

5.16 MANDATORY FINDINGS OF SIGNIFICANCE

This section provides consideration of the proposed La Brea Tar Pits Master Plan and the Mandatory Findings of Significance in response to the Environmental Checklist questions included in Appendix G Section XXI and Section 15065 of the State CEQA Guidelines. The information provided in this section is based on the data and analyses conducted for this EIR (see Chapter 5, Environmental Impact Analysis, Sections 5.1 through 5.15 for a more detailed discussion of project impacts related to each resource topic).

5.16.1 Environmental Evaluation

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?

As discussed in Section 5.3, Biological Resources, one candidate species for listing under the federal Endangered Species Act—monarch butterfly (*Danaus plexippus*)—has been recorded on the project site. No other candidate, sensitive, or special-status species of flora or fauna are expected to occur at the project site. While the project site does not support overwintering aggregations of monarch butterflies, the presence of non-native tropical milkweed (*A. curassavica*), a known nectar source and host plant and potentially harmful ecological trap for both resident and migratory monarchs, is documented to occur on-site. Project implementation could result in potentially significant impacts during the construction process on the federal candidate monarch butterfly, either directly or through habitat modifications (i.e., removal of milkweed plants). In addition, the project site may contain potential jurisdictional wetland/aquatic resources in and along Oil Creek and the Lake Pit, and project activities could directly and indirectly impact the associated riparian wetland habitat. The project could directly impact nesting birds during project construction and temporally impact nesting bird habitat through project implementation. Further, the project could potentially conflict with the County of Los Angeles Oak Tree Ordinance due to the removal, relocation, trimming, or replacement of the 11 oak trees on the project site. These impacts can be reduced to less-than-significant levels by implementing the project mitigation measures BIO/mm-1.1, BIO/mm-2.1, BIO/mm-3.1, BIO/mm-5.1, BIO/mm-5.2, BIO/mm-6.1, and BIO/mm-6.2, as detailed in Section 5.3.5, Environmental Impact Analysis. With implementation of these measures, the project would not 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, or substantially reduce the number or restrict the range of a rare or endangered plant or animal.

As discussed in Section 5.5, Cultural Resources – Historical Resources, the project’s proposed alterations to the George C. Page Museum (Page Museum) would compromise its historic integrity to the point that the historical resource would no longer convey the reasons for its significance. In addition, the project implementation would result in a comprehensive redesign of Hancock Park, which would erode and interrupt the eclectic but cohesive character-defining features of this historic district such that it would no longer convey the reasons for its significance as a California Register of Historical Resources- and locally eligible historic district. The loss of eligibility for the resource represents material impairment and an impact on the environment. While implementation of the proposed mitigation measures CR-HIST/mm-1.1 through CR-HIST/mm-1.5 would reduce impacts to the extent feasible, the project would alter these resources in such a way that they would no longer convey the reasons for their significance within the parameters of the design and key features envisioned in the Master Plan. There are no mitigation

measures that would reduce these impacts to less-than-significant levels while keeping the primary elements of the Master Plan; therefore, impacts of the project would remain *significant and unavoidable* after mitigation.

Table 5.16-1 provides a summary of impacts and significance after mitigation for biological resources and cultural historical resources.

Table 5.16-1. Summary of Impacts and Significance after Mitigation for Biological Resources and Cultural Historical Resources

Impact Threshold with Potentially Significant Impact	Impact Statement	Mitigation Measure Identification	Significance After Mitigation
Section 5.3 Biological Resources			
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 project could result in significant effects during construction on one species, the federal candidate monarch butterfly, either directly or through habitat modifications. Impacts during project construction could be significant. During project operation, the project would not result in significant effects, either directly or through habitat modifications, on any identified candidate, sensitive, or special-status species. Impacts during project operation would be less than significant. (CEQA Checklist Appendix G Threshold IV. a)	BIO/mm-1.1	Less than Significant with Mitigation
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, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	The project could directly and indirectly impact the riparian wetland habitat associated with Oil Creek during both construction and operation. A reconnaissance survey suggests there may be approximately 0.3 acre of regulated aquatic resources associated with Oil Creek. Impacts during project construction and operation could be significant. (CEQA Checklist Appendix G Threshold IV. b)	BIO/mm-2.1	Less than Significant with Mitigation
	The project could directly and indirectly impact the Lake Pit lakebed and its associated riparian habitat during both construction and operation. A reconnaissance survey suggests there may be approximately 1.2 acres of regulated aquatic resources associated with the Lake Pit. Impacts during project construction and operation could be significant. (CEQA Checklist Appendix G Threshold IV. b)	BIO/mm-3.1	Less than Significant with Mitigation
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, hydrologic interruption, or other means?	The project site may contain potential jurisdictional wetland/aquatic resources in and along Oil Creek and the Lake Pit. Project construction and operation may result in impacts to wetland habitat. Impacts during project construction and operation could be significant. (CEQA Checklist Appendix G Threshold IV. c)	BIO/mm-2.1 and BIO/mm-3.1	Less than Significant with Mitigation
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?	The project could directly impact nesting birds during project construction and temporarily impact nesting bird habitat during project operation. Impacts during project construction and operation could be significant. (CEQA Checklist Appendix G Threshold IV. d)	BIO/mm-5.1 and BIO/mm-5.2	Less than Significant with Mitigation

Impact Threshold with Potentially Significant Impact	Impact Statement	Mitigation Measure Identification	Significance After Mitigation
e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Removal, relocation, trimming, or replacement of the 13 protected oak trees on the project site during project construction and operation could potentially conflict with the County of Los Angeles Oak Tree Ordinance. Impacts during project construction and operation could be significant. (CEQA Checklist Appendix G Threshold IV. e)	BIO/mm-6.1	Less than Significant with Mitigation

Section 5.5 Cultural Historical Resources

a) Would the project cause a substantial adverse change in the significance of a Historical Resource Pursuant to Section 15064.5 of the State CEQA Guidelines?	Project construction would cause a substantial adverse change in the significance of a Historical Resource pursuant to Section 15064.5 of the State CEQA Guidelines. Specifically, the project would cause a substantial adverse change in the significance of two identified historical resources: La Brea Tar Pits Historic District and the George C. Page Museum. This impact would be significant. Project operation would not cause a substantial adverse change in the significance of historic resources pursuant to State CEQA Guidelines Section 15064.5. No operational impacts would occur. (CEQA Checklist Appendix G Threshold V. a)	CR-HIST/mm-1.1 through CR-HIST/mm-1.5	Significant and Unavoidable
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Mandatory Findings Impact 1
<p>The project does not 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, or substantially reduce the number or restrict the range of a rare or endangered plant or animal.</p> <p>The project does have the potential to eliminate important examples of the major periods of California history or prehistory. The project would cause a substantial adverse change in the significance of two identified historical resources: the La Brea Tar Pits Historic District and the George C. Page Museum (CEQA Checklist Appendix G Threshold XXI. a).</p>
Mitigation Measures
<i>Implementation of Mitigation Measures CR-HIST/mm-1.1 through 1.5 shall be required.</i>
Impacts Following Mitigation
<i>With implementation of the identified mitigation measures, impacts to historical resources would remain significant and unavoidable.</i>

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)?

Chapter 4, Environmental Setting, details the existing and reasonably foreseeable future development projects located in proximity to the project site. The related projects generally consist of infill development and redevelopment of existing uses, including mixed-use, residential, commercial, office, restaurant, retail, studio, museum, hotel, and combinations thereof. As well, the cumulative effects of the project have been analyzed for each environmental topic area included in this EIR and can be found following the impact analysis sections in Chapter 5, Environmental Impact Analysis. The project would result in cumulatively considerable impacts related to historical resources (Section 5.5.6) and inconsistencies with applicable land use plans and policies established to protect historical resources (Section 5.10.6). In addition, the project would result in a significant contribution to cumulative transportation impacts by resulting in a net increase in vehicle miles traveled (VMT) (Section 5.13.6). Although implementing the proposed mitigation measures would reduce project impacts, they would not mitigate them to less than cumulatively considerable contributions to potential cumulative impacts. Therefore, the project’s impacts related to historical resources, inconsistencies with land use plans and policies established to protect historical resources, and the increase in VMT would remain *cumulatively considerable*.

Mandatory Findings Impact 2
The project would result in cumulatively considerable impacts related to the substantial alteration of designated historical resources; inconsistencies with applicable land use plans and policies established to protect historic resources; and the substantial increase in vehicle miles traveled. (CEQA Checklist Appendix G Threshold XXI. b)
Mitigation Measures
<i>Implementation of Mitigation Measures CR-HIST/mm-1.1 through 1.5 and TRA/mm-1.1 shall be required.</i>
Impacts Following Mitigation
<i>Although implementation of Mitigation Measures CR-HIST/mm-1.1 through CR-HIST/mm-1.5 and TRA/mm-1.1 would reduce project impacts related to the identified cumulative impacts (historical resources and vehicle miles traveled), they would not mitigate them to less-than-significant levels. Therefore, the project’s impacts related to historical resources, inconsistencies with land use plans and policies established to protect historic resources, and the increase in vehicle miles traveled would be cumulatively considerable.</i>

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

The potential for the project to result in adverse direct or indirect impacts on human beings was examined for each environmental topic area included in Chapter 5, Environmental Impact Analysis. For this project, environmental categories associated with indirect or direct effects on human beings would include aesthetics, air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, and noise, which are addressed in Section 5.1, Aesthetics; Section 5.2, Air Quality; Section 5.6., Geology and Soils; Section 5.7, Greenhouse Gas Emissions; Section 5.8, Hazards and Hazardous Materials; and

Section 5.11, Noise and Vibration. As described in each of these sections, the project would result in potentially significant impacts in each of these environmental topics during construction and operation of the project; however, the project would implement mitigation measures to reduce impacts to less-than-significant levels. As such, after implementation of the identified mitigation measures, the project's environmental effects on human beings would be *less than significant*.

Mandatory Findings Impact 3
The project could result in significant adverse effects on human beings during project construction and operation. (CEQA Checklist Appendix G Threshold XXI c)
Mitigation Measures
<i>Implementation of Mitigation Measures AES/mm-4.1 and 4.2; AQ/mm-3.1; GEO/mm-3.1 and 3.2, GEO/mm-4.1, and GEO/mm-6.1 through 6.4; GHG/mm-1.1; HAZ/mm-1.1, HAZ/mm-1.2., HAZ/mm-2.1, and HAZ/mm-2.2.; and NOI/mm-1.1 shall be required.</i>
Impacts Following Mitigation
<i>With implementation of the project mitigation measures listed above, the project would not result in significant adverse effects on human beings.</i>

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