and

Section 12. Statement of Overriding Considerations.

3. PROJECT DESCRIPTION AND OBJECTIVES

Metro is proposing a widening of the existing portal for the Metro Red and Purple Lines Maintenance Yard (Division 20 Rail Yard), development of a high-capacity turnback facility, an increase of train storage capacity, and a reconfiguration of existing internal tracks and access roads.

The improvements to the Division 20 Rail Yard will provide core capacity improvements to accommodate increased service levels previously approved for the Metro Red and Purple Lines and allow trains to provide faster service times at Union Station. Collectively, the Metro Red and Purple Lines carry over 140,000 passengers daily, with ridership expected to increase by 49,000 following the extension of the Metro Purple Line to the Veterans Affairs West Los Angeles Medical Center. To effectively serve the additional patronage during weekday peak hours, Metro plans to operate trains every four minutes on each line – which is every two minutes in the trunk portion of the system – and expand the fleet. Currently, eastbound trains in the trunk portion of the system use special trackwork at Union Station to reverse directions (i.e., 'turnback'). However, the capability of turning back trains is capped at 7.5 minutes on each line, or 3.75 minutes combined due to the original design of Union Station. The Proposed Project aims to address the service and capacity limitations with three core improvements, which include:

- Widening the heavy rail tunnel portal south of the U.S. Highway 101 (US-101) freeway to accommodate additional special trackwork and high-speed train movements;
- Developing a new, surface-level turnback facility in the existing Division 20 Rail Yard; and
- Reconfiguring and expanding the surface-level rail storage tracks.

The Proposed Project is more fully described in the Draft EIR, pages 2-6 to 2-12 and the Final EIR, page 2-4. Given the ongoing Metro Purple Line Extension Project, storage constraints that inhibit fleet expansion, and the absence of a turnback facility, the goal of the Proposed Project is to accommodate the expansion and associated increased ridership of the Metro Red and Purple Lines. The two objectives of the Proposed Project are:

> **Objective #1:** Provide core capacity improvements needed to accommodate increased service levels on Metro Red and Purple Lines.

Objective #2: Provide new tracks and turnouts that will allow trains to provide faster service times at Union Station.

4. STATUTORY REQUIREMENTS

CEQA (PRC Section 21081), and particularly the CEQA Guidelines (Title 14 California Code Regulations Section 15091) require that:

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

1. Changes or alterations have been required in, or incorporated into, the Proposed Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. (**CEQA Finding 1**)

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (**CEQA Finding 2**)

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR. (**CEQA Finding 3**)

(b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.

(c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

> (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
>
> (e) The public agency shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.
>
> (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

In short, CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to avoid or mitigate significant environmental impacts that would otherwise occur with implementation of the Proposed Project. However, mitigation or alternatives are not required if they are infeasible or if the responsibility for modifying the Proposed Project lies with another agency.[1]

For those significant impacts that cannot be mitigated to less-than-significant levels, the lead agency is required to find that specific overriding economic, legal, social, technological, or other benefits of the Proposed Project outweigh the significant impacts on the environment.[2] CEQA Guidelines Section 15093(a) states that, "If the specific economic, legal, social, technological, or other benefits of a Proposed Project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'" If the adverse environmental effects are considered acceptable, as is the case with the Proposed Project, the lead agency is required to prepare a Statement of Overriding Considerations.

4.1 RECORD OF PROCEEDINGS

For purposes of CEQA and the findings set forth herein, the record of proceedings for Metro's decision on the Proposed Project consists of: (a) matters of common knowledge to Metro, including, but not limited to, federal, State, and local laws and regulations; and (b) the following documents which are in the custody of Metro, One Gateway Plaza, Records Management, MS 99-PL-5, Los Angeles, CA 90012:

- Preparation (NOP) and other public notices issued by Metro in conjunction with the Proposed Project;

[1] CEQA Guidelines Section 15091 (a) and (b).
[2] Public Resources Code Section 21081 (b).

- The Draft EIR dated March 2018, including all associated appendices and documents that were incorporated by reference;
- All testimony, documentary evidence, and all correspondence submitted in response to the Proposed Project during the scoping meeting or by agencies or members of the public during the public comment period on the Draft EIR, and responses to those comments (Chapter 3 Response to Comments of the Final EIR);
- The Final EIR dated September 2018, including all associated appendices and documents that were incorporated by reference;
- The MMRP (Chapter 4 Mitigation Monitoring and Reporting Program of the Final EIR);
- All findings and resolutions adopted by Metro in connection with the Proposed Project, and all documents cited or referred to therein;
- All final technical reports and addenda, studies, memoranda, maps, correspondence, and all planning documents prepared by Metro or the consultants relating to the Proposed Project;
- All documents submitted to Metro by agencies or members of the public in connection with development of the Proposed Project;
- All actions of Metro with respect to the Proposed Project; and
- Any other materials required by PRC Section 21167.6(e) to be in the record of proceedings.

5. ENVIRONMENTAL IMPACTS FOUND TO BE SIGNIFICANT WITH MITIGATION

Metro finds that, based upon substantial evidence in the record, as discussed below, the following impacts associated with the Proposed Project would be significant or have the potential to be significant despite the implementation of all feasible mitigation measures.

5.1 CULTURAL RESOURCES

The Proposed Project would create a significant impact related to cultural resources if it were to:

- Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.

The Proposed Project would cause a substantial adverse change in the significance of three historical resources. The Proposed Project would remove two of the 1st Street Bridge's bents and widen two bents and one pylon. The removal of these character-defining features is not consistent with the Secretary of the Interior's Standards (SOI) for the Treatment of Historic Properties. The Proposed Project would also demolish the eastern portion of the remnants of the Citizens Warehouse/Lysle Storage Company building (in the location of the former Pickle Works building listed on the California Register of Historical Resources [CRHR]). Lastly, the Proposed Project would demolish the National Cold Storage facility, which is listed as historically significant on SurveyLA, the City of Los Angeles' official historic resources survey.

Reference. Section 3.3 Cultural Resources of the Draft EIR, pages 3.3-17 through 3.3-28, and pages 2-7 through 2-10 of the Final EIR.

Mitigation Measures

CR-1 Design measures shall be developed by the Project Architect and Engineer and implemented by the Project Contractor to minimize harm due to alterations to the 1st Street Bridge. Design measures shall include surface treatment of new concrete to reflect but be distinguishable from the original board-form appearance, retention of the decorative brackets, and an infill treatment of the incising arches in a manner similar to the treatment used when the Bridge was first widened to accommodate the Eastside Light-Rail Extension of the Metro Gold Line Project.

CR-2 Metro shall conduct further historical research and analysis to document, in an exhibit, report, or website, the historic association and significance of the Citizens Warehouse/Lysle Storage Company building. The documentation shall include a discussion of who lived and worked in the building and its role in the early settlement history of the Arts District. A description of the construction history of the complex from 1888 until the present time shall also be included in the documentation. Copies of the report or exhibit shall be provided to the City of Los Angeles Public Library for public education purposes. The documentation shall be completed prior to commencement of any Project construction activities that could adversely affect the Citizens Warehouse/Lysle Storage Company building.

CR-3 Metro shall do the following to minimize impacts to the Citizens Warehouse/Lysle Storage Company building:

A. Metro shall retain and stabilize approximately 24,000 square feet of floor area of the extant portion of the Citizens Warehouse/Lysle Storage Company building along Center Street (8,000 square feet per story on the basement, the ground floor, and the second floor), including the former location of the Art Dock, for potential future reuse.

1. Stabilization of the remaining portions of the building to remain shall be designed and conducted in a manner consistent with the applicable SOI's Standards. The stabilization design shall be prepared prior to commencement of any of the Proposed Project's construction activities that could adversely affect the Citizens Warehouse/Lysle Storage Company building.
2. In order to preserve the maximum amount of historic materials comprising the floors and ceiling joists, Metro shall saw-cut through the first floor, second floor, and roof along the eastern side to be stabilized.
3. Demolition of the eastern portion of the building may not occur until after the stabilization (item A.1) and saw-cut (item A.2) are complete.
4. Brick exterior cladding material, windows, and other character-defining materials and features obtained from the demolition of the eastern wall of the Citizens Warehouse/Lysle Storage Company building shall be salvaged and

stored so that those original materials can be re-used to clad the southern façade of the existing building or to clad any proposed Pickle Works replication addition to the south.

B. Metro shall consult with the Arts District community to identify an appropriate future use for the Citizens Warehouse/Lysle Storage Company building. Renovations to accommodate the new use shall not preclude the building's eligibility to be considered as a City of Los Angeles Historic-Cultural Monument.

C. Upon identification of an appropriate future use for the Citizens Warehouse/Lysle Storage Company building, Metro shall develop an adaptive reuse plan in consultation with the Los Angeles Conservancy and the City of Los Angeles Office of Historic Resources. The adaptive reuse plan shall:

1. Develop an adaptive reuse design for historic rehabilitation consistent with the SOI's Standards for Rehabilitation to a total of up to approximately 26,700 square feet of floor area.
    a. The adaptive reuse design shall include replication of the original southern façade of the former Pickle Works building to the maximum extent possible.
    b. The adaptive reuse plan shall be developed by Metro in consultation with the Los Angeles Conservancy and the City of Los Angeles Office of Historic Resources to ensure that adequate guidance is in place for historic rehabilitation principles to be incorporated into the needs of potential future reuse.
    c. Metro shall obtain the services of a firm specializing in historic preservation rehabilitation projects to provide guidance for development of the plan.

D. Metro shall do the following to enable the Cultural Heritage Commission's consideration of the Citizens Warehouse/Lysle Storage Company as a City of Los Angeles Historic-Cultural Monument:

1. Ensure the following character-defining features are preserved in the adaptive reuse design along the north and west elevations to convey the building's association with the Los Angeles Arts District during the 1970s and 1980s:
    a. Common-bond brick work
    b. Patterned but irregular spacing of fenestration and openings
    c. Segmentally arched windows of variegated dimensions
    d. Four-part corbelling at west and north elevation rooflines
    e. Ceramic insulators affixed to west elevation
    f. Sawtooth element at roof
    g. Recessed wood-frame multi-light windows
    h. Faux shutters and planters

i. The Art Dock bay, located at 112 Center Street (west elevation, second dock from north)

j. Elevated single-bay loading docks

k. Basement windows

l. Stucco-capped stepped parapets at the roofline

2. Apply to the City of Los Angeles Office of Historic Resources and Cultural Heritage Commission for their consideration of the Citizens Warehouse/Lysle Storage Company to be designated as a City of Los Angeles Historic-Cultural Monument.

   a. The application shall base the statement of significance on the building's association with the Los Angeles Arts District during the 1970s and 1980s under Criterion 1: Is identified with important events of national, state, or local history, or exemplifies significant contributions to the broad cultural, economic or social history of the nation, state, city or community.

   b. The nomination for Historic-Cultural Monument status would be prepared after the stabilization is complete.

E. Metro shall preserve the opportunity to expand the Citizens Warehouse/Lysle Storage Company building towards the 1st Street Bridge to provide up to approximately 2,700 square feet of floor area (900 square feet per story on the basement, the ground floor, and the second floor). The determination whether to expand the building towards the 1st Street Bridge shall be made by Metro in consultation with the Arts District community, the Los Angeles Conservancy, and the City of Los Angeles Office of Historic Resources.

1. Any expansion of the building towards the 1st Street Bridge area shall be conducive to replicating the appearance of the no-longer extant portion of the former Pickle Works building built in 1888, which was demolished by a different entity for a previous project – the widening of the 1st Street Bridge.

F. A certificate of occupancy shall be recorded on the property for the future reuse within five years of Metro's purchase of the property from the City.

CR-4 Metro shall prepare a report that documents, in-depth, the history and context of ice making and cold storage facilities in Los Angeles and the role played by National Ice and Cold Storage during its most significant years. Copies of the report shall be provided to the City of Los Angeles Public Library for public education purposes. The report shall be prepared prior to any demolition activities that would affect the National Ice and Cold Storage facility.

Finding. For the reasons stated above, Metro finds that despite the implementation of Mitigation Measures **CR-1** through **CR-4**, this impact to cultural resources would be significant.

Mitigation Measures **CR-1** through **CR-4** would reduce impacts to historic resources. However, physical constraints due to track geometry and location necessitate the demolition of historic resources. Adoption of the alternatives in the Draft EIR or otherwise changing the Proposed

Project to avoid impacts related to historic resources would not be feasible as it would not meet the underlying purpose of the Proposed Project. For the reasons stated above, Metro finds that despite the implementation of Mitigation Measures **CR-1** through **CR-4**, these historic resources impacts would be significant. **Metro adopts CEQA Findings 1 and 3, as identified in Section 4 above and in Section 15091(a) of the CEQA Guidelines.**

5.2 NOISE AND VIBRATION

The Proposed Project would create a significant impact related to noise and vibration if it were to result in:

- Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;
- Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; and/or
- A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

This section of the Findings of Fact focuses on construction noise and vibration. The Proposed Project would generate noise levels in excess of Federal Transit Administration (FTA) standards as well as substantial temporary increases in ambient noise levels compared to levels existing without the Proposed Project. During construction, daytime noise levels would exceed the 90 A-weighted decibel FTA criteria at the One Santa Fe (OSF) apartment complex during all analyzed phases of construction activity. Similarly, nighttime noise levels would exceed the limits at the OSF building. The FTA has identified a 100 A-weighted decibel threshold for commercial and industrial land uses. This noise level would be exceeded for land uses located within approximately 20 feet of heavy-duty equipment.

The Proposed Project would expose persons to excessive groundborne vibration. Construction activities occurring adjacent to the OSF building include the demolition of existing structures and facilities and the construction of storage tracks. These activities require the use of heavy-duty equipment that cannot be avoided based on applicable construction methods. The results predict that the vibration levels would exceed the FTA standards when equipment operates very close to the receiver, as is the case near the OSF during the building and concrete demolition operations.

Reference. Section 3.7 Noise and Vibration of the Draft EIR, pages 3.7-13 through 3.7-23, and page 2-10 of the Final EIR.

Mitigation Measures

NV-1 The Contractor shall submit a Noise Control and Monitoring Plan to Metro that is prepared, stamped, and administered by the Contractor's Acoustical Engineer. This plan shall state that:

- Equipment shall include enclosed engines, acoustically attenuating shields, and/or high-performance mufflers;

- Equipment and staging areas shall be located away from noise-sensitive receivers;
- Idling of construction equipment shall be restricted to a maximum of five minutes in accordance with Title 13, Section 2485 of the California Code of Regulations, except as provided in the exceptions to the applicable California Air Resources Board regulations regarding idling;
- Temporary noise barriers and/or noise control curtains shall be installed;
- Construction-related truck traffic shall be routed away from local residential streets and/or sensitive receivers;
- Impact pile driving shall be prohibited.
- The use of impact devices such as jackhammers and hoe rams shall be minimized, using concrete crushers and pavement saws instead;
- The Noise Control and Monitoring Plan shall include a site drawing, an inventory of equipment, calculations of the one-hour L_{eq} noise levels at sensitive receptors (i.e., OSF), and compliance with FTA noise criteria. An updated Noise Control and Monitoring Plan shall be completed and submitted within ten days of the start of each quarterly period, or whenever there is a major change in work schedule, construction methods, or equipment operations.

NV-2 Metro shall install low-impact frogs at locations with special trackwork. This applies to the OSF-adjacent storage yard and yard tracks within a 200-foot radius of the northern portion of the northern OSF building. This also applies to existing yard tracks leading to the Maintenance Facility, as well as new yard tracks within a 200-foot radius of the northern portion of the southern OSF building.

NV-3 The Contractor shall submit a Vibration Monitoring Plan to Metro that is prepared, stamped, and administered by the Contractor's Acoustical Engineer. This plan shall include:

- A survey of OSF building foundations with photographs of existing conditions limited to buildings within 25 feet of high-vibration-generating construction activities. Another survey shall be completed at the end of construction activities to assess potential damage. Damaged structures shall be returned to the preconstruction state by the Contractor.

- A requirement to monitor vibration at any building where vibratory rollers or similar high-vibration-generating equipment would be operated within 25 feet of buildings and at any location where complaints about vibration are received from building occupants. Construction activities shall be stopped and alternative methods introduced if vibration levels exceed 0.2 inches per second at OSF. Examples of high-vibration construction activities include the use of vibratory compaction or hoe rams next to sensitive buildings. Alternative procedures include use of non-vibratory compaction in limited areas and a concrete saw in place of a hoe ram to break up pavement.

- Nighttime construction activities near OSF shall not include equipment operations within the minimum distances shown in Table 3.7.9 of the Draft EIR.

Finding. Mitigation Measures **NV-1** through **NV-3** would reduce construction noise and vibration levels at noise-sensitive receptors during construction activities. Construction activity would be short-term and temporary at each location; however, noise levels from various mechanized construction equipment would exceed the relevant standards. No additional mitigation measures were identified to reduce significant impacts related to construction noise and vibration. Adoption of the alternatives in the Draft EIR or otherwise changing the Proposed Project to avoid impacts related to construction noise and vibration would not be feasible as it would not meet the underlying purpose of the Proposed Project. For the reasons stated above, Metro finds that despite the implementation of Mitigation Measures **NV-1** through **NV-3**, these noise and vibration impacts would be significant. **Metro adopts CEQA Findings 1 and 3, as identified in Section 4 above and in Section 15091(a) of the CEQA Guidelines.**

6. ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT WITH MITIGATION

Metro finds that, based upon substantial evidence in the record, as discussed below, the following impacts associated with the Proposed Project are significant, but can be reduced to less-than-significant levels through the proposed mitigation measures listed below and in the MMRP. Therefore, as identified in the EIR, changes or alterations which avoid or substantially lessen the significant environmental effects have been required in, or incorporated into, the Proposed Project.

6.1 AESTHETICS

The Proposed Project would create a significant impact related to aesthetics if it were to:

- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Impact. Construction activities would occur during daytime and nighttime hours, and construction-related illumination would be temporary and limited to safety and security purposes. Due to the reconfiguration of the yard, this would involve the removal of some existing Division 20 Rail Yard lighting fixtures. Temporary construction-related lighting poles and fixtures would be installed in their place to provide comparable illuminance levels. Notwithstanding this action, pursuant to Occupational Safety and Health Administration Standard 1926.56(a), all new construction-related lighting would be lit to an illuminance level of at least five foot-candles. This construction-related lighting would be in addition to existing Division 20 Rail Yard operations-related lighting, since Metro Red and Purple Lines operations would continue during construction of the Proposed Project. If not aimed at and positioned close to the area to be illuminated, the increased levels of ambient light due to construction-related lighting could potentially disturb residents at OSF.

During operation, the Proposed Project would be lit to provide adequate lighting for maintenance activities and ensure a safe environment. New light sources would include security lighting and point sources of lighting within the yard used for vehicle maintenance and cleaning. All new lighting fixtures to be installed in the areas closest to light-sensitive land uses on Santa Fe Avenue and Center Street (i.e., adjacent to OSF and in the location of the Citizens Warehouse/Lysle Storage Company building) would be mounted on 35-foot poles, which are shorter than the 40-foot poles used elsewhere in the yard. This would reduce the potential for spillover light. However, backlight and uplight from these new nearby lighting fixtures could potentially disturb residents at OSF and any other future light-sensitive uses that may occupy the Citizens Warehouse/Lysle Storage Company building.

Reference. Section 3.1 Aesthetics of the Draft EIR, pages 3.1-27 through 3.1-28.

Mitigation Measures

AES-1 Construction-related light fixtures shall be equipped with glare diffusers and feature directional shielding in order to avoid the spillover of light onto adjacent residences.

AES-2 Permanent operations-related light fixtures shall feature directional shielding in order to avoid the spillover of backlight and uplight onto adjacent residences.

Finding. Mitigation Measures **AES-1** and **AES-2** would ensure that Metro aim nighttime lighting away from adjacent residences during construction and operations and diffuse the glare associated with construction-related lighting. These mitigation measures would substantially reduce the amount of light from the Proposed Project that would spillover onto residences at OSF. For the reasons stated above and as set forth in the EIR, Metro finds that, through implementation Mitigation Measures **AES-1** and **AES-2**, this impact related to aesthetics would be reduced to a less-than-significant. **Metro adopts CEQA Finding 1, as identified in Section 4 above and in Section 15091(a) of the CEQA Guidelines.**

6.2 CULTURAL RESOURCES

As stated at the beginning of Section 6, the following significant impacts to cultural resources are differentiated from those listed in Section 5.1 by their ability to be reduced to less-than-significant levels with the incorporation of mitigation measures.

The Proposed Project would create a significant impact related to cultural resources if it were to:

- Cause a substantial adverse change in the significance of an archaeological resource as defined in Section 15064.5;
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; and/or
- Disturb human remains, including those interred outside of formal cemeteries.

Impact. The Project Site lies on two sites that were previously recorded as containing archaeological resources. The first of these sites is the historic-era alignment of railroad

tracks. A 2017 archaeological survey confirmed that this portion of the railroad no longer contains sufficient historical integrity to reflect its original historical association.

The second site that was previously recorded as containing archaeological resources was a subsurface refuse deposit identified in 1997. This subsurface refuse deposit contained historic-age refuse such as glass and stoneware bottles, cans, ceramics, smoking pipe fragments, railroad spikes, bricks, metal fragments, horseshoes, butchered bone, shells, and some Chinese artifacts. However, a 2017 archaeological survey found that this area has been developed and paved with a modern building situated on top of it, and that the soils in the area contain large amounts of imported fill material that diminish the integrity of the site. Therefore, neither of the two sites qualify as historical resources under the CEQA Guidelines.

In addition to these two sites, eight historic-age sites were identified within a quarter-mile of the Project Site, where archaeological deposits may be buried. In this area, Native American burials and prehistoric materials may exist below existing buildings, tracks and pavement, with a higher likelihood to be under the Citizens Warehouse/Lysle Storage Company building, the National Cold Storage facility, and the fill material south of Commercial Street where grading will be required.

There are no documented paleontological localities on the surface of the Project Site. However, geotechnical logs indicate that paleontologically sensitive Older Surficial Sediments will be present at least 20 feet below the ground surface, and possibly at shallower depths within the Project Site. There is potential to penetrate older Pleistocene alluvium below the surface as the excavation activities would generally extend approximately 25 feet below the ground surface for most of the Project Site, and 80 to 100 feet below the ground surface near the portal.

Native American burials have been recorded within a quarter-mile of the Project Site. Consultation with Native American tribes has indicated that the Project Site is likely to contain human remains. Since planned excavations for the Proposed Project extend approximately 25 feet below the ground surface, construction activities have the potential to encounter human remains.

Reference. Section 3.3 Cultural Resources of the Draft EIR, pages 3.3-28 through 3.3-33 and Section 3.8 Tribal Cultural Resources of the Draft EIR, page 3.8-5.

Mitigation Measures

CR-5 A qualified archaeologist who meets the standards of the Secretary of the Interior for Archaeology (Project Archaeologist) shall be retained to provide and supervise archaeological monitoring of all project-related, ground-disturbing construction activities (e.g., boring, grading, excavation, drilling, trenching) that occur after existing pavement and buildings are removed. A Cultural Resources Monitoring and Mitigation Plan (CRMMP) shall be developed prior to the start of ground-disturbing activities outlining qualifications and roles of the Project Archaeologist and archaeological monitor, monitoring procedures, reporting requirements, and procedures to follow if cultural resources are encountered during construction. The Project Archaeologist

shall prepare monthly cultural resources monitoring progress reports to be filed with Metro. In the event that cultural resources are exposed during construction, the archaeological monitor shall temporarily halt construction within 50 feet (15 meters) of the discovery (if safe) while the potential resource is evaluated for significance (i.e., eligible for listing in the CRHR per PRC Section 5024.1(c), or in a local register of historical resources as defined in PRC Section 5020.1(k)). Construction activities could continue in other areas that are a distance of at least 50 feet from the discovered resource. If the discovery proves to be significant, representatives of Metro and the Project Archaeologist shall meet to determine the appropriate avoidance or minimization measures. In considering suggested mitigation, Metro shall determine whether avoidance and preservation in place is feasible in light of such factors as the nature of the find, the Proposed Project design, costs, and other considerations. Under CEQA Guidelines Section 15126.6(b)(3), preservation in place is the preferred method of mitigation and, if feasible, shall be adopted to mitigate impacts to historical resources of an archaeological nature unless the lead agency determines that another form of mitigation is available and provides superior mitigation of the impacts. If avoidance and preservation in place is infeasible, other appropriate measures, such as data recovery excavation, shall be instituted. If data recovery is deemed appropriate, a Treatment or Data Recovery Plan (Plan) outlining the field and laboratory methods to be used shall be prepared by the Project Archaeologist in accordance with CEQA Guidelines Section 15064.5(f) and approved by Metro prior to initiation of data recovery work. The Plan shall specify the appropriate treatment and/or curation of collected materials.

CR-6 A qualified paleontological monitor shall be retained to monitor project-related excavation activities on a full-time basis in previously undisturbed Pleistocene deposits, if encountered. Project-related excavation activities of less than ten feet in depth shall be monitored on a part-time basis to ensure that underlying paleontologically sensitive sediments are not being affected. In addition, the monitor shall ensure the proper differentiation between paleontological and archaeological resources.

CR-7 A Paleontological Monitoring and Mitigation Plan (PMMP) shall be developed by a qualified professional paleontologist prior to the start of ground disturbing activities. A qualified professional paleontologist shall be retained to supervise the monitoring of construction. Paleontological resource monitoring shall include inspection of exposed geologic units during active excavations within sensitive geologic sediments, as defined by the PMMP and as needed. The monitor shall have authority to temporarily divert grading away from exposed fossils in order to efficiently recover the fossil specimens and collect associated data. The qualified paleontologist shall prepare monthly progress reports to be filed with Metro. At each fossil locality, field data forms shall be used to record pertinent geologic data, stratigraphic sections shall be measured, and appropriate sediment samples shall be collected and submitted for analysis. Matrix sampling shall be conducted to test for the presence of microfossils.

CR-8 Recovered fossils shall be prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility. The most likely repository would be the Natural History Museum of Los Angeles County.

CR-9 In the event that human remains, as defined above, are encountered at the Project Site, procedures specified in the Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98, and the CEQA Guidelines Section 15064.5(e) shall be followed. In this event, all work within 100 feet (30 meters) of the burial shall cease, and any necessary steps to ensure the integrity of the immediate area shall be taken. This shall include establishment of a temporary Environmentally Sensitive Area (ESA) marked with stakes and flagging tape around the find and 100-foot buffer. The Los Angeles County Coroner shall be immediately notified. The Coroner must then determine whether the remains are Native American. Work shall continue to be diverted while the Coroner determines whether the remains are Native American. Should the Coroner determine that the remains are Native American, the Coroner has 24 hours to notify the NAHC, who shall in turn, notify the person they identify as the most likely descendent (MLD) of any human remains. Further actions shall be determined in consultation with the MLD. Upon being granted access to the site, the MLD has 48 hours to make recommendations regarding the treatment or disposition of the remains of the discovery. If requested by the MLD, measures shall be taken to the extent feasible to preserve and protect the remains in situ. If preservation in place is not feasible in light of such factors as the nature of the find, the Proposed Project design, costs, and other considerations, the appropriate treatment, reburial, or repatriation of the remains shall be determined in consultation with the MLD. If the MLD does not make recommendations within 48 hours of being granted access to the site, Metro shall, with appropriate dignity, re-inter the remains in an area of the property secure from further disturbance. Alternatively, if Metro does not accept the MLD's recommendations, Metro or the MLD may request mediation by the NAHC. The location of the remains shall be kept confidential and secured from disturbances and looting until the appropriate treatment has been identified and implemented. No information regarding the discovery of human remains shall be publicized.

Finding. Mitigation Measures **CR-5** through **CR-9** would mitigate inadvertent impacts to potential subsurface archaeological deposits, paleontological resources, and potential human remains. Metro finds that, through implementation of Mitigation Measures **CR-5** through **CR-9**, this impact related to cultural resources would be reduced to a less-than-significant level. **Metro adopts CEQA Finding 1, as identified in Section 4 above and in Section 15091(a) of the CEQA Guidelines.**

6.3 NOISE AND VIBRATION

As stated at the beginning of Section 6, the following significant noise impact is differentiated from those listed in Section 5.2 by its ability to be reduced to a less-than-significant level with the incorporation of mitigation measures.

This section of the Findings of Fact focuses on operational noise. The Proposed Project would create a significant impact related to noise if it were to result in:

- Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; and/or

- Expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies;

- A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

Train movements on curved tracks and special trackwork of the Proposed Project would cause significant noise impacts on exterior portions of the OSF building during operations. Impacted areas include two sections of the north building and the north section of the south building.

Reference. Section 3.7 Noise and Vibration of the Draft EIR, page 3.7-16.

Mitigation Measures

NV-2 Metro shall install low-impact frogs at locations with special trackwork. This applies to the OSF-adjacent storage yard and yard tracks within a 200-foot radius of the northern portion of the northern OSF building. This also applies to existing yard tracks leading to the Maintenance Facility, as well as new yard tracks within a 200-foot radius of the northern portion of the southeastern OSF building.

Finding. Mitigation Measure **NV-2** would ensure that Metro install low-impact frogs at locations with special trackwork to reduce noise associated with train movements near sensitive receivers that would otherwise be significantly impacted. For the reasons stated above and as set forth in the EIR, Metro finds that, through implementation of Mitigation Measure **NV-2**, this impact related to operational noise would be reduced to a less-than-significant level. **Metro adopts CEQA Finding 1, as identified in Section 4 above and in Section 15091(a) of the CEQA Guidelines.**

6.4 TRIBAL CULTURAL RESOURCES

The Proposed Project would create a significant impact related to tribal cultural resources if it were to:

- Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
    - Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k); and/or

- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision(c) of PRC Section 5024.1?

A tribal cultural resource can be classified as a site, feature, place, cultural landscape, sacred place, or object per the CEQA Guidelines. The specific classification type would be determined based on the nature of the find and the significance of the find to the Native American tribe.

Impact. Metro consulted with Native American tribes pursuant to Assembly Bill 52. Although no resources eligible for listing in the CRHR or local register, or tribal cultural resources as defined in PRC Section 21074 have been identified on the Project Site, ground-disturbing activities have the potential to reveal, damage, and/or disturb additional, unidentified Native American burials and subsurface deposits of prehistoric and historic tribal cultural resources.

Reference. Section 3.8 Tribal Cultural Resources of the Draft EIR, pages 3.8-5 through 3.8-6.

Mitigation Measures

Mitigation Measures **CR-5** and **CR-9** would mitigate or reduce potential impacts to archaeological resources and human remains, respectively, to a level that is less than significant. Mitigation Measure **TCR-1**, provided below, addresses potential impacts to tribal cultural resources that do not include human remains.

TCR-1 Because of the potential for tribal cultural resources, a Native American monitor shall be retained to monitor all project-related, ground-disturbing construction activities (e.g., boring, grading, excavation, drilling, trenching) that occur after existing pavement and buildings are removed. The appropriate Native American monitor shall be selected based on ongoing consultation under AB 52 and shall be identified in the Cultural Resources Monitoring and Mitigation Plan (CRMMP), as described in Mitigation Measure CR-5. Monitoring procedures and the role and responsibilities of the Native American monitor shall be outlined in the project CRMMP. In the event the Native American monitor identifies cultural or archeological resources, the monitor shall be given the authority to temporarily halt construction (if safe) within 50 feet (15 meters) of the discovery to investigate the find and contact the Project Archaeologist and Metro. The Native American monitor and consulting tribe(s) shall be provided an opportunity to participate in the documentation and evaluation of the find. If a Treatment Plan or Data Recovery Plan is prepared, the consulting tribe(s) shall be provided an opportunity to review and provide input on the Plan.

Finding. For the reasons stated above and as set forth in the EIR, Metro finds that, through implementation of Mitigation Measures **CR-5**, **CR-9**, and **TCR-1**, this impact related to tribal cultural resources would be reduced to a less-than-significant level. **Metro adopts CEQA Finding 1.**

7. ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT WITH REGULATORY COMPLIANCE

The following impacts of the Proposed Project would be less than significant with the incorporation of applicable laws and regulations.

7.1 BIOLOGICAL RESOURCES

The Proposed Project would create a significant impact related to biological resources if it were to:

- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

Impact. The Proposed Project has the potential to interfere with native wildlife. Ten species that are native to the area have been identified within a one- to five-mile radius of the Project Site. Six species were identified as still inhabiting the area, one species was determined to have been eradicated or displaced from the area, and three species were identified as possibly having been eradicated or displaced from the area. However, no native species or migratory birds have been observed on the Project Site itself. Nonetheless, as standard Metro practice, a survey of potential bird nesting sites would be conducted if construction were to commence during the nesting season of March through August to determine if any nesting birds are present that could be adversely affected by construction activities. Any identified nests would be protected in place to ensure compliance with all applicable laws and regulations, including the Migratory Bird Treaty Act, Sections 3503 and 3503.5 of the California Fish and Wildlife Code, and Section 3513 of the Taking Migratory Bird Treaty Act.

Reference. Chapter 4 Other Environmental Considerations of the Draft EIR, page 4-4.

Mitigation Measures. This impact would be less than significant with the incorporation of applicable laws and regulations and does not require mitigation measures.

Finding. For the reasons stated above, Metro finds that this impact related to biological resources would be less than significant with regulatory compliance.

7.2 GEOLOGY AND SOILS

The Proposed Project would create a significant impact related to geology and soils if it were to:

- Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault;
  - Strong seismic ground shaking; and/or

  - Seismic-related ground failure, including liquefaction;
- Result in substantial soil erosion or the loss of topsoil;
- Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Proposed Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse; and/or
- Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.

Impact. The Project Site is not situated within an Alquist-Priolo Fault Zone and there is no substantial evidence of another fault that could create surface rapture hazards. However, the Project Site is approximately a mile away from its closest fault (Upper Elysian Park Fault). It also has the potential to be affected by seismic activities associated with the Hollywood, Raymond, Newport, Sierra Madre, San Andreas, Puente Hills, and Compton faults. Moreover, the northern portion of the Project Site is located within an earthquake-induced liquefaction zone, which may lose its ability to support some of the Proposed Project's features. To reduce the risk of exposure of people or structures to potential substantial adverse effects involving rupture of faults, seismic ground shaking, or seismic-related ground failure, Metro would comply with the California Department of Conservation, Division of Mines and Geology Special Publications 117, Guidelines for Evaluating and Mitigating Seismic Hazards in California; the International Building Code; the California Building Code; and the Los Angeles Building Code.

Construction of the Proposed Project would result in ground surface disturbance during site clearance, excavation, and grading, which could create opportunities for soil erosion. However, it is not expected that there is substantial topsoil present on the Project Site. Furthermore, construction activities would be performed in accordance with the Los Angeles Building Code and the Los Angeles Regional Water Quality Control Board through the City's Stormwater Management Division. Metro would implement Best Management Practices so as to reduce soil erosion due to grading and excavation activities. In addition, Metro would comply with the Clean Water Act and prepare a Stormwater Pollution Prevention Plan (SWPPP), which would include the implementation of an erosion control plan to reduce the potential for wind or waterborne erosion during construction activities.

The Project Site is on top of subsurface Hanford soil, which is considered a stable soil for industrial purposes. However, it is partially located on ground that could be subject to liquefaction. Metro would comply with Section 1613 of the California Building Code and assess the area's liquefaction potential. The recommendations (including structural and foundation design features) recommended as part of this assessment would be incorporated into grading and construction plans to address the risk of liquefaction.

The Hanford soil under the Project Site may be considered expansive due to their clay content, giving them the potential to shrink and swell with changes in moisture. However, the Proposed Project would comply with the International Building Code, the Los Angeles Building Code, and other applicable building codes to reduce impacts related to expansive soils.

Reference. Chapter 4 Other Environmental Considerations of the Draft EIR, pages 4-5 through 4-8.

Mitigation Measures. These impacts would be less than significant with the incorporation of applicable laws and regulations and do not require mitigation measures.

Finding. For the reasons stated above, Metro finds that impacts related to geology and soils would be less than significant with regulatory compliance.

7.3 HAZARDS AND HAZARDOUS MATERIALS

The Proposed Project would create a significant impact related to hazards and hazardous materials if it were to:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; and/or
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.

Impact. The demolition, renovation, and excavation associated with the Proposed Project would require the transport and disposal of hazardous waste, which could create a significant hazard to the public or environment. Some of the higher-risk hazardous waste (e.g., asbestos-containing materials and lead-based paint) can pose a significant hazard to the public or environment. However, the use and transport of hazardous materials is strictly regulated by local, State, and federal agencies, including, but not limited to, the California Division of Occupational Safety and Health, the City of Los Angeles Fire Code, and the South Coast Air Quality Management District (SCAQMD). Metro would be required to comply with all their applicable rules and regulations, including the 1994 Federal Occupational Exposure to Asbestos Standards; SCAQMD Rules 1403 (Asbestos Emissions from Demolition/Renovation Activities), 1166 (Volatile Organic Compound Emissions from Decontamination of Soil), and 1466 (Control of Particulate Emissions from Soils with Toxic Air Contaminants); Title 22 of the California Code of Regulations Division 4.5 (Hazardous Waste); the U.S. Department of Housing and Urban Development Lead-Based Paint Guidelines; and Title 40 of the Code of Federal Regulations Part 761.

There are foreseeable upset and accident conditions associated with the Proposed Project that may involve the release of hazardous materials into the environment. The risks would primarily be related to the disturbance of subterranean utilities and the Project Site's situation within the City of Los Angeles' methane and methane buffer zones. However, prior to

construction, demolition, and excavation activities, Metro would conduct a utility conflict relocation study and comply with the City of Los Angeles Methane Code to avoid explosions.

The Project Site is located within a quarter-mile of the Felicitas & Gonzalo Mendez High School, Utah Street Elementary School, and SCI-Arc. Only SCI-Arc is along the haul route and near construction activities. Students and personnel at SCI-Arc could be exposed to hazardous construction materials. However, Metro would comply with all relevant rules and regulations, many of which are listed above, to reduce the exposure of SCI-Arc students and personnel to these hazardous materials.

The Project Site is also located on several sites identified by the Department of Toxic Substances Control (DTSC) as being contaminated. These include Blocks K, N, Q, and R of Sector C of the former Aliso Street Manufactured Gas Plant. The construction, demolition, and excavation activities on these DTSC sites would be conducted in conformance with all applicable local, State, and federal regulations, including those listed above.

Reference. Section 3.6 Hazards and Hazardous Materials of the Draft EIR, pages 3.6-8 through 3.6-13.

Mitigation Measures. These impacts would be less than significant with the incorporation of applicable laws and regulations and do not require mitigation measures.

Finding. For the reasons stated above, Metro finds that these impacts related to hazards and hazardous materials would be less than significant with regulatory compliance.

7.4 HYDROLOGY AND WATER QUALITY

The Proposed Project would create a significant impact related to hydrology and water quality if it were to:

- Violate any water quality standards of waste discharge requirements;
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of a course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site;
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of a course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
- Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; and/or;
- Otherwise substantially degrade water quality.

Impact. Construction of the Proposed Project may contribute to pollution of stormwater runoff during earth moving, maintenance/operation of construction equipment, and the use, storage, and disposal of materials. However, it is Metro's standard practice to require contractors to control water runoff quality in accordance with the guidance of the California

Stormwater Quality Association's Industrial & Commercial and Construction Best Management Practice Handbooks. Moreover, Metro would comply with the Clean Water Act and other federal regulations (namely, Title 40 of the Code of Federal Regulations 123.25 and 111.26) which require nearly all construction site operators engaged in clearing, grading, and excavating activities that disturb one acre or more land to obtain coverage under a National Pollutant Discharge Elimination System permit for their stormwater discharges. The Proposed Project's SWPPP would be consistent with the requirements of the National Pollutant Discharge Elimination System permit and would specify source and treatment control to prevent pollutants from entering stormwater discharges. Metro would also prepare a Standard Urban Stormwater Mitigation Plan in accordance with the requirements of the Los Angeles Regional Water Quality Control.

The introduction of the two proposed storage yards would slightly increase the permeable land surface area, and the Proposed Project would maintain the existing drainage patterns on the Project Site. These factors would allow the Proposed Project to be implemented without altering the course of the Los Angeles River, and allow urban runoff to be collected by the existing stormwater drainage system. The SWPPP mentioned above would control and minimize erosion and siltation.

During operations of the Proposed Project, stormwater and any irrigation runoff water would be directed into existing storm drains. The SWPPP would control and minimize the potential for flooding, and Metro would finalize a drainage plan that is consistent with the SWPPP.

As mentioned above, the SWPPP would ensure that surface runoff water would continue to flow to the City's storm drain system. However, the Proposed Project would neither create or contribute runoff water that would exacerbate any existing deficiencies in the storm drain system nor provide substantial additional sources of polluted runoff. Water applied during construction (e.g., for dust control) would be minimal and easily accommodated by the storm drain system. Water runoff after development would not exceed the capacity of the existing or planned drainage systems.

The source and treatment control required of the Proposed Project's SWPPP would minimize any pollutant discharges into storm drains, thus avoiding substantial degradations in water quality.

Reference. Chapter 4 Other Environmental Considerations of the Draft EIR, pages 4-4 to 4-11.

Mitigation Measures. This impact would be less than significant with the incorporation of applicable laws and regulations and does not require mitigation measures.

Finding. For the reasons stated above, Metro finds that these impacts related to hydrology and water quality would be less than significant with regulatory compliance.

8. ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT

Metro finds that, based upon substantial evidence in the record, as discussed below, the following impacts associated with the Proposed Project are less than significant, and no mitigation is required.

8.1 AESTHETICS

The Proposed Project would create a significant impact related to aesthetics if it were to:

- Substantially degrade the existing visual character or quality of the site and its surroundings.

Impact. The temporary materials staging, equipment use, and signage during construction of the Proposed Project would be consistent with the Project Site's surrounding industrial character. Also, the Proposed Project's physical perimeter along Center Street would be similar in character to other improvements to be provided by Metro for other projects along Center Street. Furthermore, modifications to the 1st Street Bridge and the Citizens Warehouse/Lysle Storage Company building would mainly be visible from moving trains for a short duration.

The proposed ventilation shaft building would be 42 feet long, 70 feet wide, and 32 feet tall, and be located on the southeastern end of Commercial Street. The minimum height required for exhaust is 32 feet. The ventilation shaft building would still be shorter than some of its surrounding buildings. Furthermore, its industrial character would be consistent its surroundings. Hence, even though it would be visible from the US-101 freeway, the ventilation shaft building would not degrade the quality of the Project Site and its surroundings.

The proposed high-speed rail column would extend approximately 15 to 17 feet above the bottom of the portal but only approximately five feet above the top of the portal wall. The column would be lower than the second floor of the future four-story ESOC building. Because it would be shorter than all surrounding buildings, the column would only be visible from Commercial Street and Center Street, where views are not currently sensitive. Thus, the introduction of the column would not substantially degrade the existing visual character or quality of the Project Site and its surroundings.

Reference. Section 3.1 Aesthetics of the Draft EIR, pages 3.1-22 through 3.1-27.

Mitigation Measures. This impact would be less than significant and does not require mitigation measures.

Finding. For the reasons stated above and as set forth in the EIR, Metro finds that this impact related to aesthetics would be less than significant.

8.2 AIR QUALITY

The Proposed Project would create a significant impact related to air quality if it were to:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors);
- Expose sensitive receptors to substantial pollutant concentrations; and/or
- Create objectionable odors affecting a substantial number of people.

Impact. The Air Quality Management Plan (AQMP) is the applicable air quality plan, and the emissions forecasting is based on projected population and employment growth. The Proposed Project does not contain a residential component and would not introduce population growth to the region. Operation of the Proposed Project would result in an estimated increase in employment of 107 workers. The Proposed Project was included in the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and would be consistent with the assumptions upon which the AQMP was devised. The Proposed Project would facilitate the reduction of headways on the Metro Red and Purple Lines, which would increase their appeal as an alternative mode of transportation to automobiles. The potential conversion of automobile trips to transit trips would be consistent with regional and local emissions reduction goals. The Proposed Project would be required to comply with all applicable SCAQMD rules and regulations that are in effect at the time of development and would not conflict with or obstruct implementation of the AQMP.

Construction emissions would be generated by equipment, trucks, and worker vehicles. Emissions of air pollutants that would result from construction of the Proposed Project were quantified using the California Emission Estimator Model. The analysis showed that regional and localized construction emissions would not exceed the SCAQMD significance thresholds. In addition, Metro has a Green Construction Policy, which includes Tier 4 emission standards for off-road diesel-powered construction equipment greater than 50 horsepower and restricting idling to a maximum of five minutes. The project contractor would be required to comply with the Green Construction Policy.

Reference. Section 3.2 Air Quality of the Draft EIR, pages 3.2-19 through 3.2-28.

Mitigation Measures. These impacts would be less than significant and do not require mitigation measures.

Finding. For the reasons stated above and as set forth in the EIR, Metro finds that impacts related to air quality would be less than significant.

8.3 ENERGY

The Proposed Project would create a significant impact related to energy if it were to:

- Conflict with adopted energy conservation plans;
- Use non-renewable resources in a wasteful or inefficient manner; and/or
- Result in a need for energy supplies and distribution infrastructure or capacity enhancing alterations to existing power or natural gas facilities, the construction of which could cause significant environmental effects.

Impact. Construction of the Proposed Project would primarily use energy from petroleum-based fuels for vehicles and equipment), electricity for water conveyance, and any energy used in the production of construction materials.

The use of petroleum-based fuels would be temporary and cease upon the completion of construction. Moreover, the Proposed Project would adhere to Metro's Green Construction Policy and use less polluting construction equipment and vehicles, which would translate to greater fuel efficiency and lower energy consumption. The Proposed Project would also comply with the California Air Resources Board's limitation of the idling of diesel-powered commercial vehicles weighing over 10,000 pounds to five minutes at any location during construction.

Electricity for water conveyance would only be used for fugitive dust control during site preparation, excavation, and grading. It is estimated that this would amount to 24,969 kilowatt-hours of electricity. Additional electricity would be used for lighting as well as appliances and equipment associated with temporary construction trailers. Some of this temporary electricity use would be offset by the temporary discontinuation of certain on-site operations (e.g., those occurring at the Maintenance of Way building to be demolished).

Although it is difficult to measure the energy used in the production of construction materials, it is assumed that the production of construction materials would employ all reasonable energy conservation practices in the interest of minimizing costs.

Most operational energy would be associated with illumination on the Project Site and the powering of rail cars. The Proposed Project would use approximately 107 megawatt-hours per day of electricity, which is less than 0.2 percent of the Los Angeles Department of Water and Power total daily electricity consumption. Operational activities would also use approximately 26,519 British thermal units of natural gas (including the negligible commute-related vehicle fuel for the 107 employees), which would account for 0.2 percent or less of available natural gas based on estimates by the Southern California Gas Company for the year 2024.

The Proposed Project would be designed and constructed in accordance with State and local green building standards and design criteria that would reduce its energy demand. These would include, among others, Metro Rail Design Criteria and California Code of Regulations Title 24.

The Proposed Project would not result in the wasteful, inefficient, or unnecessary use of energy resources, create energy utility system capacity problems, create problems with the provision of energy services, or result in a significant impact associated with the construction of new or expanded energy facilities.

On a final note, the Proposed Project is a necessary precursor for the full implementation of the Metro Purple Line Extension Project, which would encourage public transit as a viable alternative to driving. Hence, the Proposed Project would assist in reductions of regional vehicle miles traveled and their associated energy consumption in the long run.

Reference. Section 3.4 Energy Resources of the Draft EIR, pages 3.4-9 through 3.4-13.

Mitigation Measures. These impacts would be less than significant and do not require mitigation measures.

Finding. For the reasons stated above and as set forth in the EIR, Metro finds that impacts related to energy would be less than significant.

8.4 GREENHOUSE GAS EMISSIONS

The Proposed Project would create a significant impact related to greenhouse gas (GHG) emissions if it were to:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Impact. Sources of temporary GHG emissions associated with construction include off-road heavy-duty equipment and on-road motor vehicle travel to and from the Project Site. Operational GHG emissions associated with the Proposed Project would be generated through electricity demand and utilities of the new facilities, as well as additional vehicle miles traveled resulting from the addition 107 employees. The analysis showed that the Proposed Project would not significantly increase GHG emissions when compared to the CEQA baseline condition.

Reference. Section 3.5 Greenhouse Gas Emissions of the Draft EIR, pages 3.5-14 through 3.5-19.

Mitigation Measures. These impacts would be less than significant and do not require mitigation measures.

Finding. For the reasons stated above and as set forth in the EIR, Metro finds that impacts related to GHG emissions would be less than significant.

8.5 HAZARDS AND HAZARDOUS MATERIALS

The Proposed Project would create a significant impact related to hazards and hazardous materials if it were to:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment; and/or
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Impact. Operation of the Proposed Project would involve the occasional use, storage, and disposal of limited quantities of hazardous materials such as vehicle fuels, oils, transmission fluids, paints, solvents, cleaners, and pesticides. The Proposed Project would not generate significant amounts of hazardous materials that would require routine transport, use, or disposal. Hence, there would be a limited extent of exposure to the public and environment. Metro staff is available 24 hours a day through the Quality Assurance Department to respond to hazardous materials releases, and Metro sites frequently undergo emergency response drills. Moreover, since operations would occur on the Division 20 Rail Yard itself, exposure to and contamination from hazardous materials associated with the Proposed Project would be minimal at existing or proposed schools nearby. The Proposed Project would not include the use or storage of chemicals that have the potential to result in off-site upset or accident conditions.

The hazardous site conditions for the Proposed Project related to Government Code Section 65962.5 are associated with contaminated soils and demolition debris, which would cease after construction activities.

The Proposed Project would not require the permanent closure of any of the County's designated emergency/disaster routes near the Project Site (i.e., 4th Street, Alameda Street, Soto Street, Cesar Chavez, and the US-101 freeway) and would not impede emergency vehicle access to the Project Site or its surrounding area. The Proposed Project would comply with State and local regulations and maintain emergency vehicle access. Furthermore, the Proposed Project would provide an additional emergency access road along the western border of the Project Site.

Reference. Section 3.6 Hazards and Hazardous Materials of the Draft EIR, pages 3.6-8 through 3.6-14.

Mitigation Measures. These impacts would be less than significant and do not require mitigation measures.

Finding. For the reasons stated above and as set forth in the EIR, Metro finds that impacts related to hazards and hazardous materials would be less than significant.

8.6 NOISE

This section of the Findings of Fact focuses on operational vibration. The Proposed Project would create a significant impact related to vibration if it were to:

- Expose persons to or generation of excessive groundborne vibration or groundborne noise levels

Impact. Vibration levels associated with operational activities were estimated using FTA guidance. Vibration-sensitive land uses along the corridor were identified using the same procedure as that which was used in the noise analysis. The vibration levels at specific buildings were estimated by reading values from an FTA reference curve and applying adjustments to account for factors such as track support system, vehicle speed, type of building, and track and wheel condition. Prediction models were used to predict vibration levels from train operations at all sensitive receivers in the vicinity of the Project Site. The predictions were compared to the applicable FTA impact thresholds to identify potential vibration impacts. As shown in the EIR, using FTA methods and limits, no groundborne vibration or noise impacts are predicted to occur at any sensitive receivers. Therefore, the Proposed Project would result in a less-than-significant impact related to operational groundborne vibration or noise.

Reference. Section 3.7 Noise and Vibration of the Draft EIR, page 3.7-20.

Mitigation Measures. These impacts would be less than significant and do not require mitigation measures.

Finding. For the reasons stated above and as set forth in the EIR, Metro finds that impacts related to operational groundborne vibration or noise would be less than significant.

8.7 TRANSPORTATION AND TRAFFIC

The Proposed Project would create a significant impact related to transportation and traffic if it were to:

- Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections); and/or
- Result in inadequate emergency access.

Impact. Construction activities would temporarily add trucks and worker vehicles to the roadway network. Trucks would likely travel between the US-101 freeway and the Project Site via Commercial and Center Streets. It is anticipated that there would be a maximum of 50 truck trips per day (i.e., 50 inbound and 50 outbound) during portal widening activities and an average of three truck trips per day throughout the first year of construction, followed by a gradual reduction to 25 to 30 truck trips per day. This truck volume spread throughout the day is not is not expected to significantly affect operating conditions along Commercial and Center Streets. Regarding workers, the actual peak-hour trip generation would vary depending on work hours, but typical construction worker shifts start and end before the AM and PM peak hours. Assuming 60 percent of construction worker trips occur outside of the peak hours, there would be approximately 16 peak-hour worker trips. The peak-hour trips would be spread throughout the hour resulting in an average of approximately one trip every four minutes, or less than one trip per light cycle. This level of trip activity is not expected to significantly affect the operating conditions along local roadways.

Construction laydown and staging areas would be located on the Project Site or the existing soils remediation site adjacent to the LAPD Viertel's Central Division Police Garage, which would eliminate on-street queuing that could interfere with existing businesses and associated traffic along Commercial Street north of the Project Site, Center Street, and local streets west of Center Street. Construction trucks would access the Project Site from Center Street and not from Commercial Street. Furthermore, street closures are not anticipated on Center Street and commercial access to existing businesses, east and west of Center Street, would not be impacted by truck activities. The Project Site and existing Division 20 Rail Yard have ample room for construction parking and standard Metro practices prohibit construction workers from parking on public streets when space is available. It is standard Metro practice to coordinate oversized transport vehicles, if necessary, with the California Department of Transportation. In addition, the Proposed Project would not adversely affect US-101 ramp queues based on the 16 peak-hour worker trips discussed above and the standard Metro practice to prohibit hauling during peak hours when roadways are most congested.

Impacts on the roadway system due to construction activities would be less than significant based on the above analysis.

Construction activities have the potential to affect emergency access by adding construction traffic to the street network. Some temporary and minor impacts due to encroachment may occur on Center and Commercial Streets, although full lane closures are not anticipated as part of the Proposed Project. Emergency access to the Project Site would be maintained during construction, these impacts would be negligible and temporary, and the Proposed Project would be required to prepare a Construction Staging and Traffic Management Plan that would address traffic and access control during construction. Regarding operations, the Proposed Project would comply with standard engineering practices and design standards and would not include design elements that would increase roadway hazards or impede emergency access. In addition, the Proposed Project would not create a substantial increase in demand for emergency services. Therefore, impacts would be less than significant.

Reference. Subsection 4.1.10 Transportation and Traffic of the Draft EIR, page 4-19.

Mitigation Measures. These impacts would be less than significant and do not require mitigation measures.

Finding. For the reasons stated above and as set forth in the EIR, Metro finds that impacts related to transportation and traffic would be less than significant.

9. ENVIRONMENTAL RESOURCES FOUND TO NOT BE IMPACTED

One or more aspects of the following environmental resources would not be impacted by the Proposed Project: Agriculture and Forestry Resources, Biological Resources, Geology and Soils, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, Transportation and Traffic, Utilities and Service Systems, and Growth-Inducing Impacts. The Draft EIR also explained that there would be no potential for certain impacts associated with Aesthetics (effects on scenic vistas and scenic resources within a State scenic highway), Hazards and Hazardous Materials (proximity to private airstrips, public-use airports, or wildlands), and Noise and Vibration (exposure of persons to noise from private airstrips or public-use airports).

Impact. No impacts would occur.

Reference. Section 3.1 Aesthetics, pages 3.1-21 through 3.1-22; Section 3.6 Hazards and Hazardous Materials, pages 3.6-13 through 3.6-14; Section 3.7 Noise and Vibration, pages 3.7-23 through 3.7-24; and Chapter 4 Other Environmental Considerations of the Draft EIR, pages 4-1 through 4-27.

Mitigation Measures. No impact would occur and mitigation measures are not required.

Findings. Metro finds that the Proposed Project would not result in impacts to:

- Agriculture and Forestry Resources
- Biological Resources
- Geology and Soils
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Public Services, Recreation
- Transportation and Traffic
- Utilities and Service Systems
- Growth-Inducing Impacts

10. CUMULATIVE IMPACTS

The cumulative impact analysis in the Draft EIR considers the combined effect of the Proposed Project and "Related Projects" in the vicinity, including, but not limited to, Metro's Emergency Security Operations Center (ESOC), Location 64 Maintenance of Way building, West Santa Ana Branch Transit Corridor, Link Union Station (Link US), and Eastside Access Improvements: 1st & Central projects. Refer to Chapter 5 Cumulative Impacts of the Draft EIR for a comprehensive list of projects considered in the cumulative analysis.

As stated in CEQA Guidelines Section 15130(a)(1), the cumulative impacts discussion in an EIR need not discuss impacts that do not result in part from a proposed project. Metro finds that for there is no potential for a cumulative impact related to Agricultural and Forestry Resources, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, or Utilities and Service Systems.

10.1 AESTHETICS

Scenic Vistas. The Project Site and its surroundings are not within a scenic vista. Views of these sites are limited to those from adjacent buildings, and the sites themselves do not offer panoramic views. For these reasons, Metro finds that there is no potential for the Proposed Project to combine with past, present, and reasonably foreseeable future projects to create a cumulative impact related to scenic vistas.

Scenic Resources within State Scenic Highway Corridors. The Project Site and its surroundings are not within the viewshed of the closest scenic highway (State Route 110). For this reason, Metro finds that there is no potential for the Proposed Project to combine with past, present, and reasonably foreseeable future projects to create a cumulative impact related to scenic resources within State scenic highway corridors.

Visual Character or Quality. The Proposed Project's demolition of buildings along Center Street and introduction of streetscape improvements would alter the area's appearance. Related Projects in the area, namely the ESOC Project, the Santa Fe – Alpine Spine Project, and the Link US Project, would also modify the appearance of the area. However, these modifications would be consistent with the industrial rail yard aesthetic. For this reason, Metro finds that the Proposed Project combined with other past, present, and reasonably foreseeable future projects would not create a significant cumulative impact related to visual character or quality.

Light and Glare. The Proposed Project would introduce street lighting along Center Street and additional rail yard lighting. However, there is already a moderate level of ambient nighttime light in these areas, and yard lighting would be directed away from the only light-sensitive use in the vicinity (OSF). For this reason, Metro finds that there is no potential for the Proposed Project to combine with past, present, and reasonably foreseeable future projects to create a cumulative impact related to light and glare.

10.2 AIR QUALITY

Consistency with Plans. SCAQMD's 2016 AQMP applies to projects, including the Proposed Project, within the South Coast Air Basin. Projects that are consistent with the AQMP would not interfere with the attainment of federal and State air quality standards because growth associated with these projects is considered in the Plan's formulation through the projects' inclusion in the 2016-2040 RTP/SCS. Since the Proposed Project is included in the 2016-2040 RTP/SCS as Project 1TL0703 and CEQA Guidelines Section 15130(d) states that no additional analysis is required for projects included in an approved regional plan that adequately addresses the affected resource area, Metro finds that the impact related to the Proposed Project's consistency with the AQMP would not be cumulatively considerable.

Air Quality Standards Violations, Exposure of Sensitive Receptors to Substantial Pollutant Concentrations, and Nonattainment Pollutant Emissions. The South Coast Air Basin is currently designated nonattainment for ozone and particulate matter. Emissions generated by the Proposed Project combined with past, present, and reasonably probable future projects could impede attainment efforts or result in locally significant pollutant concentrations. Therefore, the Proposed Project combined with past, present, and reasonably probable future projects could result in a cumulative impact. Project emissions would not exceed significance thresholds and, therefore, would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. For the reasons stated above, Metro finds that the Proposed Project's incremental contribution to the significant cumulative impact associated with violations of air quality standards and substantial pollutant concentrations is not cumulatively considerable.

Objectionable Odors. Neither the Project Site's vicinity nor the Proposed Project includes land uses identified by the SCAQMD as commonly associated with odor complaints. Metro is not aware of existing noxious odors and did not observe any during site visits. Hence, Metro finds that the Proposed Project combined with other past, present, and reasonably foreseeable future projects would not create a significant cumulative impact related to objectionable odors.

10.3 CULTURAL RESOURCES

Historical Resources. The Proposed Project would create significant impacts to the 1st Street Bridge, the National Cold Storage facility, and the Citizens Warehouse/Lysle Storage Company building. Metro finds that since these impacts are significant and unavoidable, that the Proposed Project would result in a cumulatively considerable significant impact to those individual historical resources. Furthermore, since the Proposed Project's impact on these three resources adds to the Related Projects' overall substantial alteration of the setting of the Arts District with respect to historical resources, Metro finds that the Proposed Project's contribution to the potentially significant cumulative impact to historical resources would be cumulatively considerable.

Archaeological Resources. A records search identified eight historic-age sites within a quarter-mile of the Project Site, many of which contained buried archaeological deposits. Native

American burials and subsurface prehistoric artifacts have also been recorded in this search distance. Therefore, it is possible that additional buried deposits exist beneath the surface of the Project Site. These unidentified buried deposits could be damaged by the Proposed Project's ground-disturbing activities such as grading and excavation. However, Mitigation Measures **CR-6** and **CR-9** would temporarily halt all nearby construction work upon the encounter of possible archaeological resources or human remains, including funerary objects, until a qualified expert verifies the find and determines the appropriate treatment. These would reduce impacts to less-than-significant levels. Hence, with mitigation incorporated into the Proposed Project, Metro finds that the Proposed Project's incremental contribution to the potentially significant cumulative impact related to archaeological resources would not be cumulatively considerable.

Paleontological Resources. There are no documented paleontological localities within the boundaries of the Project Site. Furthermore, the Project Site is underlain with low-paleontological sensitivity surficial alluvium and previously disturbed sediments. However, the Proposed Project includes excavation to 25 feet below the ground surface, and 80 to 100 feet below the ground surface near the portal opening, where paleontological resources may be encountered. Implementation of Mitigation Measures **CR-6**, **CR-7**, and **CR-8** would avoid inadvertent impacts to such subsurface paleontological resources and reduce impacts to less-than-significant levels. Hence, with mitigation incorporated into the Proposed Project, Metro finds that the Proposed Project's incremental contribution to the potentially significant cumulative impact related to paleontological resources would not be cumulatively considerable.

10.4 Energy Resources

The Proposed Project would be designed and constructed in accordance with State, City, and Metro green building standards that would serve to reduce the Proposed Project's energy demand. The Proposed Project does not conflict with Metro design criteria or California Code of Regulations Title 24 (including Part 1 - California Building Standards Administrative Code, Part 2 - California Building Code, Part 6 - California Energy Code, Part 11 - California Green Building Standards Code (CAL Green Code), and Part 12 - California Reference Standards Code). In addition, energy demand would be within the existing and planned electricity and natural gas capacities. Therefore, the Proposed Project's incremental contribution to the potentially significant cumulative impact is not cumulatively considerable

10.5 Greenhouse Gas Emissions

Implementation of the Proposed Project and the Purple Line Extension would reduce regional GHG emissions by approximately 19,959.9 metric tons of emissions. The Proposed Project combined with Related Projects would improve Metro Red and Purple Lines service thereby promoting decreased vehicles miles traveled. There is no potential for the Proposed Project to interfere with State and regional GHG reduction targets. Therefore, the Proposed Project's incremental contribution to the potentially significant cumulative impact is not cumulatively considerable.

10.6 HAZARDS AND HAZARDOUS MATERIALS

Significant Hazard to the Public or Environment. The Project Site is known to contain contaminated soils and to encompass several sites that the DTSC has identified as being contaminated. However, through regulatory compliance, construction activities associated with the Proposed Project would include certain procedures that would reduce impacts to less-than-significant levels as well as minimize the Proposed Project's potential to contribute to the cumulative impact. For this reason, Metro finds that the Proposed Project's incremental contribution to the potentially significant cumulative impact related to significant hazards to the public or environment during construction activities would not be cumulatively considerable.

Operations associated with the Proposed Project and the Related Projects within 500 feet of the Project Site would most likely involve the occasional use, storage, and disposal of hazardous materials such as vehicle fuels, oils, transmission fluids, paints, solvents, cleaners, and pesticides. Therefore, the Proposed Project combined with past, present, and reasonably foreseeable future projects could result in a potentially significant cumulative impact. However, all hazardous materials from the Proposed Project's operations would be contained, stored, and used in accordance with manufacturers' instructions and handled by staff members who have had safety training. It is thus not expected that the Proposed Project's operations would result in the release of hazardous materials that could combine with off-site operations. For this reason, Metro finds that the Proposed Project's incremental contribution to the potentially significant cumulative impact related to significant hazards to the public or environment during operations would not be cumulatively considerable.

Release of Hazardous Materials from Upset or Accident Conditions. The potential for a cumulative impact would be limited to the combined effect of the Proposed Projects and Related Projects within 500 feet of the Project Site, as upset and accident conditions are site-specific effects. During construction, the Proposed Project would involve ground disturbance and utility relocation within designated methane and methane buffer zones, which may present risk of fire or explosion. Most modifications and relocations of utilities would occur prior to construction. Moreover, regulatory compliance would ensure that the Proposed Project would not create significant upset or accidental hazardous conditions during construction. For these reasons, Metro finds that the Proposed Project's incremental contribution to the potentially significant cumulative impact related to the release of hazardous materials from upset or accident conditions during construction activities would not be cumulatively considerable.

Operations associated with the Proposed Project and the Related Projects within 500 feet of the Project Site would most likely involve the occasional use, storage, and disposal of hazardous materials such as vehicle fuels, oils, transmission fluids, paints, solvents, cleaners, and pesticides. These hazardous materials could be released during upset or accident conditions. However, all projects would be required to comply with all laws, rules and regulations that control hazardous materials and mitigate impacts to less-than-significant levels. For this reason, Metro finds that the Proposed Project's incremental contribution to

the potentially significant cumulative impact related to the release of hazardous materials from upset or accident conditions during operations would not be cumulatively considerable.

Hazardous Conditions at Schools. There are three schools located within a quarter-mile of the Project Site. However, the Proposed Project and Related Projects would comply with strict regulations administered by local, State, and federal agencies, ensuring that their impacts to schools would be less than significant. For this reason, Metro finds that the Proposed Project's incremental contribution to the potentially significant cumulative impact related to hazardous materials at schools would not be cumulatively considerable.

Safety Hazard Near Public Airports or Private Airstrips. The Project Site and its surroundings are not located near public airports or private airstrips. For this reason, Metro finds that the Proposed Project combined with past, present, and reasonably probable future projects would have no impact related to safety hazards near public airports or private airstrips.

Exposure of People or Structures to Risk Involving Wildland Fires. Neither the Project Site nor its surroundings are susceptible to wildland fires. For this reason, Metro finds that the Proposed Project combined with past, present, and reasonably probable future projects would have no impact related to wildland fires.

Physical Interference of Emergency Plans and Emergency Evacuation Plans. The Proposed Project and the Related Projects would not require the permanent closure of emergency/disaster routes or impede emergency vehicle access to the Project Site and its surrounding area. Per state and local regulations, emergency vehicle access would be maintained at all times during construction and operation of the Proposed Project and Related Projects. For the reasons stated above, Metro finds that the Proposed Project's incremental contribution to the potentially significant cumulative impact related to adopted emergency response plans or emergency evacuation plans would not be cumulatively considerable.

10.7 Noise and Vibration

Exposure to Excessive Noise Levels. The Proposed Project's construction activities would create a significant and unavoidable noise impact due to demolition and construction planned for areas adjacent to sensitive receptors at OSF. Therefore, Metro finds that the Proposed Project's contribution to the potentially significant cumulative construction noise impact would be cumulatively considerable.

Operational noise of the Proposed Project and Related Projects (namely, through-tracks associated with the Link US Project) are primarily related to slow-moving trains and their associated wheel squeal, horns, traction power substation, and maintenance. Because of the Metro Red and Purple Lines trains' low speeds within the Division 20 Rail Yard and their separation from OSF, Metro finds that the Proposed Project's incremental contribution to the potentially significant cumulative operational noise impact would not be cumulatively considerable.

Exposure to Excessive Groundborne Vibration. The theoretical worst-case maximum vibration level for the purposes of determining potential construction vibration impacts is observed 75 feet away from construction equipment. Therefore, a cumulative groundborne vibration impact would result only if construction of the Proposed Project and Related Projects would occur simultaneously within 75 feet of the same sensitive receptors. It is not anticipated that this would be the case due to the locations and anticipated schedules of the Related Projects. For this reason, Metro finds that the Proposed Project combined with past, present, and reasonably probable future projects would not create a cumulative impact related to exposing sensitive receptors to excessive groundborne vibration.

Exposure to Excessive Noise Levels Associated with Public Airports. The Proposed Project and Related Projects are not within the proximity of a public airport. For this reason, Metro finds that the Proposed Project combined with past, present, and reasonably probable future projects would not create a cumulative impact related to excessive noise associated with public airports.

Exposure to Excessive Noise Levels Associated with Private Airstrips. The Proposed Project and Related Projects are not within the proximity of a private airstrip. For this reason, Metro finds that the Proposed Project combined with past, present, and reasonably probable future projects would not create a cumulative impact related to excessive noise associated with private airstrips.

10.8 Tribal Cultural Resources

Archaeological Deposits and Tribal Cultural Resources. As stated in Section 10.3 of these Findings of Fact, cumulative growth and development in the Arts District and the rest of downtown Los Angeles could have impacts on significant archaeological resources. The Proposed Project combined with past, present, and reasonably probable future projects could contribute to a cumulative impact of this kind. However, in accordance with Assembly Bill 52, Metro consulted with Native American tribes affiliated with the Project Site's surrounding area to determine the appropriate mitigation measures, including tribal monitoring during construction activities and the appropriate disposition of any human remains encountered, that would reduce inadvertent impacts to potential subsurface archaeological deposits or tribal cultural resources to less-than-significant levels. All Related Projects would have to undergo the same process to comply with Assembly Bill 52. For this reason, Metro finds that the Proposed Project's incremental contribution to the potentially significant cumulative impact related to tribal cultural resources is not cumulatively considerable.

10.9 Traffic and Transportation

Traffic Congestion. During construction, the Proposed Project and Related Projects would add vehicle trips, primarily from haul trucks and worker vehicles, to the roadway network. Haul trucks would likely travel between the US-101 freeway and the areas prone to cumulative impact (generally within 500 feet of the Project Site) via Commercial and Center Streets. It is acknowledged that the Arts District has congested roadways, especially during peak traffic hours. The Related Projects, especially the Santa Fe – Alpine Spine Project, are likely to

necessitate road closures that have the potential for a cumulative traffic impact during construction. However, it is anticipated that the Proposed Project's construction-related trip generation would be minimal. It is unlikely that the Proposed Project would add more than 12 truck trips or 16 passenger vehicle trips to the roadway network. During peak hours, it should generate one trip every four minutes, or less than one trip per light cycle. For this reason, Metro finds that the Proposed Project's incremental contribution to the potentially significant cumulative impact related to traffic congestion is not cumulatively considerable during construction.

During operations, the Proposed Project would add vehicle trips associated with its approximately 107 employees' commutes. These employees may arrive via single-occupancy vehicles, carpools, and public transit. Many of these employees operate trains during the day. Since peak road traffic hours coincide with peak train activities, it is not expected that the Proposed Project's operations-related workers would add to peak-period traffic. Additionally, the Proposed Project, in combination with Related Projects such as the Santa Fe – Alpine Spine Project, would promote active transportation such as walking and cycling that may offset some of the added vehicle trips. For this reason, Metro finds that the Proposed Project's incremental contribution to the potentially significant cumulative impact related to traffic congestion is not cumulatively considerable during operations.

11. ALTERNATIVES AND MITIGATION MEASURES

11.1 ALTERNATIVES

Pursuant to CEQA Guidelines Section 15126.6(a), the Draft EIR described and evaluated the relative merits of a range of reasonable alternatives to the Proposed Project that would avoid or create substantially lesser impacts than the significant impacts of the Proposed Project.

During the preparation of the Draft EIR, it was determined that, inclusive of the implementation of mitigation measures, the Proposed Project would have significant unavoidable impacts related to Cultural Resources and Noise and Vibration. As indicated in Section 5 Environmental Impacts Found to be Significant with Mitigation of these Findings of Fact, the Proposed Project's significant unavoidable impacts to cultural resources would be related to a substantial adverse change in the significance of these historical resources: (1) the 1st Street Bridge, (2) the Citizens Warehouse/Lysle Storage Company building, and (3) the National Cold Storage facility. Although these impacts would be reduced by Mitigation Measures **CR-1** through **CR-4** of the MMRP, they would remain significant. A total avoidance of these impacts would necessitate an alternative Project Site. However, due to the location of the existing tunnel portal and Division 20 Rail Yard facilities that the Proposed Project seeks to alter, there is no reasonable alternative Project Site.

Regarding alternatives to the Proposed Project that would create lesser impacts, two alternative track layouts (Alternative 2 and Alternative 3) that would create lesser impacts to cultural resources were analyzed in the Draft EIR. These two alternative track layouts have similar designs as one another and result in similar environmental effects. They would create lesser impacts to the 1st Street Bridge than the Proposed Project would because they would

necessitate fewer modifications to the bridge by allowing trains to travel under the bridge's existing arches. Alternative 2 would preserve all the 1st Street Bridge's existing bents, and Alternative 3 would modify two bents (two fewer than the Proposed Project would modify). There were no alternatives that would avoid or minimize impacts to the National Cold Storage facility or the Citizens Warehouse/Lysle Storage Company building. Therefore, both alternative track layouts would still create a significant impact to cultural resources. Although the alternative track layouts would result in lesser impacts to cultural resources, both alternatives have deficiencies that would result in Metro not achieving the Proposed Project objectives. Alternative 2 does not provide operational redundancy in its points of failure. Failures at the double slip switch to the storage yard access points would render the facility unusable until the issue is addressed. This deficiency would conflict with the Proposed Project Objective #2, which is to provide new tracks and switches that will allow trains to provide faster service times at Union Station. Alternative 3 does not provide for the six-car train lengths that would satisfy the capacity requirements of the Westside Purple Line Extension. This deficiency would conflict with the Proposed Project Objective #1, which is to provide core capacity improvements needed to accommodate increased service levels on Metro Red and Purple Lines. Therefore Alternatives 2 and 3 are infeasible.

11.2 No Project Alternative

The No Project Alternative is required by Section 15126.6 of the CEQA Guidelines and would forgo development related to the Proposed Project. The Project Site would persist as the existing Division 20 Rail Yard and its MOW facility and trackwork, the LAPD Viertel's Central Division Police Garage, the vacant National Cold Storage facility, and the unoccupied Citizens Warehouse/Lysle Storage Company building. No existing structures would be altered or demolished. Metro would not purchase the Citizens Warehouse/Lysle Storage Company building or perform any of the preservation and potential reconstruction on the building associated with the Proposed Project's mitigation measures. Metro would not be able to operate the Westside Purple Line Extension at optimal headways or support a fleet consisting of only six-car trains. The No Project Alternative would also forgo streetscape improvements on Center Street that would otherwise add to community cohesion and create a more pedestrian and bike-friendly environment.

11.3 Findings for the No Project Alternative

Although pursuing the No Project Alternative would avoid the Proposed Project's significant impacts, Metro finds that specific economic, legal, social, technological, and other considerations render the No Project Alternative identified in the Draft EIR infeasible (CEQA Guidelines Section 15091(a)(3)). By pursuing the No Project Alternative, Metro would forgo the removal of soil that could potentially be contaminated by hazardous materials. In pursuing the No Project Alternative, Metro would also forgo the benefits of operating the Westside Purple Line Extension at six-car lengths such as reductions in regional vehicle miles traveled and their associated energy use and air pollutant and greenhouse gas emissions. Most importantly, Metro would not be able to meet the Proposed Project's objectives of providing core capacity improvements to accommodate increased service levels on the Metro Red and Purple Lines and providing new tracks and turnouts to allow trains to provide faster

service times at Union Station. For these reasons, Metro finds that the No Project Alternative is not feasible.

11.4 Findings for Environmentally Superior Alternative

CEQA Guidelines Section 15126.6 requires that an "environmentally superior" alternative be selected among the alternatives that are evaluated in the EIR. As described in the Draft EIR, the No Project Alternative has been found to have the least amount of environmental impacts and is the environmentally superior alternative. If the No Project Alternative is identified as the environmentally superior alternative, the next-best environmentally superior alternative must be identified. In the case of the Proposed Project, Alternative 2 was identified in the Draft EIR as being the environmentally superior alternative because it would avoid the cultural resources impact to the 1st Street Bridge. Nevertheless, Alternative 2 would create significant unavoidable construction noise and vibration impacts comparable to those of the Proposed Project.

CEQA Guidelines requires alternatives to be analyzed with respect to their ability to satisfy the objectives of a proposed project. As referenced above, Alternative 2 does not provide operational redundancy in its points of failure. Failures at the double slip switch to the storage yard access points would render the facility unusable until the issue is addressed. This deficiency would conflict with the Proposed Project Objective #2, which is to provide new tracks and switches that will allow trains to provide faster service times at Union Station. For this reason, Metro finds that the environmentally superior alternative, Alternative 2, does not adequately satisfy the objectives of the Proposed Project and is therefore infeasible.

11.5 Findings for Mitigation Measures

Metro has considered every mitigation measure recommended in the EIR. To the extent that these Findings conclude that the mitigation measures outlined in the EIR are feasible and have not been modified, superseded or withdrawn, Metro hereby binds itself to implement or, as appropriate, require implementation of 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 Metro adopts a resolution approving the Proposed Project. The mitigation measures are referenced in the MMRP adopted concurrently with these Findings and will be effectuated through the process of constructing and implementing the Proposed Project.

12. STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to CEQA Guidelines Section 15093, if a project's EIR and administrative record substantiate that the project would result in significant and unavoidable impacts, then the lead agency is required to balance the project's significant and unavoidable impacts against its economic, legal, social, technological, or other benefits. If these benefits outweigh the significant and unavoidable impacts, then the significant and unavoidable impacts may be deemed acceptable. In such a case, the lead agency must state, in writing, the specific reasons that support this conclusion. This section presents the Proposed Project potential significant

and unavoidable impacts followed by a demonstration of how they are outweighed by the Proposed Project's benefits.

12.1 Significant and Unavoidable Impacts

The Proposed Project would result in the following localized significant and unavoidable impacts:

Adverse Change in the Significance of a Historical Resource. The Proposed Project would remove two of the 1st Street Bridge's bents and widen two bents and one pylon. The removal of these character-defining features is not consistent with the SOI Standards for the Treatment of Historic Properties. The Proposed Project would also demolish the eastern portion of the remnants of the Citizens Warehouse/Lysle Storage Company building (in the location of the former Pickle Works building listed on the CRHR). Lastly, the Proposed Project would demolish the National Cold Storage facility, which is listed as historically significant on SurveyLA, the City of Los Angeles' official historical resources survey. Mitigation measures have been added to the MMRP to reduce these impacts to the extent possible. However, these permanent alterations of "historical resources", as defined in Section 15064.5 of the CEQA Guidelines, would still constitute significant and unavoidable impacts.

Demolition and Construction Noise and Vibration. The Proposed Project would generate noise levels in excess of FTA standards during demolition and construction. This would adversely affect sensitive receptors at the OSF. Furthermore, all commercial and industrial uses within 20 feet of the Proposed Project's heavy-duty equipment would also be subject to adverse effects.

The Proposed Project would also expose persons to excessive groundborne vibration during demolition and excavation. These activities require the use of heavy-duty equipment that cannot be avoided based on applicable construction methods. Mitigation measures have been added to the MMRP to reduce these impacts to the extent possible. However, due to standard demolition and construction procedures and the proximity of sensitive receptors to the area of demolition and construction work, these adverse effects would constitute significant and unavoidable impacts.

12.2 Determination

Given the following reasons, Metro concludes that the overall benefits of the Proposed Project outweigh the significant and unavoidable impacts discussed in Section 1.1 Significant and Unavoidable Impacts, and that the significant and unavoidable impacts are thus considered acceptable.

Regional Transit Capacity. The Proposed Project will substantially improve capacity of the Metro Red and Purple Lines. In November 2016, over 70 percent of Los Angeles County's voters voted in support for Metro's Measure M ballot measure to raise sales taxes to pay for critical transportation improvements. The improvements to the Division 20 Rail Yard will provide core capacity improvements to accommodate increased service levels previously approved for the Metro Red and Purple Lines and allow trains to provide faster service times

at Union Station. Metro Red and Purple Lines ridership is expected to increase by approximately 49,000 following the Purple Line Extension to the U.S. Department of Veterans Affairs West Los Angeles Medical Center. In order to effectively serve the additional patronage during weekday peak hours, planned service improvements include operating trains every four minutes on each line – which is every two minutes in the trunk portion of the system – and expanding the fleet. Currently, eastbound trains in the trunk portion of the system use special trackwork at Union Station to reverse directions (i.e., 'turnback'). However, the capability of turning back trains is capped at 7.5 minutes on each line, or 3.75 minutes combined due to the original design of Union Station. In addition to improving Metro Red Line service, the Proposed Project would provide quicker turnaround times and capacity for storing trains for the full build-out of the Purple Line Extension Transit Project.

Reduced Vehicle Miles Traveled (VMT) and Associated Emissions. The Proposed Project would allow for the increase in service and expansion of the geographical reach of the Metro Red and Purple Lines. This would increase the appeal and viability of heavy-rail transit as a mode of transportation in Los Angeles County. Such improvements to alternative modes of transportation would provide the opportunity for reductions in regional single-occupancy vehicle VMT and their associated air pollutant and greenhouse gas emissions. In combination with the Purple Line Extension, the Proposed Project would result in an annual net reduction of approximately 19,960 metric tons of carbon dioxide equivalent. The entirety of the Purple Line Extension was incorporated into the Southern California Association of Governments Regional Transportation Plan. Enhancing and expanding the public transit network is at the crux of reducing regional VMT and associated GHG emissions, which is the top priority of the regional and local transportation and sustainability plans, as well as the California Air Resources Board Scoping Plan. The Proposed Project would contribute to regional efforts to improve sustainability and reduce VMT.

Though the Proposed Project's would result in potential significant and unavoidable impacts related to cultural resources and noise and vibration, the Proposed Project would create regional economic and social benefit of providing more frequent transit service as well as the overall environmental and social benefit of cleaner air and reduced greenhouse gases. Thus, although the Proposed Project has the potential to create significant and unavoidable impacts, these impacts would be greatly outweighed by the benefits that it would bring to the region.

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

213.922.9200 Tel
213.922.5259 Fax
metro.net/division20

Metro®