John Anson Ford Park Infiltration Cistern Project to Capture Urban Runoff

CEQA-Plus Draft

Initial Study – Mitigated Negative Declaration

prepared by

City of Bell Gardens
Public Works Department
8327 Garfield Avenue
Bell Gardens, California 90201
Contact: Chau Vu, Director of Public Works

prepared with the assistance of

Rincon Consultants, Inc.
706 South Hill Street, Suite 1200
Los Angeles, California 90014

May 2019

RINCON CONSULTANTS, INC.
Environmental Scientists | Planners | Engineers
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Table of Contents

Tables

Figures

Appendices

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Chapter 1: Introduction

Project Title

John Anson Ford Park Infiltration Cistern Project

Lead Agency Name and Address

City of Bell Gardens
Public Works Department
8327 Garfield Avenue
Bell Gardens, California 90201

Contact Person and Phone Number

Chau Vu, Director of Public Works
562-806-7700

Project Location

The project site is located at John Anson Ford Park (JAFP), a 12.5-acre recreational park located at 8000 Park Lane in Bell Gardens, California. The existing site consists of multiple athletic fields including two baseball/softball fields and two soccer fields. The project's regional location is shown on Figure 1, and the project site in its local context is shown on Figure 2. Site photographs of the existing park are shown in Figure 3.

Project Sponsor's Name and Address

City of Bell Gardens
Public Works Department
8327 Garfield Avenue
Bell Gardens, California 90201

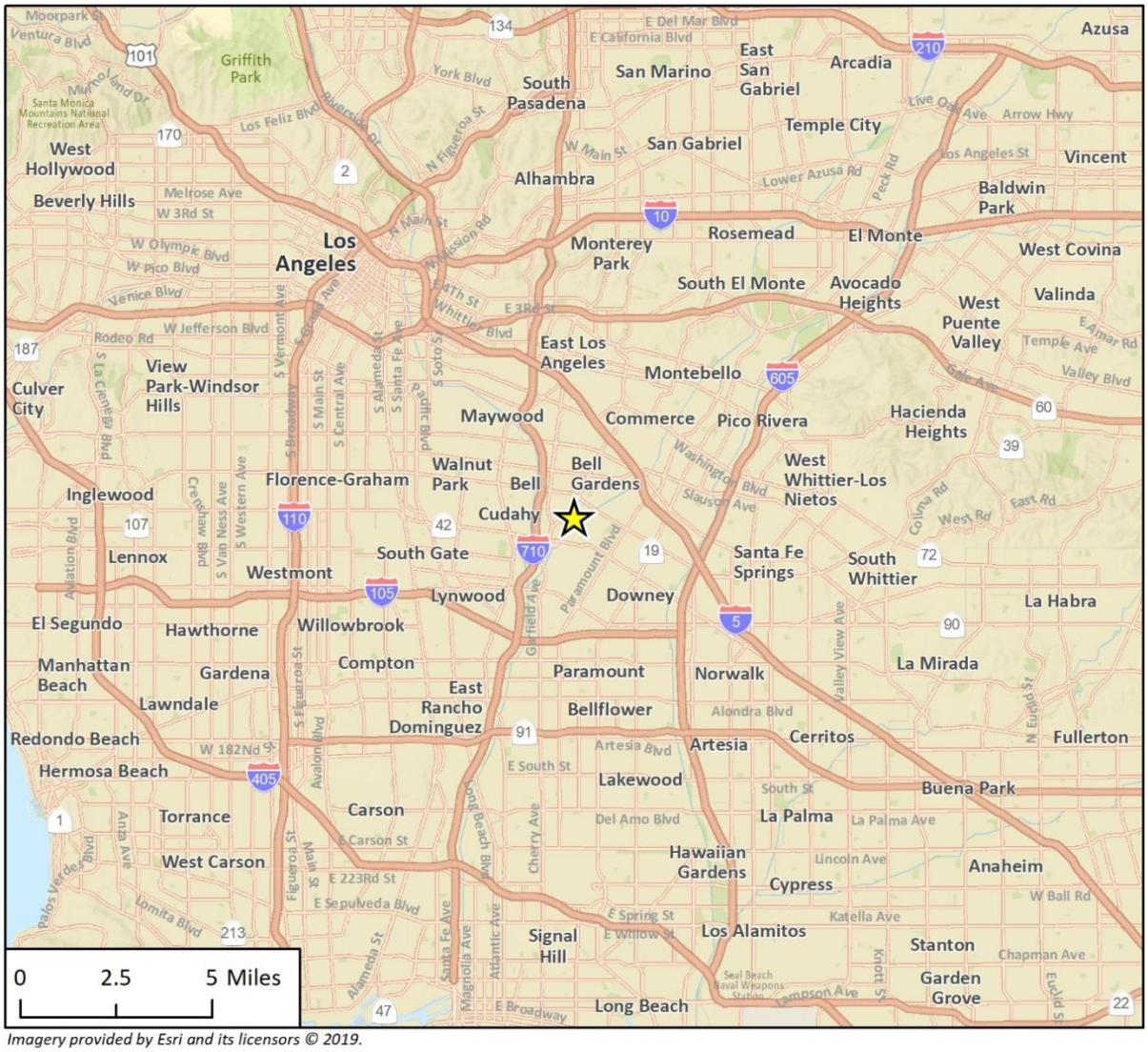
General Plan Designation

Open Space/Parks

Zoning

A1 (Light Agricultural)

Figure 1 Regional Location



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Project Location

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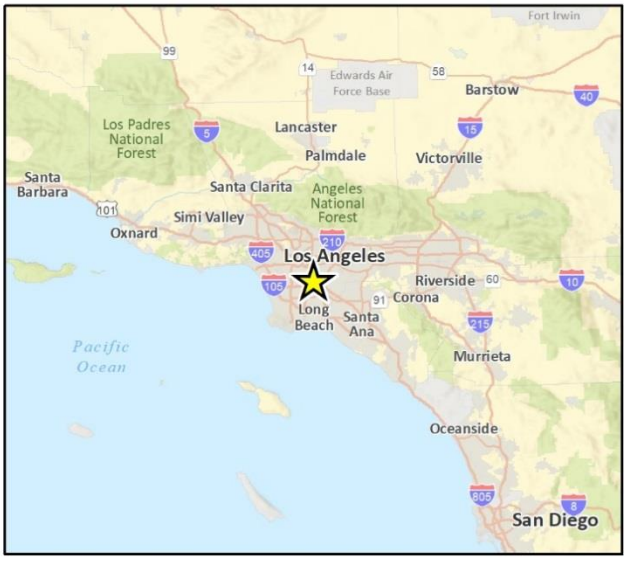


Figure 2 Project Site Location

Figure 3 Site Photographs

Photograph 1. View of northern parking lot, facing west

Photograph 2. View of the southern baseball/softball field, facing northeast

Chapter 2: Project Description

Background

On November 8, 2012, the Los Angeles Regional Water Quality Control Board (RWQCB) adopted Order No. R4-2012-0175 revising the waste discharge requirements for Municipal Separate Sewer System (MS4) dischargers within the coastal watersheds of Los Angeles County covered by National Pollutant Discharge Elimination System (NPDES) Permit No. CAS004001 (collectively referred to as "MS4 Stormwater Permit"). On June 27, 2013, the Cities of Bell, Bell Gardens, Commerce, Cudahy, Huntington Park, Maywood and Vernon, and the Los Angeles Flood Control District formed the Los Angeles River Upper Reach (LAR UR2) Watershed Management Area (WMA) Group to collectively address the MS4 Permit requirements.

On June 26, 2014, the WMA Group completed a Watershed Management Program (WMP) for the LAR UR2 WMA. The WMP outlines past actions taken by the LAR UR2 Watershed agencies to improve stormwater quality and identifies programs and projects required to meet the MS4 Permit requirements. These consist of six regional best management practice (BMP) projects and a series of residential and commercial low impact development, or "LID Street" renovations that the Cities, independent of the regional projects, must implement over the next two decades. The six regional BMPs were specifically located on public lands, such as parks and easements, to minimize land acquisition costs. The LAR UR2 WMP was approved by the Los Angeles RWQCB on August 13, 2015.

Public Outreach conducted for the proposed project is described below, under "Public Outreach".

Project Description

Of the six regional BMPs identified in the WMP for the LAR UR2 WMA, the John Anson Ford Park Infiltration Project ("proposed project" or "project") is the largest and has the earliest implementation date. The proposed project would capture, retain, infiltrate, and replenish urban runoff by installing a stormwater capture and subsurface infiltration system at JAFP, located in Bell Gardens. The 2,295-acre regional watershed drains through an upstream storm drain system directly into the Rio Hondo Tributary via a double-reinforced concrete box storm drain at the project site. The concrete-lined Rio Hondo Channel is a tributary to the Los Angeles River. The primary goal of the project is to achieve receiving Water Quality Objectives for the entire Rio Hondo watershed portion of the LAR UR2 WMA. It is intended to address the highest priority pollutants – metals and bacteria – identified in the WMP.

The proposed project would construct a diversion structure and subsurface infiltration basin below JAFP to capture and recharge dry-weather and storm runoff from a catchment area of 2,295 acres. The project would divert stormflows from an existing stormwater drainage system, install a water treatment facility beneath the northerly parking lot at JAFP, and construct bottomless cisterns beneath the existing baseball field and soccer field. The subsurface infiltration basin would divert stormwater flows from an existing storm drain (BI 0539 – Line A), owned and maintained by the Los Angeles County Flood Control District. A multitude of lateral lines collect runoff and discharge into Line A of BI 0539. A 3.25-foot weir within a double box culvert in the storm drain would direct flows through a 3.5-foot diameter pipe leading to a pretreatment device. The bottom of the diversion structure would be sloped towards the diversion pipe to prevent ponding in the system.

Figure 4 shows the conceptual design of the proposed project; this figure is not to scale, but rather is designed to portray the hydrologic setting and cycle associated with the proposed project. Within the design portrayed on Figure 4, the project would use either a hydrodynamic separator (HDS)[1] pretreatment device or a baffle box type[2] pretreatment device, installed adjacent to the storm drain underneath the northerly parking lot at JAFP. The pretreatment device would filter out trash and debris from the diverted runoff. From the pretreatment device, flows would enter an underground infiltration gallery via gravity, and the captured and pretreated runoff would then infiltrate into the underlying groundwater basin.

A Feasibility Study for the proposed project was prepared by Tetra Tech in April 2017, and recommends a precast concrete modular system for the project cisterns. The project would be implemented in phases, as funding allows. For planning purposes funding is assumed to be available in three tranches and a three-phase project, as delineated on Figure 5. For each phase of the project, the staging of construction equipment and materials would occur on disturbed areas, including but not limited to the northern parking area. Project build-out would occur as budget allows, starting with Phase 1. At full build-out of all three phases, the project will have capacity to capture up to 1,200 acre-feet per year (AFY) of dry weather[3] and first-flush[4] storm flows, by diverting runoff water from an existing storm drain system owned and maintained by the Los Angeles County Flood Control District for pretreatment and groundwater recharge.

Rincon conducted a reconnaissance-level field survey of the Study Area on March 6, 2019, as discussed in the Biological Resources Assessment (BRA) provided as Appendix B to this Initial Study-Mitigated Negative Declaration (IS-MND). As described in Section 4.3 of the BRA, no potentially-jurisdictional waters were observed within the Study Area, and the closest potentially-jurisdictional water is the concrete-lined Rio Hondo channel, approximately 150 feet south of the Study Area. As such, the stormwater channel directing flows onto the project site is not considered to be jurisdictional waters of the state (as managed by the California Department of Fish and Wildlife [CDFW]) or federal waters of the U.S. (as managed by the United States Army Corps of Engineers). The project would be consistent with applicable laws and regulations related to water supply and water quality, as discussed in the analysis provided in Section 3.10, *Hydrology and Water Quality*.

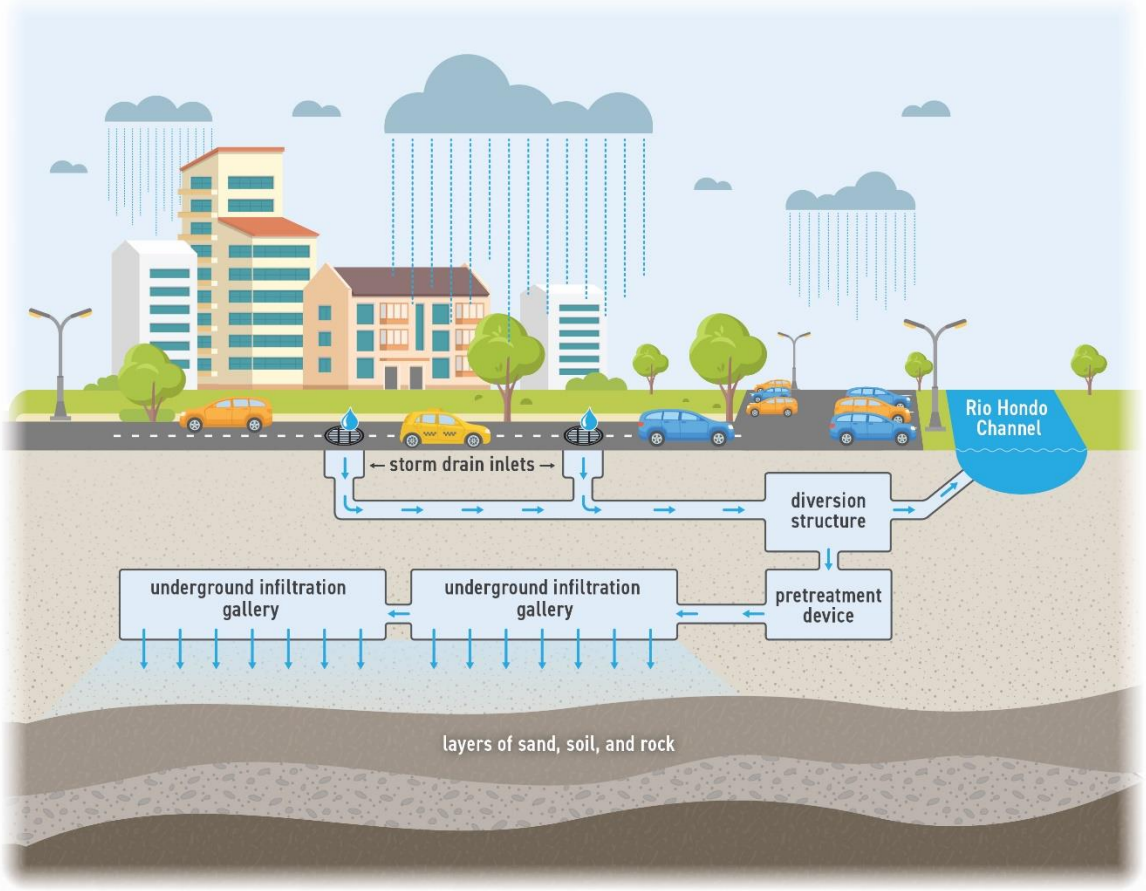
[1] Hydrodynamic separators are flow-through structures with a settling or separation unit to remove sediments and other pollutants. No outside power source is required, because the energy of the flowing water allows the sediments to efficiently separate. Depending on the type of unit, this separation may be by means of swirl action or indirect filtration (United States Environmental Protection Agency [USEPA] 1999).

[2] Baffle boxes are concrete or fiberglass structures containing a series of chambers separated by baffles. Each chamber allows sediment to settle out of the stormwater, effectively removing sediment, suspended particles, and associated pollutants from stormwater. Baffle boxes may also contain trash screens or skimmers to capture larger materials such as trash (USEPA 2001).

[3] Dry weather runoff refers to surface water runoff that occurs from everyday activities such as lawn watering, car washing, and groundwater seepage (where groundwater is present at shallow depths).

[4] First flush flows are the initial surface runoff associated with a rainfall event. First flush runoff generally has higher concentrations of urban pollutants such as oil and lubricants.

Figure 4 Conceptual Project Design



Central Subbasin of the Coastal Plain of Los Angeles Central Groundwater Basin

Figure 5 Project Phasing

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Construction

Construction equipment and vehicles would be staged in the northern parking lots at JAFP. The project would be implemented in three phases. Phase 1 would construct a diversion structure sized to divert the design storm[5] flow rate of up to 227 cubic feet per second (cfs) and infiltration cisterns with a capacity of 10 acre-feet. Phases 2 and 3 would expand on the subsurface infiltration cistern until it can hold the total stormwater quality design volume[6] of up to 100 acre-feet. Figure 5 shows the construction staging area and implementation phases.

Construction activities would be restricted to daytime hours, to the maximum extent feasible. The timing of implementation of each phase will depend upon funding availability; however, this analysis assumes the consecutive implementation of all three project phases. During construction of each phase of the project, disturbed areas would be restricted from public access for safety purposes, using measures such as temporary chain link fencing and signage.

Following is an overview of excavation and soil export quantities associated with each phase of the project. These estimates are conservative and reflect the maximum volumes of excavation and export for each project phase.

- **Phase 1.** Construction of Phase 1 would commence in late 2019 and be complete by early 2021. During Phase 1, approximately 120,000 square feet (2.75 acres) of pavement would be removed from the northern parking lot, which would be re-paved as part of the project, upon completion of construction. In addition, approximately 60,000 cubic yards (cy) of soil would be excavated during implementation of Phase 1, 41,000 cy of which would be re-used as fill on the project site, with the remaining 19,000 cy of excavated soil exported to a local waste disposal facility.
- **Phase 2.** Construction of Phase 2 would last approximately 15 months, and would commence when funding is available. Phase 2 would involve the excavation of 196,000 cy of soil from the project site. Approximately 125,000 cy of this excavated soil would be re-used as fill on the project site, and the remaining 71,000 cy of excavated soil would be exported to a local waste disposal facility.
- **Phase 3.** Construction of Phase 3 would last approximately 15 months, and would commence when funding is available. Phase 3 would involve the excavation of 155,000 cy of soil from the project site. Approximately 78,600 cy of soil would be re-used as fill on the project site, and the remaining 76,400 cy of excavated soil would be exported to a local waste disposal facility.

For the purposes of this analysis, it is assumed that construction debris would be disposed of at the Azusa Land Reclamation Facility.

Following construction of each phase of the project, the area disturbed during project construction would be restored to existing or better condition. Restoration efforts would include the replacement of irrigation systems, trees, landscaping, lighting, hardscaping, paving, and signage as needed. In addition, pavement on the northern parking lot would be replaced, consisting of an area approximately 2.75 acres in size. All recreational facilities at JAFP would also be restored, if disturbed or removed during project construction.

[5] A "design storm" is an input used in hydrological modeling to determine peak stormwater flow and volume. The design storm reflects a certain rainfall amount and distribution in space and time. In Los Angeles County, the design storm is modeled after the 85th percentile 24-hour storm, meaning the rainfall event whose precipitation total is greater than or equal to 85 percent of all 24-hour storms on an annual basis.

[6] The "stormwater quality design volume" is the calculated volume of stormwater runoff that must be retained and treated at a project site. The stormwater quality design volume is calculated from the design storm.

Operation and Maintenance

The proposed diversion structure and subsurface infiltration basin would be located entirely below the ground surface, and existing aboveground features at the project site would be restored to original or better condition following completion of construction. Implementation of the proposed project would not introduce any new impervious surface area to the project site. As such, the appearance and usability of JAFP would be the same during operation of the proposed project as under existing conditions.

Maintenance activities would consist of quarterly site visits, during which the project site would be visually inspected for repair needs, and those repairs implemented as needed. These activities would include cleaning of the HDS trash capture device with a Vactor catch basin cleaner. The Vactor device is mounted to a utility truck, which is equipped with a maneuverable boom and powerful vacuum; it is utilized to clear debris from the subsurface basin in order to maximize storage capacity and maintain efficiency. The type of materials expected to be removed during regular maintenance activities include rocks, dirt, leaves, litter, and other debris that could otherwise clog the project infrastructure. These activities would require the temporary presence of the mobile cleaning system on the JAFP grounds approximately once every three months, during daytime hours.

Surrounding Land Uses and Setting

Figure 2 shows the location of the project site in Bell Gardens. The project site is bordered by a Park Lane and a residential neighborhood to the north, the Rio Hondo Channel to the southeast, the Bell Gardens Golf Course to the south, and parking and vegetated area to the west. The Ford Park Adult Center, an adult education center associated with the Montebello Community Adult School, is located approximately 0.25 mile to the north-northeast of the project site.

Potentially Required Approvals

The City of Bell Gardens is the California Environmental Quality Act (CEQA) Lead Agency for the project. Table 1 below provides an overview of permits that may be required for construction and operation of the proposed project. The project would also require a new easement from the City for use of the JAFP site.

Table 1 Summary of Potentially Required Approvals

Regulating Agency	Potential Permit/Approval
State Water Resources Control Board	Approval for the Clean Water State Revolving Fund
Regional Water Quality Control Board – Los Angeles Region	National Pollutant Discharge Elimination System Stormwater Construction General Permit
Los Angeles County Department of Transportation and/or California Department of Transportation	Encroachment Permit (for temporary lane closures, if necessary)
City of Bell Gardens	Encroachment Permit

California Native American Tribes

Per PRC Section 21080.31, the City began consultation with California Native American tribes prior to the public release of this Draft IS-MND. The Native American Heritage Commission assisted in identifying the California Native American tribes that are traditionally and culturally affiliated with the project area. As discussed in Section 3.18, *Tribal Cultural Resources*, Rincon Consultants contacted the Native American Heritage Commission on February 5, 2019 to request a Sacred Lands File (SLF) search of the project area. The Native American Heritage Commission responded on February 8, 2019 stating the results of the search were negative and suggested contacting the six tribal groups. Rincon contacted each of these tribes in writing and followed up with phone calls. Of the six tribes contacted, the Gabrieleño Band of Mission Indians - Kizh Nation, is the only tribe which responded to this consultation effort. The City currently has a meeting with this tribe scheduled for May 2, 2019.

Public Outreach

The City mailed notices of the meeting to all residents located within 500 feet of the project site; the notice was provided in both English and Spanish. The notice was posted on the City's website. This outreach meeting was not required per CEQA; rather, the City electively organized, advertised, and hosted this meeting to notify and collect input from the public about the proposed project. The goal of this interaction was to confirm this IS-MND addresses concerns identified by the public and interested parties.

During the public outreach meeting, seven posters showing figures of the project site, features, and proposed improvements were on display. The City provided a PowerPoint presentation to communicate the: purpose of the proposed project; features of the proposed project; actions that would occur during project construction and operation of the project; requirements of CEQA; anticipated environmental impacts of the project and potential mitigation measures; and project schedule. The City also provided hand-outs of the PowerPoint presentation to the meeting attendees.

During and after the PowerPoint presentation, the City solicited input and questions from the meeting attendees. No written comments were provided. An overview of the topics and questions raised verbally during the outreach meeting is provided in Table 2 below, along with responses to each question and comment, including the location in this IS-MND where respective topics are addressed.

In addition, the City met with the East Yard for Environmental Justice on February 12, 2019.

Table 2 Summary of Public Comments/Questions and Responses

Comment/Question	Response
Why is meeting attendance low and how did you reach out to people?	The City mailed notices to all residents within 500 feet of the site to alert residents to the meeting. The City also had an English-Spanish translator present in case any attendees were Spanish-speaking only. While the meeting was not legally required, the City encouraged residents to attend to provide input or ask questions about the project.
How does the public comment on the analysis?	The City kept track of comments and questions raised during the meeting and has addressed these topics in this document. Attendees and members of the public will receive notification when the Draft IS-MND is published and have opportunity to review and provide comment on the document.
Who is responsible for making revisions to the document?	The City owns the analysis. The engineer and environmental consultant are contracted by the City and acting on behalf of the City.
Would there be pollutants in the water that goes into the groundwater basin because of this project? How is the water cleaned?	The cistern design includes a filtration system that will remove trash and debris from the stormwater flow. Overall this project will improve local water supply by increasing the amount of groundwater in storage in the local basin.
What is the status of Tribal consultations, and what do you anticipate the outcome being?	The City has reached out to five Native American Tribes for consultation per the requirements of Assembly Bill 52. One of those five Tribes responded, asking for consultation. The name of the Tribe is the Gabrieleño Band of Mission Indians - Kizh Nation. Since the public outreach meeting, the City has coordinated with the Tribe and scheduled a meeting on May 2, 2019 to answer questions about the project and to hear requests and recommendations for mitigation. In accordance with AB52, tribal consultation will be complete prior to publication of the Final IS-MND. Outcomes of the City's meeting with the Tribe on May 2, 2019 may also be incorporated into the Final IS-MND.
What are the parking and traffic impacts?	During the project's construction period the parking lot will be utilized for staging. Construction workers will not park on the street, and no staging of project infrastructure will occur on the street. Construction worker parking and staging would occur only within the existing on-site lot, which will be unavailable to users of JAFP during construction periods. Park users would be able to park on surface streets to access available parts of the park throughout the construction periods. During operation and maintenance of the project there would be no impacts to traffic and parking because the site will function the same as under present conditions. Section 3.17 of this IS-MND addresses the traffic and transportation setting and impacts resulting from the proposed project.
How will recreation programs be relocated during construction? There isn't enough room at Veterans Park for more than a few games, but JAFP hosts hundreds of games.	Only the soccer field at JAFP will be affected. Most programs at JAFP will be able to continue during construction. The City's Public Works Department (which has proposed the project) will coordinate with the City's Recreation Department as part of this analysis to accommodate recreation programs during project construction. Section 3.16 of this IS-MND addresses the recreation setting and impacts for the proposed project.
How long will recreation programs be affected?	The City anticipates recreation programs at JAFP will be affected for one season, during project construction. Construction is anticipated to begin in September 2019 and will take about 15 months. The City's Public Works and Recreation Departments are coordinating to minimize adverse impacts to recreation programs and resources. Section 3.16 of this IS-MND addresses the recreation setting and impacts for the proposed project.

Scope and Use of this Document

In accordance with CEQA, an EIR must be prepared for a project that requires discretionary approval and may result in a significant impact to the environment, utilizing either the Environmental Checklist provided in Appendix G of the CEQA Guidelines, or a comparable checklist adopted by the CEQA lead agency (for this proposed project, the City of Bell Gardens as the CEQA lead agency is utilizing the CEQA Appendix G Checklist). Where a project is not anticipated to result in significant impacts to the environment, an IS-MND may be prepared to identify and characterize potential impacts of a project, and to provide mitigation measures that will be implemented as part of the project to minimize or avoid potential impacts. An IS-MND is the appropriate level of CEQA documentation for the proposed project because it is not anticipated the project would result in significant or unavoidable impacts to the environment. The impact analysis provided in Chapter 3 of this IS-MND characterizes potential impacts of the project and identifies project-specific mitigation measures, where applicable.

This IS-MND provides an assessment of the potential impacts to environmental resources that may result from implementing the proposed project. The discussion and level of analysis provided in this IS-MND are commensurate with the expected magnitude and severity of each impact to environmental resources. This document addresses the environmental effects of constructing and operating the water infrastructure described in this Project Description. The environmental impact analyses provided in Chapter 3 of this IS-MND are based on technical reports and studies prepared for this project, supplemented with other public information sources as provided in the list of references.

This IS-MND evaluates the potential for impacts to resource areas identified in Appendix G of the *State CEQA Guidelines*, which were most recently updated in January 2019. These resource areas include:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire
- Mandatory Findings of Significance

Impact Terminology

Potential environmental impacts that could occur during construction or operation and maintenance of the proposed project are identified for each of the environmental resource areas listed above, in accordance with the current CEQA Guidelines Appendix G Checklist. The level of significance for each impact is characterized using the CEQA terminology provided below:

- **Significant and Unavoidable**. These impacts have been determined to be adverse and significant according to the threshold criteria identified for the resource area, even after applicable mitigation strategies are applied. If any potentially significant and unavoidable impacts are identified, an Environmental Impact Report (EIR) must be prepared to meet the requirements of CEQA.
- **Less than Significant with Mitigation.** These impacts have been identified as adverse environmental consequences that have the potential to be significant, but can be reduced to less-than-significant levels through the application of mitigation strategies that have not already been incorporated into the project design. Project-specific mitigation measures will be developed where applicable, and mitigation measures will be implemented in accordance with a project-specific Mitigation Monitoring and Reporting Plan.
- **Less than Significant with no Mitigation.** These impacts would have the potential to be adverse but would not meet the significance threshold criteria for the affected environmental resource, and no mitigation measures are required to ensure the impacts would remain less than significant.
- **No Impact.** A determination of "No Impact" is made where it has been determined that no adverse environmental consequences would occur under the applicable environmental resource area.

In addition to the above, some environmental resource areas may experience beneficial effects associated with the project; those will be identified in the impact analyses for each environmental issue area in Chapter 3 of this IS-MND.

As noted in the definitions above, if a significant and unavoidable environmental impact is identified for the proposed project, an EIR must be prepared for compliance with CEQA. Based on the analysis presented herein, an IS-MND is the appropriate level of environmental documentation for the proposed project.

Environmental Factors Potentially Affected

This project would potentially affect the environmental factors checked below, involving at least one impact that is "Potentially Significant" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

☐	Aesthetics	☐	Agriculture and Forestry Resources	■	Air Quality
☐	Biological Resources	■	Cultural Resources	☐	Energy
■	Geology/Soils	■	Greenhouse Gas Emissions	■	Hazards & Hazardous Materials
■	Hydrology/Water Quality	☐	Land Use/Planning	☐	Mineral Resources
☐	Noise	☐	Population/Housing	☐	Public Services
■	Recreation	☐	Transportation	☐	Tribal Cultural Resources
☐	Utilities/Service Systems	☐	Wildfire	☐	Mandatory Findings of Significance

Determination

Based on this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

■ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "less than significant with mitigation incorporated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potential significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature	Date
Printed Name	Title

Chapter 3: Environmental Checklist

3.1 Aesthetics

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	■
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	■
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	■	☐
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	☐	☐	■	☐

a. Would the project have a substantial adverse effect on a scenic vista?

There are no scenic vistas located in the project area. Land uses in and around the project area are predominantly urban with a residential neighborhood to the north, the Rio Hondo Channel to the southeast, the Bell Gardens Golf Course to the south, and parking and vegetated areas to the west. The proposed project would be located entirely below the ground surface, and existing aboveground features (i.e., irrigation systems, trees, landscaping, lighting, hardscaping, paving, and signage) at the project site would be restored to original or better condition following completion of construction. Therefore, the project would not interrupt or impede a scenic vista. No impact would occur.

NO IMPACT

b. Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

There are no proposed or designated State scenic highways in the project area (California Department of Transportation [Caltrans] 2018). Therefore, the project would not result in a substantial adverse effect on a scenic resource visible from a State scenic highway. No impact would occur.

NO IMPACT

c. Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

The project site, which consists of a recreational park with multiple athletic fields and parking areas, is located in the city of Bell Gardens in an urbanized area surrounded by residential, commercial, and recreational land uses. The visual character of the surrounding area consists of a vegetated strip of land that includes utility transmission lines and structures to the west, suburban residential neighborhoods to the north, athletic fields to the east, and a golf course and drainage channel to the south. See Figure 3 for representative photographs of the project site and surrounding area.

The project site is zoned A1 (Light Agricultural); however, there are no zoning standards or other regulations in the Bell Gardens Municipal Code (BGMC) governing scenic quality in agricultural zones or recreational parks.

Construction of the proposed project would be visible from surrounding land uses. A temporary change in visual character would result from the presence of construction equipment and material, stockpiles of soil, and construction vehicles during project construction, but this change would end once construction is complete. The visual character of the project site and surrounding areas would be temporary, short-term, and not substantial.

The proposed project would not alter the visual character and quality of the project site upon completion because the proposed project would be located entirely below the ground surface, and existing aboveground features (i.e., irrigation systems, trees, landscaping, lighting, hardscaping, paving, and signage) at the project site would be restored to original or better condition following completion of construction. Therefore, project impacts to visual character or quality would be less than significant.

LESS THAN SIGNIFICANT IMPACT

d. Would the project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?

Construction of the project components may create light and glare during construction due to the presence of construction vehicles and equipment. Construction activities would typically occur between the hours of 7:00 a.m. and 5:00 p.m., such that the use of lighting may be avoided. On occasion, late afternoon activities during the winter could require some lighting be used. This light may be visible from surrounding roadways and residential and other land uses, but the lighting would not face toward adjacent land uses and would be directed towards the project site. Furthermore, construction activities would be temporary. The proposed project would not create a

new source of light or glare once construction is complete because the proposed diversion structure and subsurface infiltration basin would be located entirely below the ground surface. Therefore, impacts related to light and glare would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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3.2 Agriculture and Forestry Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	■
b. Conflict with existing zoning for agricultural use or a Williamson Act contract?	☐	☐	☐	■
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	■
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	■
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	■

a. Would the project convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

b. Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?

c. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

d. Result in the loss of forest land or conversion of forest land to non-forest use?

e. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

Based on the California Department of Conservation's (DOC) Farmland Mapping and Monitoring Program and Williamson Act maps, neither the project site nor adjacent properties are State-designated Farmland, enrolled in Williamson Act contracts, or support forest land or resources (DOC 2016a, DOC 2016b). Furthermore, according to Exhibit 1-6 of the City of Bell Gardens General Plan Land Use Element, there are no agricultural lands in the city (City of Bell Gardens 1995). The project site is zoned Agricultural, but is not located on or adjacent to land used for agriculture or forest land, and the project would not involve development that would result in the conversion of farmland to non-agricultural uses. Therefore, the proposed project would have no impact with respect to the conversion of Farmland to non-agricultural use and conflicts with existing agricultural zoning or Williamson Act contract, nor would the project result in the loss of forest land or conversion of forest land to non-forest use. No impact would occur.

NO IMPACT

3.3 Air Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	■
b. 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?	☐	☐	■	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	■	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	■	☐

Air Quality Standards and Attainment

The project area is within the South Coast Air Basin (SCAB), which is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east, and includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties, in addition to the San Gorgonio Pass area in Riverside County. The SCAB is under the regulatory jurisdiction of the South Coast Air Quality Management District (SCAQMD), which is required to monitor air pollutant levels for compliance with National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS). If air pollutant levels are found to be out of compliance, the SCAQMD is further required to develop strategies to meet the standards.

Depending on whether the standards are met or exceeded, the SCAB is classified as being in "attainment" or "nonattainment" for air quality. The SCAQMD's 2016 Air Quality Management Plan (AQMP) assesses the attainment status of the SCAB. The NAAQS and CAAQS attainment statuses for the SCAB are listed in Table 3. As shown therein, the SCAB is in nonattainment for the federal standards for ozone and particulate matter 2.5 microns or less in diameter ($PM_{2.5}$) and the State standards for ozone, particulate matter 10 microns or less in diameter (PM_{10}), and $PM_{2.5}$. The Los Angeles County portion of the SCAB is also in nonattainment for lead (SCAQMD 2017a). The SCAB is designated unclassifiable or in attainment for all other federal and State standards. Thus, the SCAB currently exceeds several State and federal ambient air quality standards, and the SCAQMD is required to implement strategies to reduce pollutant levels to recognized acceptable standards.

Table 3 South Coast Air Basin Attainment Status

Pollutant	Standard	Designation
1-Hour Ozone	NAAQS CAAQS	Nonattainment (Extreme) Nonattainment
8-Hour Ozone	NAAQS CAAQS	Nonattainment (Extreme)[1] Nonattainment
CO	NAAQS CAAQS	Attainment (Maintenance) Attainment
NO_2	NAAQS CAAQS	Unclassifiable/Attainment Attainment
SO_2	NAAQS CAAQS	Designations Pending/Unclassifiable/Attainment[2] Attainment
PM_{10}	NAAQS CAAQS	Attainment (Maintenance) Nonattainment
$PM_{2.5}$ (24-hour) $PM_{2.5}$ (Annual)	NAAQS CAAQS	Nonattainment (Serious) Nonattainment
Lead	NAAQS CAAQS	Nonattainment (Partial)[3] Attainment
Hydrogen Sulfide	CAAQS	Unclassified[4]
Sulfates	CAAQS	Attainment

NAAQS: National Ambient Air Quality Standards; CAAQS: California Ambient Air Quality Standards; CO: carbon monoxide; NO_2: nitrogen dioxide; SO_2: sulfur dioxide; PM_{10}: particulate matter 10 microns or less in diameter; $PM_{2.5}$: particulate matter 2.5 microns or less in diameter

[1] Designated Nonattainment (Extreme) for the 1997 and 2008 8-Hour Ozone NAAQS. Designation is pending for the 2015 8-Hour Ozone NAAQS, but Nonattainment (Extreme) is expected.

[2] Designated Unclassifiable/Attainment for the Annual SO_2 NAAQS. Designation is pending for the 1-Hour SO_2 NAAQS but the SCAB expected to be designated Unclassifiable/Attainment.

[3] Designated Nonattainment (Partial) for the Los Angeles County portion of the SCAB only for near-source monitors. Los Angeles County is expected to remain in attainment based on current monitoring data, and the attainment re-designation request is pending.

[4] SCAQMD began monitoring hydrogen sulfide in the southeastern Coachella Valley in November 2013 due to odor events related to the Salton Sea; three full years of data are not yet available for a State designation.

Source: SCAQMD 2017a

In an effort to monitor the various concentrations of air pollutants throughout the SCAB, the SCAQMD has divided the region into 38 source receptor areas (SRAs) in which over 30 monitoring stations operate. The project is located within SRA 5, which covers Bell Gardens. There are no monitoring stations in SRA 5; the closest stations that monitor ambient air pollutant concentrations are located in Compton (approximately 4.9 miles southwest of the project site) and Pico Rivera (approximately six miles northeast of the project site).

Air Quality Management

Under State law, SCAQMD is required to prepare a plan for air quality improvement for pollutants for which the SCAB is in nonattainment. SCAQMD has adopted an AQMP that provides a strategy for the attainment of State and federal air quality standards. SCAQMD updates the AQMP every three years. Each iteration of the AQMP is an update of the previous plan and has a 20-year horizon. The latest AQMP, the 2016 AQMP, was adopted on March 3, 2017. The 2016 AQMP incorporates new scientific data and notable regulatory actions that have occurred since adoption of the 2012 AQMP, including the approval of the new federal 8-hour ozone standard of 0.070 parts per million that was finalized in 2015. The 2016 AQMP builds upon the approaches taken in the 2012 AQMP for the attainment of federal particulate matter and ozone standards and highlights the significant amount of reductions to be achieved. It emphasizes the need for interagency planning to identify additional strategies to achieve reductions within the timeframes allowed under the federal Clean Air Act (FCAA), especially for mobile sources. The 2016 AQMP also includes a discussion of emerging issues and opportunities, such as fugitive toxic particulate emissions, zero-emission mobile source control strategies, and the interacting dynamics among climate, energy, and air pollution. The 2016 AQMP also includes attainment demonstrations of the new federal 8-hour ozone standard and vehicle miles travelled emissions offsets, as per recent United States Environmental Protection Agency (USEPA) requirements (SCAQMD 2017a).

Air Pollutant Emission Thresholds

The SCAQMD provides numerical thresholds to analyze the significance of a project's construction and operational air pollutant emissions. These thresholds, listed in Table 4, are designed such that a project consistent with the thresholds would not have an individually or cumulatively significant impact to the SCAB's regional air quality.

Table 4 SCAQMD Air Quality Significance Thresholds

	Mass Daily Thresholds	
Pollutant	**Construction Thresholds (pounds/day)**	**Operational Thresholds (pounds/day)**
NO_X	55	100
ROG[1]	55	75
PM_{10}	150	150
$PM_{2.5}$	55	55
SO_X	150	150
CO	550	550
Lead	3	3

SCAQMD: South Coast Air Quality Management District; NO_X: nitrogen oxides; ROG: reactive organic gases; PM_{10}: particulate matter 10 microns or less in diameter; $PM_{2.5}$: particulate matter 2.5 microns or less in diameter; SO_X: sulfur oxides; CO: carbon monoxide

[1] Reactive Organic Gases are formed during combustion and evaporation of organic solvents. Reactive Organic Gases are also referred to as Volatile Organic Compounds or VOCs.

Source: SCAQMD 2015

In addition to the above thresholds, the SCAQMD has developed Localized Significance Thresholds (LSTs) in response to the Governing Board's Environmental Justice Enhancement Initiative (1-4), which was prepared to update the CEQA Air Quality Handbook. LSTs were devised in response to concern regarding exposure of individuals to criteria pollutants in local communities and have been developed for nitrogen oxides (NO_X), carbon monoxide (CO), PM_{10}, and $PM_{2.5}$. LSTs represent the maximum emissions from a project that will not cause or contribute to an air quality exceedance of the most stringent applicable federal or State ambient air quality standard at the nearest sensitive receptor, taking into consideration ambient concentrations in each SRA, distance to the sensitive receptor, and project size. LSTs only apply to emissions within a fixed stationary location and are not applicable to mobile sources, such as cars on a roadway (SCAQMD 2008a). According to the SCAQMD (2008a) *Final Localized Significant Thresholds Methodology*, the use of LSTs is voluntary, to be implemented at the discretion of local agencies.

The project site is located in SRA 5, Southeast LA County, and the area of disturbance would be approximately 6.4 acres in size. LSTs have been developed for emissions within construction areas up to five acres in size, and SCAQMD provides lookup tables for sites that measure up to one, two, or five acres. Because project construction would be phased, it is assumed that no more than two acres would be under construction at any one time. Therefore, LSTs for a two-acre site were used to provide a conservative estimate of impacts. LSTs are provided for receptors at a distance of 25 to 500 meters (82 to 1,640 feet) from the project site boundary. The closest sensitive receptors are athletic fields located immediately adjacent to the project site, which would remain operational during project construction. According to the SCAQMD's LST methodology, projects with boundaries closer than 25 meters (82 feet) to the nearest receptor should use the LSTs for receptors located at 25 meters (SCAQMD 2008a). Accordingly, LSTs for construction on a two-acre site in SRA 5 for a receptor within 25 meters are shown in Table 5.

Table 5 SCAQMD LSTs for Construction

Pollutant	Allowable Emissions from a Two-acre Site in SRA 5 for a Receptor within 82 Feet (pounds/day)
Gradual conversion of NO_x to NO_2	114
CO	861
PM_{10}	21
$PM_{2.5}$	6

SCAQMD: South Coast Air Quality Management District; Localized Significance Thresholds (LSTs); SRA: Source Receptor Area; NO_X: nitrogen oxides; NO_2: nitrogen dioxide; CO: carbon monoxide; PM_{10}: particulate matter 10 microns or less in diameter; $PM_{2.5}$: particulate matter 2.5 microns or less in diameter

Source: SCAQMD 2009a

The City may seek funding for the project through a loan from the Clean Water State Revolving Fund (SRF). In California, administration of the SRF program has been delegated by the USEPA to the State Water Resources Control Board (SWRCB). In turn, the SWRCB requires all projects being considered under the SRF program must comply with certain federal environmental protection laws, including the FCAA. The process by which a federal agency determines that its action would not conflict with air quality attainment plans is referred to as "general conformity." For SRF-funded projects, a FCAA general conformity analysis applies only to projects in a nonattainment area or an attainment area subject to a maintenance plan and is required for each criteria pollutant for which an area has been

designated nonattainment or maintenance. The General Conformity Rule ensures actions taken by federal agencies in nonattainment and maintenance areas do not interfere with the State's plans to meet NAAQS. 40 Code of Federal Regulations (CFR) Part 93.153 defines *de minimis* levels, which are the minimum threshold for which a conformity determination must be performed. If the proposed project's annual emissions are below the applicable *de minimis* levels, the project is not subject to a general conformity determination.

Based on the federal attainment statuses for the SCAB, the *de minimis* levels that apply to the SCAB are listed in Table 6. These levels apply to all direct and indirect annual emissions generated during construction and operation of the project.

Table 6 General Conformity De Minimis Emission Rates for the South Coast Air Basin

Pollutant	Attainment Status Designation	De Minimis Emission Rate (tons/year)
Ozone (VOC or NO_X)	Extreme Nonattainment	10
CO	Maintenance	100
PM_{10}	Maintenance	100
$PM_{2.5}$	Serious Nonattainment	70
SO_2 or NO_2	Maintenance	100
Lead	Partial Nonattainment	25

VOC: volatile organic compounds; NO_x: nitrogen oxides; CO: carbon monoxide; PM_{10}: particulate matter 10 microns or less in diameter; $PM_{2.5}$: particulate matter 2.5 microns or less in diameter; SO_2: sulfur dioxide; NO_2: nitrogen dioxide

Sources: USEPA 2017a and SCAQMD 2017a

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

A project may be inconsistent with the AQMP if it would generate population, housing, or employment growth exceeding the forecasts used in the development of the AQMP. The proposed project involves the construction of a diversion structure and subsurface infiltration basin below JAFP to capture and recharge dry-weather and storm runoff. The project does not include new housing or businesses, nor would operation and maintenance of the proposed project require new employees; therefore, the project would not generate population, housing, or employment growth. As a result, the project would not exceed the Southern California Association of Governments' projected growth forecasts, which underlie the 2016 AQMP, and thus, would not conflict with or obstruct implementation of the AQMP. No impact would occur.

NO IMPACT

b. Would the project 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?

The project would generate short-term emissions associated with project construction and long-term emissions associated with maintenance of the diversion structure and subsurface infiltration basin. Construction and operational emissions were estimated using the California Emissions Estimator Model (CalEEMod) version 2016.3.2. CalEEMod was developed by the SCAQMD and is used by jurisdictions throughout the state to quantify criteria pollutant emissions.

For the purposes of modeling, the analysis relied upon the following conservative assumptions:

- Haul trucks would have a capacity of 10 cubic yards and would transport soil material approximately 19.8 miles (driving distance) from the project site.
- All three phases of the project would be constructed sequentially over a period of approximately 45 months, between September 2019 and July 2023. For the purposes of this Air Quality analysis, it was conservatively anticipated that construction could occur over 30 months, such as if construction activities for Phases 2 and/or 3 may overlap with construction activities for Phase 1. This approach was selected for the issue area of Air Quality because it results in the most intense daily air pollutant emissions that may occur. However, as stated above, construction of the proposed project is realistically anticipated to occur over a period of 45 months. Following are the assumptions for the 30-month construction period that were utilized for the purposes of this Air Quality analysis, with construction beginning in September 2019 at the earliest:[7]
  - Site Preparation: one month
  - Grading, Excavation, System Installation, and Backfilling: 30 months
  - Demolition of Parking Lot: one month
  - Paving of Parking Lot: one month
- Site restoration (e.g., irrigation installation, reseeding, replanting) would primarily be completed using hand tools rather than large, emission-generating construction equipment
- Upon completion of system installation, the northern parking used for construction staging would be demolished and repaved
- Construction activities would comply with SCAQMD Rule 403, an existing regulation that requires construction projects to suppress fugitive dust emissions
- Construction equipment would be Tier 3 at a minimum per the requirements of SCAQMD Rule 401 and the California Air Resources Board's (CARB's) In-use Off-road Diesel-Fueled Fleets Regulation
- Quarterly maintenance activities would require two, one-way passenger vehicle trips by a staff member(s) and the use of a Vactor catch basin cleaner attached to a utility truck

Construction Emissions

Project construction would generate temporary air pollutant emissions associated with fugitive dust and exhaust emissions from heavy construction vehicles. The demolition and grading phases of the project would involve the largest use of heavy equipment and generation of fugitive dust. Table 7 summarizes maximum daily pollutant emissions during construction of the project.

[7] The assumption construction will occur sequentially and at the earliest foreseeable date is a conservative assumption because construction equipment is anticipated to become more efficient and with lower air emissions over time. Therefore, assuming the use of the least efficient equipment possible results in reasonable worst-case construction emissions.

Table 7 Construction Emissions Compared to SCAQMD Thresholds

	Estimated Maximum Daily Emissions (pounds/day)					
	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Maximum	2.7	50.1	47.1	0.1	15.2	5.9
SCAQMD Regional Thresholds	55	55	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No
Maximum (on-site only)	0.9	19.1	24.7	< 0.1	9.1	5.4
Local Significance Thresholds (on-site only)	n/a	114	861	n/a	21	6
Threshold Exceeded?	n/a	No	No	n/a	No	No

SCAQMD: South Coast Air Quality Management District; ROG: reactive organic gases; NO_X: nitrogen oxides; CO: carbon monoxide; SO_X: sulfur oxides; PM_{10}: particulate matter 10 microns or less in diameter; $PM_{2.5}$: particulate matter 2.5 microns or less in diameter

See Appendix A for modeling details and CalEEMod results.

Notes: Emissions presented are the highest of the winter and summer modeled emissions. Numbers may not add up due to rounding. Emission data is sourced from "mitigated" results, which include measures that will be implemented during project construction, such as watering of soils during construction required under SCAQMD Rule 403.

As shown in Table 7, project construction emissions would not exceed the SCAQMD's regional thresholds or LSTs. Therefore, impacts to regional air quality and local receptors due to construction emissions would be less than significant.

Operational Emissions

The proposed project would generate operational emissions from maintenance activities and electricity usage. The project would require quarterly site visits for visual inspection, maintenance activities, and as-needed repairs. Maintenance activities would require the use of a utility truck equipped with a Vactor catch basin cleaner to clean the HDS trash capture device. In addition, data recorders installed on the diversion structure and subsurface infiltration basin would incrementally increase daily electricity use; however, CalEEMod only calculates direct emissions of criteria pollutants from energy sources which combust on-site, such as natural gas used in a building (SCAQMD 2017b). CalEEMod does not calculate or attribute emissions of criteria pollutants from electricity generation to individual projects because fossil fuel power plants are existing stationary sources permitted by air districts and/or the USEPA, and they are subject to local, State and federal control measures. Criteria pollutant emissions from power plants are associated with the power plants themselves, and not individual projects or electricity users. Table 8 summarizes maximum daily pollutant emissions during operation of the project.

Table 8 Operational Emissions Compared to SCAQMD Thresholds

	Estimated Maximum Daily Emissions (pounds/day)					
	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Area	0.1	< 0.1	< 0.1	< 0.1	< 0.1	< 0.1
Mobile	0.1	0.3	1.0	< 0.1	0.3	0.1
Total	0.2	0.3	1.0	< 0.1	< 0.1	0.1
SCAQMD Thresholds	75	100	550	150	150	55
Threshold Exceeded?	n/a	No	No	n/a	No	No

SCAQMD: South Coast Air Quality Management District; ROG: reactive organic gases; NO_X: nitrogen oxides; CO: carbon monoxide; SO_X: sulfur oxides; PM_{10}: particulate matter 10 microns or less in diameter; $PM_{2.5}$: particulate matter 2.5 microns or less in diameter

See Appendix A for modeling details and CalEEMod results.

Notes: Emissions presented are the highest of the winter and summer modeled emissions. Numbers may not add up due to rounding.

As shown in Table 8, operational emissions from the proposed project would not exceed the SCAQMD thresholds for any criteria pollutant. Therefore, operational emissions would be negligible and would have a less than significant impact on regional air quality.

General Conformity Assessment

As discussed previously (see "Construction" in the Project Description), construction of each of the three project phases would occur consecutively, funding permitting, and would require approximately 15 months per phase. As such, with construction initiating in late 2019, emissions associated with construction phases would occur through 2022. Table 9 summarizes the project's total annual emissions for 2022, which includes construction and operational emissions, and for 2023 onwards, which includes operational emissions only, and compares those to the applicable *de minimis* threshold for the SCAB region. As shown in Table 9, the project's criteria air pollutant emissions would not exceed the applicable *de minimis* thresholds. Therefore, the general conformity requirements do not apply to these pollutants, and the project is exempt from a conformity determination.

Table 9 Maximum Annual Project Emissions Compared to De Minimis Threshold

	Estimated Annual Emissions (tons/year)					
	VOC	NO_X	CO	PM_{10}	$PM_{2.5}$	SO_2
Maximum Construction Plus Operational Emissions	0.3	6.4	6.0	1.1	0.6	0.02
Maximum Operational Emissions	< 0.01	< 0.01	< 0.01	< 0.01	< 0.01	< 0.01
De Minimis Thresholds	10	100	100	100	70	100
Threshold Exceeded?	No	No	No	No	No	No

VOC: volatile organic compounds; NO_X: nitrogen oxides; CO: carbon monoxide; PM_{10}: particulate matter 10 microns or less in diameter; $PM_{2.5}$: particulate matter 2.5 microns or less in diameter; SO_2: sulfur dioxide

See Appendix A for modeling details and CalEEMod results. Emission data is sourced from "mitigated" results, which include measures that will be implemented during project construction, such as watering of soils during construction required under SCAQMD Rule 403 and use of Tier 3 equipment required under SCAQMD Rule 401.

Source: USEPA 2017a

Based on the impact analysis provided above, potential impacts of the proposed project related to the violation of an air quality standard or a cumulatively considerable net increase of criteria pollutants would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c. Would the project expose sensitive receptors to substantial pollutant concentrations?

Certain population groups, such as children, the elderly, and people with health problems, are particularly sensitive to air pollution. Sensitive receptors are defined as land uses that are more likely to be used by these population groups and include health care facilities, retirement homes, school and playground facilities, and residential areas. As described above, the project site is located adjacent to a residential neighborhood. As discussed under significance criteria (b) and (c) above, the project's construction emissions would not exceed the SCAQMD regional thresholds or LSTs, which are designed to be protective of public health.

Traffic-congested roadways and intersections have the potential for the generation of localized CO levels (i.e., CO hotspots). In general, CO hotspots occur in areas with poor circulation or areas with heavy traffic. As discussed above, operation of the proposed project would require quarterly maintenance activities, which would require two, one-way passenger vehicle trips by a staff member(s) and a trip by a utility truck equipped with a Vactor catch basin cleaner. This incremental increase in traffic volumes would not significantly affect congestion on local roadways, as discussed in Section 3.17, *Transportation*. Therefore, the project would not result in CO hotspots on adjacent roadways. The project would not expose sensitive receptors to substantial pollutant concentrations, and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

d. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

The project would generate oil or diesel fuel odors during construction from equipment as well as odors related to asphalt paving. The odors would be limited to the construction period and would be temporary. The project would not generate objectionable odors because the proposed facilities would be located entirely below the ground surface and would have a low potential to generate odors. As a result, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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3.4 Biological Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	■	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	■
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	■
d. 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?	☐	☐	☐	■
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	■
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	■

a. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

The Study Area for biological resources is defined as the project site, including staging and construction areas, plus a 100-foot buffer surrounding the project site. Based on a query of the California Natural Diversity Database (CNDDB) and California Native Plant Society (CNPS), there are 41 special-status plant species and 40 special-status wildlife species documented within a five-mile radius (or eight-quad search for CNPS) of the Study Area. All 81 species were evaluated for potential to occur within the Study Area. Special-status species typically have very specific habitat requirements which may include, but are not limited to, vegetation communities, elevation levels and topography, and availability of primary constituent elements (i.e., space for individual and population growth, breeding, foraging, and shelter). No special-status species were detected during the field reconnaissance survey. Given the high degree of urbanization within the Study Area and lack of suitable habitat for each species, no special-status plant or wildlife species are expected to occur. Additionally, there is no critical habitat designated by the United States Fish and Wildlife Service (USFWS) within the Study Area. Therefore, potential impacts to species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS would be less than significant because it is unlikely to encounter such species during project activities.

The detailed analysis of the potential for special status species to occur is provided in the Biological Resources Assessment for the proposed project, located in Appendix B.

LESS THAN SIGNIFICANT IMPACT

b. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Three sensitive natural communities were listed within a 5-mile radius of the Study Area: California Walnut Woodland, Southern Coastal Salt Marsh, and Walnut Forest. None of these communities are present within the Study Area. No riparian habitat is present within the Study Area. Therefore, the proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community.

NO IMPACT

c. Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No potentially-jurisdictional waters were observed within the Study Area. The closest potentially-jurisdictional water is the concrete-lined Rio Hondo channel, approximately 150 feet south of the Study Area. This channel is nearby, but outside of the area that will be impacted by the proposed project. Therefore, no adverse effect on State or federally protected wetlands will occur as a result of the proposed project.

NO IMPACT

d. Would the project 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?

Wildlife movement corridors, or habitat linkages, are generally defined as connections between habitat patches that allow for physical and genetic exchange between otherwise isolated animal populations. Such linkages may serve a local purpose, such as providing a linkage between foraging and denning areas, or they may be regional in nature. Some habitat linkages may serve as migration corridors, wherein animals periodically move away from an area and then subsequently return. Others may be important as dispersal corridors for young animals. A group of habitat linkages in an area can form a wildlife corridor network.

Land use surrounding the project site consists primarily of residential, commercial, and industrial development and heavily-travelled arterial roads. These areas do not contain corridors that facilitate regional wildlife movement. Grassy areas at the JAFP site may occasionally be used by birds traveling through the area; however, any disruption associated with the proposed project would be temporary and limited to the project construction period. In addition, the project site would be returned to original condition following project construction. Therefore, the proposed project would not interfere with wildlife movement and no impact would occur.

NO IMPACT

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The City's General Plan does not contain specific policies regarding protection of biological resources except to state that the City shall continue to evaluate the environmental impacts of new development and provide mitigation measures prior to approval, as required by CEQA.

The proposed project will not conflict with any local policies or ordinances protecting biological resources. The Project site is also not subject to any Habitat Conservation Plans, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. No impact would occur.

NO IMPACT

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3.5 Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	■
b. Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	☐	■	☐	☐
c. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	■	☐

The analysis in this section is based on the Cultural Resources Assessment conducted for the project site by Rincon Consultants, Inc. (Rincon), which is included as Confidential Appendix C. The Cultural Resources Assessment documented the results of the tasks performed by Rincon, which included a cultural resource records search, field survey of the project area, historical background review, and Native American and local historic group outreach. The analysis in this section has been prepared in accordance with Section 15064.5 of the *State CEQA Guidelines*.

The significance of cultural resources and impacts to those resources is determined by whether or not those resources can increase our collective knowledge of the past. The primary determining factors are site content and degree of preservation.

For the purpose of this analysis, a significant impact would occur if physical changes to these resources would result in the following conditions, listed in Appendix G of the *State CEQA Guidelines*:

1) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5
2) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5
4) Disturb any human remains, including those interred outside of formal cemeteries

A "substantial adverse change" in the significance of a historical resource is defined as "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired." State CEQA Guidelines Section 15064.5(b) states the significance of an historical resource is "materially impaired" when a project does any of the following:

- Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in the California Register of Historical Resources

- Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources or its identification in an historical resources survey, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant
- Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA

State CEQA Guidelines Section 15064.5 also states the term "historical resources" shall include the following:

1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in, the California Register of Historical Resources (Public Resources Code [PRC] Section 5024.1, Title 14 California Code of Regulations [CCR], Section 4850 et. seq.).
2) A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the PRC or identified as significant in an historical resource survey meeting the requirements of Section 5024.1(g) of the PRC, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing in the California Register of Historical Resources [CRHR] (PRC Section 5024.1, Title 14 CCR, Section 4852) as follows:
    - Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage
    - Is associated with the lives of persons important in our past
    - Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values
    - Has yielded, or may be likely to yield, information important in prehistory or history (State CEQA Guidelines Section 15064.5)

Properties listed on the National Register of Historic Properties (NRHP) are automatically listed on the CRHR, along with State Landmarks and Points of Interest. The CRHR can also include properties designated under local ordinances or identified through local historical resource surveys.

To address historical resources and archaeological resources, a cultural resources study was prepared for the project including a cultural resources records search at the South Central Coastal Information Center (SCCIC), an SLF search with the Native American Heritage Commission, local historical group outreach, and pedestrian survey. The study was documented in the Cultural Resources Assessment (Confidential Appendix C).

a. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

As a result of the cultural resources survey, one historic-era property (JAFP) was identified and evaluated for consideration as a historical resource. JAFP occupies an approximately 50-acre irregular-shaped footprint bounded by Scout Avenue and Park Lane on the north, the Rio Hondo on the south, Ford Park Adult Center on the east, and an electrical transmission line right-of-way on the west. Several discrete components make up the recreation facility, including a traditional landscaped park, swimming pool facility, a gymnasium and community building, two playgrounds with jungle gym equipment, the nine-hole Bell Gardens Golf Course, and the Bell Gardens Sports Center, which consists of soccer pitches and softball and baseball diamonds. The park terrain alternates from generally level to gently rolling hills. Landscaping consists of wide lawns planted generously with mature trees, an irregular-shaped artificial pond, and several trees planted in the property's three parking lots. Existing buildings on the property include: the Gym/Community Building, the Pool House, the Utility Building, the Snack Bar Building, the Office/Shop Building, and the Restroom Building.

Constructed in 1958, the Gym/Community Building is located centrally in the park, near its Park Lane frontage. The minimally Mid-century modern-style building is irregular in plan, sits on a concrete foundation, and is capped with a flat roof clad in roll-on roofing material. While the building appears to be a single level, its three component parts are of varying heights, ranging from a low office section to a high-ceilinged indoor gymnasium. Its common-bond brick exterior encloses a steel-frame structural system. Entrances feature solid wood single and double doors, but also include a glazed aluminum assembly at the public entryway. Windows are mostly confined to the west elevation, where a series of fixed aluminum sashes face a recessed walkway sheltered by a flat overhang with metal pole supports. Concrete walkways encircle the building, facilitating circulation between the building, other areas of the park, and the nearby public right-of-way. A metal pergola with spider-leg supports shelters the walkway between the Gym/Community Building and the Pool House.

The Pool House was constructed in 1958 and shares the modestly Mid-century modern architectural style of the Gym/Community Building. Long and rectangular in plan, it is a single story with a flat roof with roll-on cladding. Its brick exterior echoes that of its counterpart. Entries are located on the north and east elevations and feature solid wood doors. On the east elevation, a pair of doors flanks a ribbon of three wood- or aluminum-sash windows, forming the principal entryway to the adjacent swimming pool area. A brick wall perforated by three metal gates runs to the east of the Pool House, extending the plane of its north elevation. This feature encloses the north side of the pool area, while a high metal fence encloses the other sides. The rectangular, concrete-lined swimming pool is oriented perpendicular to the Pool House and encircled by a concrete deck. Two diving boards are located at the east end of the pool.

Three additional, comparatively minor buildings are located in the park. The one-story, Modern-style Utility Building is located at the east playground. It was constructed ca. 1958-1963 and features a rectangular plan, brick and stucco siding, and a low-pitched gabled roof with wide eaves. Situated near the pond is a Restroom Building with a square plan, rusticated masonry exterior, and a moderate-pitched hipped roof clad in standing seam metal. Three nearby picnic table shelters are designed in a similar manner. Located centrally in the Bell Gardens Sports Complex is a Snack Bar Building, including restroom. Vernacular in style and built ca. 2009, it features a rectangular plan, concrete block veneer, and a gabled roof with wood shake shingles. Two solid restroom doors open on its north elevation, and a service counter window punctuates the west elevation. Finally, the

modest, Modern-style Office/Shop Building sits at the northwest end of the Bell Gardens Golf Course. The rectangular plan, one-story building was constructed in 1976 and features brick and stucco exterior walls and a low-pitched gabled roof with asphalt shingles. Glazed wood entry doors punctuate the south and east elevations. A ribbon of fixed-pane windows runs across much of the south elevation, before wrapping around to the east side of the building.

The majority of the property is landscaped for varied recreational uses. The eastern side of the facility is a traditional park, with an expansive lawn and mature trees planted on generally level terrain. Concrete walkways traverse the grounds, some leading to the curvilinear, concrete-lined artificial pond. The Bell Gardens Sports Complex features a pair of baseball/softball diamonds and four soccer pitches. A network of concrete walkways converges at the center of the complex, providing access the baseball diamonds' bleachers and providing an elevated vantage point adjacent to the two northernmost soccer pitches. Landscaped areas within the sports complex are characterized by relatively small lawns and young trees planted on undulating terrain. At the southwest end of the park, the Bell Gardens Golf Complex is characterized by undulating greens, clusters of mature shade trees, and a row of mature trees marking the course's western boundary. In addition, there are two asphalt-paved parking lots fronting Park Lane. The larger lot is L-shaped, following the boundary of the park's northwest corner. The smaller rectangular lot is located at the northeast end of the park. Both lots are landscaped with a park strip along the public right-of-way; the larger lot is also planted intermittently with mature trees.

The park was named in honor of John Anson Ford, an influential Los Angeles County Supervisor who served in that role from 1934 to 1958. Over his career as County Supervisor, Ford earned recognition for reforming the County Purchasing Department, establishing the Human Relations Commission, and providing political support for many Los Angeles County recreation and cultural institutions, including the Hollywood Bowl and Descanso Gardens. Anson was also active in State-level Democratic Party Politics, serving on the state party's Central Committee in the 1940s and 1950s and as chairman of the Southern California Citizens for Kennedy Committee during the 1960 presidential campaign (Cunningham and Dixon 1967; New York Times 1983).

Ford played a direct, if limited, role in the park's establishment. He stated in a 1967 interview that his deputy, Ray Nortvedt, initially recommended the Boy Scouts property as a future park site. Ford forwarded Nortvedt's recommendation to the County Parks Department, suggesting the agency acquire the parcel (Cunningham and Dixon 1967). In 1956, during a regional population boom, the Board of Supervisors authorized the $103,750 purchase of the land from the Boy Scouts (Valley News 1956; Cunningham and Dixon 1967). The lodge, five cabins, and a caretaker's residence that made up the camp were razed to allow for the construction of a new park (Valley News 1956; NETROnline 2019). The Board of Supervisors budgeted another $1 million for the construction of the park, $700,000 of which was earmarked to construct a community building and a swimming pool facility. The remainder funded the construction of non-building features, such as the baseball and softball diamonds, picnic amenities, and parking lots. Shortly before Ford's retirement in 1958, the Board of Supervisors revealed it would name the park in his honor (Cunningham and Dixon 1967).

Envisioned as a regional park capable of serving a population of 250,000, JAFP was part of a larger, $1.5-million effort to expand and improve the Los Angeles County Department of Parks and Recreation's facilities in the growing "Southern Communities" of metropolitan Los Angeles during the 1956-1957 fiscal year (Los Angeles Times 1956). In the postwar era, urban planners advocated the construction of recreational facilities, as a means of encouraging physically healthful and pro-social behaviors among the members of a booming urban population. In particular, they promoted

facility designs that combined specialized athletic fields and landscaped parkland that would "properly channel the energies of boys and young men" (City of Los Angeles 2017).

A ground-breaking ceremony took place in March 1958, with Parr Contracting Company of Culver City charged with constructing the pool and community building complex (Los Angeles Times 1958). When the park opened on November 1, 1958, it largely resembled its current form, though it did not expand as far to the southwest as it currently does. The community building and swimming pool complex stood near the center of the facility, with the landscaped park and picnic areas to the east and baseball and softball diamonds to the west. Parking lots lined the north side of the park, along Scout Avenue and Park Lane (Los Angeles Times 1958; National Recreation Association 1958). Although Bell Gardens incorporated three years later, in 1961, the park remained under County ownership. In August 1976, the existing nine-hole golf course situated at the southwest end of the park opened for daily public use (Los Angeles Times 1976). A school campus now operated as the Ford Park Adult School was built at the east end of the park, partially on park property, sometime between 1972 and 1994 (NETROnline 2019). County officials transferred title to the park to the City of Bell Gardens in 1994. Soccer pitches were added in 2003 to the area that now constitutes the Bell Gardens Sports Center, though this section of the park was soon rebuilt with two new baseball and softball diamonds, five soccer pitches, and the Snack Bar Building (Google Earth 2018; NETROnline 2019).

JAFP is not eligible for listing on the NRHP or the CRHR. While the property was constructed as part of a postwar program to improve and expand Los Angeles County's park system, available sources do not suggest this event was of singular historical significance or that the subject park was particularly important to, or emblematic of, that event. Thus, JAFP does not appear eligible for listing on under Criteria A/1.

The park is associated with former County Supervisor John Anson Ford, a prominent proponent of publicly funded cultural and recreational institutions during his 34-year career on the County Board of Supervisors. Although Ford is arguably a significant figure in the postwar history of Los Angeles County, he played a limited role in the establishment of the recreational facility that bears his name and credited his deputy Ray Nortvedt for initially identifying the site as one suitable for a regional park. Because of this, the property's association with Ford is not strong. What is more, Ford played a direct role in the histories of many other recreational and cultural institutions in Los Angeles County. Among these, Descanso Gardens and the Hollywood Bowl are more significant than the subject park and appear to possess stronger associations with the historically significant aspects of Ford's career in Los Angeles County politics (Cunningham and Davis 1967). Additionally, research for the present evaluation did not suggest Ray Nortvedt or any other individual associated with the subject park have made significant historical contributions. In light of this, the subject property does not appear eligible for listing under Criteria B/2.

Neither the recreational facility as a whole nor any of its architectural or landscaping components possesses outstanding merit for their design or construction. Three buildings at JAFP have reached 50 years of age, including the Gym/Community Building, the Pool House, and the Restroom Building situated near the west playground. Each of these buildings is designed in modest iterations of the Mid-century modern style of architecture. Institutional buildings of this type and style are unremarkable and ubiquitous throughout California. Likewise, the recreational facility's landscaping and overall plan are typical of such properties and bear no evidence of outstanding design. Consequently, the subject property does not appear eligible for listing under Criteria C/3. Finally, because the property has not yielded, and is unlikely to yield, important information regarding history and prehistory, JAFP does not appear eligible for listing under Criteria D/4.

As a property that is ineligible for listing in the NRHP or CRHR, it is not considered a historical resource for the purposes of CEQA. As there are no historical resources within the project area, the project would result in no impact to historical resources and no mitigation is required.

NO IMPACT

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

The results of the cultural resources records search, historical society group consultation, Native American outreach, and field survey did not identify any cultural resources within the project site.

Cultural resources records searches of the California Historical Resources Information System were conducted at the SCCIC located at California State University, Fullerton. The searches were performed to identify all previously recorded cultural resources and previously recorded cultural resources studies within the project site and a 0.5-mile radius around it. No previously recorded resources exist within the project site. Rincon requested a search of the SLF from Native American Heritage Commission to identify the potential for cultural resources within the project site and to provide contact information for Native Americans groups or individuals who may have knowledge of resources within the project site. The SLF search was returned with negative results.

Rincon reached out to the nine Native American contacts provided by the Native American Heritage Commission to inquire about potential cultural resources that may be impacted by the project by mail on February 8, 2019. Rincon also conducted follow-up calls on February 26, 2019, as well as on March 29, 2019. As a result of these follow-up calls, Rincon was able to connect with the following individuals:

- **Anthony Morales, Chairperson for the Gabrieleño/Tongva San Gabriel Band of Mission Indians**. Rincon spoke with Chairperson Morales on March 29, 2019. Chairperson Morales stated that he does not have any cultural resources concerns about the proposed project because the record search and survey were negative for prehistoric resources. Chairperson Morales requested to be notified in the event that an unanticipated discovery of a cultural resource is made. Rincon confirmed for Chairperson Morales that all tribes contacted from the Native American Heritage Commission list will be contacted should an unanticipated cultural resource be discovered.
- **Andrew Salas, Chairperson for the Gabrieleño Band of Mission Indians- Kizh Nation.** Rincon spoke with Chairperson Salas on March 29, 2019. Chairperson Salas stated that he would like to investigate the project further and requested the consultation letter that Rincon mailed to him be emailed to his email address. Rincon emailed the letter as requested. Chairperson Salas did not further reply to Rincon regarding the consultation letter. However, Chairperson Salas has been in coordination with the City, and a meeting is presently scheduled for May 2, 2019.

Rincon conducted a field survey of the project site to identify any cultural resources (e.g., historical or archaeological resources) that may exist within the project site. The site is largely developed with an existing park that includes extant structures and landscaped open space. Areas without standing buildings or structures appear to have been graded or paved, including the asphalt parking lot along the northern portion of the JAFP site. Given the level of development within the site, visibility of the ground surfaces throughout the survey area was minimal, at approximately five percent. When unobstructed by extant buildings or ornamental landscaping, survey transects were spaced 15

meters apart. No evidence of archaeological resources was identified within the project site during the field survey.

Although no archaeological resources were identified within the project site by the study, there remains a low potential to encounter unanticipated archaeological resources during ground disturbing activities associated with project construction. In order to address this potential Mitigation Measure CR-1, Unanticipated Discovery of Cultural Resources, is required to provide direction for how to properly address an unanticipated discovery of cultural resources, should one occur during construction. With implementation of the precautions and direction specified in Mitigation Measure CR-1, potential impacts would be less than significant.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

Mitigation Measures

The following mitigation measure is required in the event an unanticipated discovery of cultural resources occurs during project construction.

CR-1 Unanticipated Discovery of Cultural Resources

If cultural resources are encountered during ground-disturbing activities, work in the immediate area shall be halted and an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology (National Park Service 1983) shall be contacted immediately to evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for CRHR eligibility. If the discovery proves to be eligible for listing in the CRHR and cannot be avoided by the project, additional work such as data recovery excavation and Native American consultation and archaeological monitoring may be warranted to mitigate any significant impacts to cultural resources.

c. Would the project disturb any human remains, including those interred outside of formal cemeteries?

If human remains are found, existing regulations outlined in the State of California Health and Safety Code Section 7050.5 state no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the human remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of being granted access and provide recommendations as to the treatment of the remains to the landowner.

LESS THAN SIGNIFICANT IMPACT

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3.6 Energy

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	■	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	■

California is one of the lowest per capita energy users in the United States, ranked 48th in the nation, due to its energy efficiency programs and mild climate (United States Energy Information Administration [EIA] 2018). California consumed 292,039 gigawatt-hours (GWh) of electricity and 2,110,829 million cubic feet of natural gas in 2017 (California Energy Commission [CEC] 2019; EIA 2018). In addition, Californians consume approximately 18.7 billion gallons of motor vehicle fuels per year (Federal Highway Administration 2017). The single largest end-use sector for energy consumption in California is transportation (39.8 percent), followed by industry (23.7 percent), commercial (18.9 percent), and residential (17.7 percent) (EIA 2018).

Most of California's electricity is generated in-state with approximately 30 percent imported from the Northwest and Southwest in 2017. In addition, approximately 30 percent of California's electricity supply comes from renewable energy sources, such as wind, solar photovoltaic, geothermal, and biomass (CEC 2018). Adopted on September 10, 2018, SB 100 accelerates the State's Renewables Portfolio Standards Program by requiring electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

To reduce statewide vehicle emissions, California requires that all motorists use California Reformulated Gasoline, which is sourced almost exclusively from in-state refineries. Gasoline is the most used transportation fuel in California with 15.1 billion gallons sold in 2015 and is used by light-duty cars, pickup trucks, and sport utility vehicles (CEC 2016a). Diesel is the second most used fuel in California with 4.2 billion gallons sold in 2015 and is used primarily by heavy duty-trucks, delivery vehicles, buses, trains, ships, boats and barges, farm equipment, and heavy-duty construction and military vehicles (CEC 2016b). Both gasoline and diesel are primarily petroleum-based, and their consumption releases greenhouse gas (GHG) emissions, including CO_2 and NO_X. The transportation sector is the single largest source of GHG emissions in California, accounting for 41 percent of all inventoried emissions in 2016 (CARB 2018).

The City of Bell Gardens (1995) General Plan Conservation Element contains programs related to energy usage to minimize energy consumption during construction and operation of projects. The City's General Plan is currently being updated; however, the updated Draft General Plan has not been published at the time of preparation of this IS-MND.

a. Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Energy use during project construction would be primarily in the form of fuel consumption to operate heavy equipment, light-duty vehicles, machinery, and generators. Temporary grid power may also be provided to construction trailers or electric construction equipment. Table 10 summarizes the anticipated energy consumption from construction equipment and vehicles, including construction worker trips to and from the project site. As shown therein, project construction would require approximately 111 gallons of gasoline fuel and approximately 291,346 gallons of diesel fuel.

Construction activities would occur during daytime hours. If temporary security lighting is required during project construction, the existing lighting facilities will be utilized to the maximum extent feasible. Temporary security lighting may be used on the project site for security purposes. Because certain portions of JAFP fields would be temporarily unavailable during the project construction period, electricity that would previously be used for evening field activities would not be required on those affected portions of the site during project construction. As such, if temporary lighting is required during project construction, the energy usage associated with those uses would not substantially increase the use of electricity on the project site.

Energy use during construction would be temporary in nature, and construction equipment used would be typical of similar-sized construction projects in the region. Therefore, project construction would not result in a potential impact due to wasteful, inefficient, or unnecessary consumption of energy resources, and impacts would be less than significant.

Table 10 Energy Use during Project Construction

	Fuel Consumption (Gallons)	
Source	**Gasoline**	**Diesel**
Construction Equipment & Hauling Trips	–	291,346
Construction Worker Vehicle Trips	111	–

See Appendix A for CalEEMod default values for fleet mix and average distance of travel, and Appendix D for energy calculation sheets.

During operation, the proposed project would require minimal electricity to power data recorders installed on the diversion structure and subsurface infiltration basin. Quarterly maintenance activities, which would require vehicle trips by staff and the utility truck equipped with a Vactor catch basin cleaner, would incrementally increase fuel consumption above existing conditions. However, electricity and fuel consumption would not be wasteful, inefficient, or unnecessary. In addition, the proposed project is planned for as part of the County's MS4 permit, and as discussed in Chapter 2, Project Description, the purpose of the project is to improve groundwater supply in the local basin. Ultimately this will reduce the area's dependence on imported water, which subsequently will reduce the use of energy associated with transporting important water to the project area. Therefore, potential impacts associated with energy use would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

As mentioned above, SB 100 mandates 100 percent clean electricity for California by 2045. Because the proposed project would be powered by the existing electricity grid, the project would eventually be powered by renewable energy mandated by SB 100 and would not conflict with this statewide plan. The City of Bell Gardens does not have any specific renewable energy or energy efficiency plans with which the project could comply. Nonetheless, the project would not conflict with or obstruct the State plan for renewable energy, and the project would use a minimum of electricity. Therefore, no impact would occur.

NO IMPACT

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3.7 Geology and Soils

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Directly or indirectly cause potential adverse effects, including the risk of loss, injury, or death involving:				
1. 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?	☐	☐	■	☐
2. Strong seismic ground shaking?	☐	☐	■	☐
3. Seismic-related ground failure, including liquefaction?	☐	☐	■	☐
4. Landslides?	☐	☐	■	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	■	☐
c. Be located on a geologic unit or soil that is made unstable as a result of the project, and potentially result in on or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	■	☐
d. Be located on expansive soil, as defined in Table 1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	■
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	■
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	■	☐	☐

Geology and Soils

This analysis relies on results from the Geotechnical Engineering Report prepared by Terracon Consultants in November 2018 (Appendix E). The study examined subsurface soil and groundwater conditions of the project area through exploratory soil borings and field percolation borings. The purpose of the investigation was to determine the characteristics of the subsurface materials, including infiltration rates, expansive index, and liquefaction potential. The analysis provided in this IS-MND summarizes the results of these existing geotechnical investigations and identifies existing regional and site-specific geology and soils constraints (such as liquefaction, compressible soils, and subsidence).

Topography at the project site is characterized as relatively flat. The soils at the project site range from silty sands to well-graded sands with good drainage characteristics to a depth of about 27.5 feet. These soils correspond to Hydrologic Soil Group (HSG) B. The project site is mantled by artificial manmade fill soils approximately three feet thick. Based on the results of the borings, the subsurface conditions encountered at the project site were predominantly interbedded loose to medium dense sand with variable amounts of silt and clay, and medium stiff to very stiff clay and silt with variable amounts of sand to the depth of about 50 feet below ground surface (bgs). Predominantly medium dense to very dense sand with variable amounts of silt and clay with layers of medium stiff to very stiff lean clay was encountered below 50 feet bgs to the maximum depth explored at 101.5 feet bgs.

Groundwater was encountered in borings at approximately 90 feet bgs. These observations represent groundwater conditions at the time of the field exploration and may not be indicative of other times, or at other locations. Groundwater conditions can change with varying seasonal and weather conditions, and other factors. Based on the Los Angeles County Public Works Historical Well Measurement Data referenced in the Geotechnical Engineering Report, the historic high groundwater depth is 74 feet between 1970 and 2006. This information was collected from well #1543F, which is located 1,500 feet north of the site.

According to the California Earthquake Hazards Zone Application, the project site is not located in an Alquist-Priolo Fault Zone or a landslide zone. There are no faults present on the project site (CGS 2017). The closest fault to the project site is the El Monte Fault, located approximately seven miles to the northeast. According to the Geotechnical Engineering Report, the Puente Hills (Santa Fe Springs) is considered to have the most substantial effect at the site from a design standpoint. This fault has a maximum credible earthquake magnitude of 7.03 and is located approximately 3.3 miles from the site. The project site is located in a liquefaction zone (California Geological Survey [CGS] 2017).

Paleontological Resources

A Paleontological Resources Assessment for the proposed project is included as Appendix F to this IS-MND. The Paleontological Resources Assessment is utilized as the basis for the analysis presented herein. As part of this assessment, Rincon evaluated the paleontological sensitivity of the geologic units that underlie the project site using the results of the paleontological locality search and review of existing information in the primary literature concerning known fossils within those geologic units. The study area for paleontological resources is limited to the project site, because potential impacts would only occur where ground-disturbing activities would occur. Rincon submitted a request to the Natural History Museum of Los Angeles County (LACM) for a list of known fossil localities from the project area and immediate vicinity (i.e. localities recorded on the United States

Geological Survey South Gate, 7.5-minute topographic quadrangle), and reviewed fossil collections records from the University of California Museum of Paleontology online database, which contains known fossil localities in Los Angeles County.

Following the literature review and museum records search, a paleontological sensitivity classification was assigned to the geologic units within the project area. The potential for impacts to significant paleontological resources is based on the potential for ground disturbance to directly impact paleontologically sensitive geologic units. The Society of Vertebrate Paleontology (2010) has developed a system for assessing paleontological sensitivity and describes sedimentary rock units as having high, low, undetermined, or no potential for containing scientifically significant nonrenewable paleontological resources. This criterion is based on rock units within which vertebrate or significant invertebrate fossils have been determined by previous studies to be present or likely to be present.

a. Directly or indirectly cause potential adverse effects, including the risk of loss, injury, or death involving:

1. *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?*
2. *Strong seismic ground shaking?*
3. *Seismic-related ground failure, including liquefaction?*
4. *Landslides?*

Although the project site is located in a seismically active area of southern California, none of the components of the project site would be located in an Alquist-Priolo Earthquake Fault Zone or in a landslide zone (CGS 2017). The proposed project would involve the construction of stormwater capture and subsurface infiltration systems at the project site. Design and construction of the proposed project would conform to the current seismic design provisions of the International Building Code and the California Building Code (CBC). The 2013 CBC incorporates the latest seismic design standards for structural loads and materials, as well as provisions from the National Earthquake Hazards Reduction Program, to mitigate losses from an earthquake and provide for the latest in earthquake safety. While the project would be susceptible to seismic activity given its location within a seismically active area, the project would be required to minimize this risk, to the extent feasible, through the incorporation of applicable CBC standards. In addition, all aboveground areas impacted during construction, including landscaping and hardscaping, would be restored upon completion. Operation and maintenance of the project would not involve ground-disturbing activities.

The project site is located in a liquefaction zone (CGS 2017). However, the project site has a level (flat) grade, is not located on or near steep slopes subject to liquefaction hazards, and is completely developed; as such, the project site is not considered to be subject to liquefaction hazards. It is possible the project area may be affected by other types of seismic-related ground failure due to its location within a seismically active region of Southern California, should a strong seismic event occur on a nearby fault. The project would involve ground-disturbing activities; however, as discussed above, the nearest fault to the project site is located approximately seven miles away. Therefore the project would not involve ground-disturbing activities directly on an active fault. Additionally, implementation of the project would not exacerbate the existing risk of seismic-related ground failure along faults in the project area, as the project would not directly result in a seismic

event. Because the project site is not located on or adjacent to a known earthquake fault, and the project would not introduce new infrastructure to the site that would exacerbate seismic hazards, the proposed project would not directly or indirectly cause potential adverse effects involving seismic risk. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Would the project result in substantial soil erosion or the loss of topsoil?

Soil erosion or the loss of topsoil may occur when soils are disturbed but not secured or restored, such that wind or rain events may mobilize disturbed soils, resulting in their transport off the project site. Construction activities associated with implementation of the proposed project would include grading and excavation, which could potentially result in disturbance to native soils. However, the project site has been previously disturbed and is mantled by artificial manmade fill soils approximately three feet thick. Aboveground hardscape and facilities would be restored to existing conditions upon completion of project construction.

As required by the SWRCB General Permit for Stormwater Discharges Associated with Construction Activity (Water Quality Order 99-08-DWQ), the project would prepare and implement a project-specific Stormwater Pollution Prevention Plan (SWPPP) with BMPs for erosion control. BMPs could include, but would not be limited to, preventing runoff from unprotected slopes, keeping disturbed areas to a minimum, and installing check berms and desilting basins during construction activities as necessary. With adherence to applicable laws and regulations, potential impacts associated with erosion and loss of topsoil would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c. Would the project be located on a geologic unit or soil that is made unstable as a result of the project, and potentially result in on or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?

Potential hazards associated with landslides, lateral spreading, subsidence, liquefaction, and collapse are addressed in the Geotechnical Engineering Report (Terracon 2018), which is included as Appendix E to this IS-MND and used as a basis for analysis in this section.

The project site is developed and has a relatively level grade and is therefore not considered to be subject to liquefaction hazards. In addition, the project site is not located in a landslide zone. Therefore, the project site is not considered subject to hazards associated with liquefaction, landslides, or lateral spreading.

It is possible the project site could be affected by subsidence, which is the sudden sinking or gradual downward settling of the earth's surface with little or no horizontal movement. Subsidence is caused by a variety of activities, which include, but are not limited to the withdrawal of groundwater, pumping of oil and gas from underground, the collapse of underground mines, liquefaction, and hydro-compaction. Ground subsidence and associated fissuring have occurred in Los Angeles County due to falling and rising groundwater tables. The Geotechnical Engineering Report prepared for the proposed project and included as Appendix E to this IS-MND includes measures to address subsurface stability during the project's construction period, including but not limited to: retention of the geotechnical engineer during the construction phase to observe earthwork and to perform necessary tests and observations during subgrade preparation; proof-rolling, placement, and compaction of controlled compacted fills; and backfilling of excavations to the completed subgrade. Operation and maintenance of the proposed project is not expected to

increase the potential for subsidence at the project site because the subsurface structures would be comprised of concrete or fiberglass and would be properly placed and insulated with subsurface and surface materials designed to maintain site stability.

As described in the Geotechnical Engineering Report, all pavements should be supported on a minimum of 10 inches of scarified, moisture conditioned, and compacted materials. The subgrade and aggregate base materials beneath the pavements should be compacted to minimum of 95 percent of relative compaction per the modified proctor test (ASTM D1557) with moisture contents ranging between -1% and +4% of optimum moisture content. These pavement sections are based upon the expected traffic and the existing subgrade conditions. (Terracon 2018)

Therefore, implementation of the proposed project consistent with the Geotechnical Engineering Report would not alter the site's potential to be affected by seismically-induced settlements and would not introduce new land uses that would increase potential hazards associated with seismically-induced settlements, should they occur in the project area. Potential impacts associated with seismically-induced settlements related to unstable soils would be less than significant.

LESS THAN SIGNIFICANT IMPACT

d. Would the project be located on expansive soil, as defined in Table 1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Soils with high concentrations of clay tend to be the most expansive. The soils at the project site range from silty sands to well-graded sands with good drainage characteristics. The project is not located on expansive soils and would not introduce risk to life or property as a result of expansive soils. No impact would occur.

NO IMPACT

e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

The proposed project would not introduce or increase wastewater generation at the project site. No septic tanks or wastewater disposal systems would be part of the proposed project. Therefore, no impact would occur.

NO IMPACT

f. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The project is located in the "petroliferous" Los Angeles Basin, a northwest-trending lowland plain at the northern end of the Peninsular Ranges Province, one of eleven major geomorphic provinces in California (CGS 2002). The geology of the project area is mapped at a scale of 1:100,000 by Saucedo et al. (2016) and is entirely underlain by Quaternary young alluvium, unit 2 (Qya_2). The Quaternary young alluvium was deposited during the Holocene to latest Pleistocene and is composed of slightly to poorly-consolidated and poorly sorted floodplain deposits composed of clay, silt, and sand. Intact Holocene alluvial deposits in the project area are too young to preserve paleontological resources; however, at moderate depth, the Holocene sediments may grade into older deposits of late Pleistocene age that could preserve fossil remains. Older Quaternary (Pleistocene) alluvial deposits in the Los Angeles Basin are typically composed of weakly to moderately consolidated, moderately bedded, pebble-cobble gravel and conglomerate, pebbly to

conglomeratic sand and sandstone, and silt and siltstone. Pleistocene sedimentary deposits have a well-documented record of abundant and diverse vertebrate fauna throughout California, especially within the Los Angeles Basin.

A search of the paleontological locality records at the LACM resulted in no previously recorded fossil localities in the project area; however, several vertebrate localities have been recorded nearby in Pleistocene alluvial deposits (which may underlie the project area at moderate depth below the younger Holocene surficial deposits). The closest vertebrate fossil localities, LACM 7701-7702, are located just northeast of the project area near the intersection of Atlantic Avenue and the Long Beach Freeway (Interstate 710) north of the Los Angeles River. This late Pleistocene locality yielded several fossil specimens of threespine stickleback (*Gasterosteus aculeatus*), salamander (*Batrachoseps*), lizard (*Lacertilia*), snake (*Colubridae*), rabbit (*Sylvilagus*), pocket mouse (*Microtus*), harvest mouse (*Reithrodontomys*), and pocket gopher (*Thomomys*) at depths ranging from 11 to 34 feet bgs (McLeod 2019).

Based on a literature review and museum locality search, and in accordance with Society of Vertebrate Paleontology (SVP) 2010 guidelines, the geologic units underlying the project area were determined have low to high paleontological sensitivity. Quaternary young alluvium (Qya_2) mapped at the surface of the project area has been assigned a low paleontological sensitivity because Holocene sedimentary deposits, particularly those younger than 5,000 years old, are generally too young to contain fossilized material. The Holocene sediments may be underlain by Pleistocene alluvial sediments at a moderate depth of approximately 11 feet bgs. The Pleistocene alluvium has been assigned a high paleontological resource sensitivity based on the results of the LACM record search (McLeod 2019). Although not exposed at the surface in the project area, it is necessary to account for the buried Pleistocene alluvial deposits due to their high paleontological resource potential.

Ground disturbing activities in previously undisturbed portions of the project area underlain by geologic units with a high paleontological sensitivity may result in significant impacts to paleontological resources under Appendix G of CEQA Guidelines. Impacts would be significant if construction activities result in the destruction, damage, or loss of scientifically important paleontological resources and associated stratigraphic and paleontological data. These activities may include grading and excavation that disturbs the surface or subsurface geologic formations with a high paleontological sensitivity.

As currently proposed, project ground disturbance will reach a maximum depth of 40 feet during excavation for the cisterns in the northern parking lot and adjacent baseball field and soccer field located at 8000 Park Lane (Terracon 2018). Based on the findings of the LACM, Holocene alluvium overlies the paleontologically-sensitive Pleistocene alluvium to a depth of approximately 11 feet bgs; therefore, impacts to paleontological resources are not expected above 11 feet bgs (McLeod 2019). Based on these currently proposed depths of disturbance for the project, paleontological impacts could be potentially significant for excavations at or below 11 feet bgs and mitigation would be required.

Mitigation Measures

The following mitigation measure would address the potentially significant impacts relating to the discovery of paleontological resources during project implementation. This measure would apply to all phases of project construction to identify and preserve fossils present on-site. Implementation of Mitigation Measure GEO-1 would reduce potential impacts to paleontological resources to less than

significant level and would effectively mitigate the project's impacts to these resources through the recovery, identification, and curation of previously unrecovered fossils.

GEO-1 Paleontological Resources

Prior to the commencement of construction activities, a professional Qualified Paleontologist shall be retained to develop a Worker Environmental Awareness Program (WEAP), which will include the implementation of training for on-site construction personnel on how to identify and handle unanticipated discoveries of paleontological resources. The professional Qualified Paleontologist will also be available to the City of Bell Gardens on an as-needed basis during the project construction period, in order to respond to unanticipated find(s) of paleontological resources, should they occur. Below are specifications for the Qualified Paleontologist and the WEAP.

- **Retain a Qualified Paleontologist.** Prior to the commencement of ground-disturbing activities, a Qualified Paleontologist shall be retained and remain on-call throughout the duration of the project. The Qualified Paleontologist shall have at least a Master's degree or equivalent work experience in paleontology, shall have knowledge of the local paleontology, and shall be familiar with paleontological procedures and techniques.
- **Worker Environmental Awareness Program (WEAP).** Prior to the start of ground-disturbing activities for project construction, the Qualified Paleontologist or his or her designee, shall conduct a pre-construction training session with all construction personnel that will be present during ground-disturbing construction activities for the project. During this pre-construction training session, construction personnel will be shown how to identify unanticipated paleontological resources (fossils) that may be encountered during ground-disturbing activities, and trained on how and when to notify the Qualified Paleontologist, should fossils be identified during ground-disturbing activities.

In accordance with the WEAP, should an unanticipated fossil discovery be made by construction personnel, all work in the immediate vicinity of the find shall cease and the Qualified Paleontologist shall be contacted to evaluate the find and to determine if further paleontological resources mitigation is warranted.

If a paleontological resource is discovered, construction personnel shall have the authority to temporarily divert construction equipment around the find until it is assessed for scientific significance and collected (note that all construction personnel are required to be trained on paleontological resources through implementation of the WEAP, which provides the authority to temporarily divert construction equipment). Once salvaged, significant fossils shall be prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection (such as the Natural History Museum of Los Angeles County). Curation fees are the responsibility of the project owner.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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3.8 Greenhouse Gas Emissions

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	■	☐	☐
b. Conflict with any applicable plan, policy, or regulation adopted for the purposes of reducing the emissions of greenhouse gases?	☐	■	☐	☐

Climate change is the observed increase in the average temperature of the earth's atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period of time. The baseline against which these changes are measured originates in historical records identifying temperature changes that have occurred in the past, such as during previous ice ages. The global climate is continuously changing, as evidenced by repeated episodes of substantial warming and cooling documented in the geologic record. The rate of change has typically been incremental, with warming or cooling trends occurring over the course of thousands of years. The past 10,000 years have been marked by a period of incremental warming, as glaciers have steadily retreated across the globe. However, scientists have observed acceleration in the rate of warming during the past 150 years. Per the United Nations Intergovernmental Panel on Climate Change (IPCC), the understanding of anthropogenic warming and cooling influences on climate has led to a high confidence (95 percent or greater chance) that the global average net effect of human activities has been the dominant cause of warming since the mid-twentieth century (IPCC 2007).

Gases that absorb and re-emit infrared radiation in the atmosphere are called greenhouse gases (GHGs). The gases that are widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), fluorinated gases such as hydrofluorocarbons (HFC) and perfluorocarbons (PFC), and sulfur hexafluoride (SF_6). Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

GHGs are emitted by both natural processes and human activities. Of these gases, CO_2 and CH_4 are emitted in the greatest quantities from human activities. Emissions of CO_2 are largely by-products of fossil fuel combustion, whereas CH_4 results from off-gassing associated with agricultural practices and landfills. Man-made GHGs, many of which have greater heat-absorption potential than CO_2, include fluorinated gases and SF_6 (USEPA 2018a). Different types of GHGs have varying global warming potentials (GWPs). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO_2) is used to relate the amount of heat absorbed to

the amount of gas emitted, referred to as "carbon dioxide equivalent" (CO_2e), and is the amount of a GHG emitted multiplied by its GWP. CO_2 has a 100-year GWP of one. By contrast, CH_4 has a GWP of 25, meaning its global warming effect is 25 times greater than CO_2 on a molecule per molecule basis (IPCC 2007).

Project implementation would generate GHG emissions through the burning of fossil fuels and other emission sources, thus potentially contributing to cumulative impacts related to climate change. In response to an increase in man-made GHG concentrations over the past 150 years, California implemented Assembly Bill (AB) 32, the "California Global Warming Solutions Act of 2006." AB 32 codified the statewide goal of reducing emissions to 1990 levels by 2020 (essentially a 15 percent reduction below 2005 emission levels) and adopted regulations to require reporting and verification of statewide GHG emissions.

On September 8, 2016, the governor signed Senate Bill (SB) 32 into law, which requires the state to further reduce GHGs to 40 percent below 1990 levels by 2030. SB 32 extends AB 32, directing CARB to reduce GHGs to 40 percent below 1990 levels by 2030. In response, on December 14, 2017, CARB adopted the 2017 Scoping Plan, which provides a framework for achieving the 2030 target. The 2017 Scoping Plan does not provide project-level thresholds for land use development. Instead, it recommends that local governments adopt policies and locally-appropriate quantitative thresholds consistent with a statewide per capita goal of six metric tons (MT) CO_2e by 2030 (CARB 2017). As stated in the 2017 Scoping Plan, these goals may be appropriate for plan-level analyses (city, county, subregional, or regional level), but not for specific individual projects because they include all emissions sectors in the state.

The vast majority of individual projects do not generate sufficient GHG emissions to directly influence climate change. However, physical changes caused by a project can contribute incrementally to cumulative effects that are significant, even if individual changes resulting from a project are limited. The issue of climate change typically involves an analysis of whether a project's contribution towards an impact would be cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (CEQA Guidelines Section 15064[h][1]).

Significance Thresholds

The CEQA Guidelines provide regulatory direction for the analysis and mitigation of GHG emissions appearing in CEQA documents, while giving lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts.

In guidance provided by the SCAQMD's GHG CEQA Significance Threshold Working Group in September 2010, SCAQMD considered a tiered approach to determine the significance of residential, commercial, and mixed-use projects. The draft tiered approach is outlined in meeting minutes dated September 29, 2010 (SCAQMD 2010).

- **Tier 1.** If the project is exempt from further environmental analysis under existing statutory or categorical exemptions, there is a presumption of less than significant impacts with respect to climate change. If not, then the Tier 2 threshold should be considered.
- **Tier 2.** Consists of determining whether or not the project is consistent with a GHG reduction plan that may be part of a local general plan, for example. The concept embodied in this tier is equivalent to the existing concept of consistency in CEQA Guidelines section 15064(h)(3), 15125(d) or 15152(a). Under this Tier, if the proposed project is consistent with the qualifying

local GHG reduction plan, it is not significant for GHG emissions. If there is not an adopted plan, then a Tier 3 approach would be appropriate.

- **Tier 3.** Establishes a screening significance threshold level to determine significance. The Working Group has provided a recommendation of 3,000 MT of CO_2e per year for land use projects.
- **Tier 4.** Establishes a service population threshold to determine significance. The Working Group has provided a recommendation of 4.8 MT of CO_2e per year for land use projects.

Under Tier 2, project impacts would be less than significant if a project is consistent with an approved local or regional plan. The City of Bell Gardens has not adopted a plan for the reduction of GHG emissions; therefore, Tier 2 does not apply, and the GHG analysis of the project cannot be streamlined via CEQA Guidelines Section 15183.5. Because the City of Bell Gardens does not have a "qualified" GHG reduction plan, GHG emissions from the proposed project were compared to the recommended Tier 3 screening level quantitative threshold of 3,000 MT of CO_2e per year. In addition, this analysis evaluates the project for consistency with the 2017 Scoping Plan to determine whether GHG emissions generated by the project would be significant. According to the 2017 Scoping Plan, "absent conformity with an adequate geographically-specific GHG reduction plan…CARB recommends that projects incorporate design features and GHG reduction measures, to the degree feasible, to minimize GHG emissions" (CARB 2017).

a. Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?

b. Would the project conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Project emissions were estimated using CalEEMod version 2016.3.2 and the assumptions outlined in Section 3.3, *Air Quality*. Calculations of CO_2, CH_4, and N_2O emissions are provided to identify the magnitude of potential project effects. The analysis focuses on CO_2, CH_4, and N_2O because these make up 98.9 percent of all GHG emissions by volume and are the GHG emissions the project would emit in the largest quantities (IPCC 2007). Calculations are based on the methodologies discussed in the California Air Pollution Control Officers Association (CAPCOA; 2008) *CEQA and Climate Change* white paper and included the use of the California Climate Action Registry (2009) General Reporting Protocol. For mobile sources, CO_2 and CH_4 emissions were quantified in CalEEMod. Because CalEEMod does not calculate N_2O emissions from mobile sources, N_2O emissions were quantified using guidance from CARB (2013; see Appendix A for calculations), which states the following:

- For gasoline vehicles, use 4.16 percent of NO_x emissions (from CalEEMod) to calculate N_2O for all gasoline vehicles; and
- For diesel vehicles, use 0.3316 grams of NO_x per gallon fuel used.

During operation of the proposed project, it was assumed that 50 percent of vehicle trips to the site would be gasoline vehicles (staff member trips) and 50 percent of vehicle trips would be diesel vehicles (utility trucks equipped with Vactors). Assumptions associated with project construction are provided below.

Construction Emissions

Project construction would generate GHG emissions from the operation of heavy equipment, motor vehicles, and worker trips to and from the site. As shown in Table 11, emissions from project construction would be approximately 3,821 MT of CO_2e, or 127 MT of CO_2e per year when amortized over a 30-year period in accordance with SCAQMD recommendations (SCAQMD 2008c).

Table 11 Estimated Construction GHG Emissions

Emission Source	Project Emissions (MT of CO_2e /year)
2019	505.6
2020	1,472.5
2021	1,454.7
2022	387.8
Total Construction Emissions	3,820.6
Total Amortized over 30 Years	127.4

MT = metric tons, CO_2e = carbon dioxide equivalents
See Appendix A for CalEEMod worksheets.

Combined Annual Emissions

In addition to project construction emissions, operation of the proposed project would generate GHG emissions from electricity usage and quarterly maintenance activities. Electricity would only be required to power data recorders installed on the diversion structure and subsurface infiltration basin; therefore, GHG emissions from electricity would be negligible. Quarterly maintenance activities would require one vehicle trip by a staff member and use of a Vactor catch basin cleaner. Operational emissions would be approximately 0.5 MT of CO_2e per year; therefore, combined construction and operational GHG emissions would be approximately 127.9 MT of CO_2e per year, which would not exceed the SCAQMD Tier 3 threshold of 3,000 MT of CO_2e per year (see Appendix A for CalEEMod worksheets). The majority of project-related GHG emissions would be temporary emissions generated by project construction with minimal GHG emissions related to operation and maintenance activities.

As discussed above, the City of Bell Gardens does not have a GHG reduction plan; therefore, there are no local GHG reduction plans that would apply to the proposed project. Therefore, the project is evaluated in light of the goals of the 2017 Scoping Plan. Approximately two percent of total energy usage in California is used for the conveyance, treatment, and distribution of water. One of the goals of the 2017 Scoping Plan is to "develop and support more reliable water supplies for people, agriculture, and the environment, provided by a more resilient, diversified, sustainably managed water resources system with a focus on actions that provide direct GHG reductions" (CARB 2017).

The proposed project would reduce GHG emissions from water conveyance systems by recharging the Central Subbasin of the Coastal Plain of the Los Angeles Central Groundwater Basin through the infiltration of stormwater runoff, thereby augmenting local groundwater supply. By replenishing local water sources, the project would result in less reliance on water transported from northern California to southern California by the State Water Project and would therefore reduce energy

consumed by water conveyance systems. Therefore, although the project would generate temporary construction emissions and minimal operational emissions, the project would ultimately be consistent with the GHG reduction goals of the 2017 Scoping Plan by reducing GHG emissions from water conveyance systems. Impacts related to GHG emissions would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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3.9 Hazards and Hazardous Materials

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	■	☐	☐
b. 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?	☐	■	☐	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	☐	■	☐	☐
d. Be located on a site that is included on a list of hazardous material 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?	☐	☐	■	☐
e. For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	■
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	■
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☐	■

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

b. Would the project 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?

Construction of the proposed project would temporarily increase the transport and use of hazardous materials in the project area through the operation of vehicles and equipment; such substances include diesel fuel, oil, solvents, and other similar materials that would be brought onto the construction site for use and storage during the construction period. The use, transport, and storage of these materials during construction of the project could introduce the potential for an accidental spill or release to occur. Operation and maintenance of the project would not involve the routine transport, use, or disposal of hazardous materials, and therefore potential impacts are limited to the construction period.

The presence of hazardous material during project construction, including but not limited to ground-disturbing activities such as grading and excavation, could result in an accidental upset or release of hazardous materials if they are not properly stored and secured. Hazardous materials used during project construction would be disposed of off-site in accordance with all applicable laws and regulations. However, if accidental conditions during project construction result in a release of hazardous materials into the environment, potential impacts could occur. In order to address this potential for an unanticipated spill or release to occur during project construction, Mitigation Measure HAZ-1 would be implemented to reduce or avoid potential impacts. This mitigation measure would implement a Hazardous Materials Management and Spill Control Plan to address the proper use, handling, and storage of hazardous materials during project construction and operation. Therefore, potential impacts would be less than significant with mitigation incorporated.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

Mitigation Measures

With implementation of the following mitigation measure, the potential impacts related to hazardous materials would be reduced to less than significant:

HAZ-1 Hazardous Materials Management and Spill Control Plan

Before construction begins, the construction contractor shall develop and implement a Hazardous Materials Management and Spill Control Plan (HMMSCP) that includes a project-specific contingency plan for hazardous materials and waste operations. The HMMSCP shall establish policies and procedures consistent with applicable codes and regulations, including but not limited to the California Building and Fire Codes, as well United States Department of Labor OSHA and California OSHA regulations. The HMMSCP shall articulate hazardous materials handling practices to prevent the accidental spill or release of hazardous materials.

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?

The project site is located approximately 0.25 mile southwest of the Ford Park Adult Center, an adult education center associated with the Montebello Community Adult School. There are no other schools located within 0.25 mile of the project site. Neither construction nor operation and maintenance of the project would result in hazardous emissions, as the vehicles and equipment

utilized during construction are typical of the area and assessed about in Section 3.3, *Air Quality,* and operation and maintenance of the project would not introduce a new stationary emission source.

As described above, there is potential that an accidental spill or release of hazardous or potentially hazardous materials such as vehicle and equipment fuels could occur during project construction. In order to address this potential, Mitigation Measure HAZ-1, *Hazardous Materials Management and Spill Control Plan,* would be implemented. This mitigation measure would develop an HMMSCP for the proper use, transport, and storage of hazardous materials during project construction, including measures to address accidental release(s), should they occur. As such, potential impacts associated with the accidental release of hazardous materials would be less than significant, and potential impacts associated with hazardous materials present within 0.25 mile of a school would be less than significant with mitigation incorporated.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

d. Would the project be located on a site included on a list of hazardous material 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?

Government Code Section 65962.5 requires the California Environmental Protection Agency (CalEPA) to develop an updated Cortese List. The California Department of Toxic Substance Control (DTSC) is responsible for a portion of the information contained in the Cortese List. Other State and local government agencies are required to provide additional hazardous material release information for the Cortese List (DTSC 2018). The analysis for this section included a review of the following resources on February 27, 2019 to provide hazardous material release information:

- SWRCB GeoTracker database (SWRCB 2015)
- DTSC EnviroStor database (DTSC 2018)

Based on review of these databases, it was determined the project site itself is not included on existing lists of hazardous materials sites compiled pursuant to Government Code Section 65962.5. This analysis extended the desktop search to encompass a 0.5-mile radius around the project site.

The DTSC's EnviroStor database does not list any cleanup sites within a 0.5-mile radius of the project site (DTSC 2018). The SWRCB's GeoTracker database lists two cleanup sites within this radius: 1. Shull Street Property, a closed-case aviation cleanup site, and 2. "G" Boyz Wire Wheels, a historical Waste Discharge Requirement (WDR) cleanup site. The Shull Street Property cleanup site, located at 5936 Shull Street E in Bell Gardens, was completed and closed as of June 17, 1997. The "G" Boyz Wire Wheels site, located at 7606 Ramish Avenue in Bell Gardens, is listed as a historical WDR site dated May 23, 1977 (SWRCB 2015).

The project site is not included on a list of hazardous material sites and there are no active cleanup sites within a 0.5-mile radius of the project site. Consequently, the proposed project would not create a significant hazard to the public or the environment. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

The closest public or private airport to the project site is the Compton/Woodley Airport, located approximately seven miles southwest of the project site. The project site is not located within an airport land use plan or within two miles of an airport. In addition, the surface facilities at project site would be restored to existing conditions upon completion of construction activities. Therefore, the project would have no impact related to safety hazards for people residing or working in the project area due to proximity to an airport.

NO IMPACT

f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The City of Bell Gardens does not currently have an adopted emergency response plan or emergency evacuation plan. Construction of the proposed project would not require temporary lane or road closures that would impede emergency response. All construction activity and equipment staging would occur on the project site. Surface facilities at JAFP would be restored to existing conditions upon completion of construction activities. Project operation and maintenance would not introduce new activities that could impede or interfere with emergency plans. Therefore, no impact would occur.

NO IMPACT

g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

The project site is located in an urbanized area in Bell Gardens. The California Department of Forestry and Fire Protection (CALFIRE) has identified the project area as located within the "Non-Very High Fire Hazard Severity Zone" which indicates the site is not subject to wildfire hazards (CALFIRE 2007, 2012). The area does not contain wildlands and is not adjacent to wildlands. Construction and operation of the project would not introduce potentially flammable activities in fire-prone areas. Therefore, no impact would occur.

NO IMPACT

3.10 Hydrology and Water Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	■	☐	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	■
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(i) Result in substantial erosion or siltation on- or off-site;	☐	☐	■	☐
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	■	☐
(iii) 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; or	☐	☐	☐	■
(iv) Impede or redirect flood flows?	☐	☐	■	☐
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	■
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	■

The federal Clean Water Act (CWA) establishes the framework for regulating discharges to Waters of the U.S. in order to protect their beneficial uses. The Porter-Cologne Water Quality Act regulates water quality within California and establishes the authority of the SWRCB and the nine RWQCBs. The SWRCB requires construction projects to provide careful management and close monitoring of runoff during construction, including on-site erosion protection, sediment management, and prevention of non-storm discharges. The SWRCB and RWQCBs issue NPDES permits to regulate specific discharges, including a Construction General Permit for projects that disturb more than one acre. The project site is located within the jurisdiction of the Los Angeles RWQCB.

The project site overlies the Central Subbasin of the Coastal Plain of Los Angeles Central Groundwater Basin. The project site is located within the 2,295-acre Los Angeles River Watershed, which drains through the upstream storm drain system directly into the Rio Hondo Tributary via a double-reinforced concrete box storm drain at the project site. Four major drainage areas drain stormwater through the project site, where a multitude of lateral lines collect runoff and discharge into the storm drain. The concrete-lined Rio Hondo Channel is a tributary to the Los Angeles River.

On November 8, 2012, the Los Angeles RWQCB adopted Order No. R4-2012-0175 revising the waste discharge requirements for MS4 dischargers within the coastal watersheds of Los Angeles County covered by the MS4 Stormwater Permit. On June 27, 2013, the Cities of Bell, Bell Gardens, Commerce, Cudahy, Huntington Park, Maywood and Vernon, and the Los Angeles Flood Control District formed the LAR UR2 WMA Group to collectively address the MS4 Permit requirements. The WMA Group identified a number of programs and projects required to meet the MS4 Permit requirements. Of the six regional BMPs identified in the WMP for the LAR UR2 WMA, the proposed project is the largest and has the earliest implementation date.

A Hydrologic Evaluation was prepared for the proposed project by CWE in December 2018 (Appendix G). This analysis summarized the results of hydrologic simulations performed to identify the volume and flow rate of runoff tributary to the project site. According to the Hydrologic Evaluation, the project site receives over 2,800 acre-feet of stormwater in a typical year.

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

The Porter-Cologne Water Quality Control Act defines water quality objectives (WQOs) as the "allowable limits or levels of water quality constituents or characteristics that are established for the reasonable protection of beneficial uses of water or the prevention of nuisance within a specific area." Project implementation would enable the entire Rio Hondo watershed portion of the LAR UR2 WMA to achieve receiving WQOs.

Construction

As stormwater flows over a construction site, it can pick up sediment, debris, and chemicals, and transport them to receiving water bodies. If precautions are not taken to contain contaminants, construction activities could result in contaminated stormwater runoff that could enter the Rio Hondo Channel. As such, excavation, grading, and other activities associated with construction of the proposed project would result in soil disturbance that could result in impacts to water quality, should erosion and subsequent sedimentation occur and subsequently affect receiving water bodies. Construction activities could also affect water quality in the event of an accidental fuel or hazardous materials leak or spill. However, the proposed project would apply BMPs and adhere to permitting requirements in order to avoid potential impacts to water quality, as discussed below.

The project would disturb more than one acre, and would therefore be required to obtain coverage under an NPDES Construction General Permit. The Construction General Permit requires operators of construction sites to implement stormwater controls and develop a Stormwater Pollution Prevention Plan (SWPPP) to minimize the amount of sediment and other pollutants associated with construction sites from being discharged in stormwater runoff. In addition, the Construction General Permit requires operators to implement pollution prevention controls to minimize the discharge of pollutants from stormwater and spilled or leaked materials. Inspections would be conducted on the project site once every seven calendar days, or once every 14 calendar days and within 24 hours of a 0.25-inch storm event (USEPA 2017b). As such, the proposed project would be consistent with water quality standards and waste discharge requirements. In addition, consistent with Mitigation Measure HAZ-1, identified above in Section 3.8, *Hazards and Hazardous Materials,* accidental leaks or accidental spills of hazardous materials that may occur during project construction would be cleaned up and disposed of in accordance with applicable regulations. Therefore, potential impacts associated with construction of the proposed project to water quality requirements would be less than significant with mitigation incorporated.

Operation

The WMA Group identified the proposed project, along with a suite of other programs and projects, as necessary to achieve regional water quality standards in the project area. The primary goal of the proposed project is to improve water supply and water quality in the Rio Hondo watershed to help ensure compliance with the existing MS4 permit, described above in Chapter 2, under "Background".

As discussed under "Project Description," the Rio Hondo Watershed is approximately 2,295 acres in size, and drains via the concrete-lined Rio Hondo Channel to the Los Angeles River. Under dry weather conditions, flows in the Rio Hondo Channel are essentially absent. During wet weather conditions, highly turbid "first flush" storm flows drain into the Rio Hondo Channel from the upstream watershed and are conveyed within concrete-lined trapezoidal channel to the Los Angeles River. The primary water quality constituents of concern identified in the WMP are metals and bacteria; ongoing water quality monitoring suggests that the majority of exceedances for metals are associated with wet weather storm flows (CWE 2015). The WMP estimated the proposed project would bring about an average 22 percent decrease in *E. coli* load for the Rio Hondo drainage area by 2037 and is estimated to decrease the ten-year daily average copper and zinc loads by 52 percent and 54 percent, respectively, by 2028 (CWE 2015).

As described in the WMP, compliance with the MS4 through actions including this proposed project will improve surface water quality in downstream receiving waters (Rio Hondo Channel and Los Angeles River) by removing trash, debris, and sediments from surface water runoff, including sediments to which other pollutants bind (WMP 2015; Appendix A – Feasibility Study). Under the proposed project, surface water runoff diverted from the Rio Hondo Channel would be filtered for trash, debris, and sediment, then directed through a filtration system for trash, debris, and sediments, then filtered through native soils to the underlying groundwater basin. The site consists of sand and silty sand classified as Hydrologic Soil Group (HSG) B. The measured infiltration rate of 1.7 inches/hour is above the minimum required infiltration rate established by the LACDPW guidelines for on-site infiltration systems of 0.3 inches/hour and therefore the soils at the site are considered suitable for infiltration use (WMP 2015; Appendix A – Feasibility Study). Therefore, the proposed project would improve downstream surface water quality by diverting polluted surface water runoff, and would not degrade groundwater quality by treating and filtering that diverted

water prior to infiltration into the groundwater basin. Further, water that is later pumped from the groundwater basin for delivery to local customers would be treated for bacteria prior to delivery.

The project would comply with all applicable water quality standards and waste discharge requirements. During construction of the proposed project, implementation of Mitigation Measure HAZ-1 would reduce or minimize potential impacts to water quality. During operation and maintenance of the proposed project, surface water quality would be improved through the diversion of flows in the Rio Hondo Channel, and groundwater quality would not be adversely affected due to the treatment of diverted water for trash, debris, and sediments, and the infiltration of diverted water through native sands and sediments. Potential impacts associated with water quality standards and waste discharge requirements would be less than significant with mitigation incorporated.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

b. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The proposed project would augment groundwater supply in the Central Subbasin of the Coastal Plain of Los Angeles Central Groundwater Basin by recharging stormwater runoff via infiltration. As calculated in the Hydrologic Evaluation for the proposed project (CWE 2018), the project would capture between 644 and 796 acre-feet of stormwater and dry-weather runoff during a typical year. Consequently, the project would not decrease groundwater supplies or impede sustainable groundwater management of the basin. There would be no adverse impacts related to groundwater supplies or recharge.

In September of 2014, the California Legislature enacted comprehensive legislation aimed at strengthening local control and management of groundwater basins throughout the state. Known as the Sustainable Groundwater Management Act (SGMA), the legislation provides a framework for sustainable management of groundwater supplies by local authorities, with a limited role for State intervention when necessary to protect the resource. The Central Subbasin of the Coastal Plain of Los Angeles Central Groundwater Basin is designated as a “very low priority” basin and is therefore not required per SGMA to be managed by a Groundwater Sustainability Agency through implementation of a Groundwater Sustainability Plan. Because the project would have no adverse impacts related to groundwater supplies or recharge, and would beneficially augment groundwater supplies, there would be no adverse impacts related to sustainable groundwater management planning efforts.

The project site is under the jurisdiction of the Los Angeles RWQCB. The RWQCB provides permits for projects that may affect surface waters and groundwater locally, and is responsible for preparing the Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (Basin Plan). The Basin Plan designates beneficial uses of water in the region and establishes narrative and numerical water quality objectives. The State has developed total maximum daily loads (TMDLs), which are a calculation of the maximum amount of a pollutant that a water body can have and still meet water quality objectives established by the region (Los Angeles RWQCB 2014). The project is intended to meet both dry-weather TMDL compliance targets and wet-weather TMDL final compliance dates. Implementation of the proposed project would not violate water quality

objectives for beneficial uses in the vicinity of the project site or exceed TMDLs. There would be no adverse impacts related to implementation of a water quality control plan.

NO IMPACT

c.(i) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?

c.(ii) Would the project substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

c.(iv) Impede or redirect flood flows?

The project would not alter the course of a stream or river. However, the project would divert surface water runoff from the Rio Hondo watershed before that runoff reaches the concrete-lined Rio Hondo Channel, which connects to the concrete-lined Los Angeles River and eventually to the Pacific Ocean. The project would not change the course of the Rio Hondo Channel or the Los Angeles River, but it would reduce stormwater flows into these channels by diverting flows that presently pass by JAFP and instead direct those surface flows into the proposed subsurface infiltration basin below JAFP. As such, implementation of the proposed project would alter drainage patterns of the project area, with respect to the amount of surface water runoff which is presently directed into the concrete-lined Rio Hondo Channel and Los Angeles River. However, the project would not introduce new impervious surfaces such that substantial erosion, siltation, or flooding would occur as a result of increased runoff from new impervious areas.

During construction excavation and grading activities, compliance with regulatory requirements would minimize erosion and siltation on-site, such that temporary impacts associated with erosion and siltation that may occur from ground disturbance would be less than significant. Following construction of each phase of the project, the area disturbed during project construction would be restored to existing conditions, and therefore the existing potential for erosion and siltation to occur (which is minimal, given the relatively flat and permeable nature of the project site), would continue during project operation and maintenance.

As described in the Hydrologic Evaluation for the proposed project (CWE 2018), stormwater currently flows along streets and within storm drain systems in each drainage area leading to the project site. After project implementation, stormwater would continue to follow existing drainage patterns along streets and within storm drain systems towards Line A of BI 0539. The project would then divert stormwater flows from Line A of BI 0539 to a pretreatment device and underground infiltration gallery. Flows would be recharged into the underlying groundwater basin instead of being discharged into the Rio Hondo Channel and eventually to the Los Angeles River, which connects to the Pacific Ocean. As such, the proposed project would alter drainage rates and patterns in the project area by redirecting surface runoff to the subsurface, but this would not adversely affect the existing drainage pattern of the site or area in a manner which would result in erosion or siltation, flooding, or new sources of runoff. Furthermore, the project would have a beneficial impact on stormwater drainage systems and water quality, by removing water quality constituents in surface water runoff that would otherwise be directed into the Rio Hondo Channel and the Los Angeles River. Therefore, potential impacts associated with drainage pattern alterations would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c.(iii) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would 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?

The project would not generate new stormwater runoff because the site would be returned to existing conditions and no new impervious area would be introduced. Further, the project would divert existing stormwater flows from the upstream watershed into the proposed underground infiltration system, which is designed to increase local groundwater storage and improve surface water quality in the downstream Rio Hondo Channel and Los Angeles River. As such, the project would not have potential to exceed the capacity of existing or planned stormwater drainage systems. Subsequently, the project would also not introduce substantial new sources of polluted runoff. Water quality considerations associated with the surface runoff that would be diverted by the project are addressed above, under criterion (a). No impact associated with stormwater system capacity or new sources of polluted runoff would occur as a result of the project.

NO IMPACT

d. Would the project result in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

The project site is designated by the Federal Emergency Management Agency (FEMA) as Zone X, which is an area determined to be outside the 0.2 percent annual chance floodplain (FEMA 2008). Consequently, the project site is not in a flood hazard zone, and the project is not subject to flood hazards. In addition, the project site is not located in a tsunami inundation area (DOC 2018), and is therefore not subject to inundation by tsunami. The project site is not located near a waterbody that may be subject to a seiche, which is a temporary standing wave in an enclosed or partially enclosed body of standing water, such as a lake or reservoir. No impact associated with hazards from flooding, tsunami, or seiche would occur as a result of the project, and the project would not introduce potential for the release of pollutants due to project inundation.

NO IMPACT

3.11 Land Use and Planning

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	☐	☐	☐	■
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	■

a. Would the project physically divide an established community?

The proposed diversion structure and subsurface infiltration basin would be located entirely below the ground surface and would not have the potential to physically divide an established community. The appearance and usability of JAFP would be the same during operation of the proposed project as under existing conditions. The project would not physically divide an established community.

NO IMPACT

b. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The proposed project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project. The City of Bell Gardens General Plan identifies goals to protect and enhance open space resources like JAFP, which is zoned A1 (Light Agricultural) and includes policies related to conservation and use of natural resources, such as water (City of Bell Gardens 1995). The proposed project would be consistent with the following City of Bell Gardens General Plan goals and policies:

- **Open Space and Recreation Element Policy 1.** The City of Bell Gardens shall continue to protect and maintain existing open space used for recreation and shall explore opportunities for providing additional park land.
- **Conservation Element Policy 3.** The City of Bell Gardens shall protect the quality of water in the underground water basin by optimizing open space areas with programs adopted as part of the Open Space and Recreation Element.

Further, as discussed, land use on the project site following project implementation would be the same as under existing conditions. Neither construction nor operation and maintenance of the project would conflict with land use plans, policies, or regulations.

NO IMPACT

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3.12 Mineral Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	■
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	■

a. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

b. Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

The project site and surrounding properties are part of an urban area. According to the City's General Plan Conservation Element, no significant mineral deposits are present in the vicinity of Bell Gardens, and there are no open areas remaining within the city for mining purposes (City of Bell Gardens 1995). Furthermore, the CGS Information Warehouse was searched for the project site. According to the CGS mineral land classification maps, the project site is located within Mineral Resource Zone (MRZ) 1, areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence (DOC 1994). Because there are no known mineral resources on the project site or in the site vicinity and because the proposed project would not involve mining operations, the project would have no impact on the availability or recovery of mineral resources.

NO IMPACT

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3.13 Noise

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	■	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	■	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	■

Noise Overview

The unit of measurement used to describe a noise level is the decibel (dB). However, the human ear is not equally sensitive to all frequencies within the sound spectrum. Therefore, a method called "A weighting" is used to filter noise frequencies that are not audible to the human ear. A weighting approximates the frequency response of the average young ear when listening to most ordinary everyday sounds. When people make relative judgments of the loudness or annoyance of a sound, their judgments correlate well with the "A-weighted" levels of those sounds. Therefore, the A-weighted noise scale is used for measurements and standards involving the human perception of noise. In this analysis, all noise levels are A-weighted, and "dB(A)" is understood to identify the A-weighted decibel.

Decibels are measured on a logarithmic scale that quantifies sound intensity in a manner similar to the Richter scale used for earthquake magnitudes. A 10 dB increase represents a 10-fold increase in sound intensity, a 20 dB change is a 100-fold difference, 30 dB is a 1,000-fold increase, etc. Thus, a doubling of the energy of a noise source, such as doubling of traffic volume, would increase the noise level by 3 dB; a halving of the energy would result in a 3 dB decrease.

Human perception of noise has no simple correlation with acoustical energy. The perception of noise is not linear in terms of dB(A) or in terms of acoustical energy. Two equivalent noise sources combined do not sound twice as loud as one source. It is widely accepted that the average healthy ear can barely perceive changes of 3 dB(A), increase or decrease; that a change of 5 dB(A) is readily

perceptible; and that an increase (decrease) of 10 dB(A) sounds twice (half) as loud (Caltrans 2013a).

Descriptors

The impact of noise is not a function of loudness alone. The time of day when noise occurs and the duration of the noise are also important. In addition, most noise that lasts for more than a few seconds is variable in its intensity. Consequently, a variety of noise descriptors has been developed. The noise descriptor used for this analysis are the one-hour equivalent noise level (L_{eq}). The L_{eq} is the level of a steady sound that, in a stated time period and at a stated location, has the same A-weighted sound energy as the time-varying sound. For example, $L_{eq(1h)}$ is the equivalent noise level over a one-hour period and $L_{eq(8h)}$ is the equivalent noise level over an eight-hour period. $L_{eq(1h)}$ is a common metric for limiting nuisance noise whereas $L_{eq(8h)}$ is a common metric for evaluating construction noise.

Propagation

Sound from a small, localized source (approximating a "point" source) radiates uniformly outward as it travels away from the source in a spherical pattern, known as geometric spreading. The sound level decreases or drops off at a rate of 6 dB(A) for each doubling of the distance. Traffic noise is not a single, stationary point source of sound. Over some time interval, the movement of vehicles makes the source of the sound appear to emanate from a line (line source) rather than a point. The drop-off rate for a line source is 3 dB(A) for each doubling of distance.

Vibration Overview

Vibration levels are usually expressed as single-number measure of vibration magnitude, in terms of velocity or acceleration, which describes the severity of the vibration without the frequency variable. The peak particle velocity (ppv) is defined as the maximum instantaneous positive or negative peak of the vibration signal, usually measured in inches per second. Since it is related to the stresses that are experienced by buildings, ppv is often used in monitoring of blasting vibration. Although ppv is appropriate for evaluating the potential of building damage, it is not suitable for evaluating human response. It takes some time for the human body to respond to vibrations. In a sense, the human body responds to an average vibration amplitude (Federal Transit Administration [FTA] 2018). Because vibration waves are oscillatory, the net average of a vibration signal is zero. Thus, the root mean square (rms) amplitude is used to describe the "smoothed" vibration amplitude (FTA 2018). The rms of a signal is the square root of the average of the squared amplitude of the signal, usually measured in inches per second. The average is typically calculated over a one-second period. The rms amplitude is always less than the ppv and is always positive. Decibel notation is used to compress the range of numbers required to describe vibration. The abbreviation VdB is used in this analysis for vibration decibels to reduce the potential for confusion with sound decibels.

Continued vibration of building components can also take the form of an audible low-frequency rumbling noise, which is referred to as groundborne noise. Groundborne noise is usually only a problem when the originating vibration spectrum is dominated by frequencies in the upper end of the range (60 to 200 Hertz), or when foundations or utilities, such as sewer and water pipes, connect the structure and the vibration source.

Regulatory Setting

Bell Gardens General Plan

The City's General Plan Noise Element identifies noise sources and areas of noise impact to achieve and maintain noise control and land use compatibility in the city. Major noise sources in the city are identified as roadway traffic on city streets and Interstate 710, intermittent train travel to the north and south of city boundaries, and stationary noise sources in industrial and commercial areas (City of Bell Gardens 1995). In addition, the following policy from the Noise Element is applicable to the proposed project:

- **Policy 2**: The City of Bell Gardens shall ensure that the noise caused by sources other than traffic (construction, etc.) are at acceptable levels.

Bell Gardens Municipal Code

Chapter 16.24 of the BGMC describes noise standards and regulations within the city. Specifically, Section 16.24.120 states outside construction or repair activities are prohibited between the hours of 7:00 p.m. and 8:00 a.m. within 500 feet of a residential zone unless a permit has been obtained beforehand from the officer body of the City with the function to issue permits of this kind.

Ambient Noise Levels

The primary noise sources in the immediate vicinity of the project site are vehicle traffic on Park Lane and on-site recreational activities. To determine ambient noise levels at the project site, four 15-minute noise measurements were taken between 4:36 p.m. and 5:52 p.m. (evening peak hour) on February 6, 2019. Table 12 summarizes the results of sound level monitoring on and near the project site. As shown in Table 12, the ambient noise level at the project site ranges between 57 and 66 dBA L_{eq}.

Table 12 Sound Level Monitoring Results

Measurement Location	Measurement Location	Sample Times	Primary Noise Source	Approximate Distance to Primary Noise Source	$L_{eq[15]}$ (dBA)[1]	L_{min} (dBA)	L_{max} (dBA)
1	Across from the northern boundary of the project site on Park Lane	4:36– 4:51 p.m.	Traffic on Park Lane	20 feet[2]	65.5	54.2	88.8
2	Western boundary of project site	4:54– 5:09 p.m.	Traffic on Park Lane	360 feet[2]	61.1	49.4	79.3
3	Southeastern portion of project site	5:20– 5:35 p.m.	Soccer fields[3]	340 feet[4]	57.4	48.7	75.0
4	Northeastern portion of project site	5:37– 5:52 p.m.	Soccer fields[3]	275 feet[4]	60.7	50.8	79.1

See Appendix H for noise monitoring data.

[1] The equivalent noise level (L_{eq}) is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time (essentially, the average noise level). For this measurement, the Leq was over a 15-minute period ($L_{eq[15]}$).

[2] Approximate distance to centerline of Park Lane.

[3] People were playing soccer during these noise measurements.

[4] Approximate distance to center of soccer field.

Source: Rincon Consultants, field measurements on February 6, 2019, using ANSI Type II integrating sound level meter

Sensitive Receptors

Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with those uses. According to the City's General Plan Noise Element, sensitive receivers include residential areas, schools, hospitals, and libraries (City of Bell Gardens 1995). The nearest noise-sensitive receivers to the project site are the existing single-family residences located immediately north of the project site boundary across Park Lane and single-family residences located approximately 400 feet to the west of the project site boundary.

a. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Construction Noise

Temporary noise levels caused by construction activity would be a function of the noise generated by construction equipment, the location and sensitivity of nearby land uses, and the timing and duration of noise-generating activities. Because the City of Bell Gardens has not adopted a numerical threshold to determine the significance of construction noise impacts, a maximum hourly noise level of 75 dBA L_{eq} is used as a significance threshold for the purposes of this project analysis. This noise level is commonly utilized and accepted by jurisdictions throughout California, including

the City of Los Angeles, Imperial County, City of San Diego, and San Diego County, to assess the significance of temporary construction noise impacts.

For construction noise assessment, construction equipment can be considered to operate in two modes: stationary and mobile. As a rule, stationary equipment operates in a single location for one or more days at a time, with either fixed-power operation (e.g., pumps, generators, and compressors) or variable-power operation (e.g., pile drivers, rock drills, and pavement breakers). Mobile equipment moves around the construction site with power applied in cyclic fashion, such as bulldozers, graders, and loaders (FTA 2018). Noise impacts from stationary equipment are assessed from the center of the equipment, while noise impacts from mobile construction equipment are assessed from the center of the equipment activity area (e.g., construction site).

Construction noise was estimated using the Federal Highway Administration's (FHWA) Roadway Construction Noise Model (RCNM). The construction equipment list was based on standard equipment assumptions from CalEEMod (see Section 3, *Air Quality*). To determine construction noise impacts, noise was modeled at the nearest noise-sensitive receivers, which are existing single-family residences north of the project site across Park Lane (see discussion under *Sensitive Receptors*). Construction noise impacts for the site preparation, grading, and system installation phases are assessed from the center of Phase 1 construction activity to estimate maximum construction noise impacts. Therefore, equipment was assumed to operate at an average distance of 240 feet from residential receivers north of the project site. However, during the paving phase, construction activity would occur in the northern parking lot, which would be closer to residential receivers than the other phases of construction. Therefore, construction equipment utilized during the paving phase was assumed to operate at an average distance of 125 feet from residential receivers to the north. Construction noise levels at residential receivers to the west would be less than those experienced at residential receivers to the north because they are located at a greater distance from the project site; therefore, construction noise levels were not quantified at these receivers.

Table 13 shows the equipment assumed to be used during each Phase 1 construction phase as well as the average hourly and maximum noise levels at residential receivers north of the project site. Construction noise estimates are based on the assumption that multiple pieces of construction equipment would operate simultaneously and do not account for the presence of intervening structures or topography, which could reduce noise levels at receiver locations. Therefore, the noise levels presented in Table 13 represent a conservative estimate of actual construction noise.

Table 13 Phase 1 Construction Noise Levels by Phase

		Approximate Noise Level at Residential Receivers (dBA Leq)	
Phase	**Equipment**	**dBA L_{eq}**	**dBA L_{max}**
Site Preparation[1]	Dozers (3), Backhoes (4)	70.6	68.0
Grading[1]	Excavator, Grader, Dozer, Backhoes (3)	73.2	76.0
System Installation[1]	Crane, Forklifts (3), Generator Set, Backhoes (3), Welder	68.7	67.0
Demolition[1]	Concrete/Industrial Saw, Excavators (3), Dozers (2)	72.8	76.0
Paving[2]	Pavers (2), Paving Equipment (2), Rollers (2)	73.5	72.0

[1] Construction noise levels during the site preparation, grading, system installation, and demolition phases were estimated at a distance of 240 feet, which is the distance from the center of the Phase 1 construction activity to the nearest residential receiver.

[2] Construction noise levels during the paving phase were estimated at a distance of 125 feet, which is the distance from the center of the northern parking lot to the nearest residential receiver.

See Appendix H for RCNM data sheets and assumptions.

As shown in Table 13, at the nearest residential receivers to the north of the project site, construction activities would generate maximum hourly noise levels up to 74 dBA L_{eq}, which would not exceed the maximum construction noise threshold of 75 dBA L_{eq}. Furthermore, as construction progresses through Phase 2 and Phase 3, equipment would operate further away from residential receivers to north, and construction noise would decrease at these receivers. Construction noise would remain at similar levels at residential receivers to the west during Phase 2 and Phase 3 because the centers of construction activity for Phase 2 and Phase 3 would remain at a similar distances from these receivers. In addition, according to BGMC Section 16.24.120, construction activities in the City are limited to the hours between 8:00 a.m. and 7:00 p.m., Monday through Saturday. Therefore, construction noise would not impact nearby residential receptors during sensitive nighttime hours of sleep. Accordingly, temporary construction noise impacts would be less than significant.

Operational Noise

The proposed diversion structure and subsurface infiltration basin would be located entirely below ground surface and would not include any stationary sources of noise. However, quarterly maintenance activities would require the use of a utility truck equipped with a Vactor to clean the HDS trash capture device. According to the FHWA, a vacuum street sweeper, which is used as a proxy for the utility truck equipped with a Vactor, generates a noise level of 82 L_{max} (FHWA 2006). Noise from use of the utility truck equipped with a Vactor was estimated using RCNM. At a distance of 125 feet (the distance from the HDS trash capture device to the nearest residential receiver), maintenance activities would generate a noise level of approximately 64 dBA L_{eq}, which is similar to existing noise levels in the project vicinity. Therefore, because maintenance activities would approximately double the energy of ambient noise, maintenance activities would temporarily increase ambient noise levels by approximately 3 dB(A), which would be barely perceptible above ambient noise levels. As a result, residential receivers would not readily perceive a change in ambient noise levels during maintenance activities. Furthermore, noise from maintenance activities

would be temporary and would occur on a quarterly basis. Therefore, operation of the project would not substantially increase ambient noise levels, and impacts would be less than significant.

Off-Site Traffic Noise

Quarterly maintenance trips by staff and the utility truck equipped with a Vactor catch basin cleaner would incrementally increase existing noise on nearby roadways. Existing daily traffic on Park Lane was estimated based on the industry standard assumption that peak hour traffic volumes are equal to ten percent of the roadway average daily trips (ADT) (Precision Traffic & Safety Systems 2018). Therefore, the 15-minute traffic count taken during the evening peak hour noise measurement on February 6, 2019 was multiplied by four to obtain hourly traffic for the evening peak hour, and then multiplied by 10 to obtain an estimate of daily traffic. The approximate traffic volume estimate for the 15-minute count period was 64 passenger vehicles and 3 medium-duty trucks; therefore, existing traffic levels along Park Lane adjacent to the project site equate to approximately 268 trips during the evening peak hour and 2,680 ADT. On the days of quarterly maintenance activities, project-related trips would increase ADT on Park Lane by four one-way vehicle trips, which would incrementally increase traffic by less than one percent, and would not double traffic. Therefore, maintenance activities associated with project operation would not increase ambient noise levels by 3 dBA, and impacts related to roadway noise would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

As an underground diversion and infiltration system, the proposed project would not generate significant stationary sources of vibration, such as heavy equipment operations. Therefore, operational vibration impacts would be less than significant.

Certain types of construction equipment can generate high levels of groundborne vibration. Construction of the proposed project would potentially utilize loaded trucks and a bulldozer during most construction phases as well as a vibratory roller during the paving phase. Neither blasting nor pile driving would be required for construction of the proposed project. Construction vibration estimates are based on vibration levels reported by Caltrans and the FTA (Caltrans 2013b; FTA 2018).

A quantitative assessment of potential vibration impacts from construction activities, such as blasting, pile-driving, vibratory compaction, demolition, drilling, or excavation, may be conducted using the equations developed by Caltrans and the FTA (Caltrans 2013b; FTA 2018). Table 14 shows typical vibration levels for various pieces of construction equipment used in the assessment of construction vibration (FTA 2018).

Table 14 Vibration Levels Measured during Construction Activities[1]

Equipment	PPV at 25 ft. (in/sec)	Approximate L_v VdB at 25 ft.
Large bulldozer	0.089	87
Loaded trucks	0.076	83
Small bulldozer	0.003	58
Paver	0.210	94

PPV = peak particle velocity
Lv VdB = velocity level in decibels
FTA = Federal Transit Authority
Source: FTA 2018

The City of Bell Gardens has not adopted a significance threshold to assess vibration impacts during construction and operation. Therefore, the FTA guidelines set forth in the FTA (2018) Transit Noise and Vibration Impact Assessment Manual are used to evaluate potential impacts related to construction vibration for both potential building damage and human annoyance. Based on the FTA criteria, construction vibration impacts would be significant if vibration levels exceed 100 VdB, which is the general threshold where damage can occur to typical buildings or 72 VdB at residences during nighttime hours (FTA 2018).

Vibration impacts for the site preparation, grading, and system installation phases are assessed from the center of Phase 1 construction activity to estimate maximum vibration impacts. Therefore, equipment was assumed to operate at an average distance of 240 feet from residential receivers north of the project site. However, during the paving phase, construction activity would occur in the northern parking lot, which would be closer to residential receivers than the other phases of construction. Therefore, a vibratory roller was assumed to operate at an average distance of 125 feet from residential receivers to the north. Vibration levels at residential receivers to the west would be less than those experienced at residential receivers to the north because they are located at a greater distance from the project site; therefore, vibration levels were not quantified at these receivers.

As shown in Table 15, groundborne vibration from construction equipment would not exceed 100 VdB, the threshold at which damage can occur to typical buildings, at nearby residential receivers. If construction occurs during nighttime hours, groundborne vibration at adjacent residences during the paving phase would exceed the 72 VdB threshold for residences during nighttime hours. However, in accordance with BGMC Section 16.24.120, project construction would be required to occur during daytime hours and would not disturb residences during sensitive hours of sleep. Furthermore, as construction progress through Phase 2 and Phase 3, equipment would operate further away from residential receivers to north, and construction-related vibration would decrease at these receivers. Construction-related vibration would remain at similar levels at residential receivers to the west during Phase 2 and Phase 3 because the centers of construction activity for Phase 2 and Phase 3 would remain at a similar distances from these receivers. Therefore, construction vibration impacts would be less than significant.

Table 15 Phase 1 Vibration Levels at Sensitive Receptors

	Estimated VdB[3] at Nearest Sensitive Receivers
Equipment	**Residences**
Large Bulldozer[1]	65
Small Bulldozer[1]	36
Loaded Trucks[1]	61
Vibratory Roller[2]	79
Threshold	**100**
Threshold Exceeded?	No

[1] Construction vibration levels were estimated at a distance of 240 feet, which is the distance from the center of the Phase 1 construction activity to the nearest residential receiver.

[2] Construction vibration levels for the vibratory roller were estimated at a distance of 125 feet, which is the distance from the center of the northern parking lot to the nearest residential receiver.

[3] VdB = velocity level in decibels

See Appendix H for vibration analysis worksheets.

Source: FTA 2018

LESS THAN SIGNIFICANT IMPACT

c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

As discussed in Section 9, *Hazards and Hazardous Materials*, the closest public or private airport to the project site is the Compton/Woodley Airport, located approximately seven miles southwest of the project site. The project site would not be located within an airport land use plan or within two miles of an airport. Therefore, the project would not expose people working in the project area to excessive noise levels due to proximity to an airport. No impact would occur.

NO IMPACT

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3.14 Population and Housing

Would the project:

a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	☐	■
b. Displace substantial amounts of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	■

a. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The proposed project would not induce population growth in the area and would serve the existing community. It would also not impact housing availability or demand. Therefore, the proposed project would not induce population growth. The project site is comprised of the existing JAFP, and there are no housing units on-site. Therefore, the proposed project would not displace people or housing. The proposed project would have no impact related to population and housing.

NO IMPACT

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3.15 Public Services

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	1 Fire protection?	☐	☐	■	☐
	2 Police protection?	☐	☐	■	☐
	3 Schools?	☐	☐	☐	■
	4 Parks?	☐	☐	☐	■
	5 Other public facilities?	☐	☐	☐	■

Fire Department and Paramedic Services for Bell Gardens are administered by the County of Los Angeles Fire Department, Fire Station 39, Battalion 3, Division 6. The Bell Gardens Fire Station is located at 7000 Garfield Avenue in Bell Gardens, approximately 0.7 mile northeast of the project site (City of Bell Gardens 2018). The City of Bell Gardens Police Department is located at 7100 South Garfield Avenue in Bell Gardens, approximately 0.6 mile northeast of the project site.

The project site is located in the Montebello Unified School District. The nearest school is the Ford Park Adult Center, located approximately 0.25 mile northeast of the project site.

a.1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

a.2. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

Operation of the project would not directly or indirectly affect fire or police protection facilities. During operation and maintenance of the project, existing activities at JAFP would continue, including with respect to traffic levels to and from the project site, and the numbers of people present at the project site; as such, the needs for fire and police protection would be the same as under existing conditions.

During construction of the proposed project, there may be a temporary increase in the need for emergency response, should an unanticipated accident occur during construction activities. As stated in the Project Description, the proposed project would include implementation of security measures during the construction phase to minimize the potential for accidental incidents requiring emergency response. These project features may include the use of temporary chain link fencing, signage, temporary security lighting, and traffic control measures as needed. Therefore, and with consideration to the temporary nature of project construction activities, implementation of the proposed project would not require new or physically altered fire or police protection facilities. The presence of slow-moving construction vehicles and equipment may temporarily affect optimal traffic flows adjacent to the project site during the construction period; however, with the project-specific BMPs and the temporary nature of construction, potential impacts related to fire and police protection facilities would be less than significant.

LESS THAN SIGNIFICANT IMPACT

a.3. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

a.4. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

a.5. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities?

As discussed in Section 3.14, *Population and Housing*, implementation of the proposed project would not directly or indirectly increase the local population. Consequently, construction of the project would not result in substantial adverse physical impacts to schools or other public facilities in the region and would not necessitate new or physically altered facilities.

During construction, access to portions of JAFP may be limited for public safety purposes. However, construction would be temporary and access to all portions of JAFP would be restored upon project completion. Existing aboveground park facilities would be restored to original or better condition following the completion of construction. As discussed in Section 3.16, *Recreation*, existing recreation programs at JAFP would be partially relocated to Veterans Park during construction of the proposed project, in order to avoid disruptions to existing recreation programs and activities in the area; however, this would not require the provision of new or physically altered parks, and therefore would not result in significant environmental impacts associated with the provision of new or physically altered parks. During project operation and maintenance, service ratios and

performance objectives for JAFP would remain the same as existing conditions. No impact would occur.

NO IMPACT

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3.16 Recreation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	■	☐	☐
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	■

The project site consists of JAFP, a 12.5-acre recreational park consisting of multiple athletic fields including two baseball/softball fields and two soccer fields. Rio Hondo Bike Path runs along the southeastern boundary of JAFP. Veterans Park is located approximately 0.7 mile northeast of the project site and contains one softball field.

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

The proposed diversion structure and subsurface infiltration basin would be located entirely below the ground surface, and existing aboveground features at the project site would be restored to original or better condition following completion of construction. The appearance and usability of JAFP would be the same during operation of the proposed project as under existing conditions. As discussed in Section 3.14, *Population and Housing*, the proposed project would not directly or indirectly support population growth, and therefore, it would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

The Rio Hondo Bike Trail runs along the southeastern border of JAFP; however, the project would not alter or otherwise restrict the Rio Hondo Bike Trail from public use. The quality of the recreational experience along the Rio Hondo Bike Trail may temporarily be affected due to the presence of traffic and noise associated with project construction activities; however, such effects would be temporary and limited to the construction period.

During construction periods of approximately 15 months per project phase, some of the sports fields at JAFP would be unavailable to recreational users, as shown in Figure 5. During construction of Phase 1, a small portion of the softball field south of the parking lot would be unavailable to public access and during Phase 2, both softball fields would be unavailable to public access. Phase 3 would likewise temporarily remove the southern softball field and southern soccer field from public access. This would make some recreation areas and resources temporarily unavailable during each construction period. It is anticipated some visitors to JAFP will utilize other local recreation facilities

during the temporary construction period. Therefore, Mitigation REC-1 shall be implemented to provide sufficient recreational facilities and opportunities to accommodate existing activities at JAFP. As mentioned, following project implementation, conditions at JAFP would be the same or better than present conditions. With implementation of Mitigation Measure REC-1, potential impacts would be less than significant.

Mitigation Measures

With implementation of the following mitigation measure, potential impacts related to recreation would be reduced to a less-than-significant level, by providing alternate recreational areas and opportunities during project construction, when temporary restrictions are in place at JAFP.

REC-1 Recreation Program Accommodation

During construction of the proposed project, the City of Bell Gardens Public Works Department shall re-schedule recreation programs affected by temporary closures at JAFP to available fields at Veterans Park, located approximately 0.7 mile northeast of the project site. The relocation of recreation program activities will be coordinated to minimize disruption to existing activities, and will be communicated to participants in existing recreation programs through the posting of signage at JAFP and Veterans Park. In addition, the City of Bell Gardens Public Works Department shall coordinate with participants in the existing and ongoing recreation programs at JAFP to communicate the re-scheduling and/or re-location of recreation program activities during the project construction period.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The proposed project does not propose recreational facilities and would not require the construction or expansion of recreational facilities, as discussed in Section 3.15, *Public Services*. Usage of facilities at Veterans Park would be increased through implementation of Mitigation Measure REC-1; however, recreation programs and activities would not be permanently relocated to Veterans Park such that new or expanded facilities at Veterans Park or other local recreational facilities would be required. Therefore, no impact would occur.

NO IMPACT

3.17 Transportation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	■	☐
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	■	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?	☐	☐	■	☐
d. Result in inadequate emergency access?	☐	☐	■	☐

The Los Angeles County Congestion Management Plan (CMP), which is required by Proposition 111 and applies to every urbanized county with a population of 50,000. The Los Angeles County CMP system includes all State highways; however, there are no CMP State highways within the city (City of Bell Gardens 1995).

a. Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Construction staging would occur at the existing JAFP parking lot. Any potential traffic impacts as a result of construction vehicles going to and from the site would be temporary. Anticipated construction-related vehicle trips include construction workers traveling to and from the project work areas, haul trucks (including for import and export of excavated materials, as needed), and other trucks associated with equipment and material deliveries. During peak construction months, the maximum one-way construction-related vehicle trips would be 164 one-way trips per day (Appendix A). Any potential local traffic impacts from this increase in vehicle traffic would be temporary.

The City of Bell Gardens General Plan Circulation and Transportation Element identifies parking as an issue of concern stating truck parking on residential streets is a major traffic and environmental concern to residents (City of Bell Gardens 1995). Policy 3 of the Circulation and Transportation Element states the City shall discourage truck parking on residential and other designated streets. To this end, as described in the project description, construction worker parking and staging would occur only within the existing on-site parking lot, which will be unavailable to users of JAFP during construction periods. Park users would be able to park on surface streets to access available parts of

the park during construction, as construction workers would not park on the street, and no staging would occur on the street.

Because construction is short-term, construction-related transportation impacts would not be substantial. Operational transportation impacts would not occur, as the project would be located entirely underground and would not affect the project site. Neither construction nor operation would result in any conflict with the Los Angeles County Congestion Management Plan. This impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

CEQA Guidelines Section 15064.3(b) describes criteria for analyzing transportation impacts. Depending on the type of project, different thresholds of significance are applicable. As described in in Section 15064(b)(3), a lead agency may analyze a project's VMT qualitatively, and for many projects, a qualitative analysis of construction traffic may be appropriate. Although public agencies may immediately apply Section 15064.3 of the updated CEQA Guidelines, statewide application is not required until July 1, 2020 (DOT 2019).

A VMT calculation is typically conducted on a daily or annual basis, for long-range planning purposes. As discussed in Section 3.1.5, *Public Services*, traffic on local roadways may be temporarily increased during project construction due to the presence of construction vehicles and equipment. As described in Chapter 2, *Project Description*, maintenance of the proposed project would consist of quarterly site visits, during which the project site would be visually inspected for repair needs, and those repairs implemented as needed. These activities would include the use of utility trucks to transport personnel and materials to and from the project site. However, such visits would occur quarterly, or approximately once every three months; therefore, long-term operation of the project would not substantially contribute to VMT in the project area. In addition, with respect to CEQA Guidelines Section 15064.3(c), as stated above, statewide implementation of this new section of the CEQA Guidelines is not required until July 1, 2020. The proposed project would not introduce hazards related to a geometric roadway design feature or incompatible use, and a less than significant impact would occur.

LESS THAN SIGNIFICANT IMPACT

c. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?

Project facilities would be located entirely underground, which would have no impact on existing street design. The proposed project would not modify existing street configurations and therefore would not introduce new sharp curves or dangerous intersections. During construction of the project, heavy duty trucks would be used transport materials to and from the project site. These trucks would need to navigate existing road curves and intersections in the project area; however, the temporary presence of these trucks during project construction would not be inconsistent with the existing occasional presence of utility trucks on streets in the project area. In addition, the staging of project materials (including the subsurface cistern components) would not occur on the local roadways, and local traffic would not be impeded by the presence of staged materials. Rather, staging would occur in the existing parking lot on the north side of the project site, which would be inaccessible to the public during the construction period. The proposed project would not introduce

hazards related to a geometric roadway design feature or incompatible use. Potential impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

d. Would the project result in inadequate emergency access?

Once construction is complete, the project site would be restored to its pre-project condition, and emergency access would not be affected during project operation. During construction, staging and construction worker parking would be located in the existing JAFP parking lot, and would not take place on surface streets. No lane closures as a result of construction traffic are anticipated. As discussed above under criteria (a) through (c), construction activity would slightly increase local traffic; however, this impact would be temporary, and would therefore not create permanent emergency access issues. Potential impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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3.18 Tribal Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code 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:				
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	■
b. 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 Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significant of the resource to a California Native American tribe.	☐	☐	☐	■

As of July 1, 2015, California Assembly Bill 52 of 2014 (AB 52) was enacted and expands CEQA by defining a new resource category, "tribal cultural resources." AB 52 states, "A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment" (PRC Section 21084.2). It further states the lead agency shall establish measures to avoid impacts altering the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3).

PRC Section 21074 (a)(1)(A) and (B) defines tribal cultural resources as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and is:

1. Listed or eligible for listing in the CRHR or in a local register of historical resources as defined in PRC section 5020.1(k), or
2. 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. In applying these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified or adopted. Under AB 52, lead agencies are required to "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." Native American tribes to be included in the process are those having requested notice of projects proposed in the jurisdiction of the lead agency.

On February 8, 2019 Rincon received a distribution list for the AB 52 consultation letters for the proposed project from the Native American Heritage Commission. The tribal governments provided with an AB 52 consultation letter (via certified mail) include the following list of recipients:

- Gabrieleño Band of Mission Indians – Kizh Nation
- Gabrieleno/Tongva San Gabriel Band of Mission Indians
- Gabrieleño/Tongva Nation
- Gabrielino Tongva Indians of California Tribal Council
- Gabrielino-Tongva Tribe

Under AB 52, Native American tribes have 30 days to respond and request further project information and request formal consultation. The City of Bell Gardens, Public Works Department received request for consultation from one Tribe, the Gabrieleño Band of Mission Indians - Kizh Nation. At the time of preparation of this Draft IS-MND, the City is actively coordinating with the Tribe, and has scheduled a meeting with the Tribe on May 2, 2019 to answer questions about the project and to request information on the presence of any known tribal cultural resources at the site. Per AB52, tribal consultations must be complete prior to finalization of the CEQA documentation; results of the City's consultation with the Tribe will be included in the Final IS-MND.

a. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074 that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*

b. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074 that is 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 Public Resources Code Section 5024.1?*

As part of the process of identifying cultural resources issues for this project, Rincon Consultants contacted the Native American Heritage Commission on February 5, 2019 to request a Sacred Lands File search of the project area. The Native American Heritage Commission responded on February 8, 2019 stating the results of the search were negative and suggested contacting the six tribal groups (listed above). As stated above, the Gabrieleño Band of Mission Indians - Kizh Nation, is the only tribe which responded to the AB 52 consultation effort. The City currently has a meeting with the Tribe scheduled for May 2, 2019.

Given the project's location within previously disturbed areas, it is unlikely sacred sites exist directly within the project site. No cultural resources of Native American origin were identified within the project site through the SCCIC records search and survey (see Section 3.5, *Cultural Resources*). Based on the above, no known TCRs are present within the project site. Therefore, no impacts would occur

to TCRs. See Section 3.5, *Cultural Resources*, for mitigation measures related to the unanticipated discovery of archaeological resources.

NO IMPACT

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3.19 Utilities and Service Systems

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	■
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	■
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	■
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	■	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	■	☐

a. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Water

The project site would have no permanent on-site personnel and no on-site facilities that would require water service. Therefore, no water service would be provided to the project. The project would not require the relocation of new or expanded water systems. As such, no impact related to water service would occur as a result of the project.

Wastewater Treatment

The project would not introduce new permanent on-site personnel; therefore, no wastewater would be generated, and septic tanks would not be necessary. No impact related to wastewater treatment facilities would occur.

Stormwater Drainage

The proposed project is itself a stormwater drainage facility, the environmental impacts of which are analyzed throughout this IS-MND. As concluded by this IS-MND, the stormwater drainage facilities included in the proposed project would not cause unmitigable significant environmental effects. Consequently, no additional impact related to stormwater drainage facilities would occur.

Electric Power/Telecommunications

As part of the proposed project, data recorders would be installed to monitor the subsurface stormwater diversion and recharge facilities. Electric power demand resulting from the data recorders would be minimal. The data recorders would not require additional telecommunications facilities to be installed. Therefore, impacts related to electric power and telecommunications infrastructure would be less than significant.

Natural Gas

The proposed project would not involve components requiring natural gas service, and would not relocate or otherwise affect existing natural gas facilities. Therefore, no impact related to natural gas facilities would occur.

LESS THAN SIGNIFICANT IMPACT

b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

c. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

As discussed in criterion (a) above, the proposed project would not require water or wastewater service. No new or expanded entitlements would be required. Furthermore, the project would augment groundwater supplies in the Central Subbasin of the Coastal Plain of Los Angeles Groundwater Basin by recharging stormwater runoff via infiltration. The project would therefore beneficially affect regional water supplies in normal, dry, and multiple dry years. Consequently, no adverse impact related to water supplies or wastewater treatment capacity would occur.

NO IMPACT

d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Assembly Bill 939, passed in 1989, required all jurisdictions in California to increase their landfill diversion to 50 percent by the year 2000. In addition, AB 341, passed in 2012, sets a new statewide goal of achieving 75 percent landfill diversion by 2020.

Project construction activities would generate construction waste, resulting in the need for solid waste disposal. Recoverable materials generated during construction would be separated and recycled to minimize construction waste and exportation from the site. Across Phases 1, 2, and 3 of project construction, approximately 166,400 cy of excavated soil would be exported for disposal at Azusa Land Reclamation Facility, a landfill permitted as a solid waste facility and inert waste disposal site. “Inert” waste is defined as non-liquid solid waste including, but not limited to, soil and concrete that contains neither hazardous waste nor significant quantities of decomposable solid waste (Los Angeles County Department of Public Works 2018).

As of 2016, Azusa Land Reclamation Facility had a remaining capacity of approximately 48 million cy. Based on the calculated airspace utilization factor of 1.1 tons per cy and excluding the volume of soil required for final cover, the remaining site capacity is approximately 32,276,713 tons of waste. The landfill receives an average daily waste inflow rate of 2,163 tons per day, and is permitted for up to 6,500 tons of waste per day (Waste Management 2016).

For the purposes of this solid waste analysis, it is conservatively assumed construction of Phases 1, 2, and 3 would occur consecutively from September 2019 to July 2023 (a time span of 45 months). Construction activities would temporarily generate solid waste, which would be disposed of in accordance with all applicable federal, State, and local statutes and regulations. As described above, nearby landfills have the capacity to accept solid waste generated by project construction activities.

During operation and maintenance of the project, trash and debris would be filtered from surface water runoff diverted for groundwater infiltration; these materials would be collected and transported to the Azusa Land Reclamation Facility, which would also be used for the disposal of solid waste during project construction. As described above, the Azusa Land Reclamation Facility has remaining disposal capacity of approximately 32,276,713 tons of waste. Absent the proposed project, the trash and debris that would be captured by the proposed project would continue flowing downstream, into the Rio Hondo Channel and the Los Angeles River. It is possible that some of this debris would be captured in downstream culverts and other stormwater flow features that would be cleared as regular maintenance of those facilities, and the debris transported to local waste disposal facilities, as with the proposed project. It is not anticipated that the collection and disposal of solid waste during project operations would adversely affect the capacity of solid waste disposal sites. The project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste. Potential impacts would therefore be less than significant.

LESS THAN SIGNIFICANT IMPACT

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3.20 Wildfire

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	■
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	■
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	■
d. Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	■

The project site and surrounding area are not located in a designated Very High Fire Hazard Severity Zone (CAL FIRE 2007). Furthermore, Bell Gardens is urbanized, and the nearest designated fire hazard zone is approximately 7.4 miles to the east, in the Hacienda Hills. The following discussions address the criteria listed above, with respect to wildfire hazards.

a. Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

As discussed in Section 9, *Hazards and Hazardous Materials*, construction of the proposed project would not impede emergency response. All construction activity and equipment staging would occur on the project site. Surface facilities at JAFP would be restored to existing conditions upon completion of construction activities. Therefore, no impact would occur.

NO IMPACT

b. Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

c. Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

d. Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

The proposed project would be located entirely below the ground surface, and existing aboveground features (i.e., irrigation systems, trees, landscaping, lighting, hardscaping, paving, and signage) at the project site would be restored to original or better condition following completion of construction. In addition, the project site is not located in a designated Very High Fire Hazard Severity Zone (CAL FIRE 2007), and the nearest designated fire hazard zone is approximately 7.4 miles to the east, in the Hacienda Hills. Therefore, the project would not exacerbate wildfire risk, would not require associated infrastructure that would result in temporary or ongoing impacts to the environment, and would not expose people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes. Therefore, no impact would occur.

NO IMPACT

3.21 Mandatory Findings of Significance

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Does the project:				
a. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	■
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	■	☐
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	■	☐

a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

The project site is located on a developed parcel in an urban area. As such it does not have the potential to substantially reduce the habitat of fish and wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. In addition, the project would not eliminate important examples of the major periods of California history or prehistory as none are present in the project area.

NO IMPACT

b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

As described in the discussion of environmental checklist Sections 3.1 through 3.20, with respect to all environmental issues, the proposed project would not result in significant and unmitigable impacts to the environment; all anticipated impacts associated with project construction and operation would be either less than significant, or less than significant with mitigation incorporated. This is largely due to the fact that project construction activities would be temporary, and project operational activities would be similar to those occurring at the site at present.

Cumulatively considerable impacts could occur if the construction of other projects occurs at the same time as the proposed project and in the same vicinity, such that the effects of similar impacts of multiple projects combine to expose adjacent sensitive receptors to greater levels of impact than would occur under the proposed project. For example, if the construction of other projects in the area occurs at the same time as construction of the proposed project, potential impacts associated with noise and traffic to residents in the project area may be more substantial. At the time of publication of this Draft IS-MND, the City has not approved other projects on the project site or in the immediate vicinity, and therefore cumulatively significant impacts associated with construction activities are not anticipated to occur.

As discussed in Chapter 2, *Project Description,* construction of each phase of the project would occur over 15 months, and it is conservatively assumed that construction of each phase would occur consecutively. Under this assumption, construction activities would occur between September 2019 and July 2023, for a complete construction timeline of approximately 45 months. It is possible that future projects may be proposed and approved in the project area during that timeframe. It is not possible to identify what those future projects may be, as the City has not yet received permit applications for future projects in the area. However, as discussed in the impact analysis provided in Chapter 3, construction of the proposed project would temporarily result in increased traffic on local roadways but would not result in lane closures or impede emergency access. Further, future projects that are not known at this time but may be proposed during construction of the proposed project would be subject to the same CEQA requirements as the proposed project and therefore, such projects would be required to consider the proposed project when analyzing the potential for significant cumulative impacts to occur and identify mitigation measures where applicable.

Given the temporary nature of potential construction impacts of the proposed project, and the less-than-significant nature of those potential impacts (as addressed in Chapter 3 of this IS-MND), it is not anticipated that the proposed project would result in cumulatively considerable contribution to a significant cumulative impact. If other projects subject to CEQA are proposed in the project area for implementation during the same timeframe as the proposed project, such projects would be assessed for potential cumulative impacts under CEQA, including with respect to the proposed project, and mitigation measures would be developed on a project-specific basis to minimize or avoid potential impacts. Therefore, the proposed project is not anticipated to result in a cumulatively considerable significant impact.

LESS THAN SIGNIFICANT IMPACT

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

In general, impacts to human beings are associated with air quality, hazards and hazardous materials, and noise impacts. As detailed in the preceding sections, the project would not result, either directly or indirectly, in substantial adverse effects related to air quality or noise following the implementation of required mitigation measures. Compliance with applicable rules and regulations and implementation of mitigation measures would reduce potential impacts on human beings related to hazards and hazardous materials to a less than significant level.

LESS THAN SIGNIFICANT IMPACT

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Chapter 4: Federal Cross-Cutting Environmental Regulations Evaluation

The proposed project may receive funding under a State program that also has a federal funding component. Therefore, to assist in compliance with the federal environmental requirements for the funding program, this document includes analysis pertinent to several federal cross-cutting regulations (also referred to as federal cross-cutters or CEQA-Plus).

This section describes the status of compliance with relevant federal laws, executive orders, and policies, and the consultation that has occurred to date or will occur in the near future. The topics are based in part on the SWRCB's Clean Water SRF Program Federal Cross-cutting Environmental Regulations Evaluation Form for Environmental Review and Federal Coordination.

4.1 Federal Endangered Species Act

Section 7 of the Federal Endangered Species Act requires federal agencies, in consultation with the Secretary of the Interior, to ensure their actions do not jeopardize the continued existence of endangered or threatened species or result in the destruction or adverse modification of the critical habitat of these species. Under Section 7, a project that could result in incidental take of a listed threatened or endangered species must consult with the USFWS to obtain a Biological Opinion (BO). If the BO finds the project could jeopardize the existence of a listed species ("jeopardy opinion"), the agency cannot authorize the project until it is modified to obtain a "nonjeopardy" opinion.

Section 3.4, *Biological Resources*, identifies 41 special-status plant species and 40 special-status wildlife species are documented within a five-mile radius (or eight-quad search for CNPS) of the Study Area. All 81 species were evaluated for potential to occur within the Study Area and results of this evaluation can be found in Biological Resources Assessment for this project, included as Appendix B to this IS-MND. No special-status species were detected during the field reconnaissance survey.

Special-status species typically have very specific habitat requirements which may include, but are not limited to, vegetation communities, elevation levels and topography, and availability of primary constituent elements (i.e., space for individual and population growth, breeding, foraging, and shelter). Given the high degree of urbanization within the Study Area and lack of suitable habitat for each species, no special-status plant or wildlife species are expected to occur. Additionally, there is no critical habitat designated by the USFWS within the Study Area. The proposed project would not jeopardize any listed species and the lead agency would be in compliance with the Federal Endangered Species Act.

4.2 National Historic Preservation Act, Section 106

The purpose of the National Historic Preservation Act (NHPA) is to protect, preserve, rehabilitate, or restore significant historical, archaeological, and cultural resources. Section 106 requires federal agencies to take into account effects on historic properties. Section 106 review involves a step-by-step procedure described in detail in the implementing regulations (36 CFR Part 800).

As described in Section 3.5, *Cultural Resources*, a cultural resources assessment for the proposed project was conducted. The analysis includes a Section 106 evaluation for the proposed project and can be submitted as part of the consultation process with the State Historic Preservation Officer (SHPO). Concurrence by SHPO would ensure compliance with the NHPA. No cultural resources were identified within the project site during this study. Therefore, less than significant impacts to historical resources under CEQA and no effects to historic properties under the NHPA for the proposed project are expected. Along with adherence to existing regulations concerning the unanticipated discovery of human remains, Mitigation Measure CR-1, Unanticipated Discovery of Cultural Resources, would be implemented in the event of an unanticipated discovery of cultural resources to further reduce the already less than significant impact to cultural resources. The proposed project would be consistent with Section 106 of the NHPA.

4.3 Clean Air Act

The United States Congress adopted general conformity requirements as part of the FCAA Amendments in 1990 and the USEPA implemented those requirements in 1993, per Section 176 of the FCAA (42 United States Code §7506) and 40 CFR Part 93, Subpart B. General conformity requires that all federal actions "conform" with the State Implementation Plan as approved or promulgated by USEPA. The purpose of the general conformity program is to ensure that actions taken by the federal government do not undermine State or local efforts to achieve and maintain the national ambient air quality standards. Before a federal action is taken, it must be evaluated for conformity with the State Implementation Plan. All "reasonably foreseeable" emissions predicted to result from the action are taken into consideration. These include direct and indirect emissions, and must be identified as to location and quantity. If it is found the action would create emissions above *de minimis* threshold levels specified in USEPA regulations (40 CFR § 93.153(b)), or if the activity is considered "regionally significant" because its emissions exceed 10 percent of an area's total emissions, the action cannot proceed unless mitigation measures are specified that would bring the proposed project into conformance.

As described in Section 3.3, *Air Quality*, the project area lies within the SCAB. The results of the air quality modeling showed that pollutant emissions would not exceed federal General Conformity *de minimis* thresholds (Appendix A). Accordingly, the lead agency would be in compliance with the FCAA.

4.4 Coastal Zone Management Act

The Coastal Zone Management Act (CZMA), passed by Congress in 1972 and managed by the National Oceanic and Atmospheric Administration's Office of Ocean and Coastal Resource Management, is designed to balance completing land and water issues in coastal zones. It also aims to "preserve, protect, develop, and where possible, to restore or enhance the resources of the nation's coastal zone." Within California, the CZMA is administered by the Bay Conservation and Development Commission, the California Coastal Conservancy, and the California Coastal Commission.

No portion of the proposed project is within the coastal zone. The project area is located approximately 16 miles east of the Pacific Coast. Therefore, the CMZA does not apply to the proposed project.

4.5 Farmland Protection Policy Act

The Farmland Protection Policy Act (FPPA) requires a federal agency to consider the effects of its actions and programs on the nation's farmlands. The FPPA is intended to minimize the impact of federal programs with respect to the conversion of farmland to nonagricultural uses. It assures, to the extent possible, federal programs are administered to be compatible with State, local, and private programs and policies to protect farmland.

As described in Section 3.2, *Agriculture and Forestry Resources*, neither the project site nor adjacent properties are State-designated Farmland, enrolled in Williamson Act contracts, or support forest land or resources (DOC 2016a, DOC 2016b). The project site is not located on or adjacent to land used for agriculture or forest land, and the project would not involve development that would result in the conversion of farmland to non-agricultural uses. Therefore, the proposed project would not adversely affect any farmland areas and the lead agency would be in compliance with the FPPA.

4.6 Executive Order 11988 – Floodplain Management

Executive Order (EO) 11988 requires federal agencies to recognize the values of floodplains and to consider the public benefits from restoring and preserving floodplains.

As described in Section 3.10, *Hydrology and Water Quality*, the project site is located outside the 0.2 percent annual chance floodplain (FEMA 2008). Additionally, the project would be constructed entirely underground and would not expose people or structures to a significant risk of loss, injury or death involving flooding. The proposed project would divert existing stormwater flows that currently reach the Rio Hondo Channel and the Los Angeles River so that such flows can be used to replenish the local groundwater basin. As such, the project would divert flows within the floodplain; however, those flows would otherwise be directed to a series of concrete-lined channels that flow into the Pacific Ocean. The proposed project would not diminish the public benefits associated with restoring and preserving floodplains. The lead agency would be in compliance with this EO.

4.7 Federal Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, and Executive Order 13168

The Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act prohibit the take of migratory birds (or any part, nest, or eggs of any such bird) and the take and commerce of eagles. EO 13168 requires any project with federal involvement to address impacts of federal actions on migratory birds.

As described in Section 3.4, *Biological Resources*, the proposed project would have a less than significant impact on nesting birds with implementation of mitigation measure BIO-1 if construction cannot be avoided during nesting season. Thus, the lead agency would be in compliance with this EO.

4.8 Executive Order 11990 – Protection of Wetlands

Under EO 11990, federal agencies must avoid affecting wetlands unless it is determined that no practicable alternative is available.

As described in Section 3.4, *Biological Resources*, the project site does not support federally protected wetlands as defined by CWA Section 404 and therefore no impacts would occur. Thus, the lead agency would be in compliance with EO 11990.

4.9 Wild and Scenic Rivers Act

The Wild and Scenic Rivers Act was passed in 1968 to preserve and protect designated rivers for their natural, cultural, and recreational value.

There are no designated Wild and Scenic Rivers within the project area, nor will any designated rivers be adversely affected by the proposed project. As a result, the Wild and Scenic Rivers Act does not apply to the proposed project.

4.10 Safe Drinking Water Act – Source Water Protection

Section 1424(e) of the Safe Drinking Water Act established the USEPA's Sole Source Aquifer Program. This program protects communities from groundwater contamination from federally-funded projects.

Within USEPA's Region 9, which includes California, there are nine sole source aquifers, of which four are located within California. None of these sole source aquifers are located within the project area. Therefore, the Sole Source Aquifer Program does not apply to the proposed project, and the lead agency would be in compliance with Section 1424(e) of the Safe Drinking Water Act.

4.11 Executive Order on Trails for America in the 21st Century

The EO on Trails for America requires federal agencies to protect, connect, promote, and assist trails of all types throughout the United States. As described in Section 3.16, *Recreation*, the Rio Hondo Bike Trail runs along the southeastern border of JAFP. The project would not alter or otherwise restrict the Rio Hondo Bike Trail from public use. The quality of the recreational experience along the Rio Hondo Bike Trail may temporarily be affected due to the presence of traffic and noise associated with project construction activities; however, such effects would be temporary. During operation and maintenance of the proposed project the quality of the recreational experience along the Rio Hondo Bike Trail would be the same as under existing conditions. Therefore, the lead agency is in compliance with this EO.

4.12 Executive Order 13007 – Indian Sacred Sites

Sacred sites are defined in Executive Order 13007 (May 24, 1996) as "any specific, discrete, narrowly delineated location on federal land that is identified by an Indian tribe, or Indian individual determined to be an appropriately authoritative representative of an Indian religion, as sacred by virtue of its established religious significance to, or ceremonial use by, an Indian religion; provided that the tribe or appropriately authoritative representative of an Indian religion has informed the agency of the existence of such a site."

The proposed project would not be located on or impact any federal lands and therefore would not affect any Indian sacred sites under this EO.

4.13 Magnuson-Stevens Fishery Conservation and Management Act

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) of 1976 as amended (16 U.S.C. § 1801 et seq.), is the primary act governing federal management of fisheries in federal waters, from the three-nautical-mile state territorial sea limit to the outer limit of the U.S. Exclusive Economic Zone. It establishes exclusive U.S. management authority over all fishing within the Exclusive Economic Zone, all anadromous fish throughout their migratory range except when in a foreign nation's waters, and all fish on the continental shelf. The Act also requires federal agencies to consult with NMFS on actions that could damage Essential Fish Habitat (EFH), as defined in the 1996 Sustainable Fisheries Act (Public Law 104-297).

The proposed project would not be located in or impact any U.S. federal waters regulated under the Magnuson-Stevens Act. EFH includes those habitats that support the different life stages of each managed species. A single species may use many different habitats throughout its life to support breeding, spawning, nursery, feeding, and protection functions. EFH can consist of both the water column and the underlying surface (e.g., streambed) of a particular area. The project area is located in a previously disturbed area, and as described in Section 3.4, *Biological Resources*, there are no resident or migratory fish or fish habitat in the project area. The project is therefore not expected to have adverse effect on resident or migratory fish or fish habitat.

4.14 Environmental Justice

This section describes the existing socioeconomic resources in the project area and the regulatory setting pertaining to environmental justice-related issues. This section also evaluates the potential for the proposed project to disproportionately affect minority or low-income groups. The USEPA defines environmental justice as:

> The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means no group of people, including racial, ethnic, or economic groups should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations (USEPA 2018b).

Minority and Low-Income Communities

The watershed benefitting from the proposed project encompasses portions of the cities of Bell Gardens and Commerce. According to USEPA guidelines, a minority population is present in a study area if the minority population of the affected area exceeds 50 percent, or if the minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis.

According to the United States Census Bureau's 2013 to 2017 American Community Survey (ACS) estimates, the ethnic composition of the population of Bell Gardens is roughly 95.5 percent Hispanic, 3.1 percent White, and 0.7 percent Asian. The ethnic composition of the population of Commerce is roughly 95.5 percent Hispanic, 1.2 percent White, and 0.9 percent Asian (United States Census Bureau 2018). Therefore, the watershed benefitting from the proposed project does have a

minority population exceeding 50 percent and can be considered a minority community for the purposes of this analysis.

USEPA guidelines recommend analyses of low-income communities consider the United States Census Bureau's poverty level definitions, as well as applicable State and regional definitions of low-income and poverty communities. According to 2013 to 2017 ACS estimates, approximately 29.7 percent of people in Bell Gardens and 16 percent of people in Commerce are considered to be in poverty. In comparison, the percentage of persons in poverty for the entire State of California was 13.3 percent for the same time period (United States Census Bureau 2018). Therefore, the watershed benefitting from the proposed project can be considered a low-income community.

The California Department of Water Resources (DWR) defines a Disadvantaged Community (DAC) as a community with a median household income (MHI) less than 80 percent of the California MHI. According to 2013 to 2017 ACS data, the statewide MHI was $67,169. A DAC would therefore be defined as a community with a MHI of $53,735 or less. For this time period, the MHI in Bell Gardens was $39,008 and the MHI in Commerce was $42,734. Therefore, according to DWR's definition, the watershed benefitting from the proposed project can be considered a disadvantaged community (United States Census Bureau 2017).

Conclusion

For the purposes of this analysis, an impact related to environmental justice would be significant if the proposed project would cause impacts to minority or low-income populations that are disproportionately high and adverse, either directly, indirectly, or cumulatively.

The proposed project would improve water quality in surface water flows entering the Rio Hondo Channel and subsequently the Los Angeles River, and would also augment groundwater supplies in the affected area. Therefore, the proposed project would provide local benefits to the affected community. Although construction would generate impacts (e.g. limited park access, dust, noise), such activities would be temporary and would cease upon completion of work activities. Where potential environmental impacts could occur, mitigation measures have been identified to reduce such impacts to less-than-significant levels. Furthermore, the proposed project involves the replacement and refurbishment of disturbed surface facilities at JAFP.

Consequently, the proposed project would not result in disproportionately high and adverse impacts on minority or low-income communities.

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