

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA
CERTIFYING THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT
REPORT FOR THE ROSE BOWL STADIUM RENOVATION PROJECT, AND
ADOPTING ENVIRONMENTAL FINDINGS, AND A MITIGATION
MONITORING AND REPORTING PROGRAM**

WHEREAS, the Rose Bowl Stadium Renovation Project proposes: (1) to modify ingress and egress into the Stadium through one of three options: Option A: Construction of a New Concourse at the Horizon Level; Option B: Tunnel Widening and Internal Concourse; or Option C: Horizon-Level Concourse, Tunnel Widening, and Internal Concourse (a hybrid of the previous two options); (2) removal and replacement of the existing suites and press box structure, including adding a lighted, animated ribbon sign to the interior-facing façade; and (3) demolition of existing ancillary structures around the base of the stadium and replacement of perimeter structures at the fence line, along with removal of asphalt surfacing and landscaping. (The term “Project” is used herein to refer to either Options A, B, or C, in combination with the remainder of the proposed activities. Where necessary, a distinction will be made between the options.) The Project requires a Conditional Use Permit for alteration and enlargement of a Commercial Recreation land use in the OS (Open Space) zoning district, as well as Design Review, and may require other subsequent discretionary approvals, from the City and other regional and state agencies; and

WHEREAS, the City of Pasadena is the lead agency for the Project pursuant to the California Environmental Quality Act (“CEQA,” Cal. Pub. Res. Code §21000 *et seq.*), the

State CEQA Guidelines (the “Guidelines,” 14 Cal. Code Regs. §15000 *et seq.*), and the City’s local environmental policy guidelines; and

WHEREAS, pursuant to Section 15163 of the Guidelines, the City prepared a Draft Supplemental Environmental Impact Report (“DSEIR,” State Clearinghouse No. 2004101073) for the Project. The DSEIR is a supplement to the Final EIR adopted by the City Council on May 16, 2005 for the NFL Project (“FEIR,” the NFL Project was never approved). Pursuant to State CEQA Guidelines §15150, the FEIR was incorporated by reference into the DSEIR. The DSEIR considers the environmental impacts associated with the following environmental resource areas and compares them to the FEIR to determine any change in severity of impact or level of significance, or whether any new or different mitigation measures are warranted: Aesthetics, Air Quality, Biological Resources, Cultural and Historic Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Public Services, Recreation, Transportation/Traffic, and Utilities and Service Systems.

WHEREAS, on June 21, 2007, the City prepared and sent a Notice of Preparation (“NOP”) of the DSEIR to responsible, trustee, and other interested agencies and persons in accordance with Guidelines Sections 15082(a) and 15375. The City received five comment letters in response to the NOP. In addition, a DSEIR scoping meeting was held by the City of Pasadena on July 19, 2007; and

WHEREAS, pursuant to Public Resources Code section 21092, the City provided a public Notice of Completion and Availability (“NOA”) of the DSEIR on December 17, 2007, and was available on the City’s website that day. The NOA was published in the Pasadena Star-

News on December 18, 2007. The NOA also gave notice of the Planning Commission meeting on January 23, 2008. Copies of the DSEIR and the FEIR were also available at the City's Planning and Development Department at 175 North Garfield Avenue and at City Hall, Room S116, as well as at the Pasadena Central Library, San Rafael Branch Library, and Linda Vista Branch Library. The DSEIR was also available on the City's website; and

WHEREAS, the DSEIR was circulated, together with technical appendices, to the public and other interested persons for a 60-day public comment period, from December 17, 2007 through February 14, 2008. During the comment period, the City held three duly noticed public meetings at which the public was given the opportunity to provide comments on the DSEIR, as follows: Planning Commission on January 23, 2008, Design Commission on January 28, 2008, and Historic Preservation Commission on February 4, 2008; and

WHEREAS, during the public comment period the City received written and oral comments on the DSEIR, and consulted with all responsible and trustee agencies, other regulatory agencies and others pursuant to Guidelines Section 15086. The City prepared written responses to all written comments received on the DSEIR and made revisions to the DSEIR, as appropriate, in response to those comments. The City distributed written responses to comments on the DSEIR on April 24, 2008, in accordance with the provisions of Public Resources Code Section 21092.5 and Guidelines Section 15088. The written responses to comments were also made available for a 24 day period of public review before the commencement of the public meeting regarding the certification of the SEIR. After reviewing the responses to comments and the revisions to the DSEIR, the City concludes that the information and issues raised by the

comments and the responses thereto did not constitute new information requiring recirculation of the DSEIR; and

WHEREAS, the Final Supplemental Environmental Impact Report (the “FSEIR” or “SEIR”) is comprised of: the Draft Supplemental EIR, dated December, 2007 and numbered State Clearinghouse No. 2004101073; the Comments and Responses to Comments on the DSEIR set forth in Chapter 5 of the FSEIR dated April, 2008, including Technical Appendices, the Errata dated May, 2008. The FSEIR and was made available to the public on April 24, 2008, through posting on the City’s website, and hard copies were available on April 25, 2008 at the Permit Center and Central Library; and

WHEREAS, the Rose Bowl Operating Company (“RBOC”) held a duly noticed public meeting on the FSEIR and the Project on May 1, 2008, and at that meeting recommended to the City Council that the FSEIR should be certified; and

WHEREAS, the Economic Development and Technology Committee (“EdTech”) held a duly noticed public meeting on the FSEIR and the Project on May 21, 2008; and

WHEREAS, the City Council held a duly noticed public meeting on the FSEIR and the Project on June 2, 2008; and

WHEREAS, the findings made in this resolution are based upon the information and evidence set forth in the FSEIR and upon other substantial evidence that has been presented at all public meetings regarding the Project and in the record of the proceedings. The documents, staff reports, technical studies, appendices, plans, specifications, and other materials that constitute the record of proceedings on which this resolution is based are on file and available for public

examination during normal business hours in the Planning Department and with the Director of Planning, who serves as the custodian of these records; and

WHEREAS, the City Council finds that agencies and interested members of the public have been afforded ample notice and opportunity to comment on the FSEIR and that the comment process has fulfilled all requirements of State and local law; and

WHEREAS, the City Council has independently reviewed and considered the contents of the FSEIR prior to deciding whether to approve the Project; and

WHEREAS, the City Council finds that the comments regarding the FSEIR and the responses to those comments have been received by the City; that the City Council received public testimony regarding the adequacy of the FSEIR; and that the City Council, as the decision-making body for the lead agency, has reviewed and considered all such documents and testimony prior to acting on the Project; and

WHEREAS, the only item before the Council at this time is consideration of certification of the FSEIR. Approval of the Project is not proposed, and thus a statement of overriding considerations is not being considered. At the time that consideration of any Project approvals may be before the City, and if the approvals rely on the FSEIR as the appropriate environmental document, the City will need to consider whether there are any overriding considerations which outweigh the unavoidable adverse environmental effects of the Project; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PASADENA
RESOLVES AS FOLLOWS:**

I. RESOLUTION REGARDING CERTIFICATION OF THE FSEIR

Pursuant to State CEQA Guidelines Section 15090, the City Council certifies that: (1) it has reviewed and considered the FSEIR in evaluating the proposed Project, (2) the FSEIR is an accurate and objective statement that fully complies with CEQA, the State CEQA Guidelines, the City's local environmental guidelines, and (3) the FSEIR reflects its independent judgment. The City Council certifies the FSEIR based on the findings and conclusions herein.

The City Council finds that the information provided in the staff report, in the responses to comments received after circulation of the DSEIR, and in the evidence presented in writing and through oral testimony presented at public meetings, does not constitute new information requiring recirculation of the FSEIR. None of the information presented to the City Council after circulation of the DSEIR has deprived the public of a meaningful opportunity to comment upon a substantial environmental impact of the Project or a feasible mitigation measure or alternative that the City has declined to implement.

**II. RESOLUTION REGARDING ENVIRONMENTAL IMPACTS NOT ANALYZED
IN THE FSEIR**

The City Council hereby finds that the following potential environmental impacts of the Project were found to be unchanged from the analysis set forth in the 2005 FEIR, did not require the imposition of new or additional mitigation measures, and therefore, pursuant to State CEQA

Guidelines §15163, did not require study in the FSEIR: mineral resources, agricultural resources, and population and housing.

III. RESOLUTION REGARDING ENVIRONMENTAL IMPACTS MITIGATED TO BELOW A LEVEL OF SIGNIFICANCE

The City Council finds that mitigation measures have been identified in the FSEIR which will reduce the following potentially significant environmental impacts to below a level of significance.

a. BIOLOGICAL RESOURCES

i. Potential Significant Impacts

Impact 3.3-1 Implementation of the Project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species, riparian habitat or other sensitive natural community, or federally protected wetlands. This is a less-than-significant impact.

Impact 3.3-2 Implementation of the Project would not interfere substantially with the movement or 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. This is a less than significant impact.

Impact 3.3-3 Implementation of the Project could, through habitat modifications, result in a potential reduction in nesting opportunities for resident and migratory avian species of special concern, including raptors or the loss of an active avian nest. This impact can be mitigated to below a level of significance.

Impact 3.3-4 Implementation of the Project could conflict with the City of Pasadena Tree Ordinance. This impact can be mitigated to below a level of significance.

Impact 3.3-5 The Project would increase nighttime illumination, but no adverse effect on wildlife within the area would occur. This impact can be mitigated to below a level of significance.

Impact 3.3-6 The Project could have direct and indirect effects upon the hydrology and aquatic habitat quality of the Arroyo Seco. This is a less than significant impact.

ii. Proposed Mitigation

MM 3.3-1 To ensure that avian species of concern, protected migratory species (e.g., MBTA), or raptors species are not injured or disturbed by construction in the vicinity of nesting habitat, the project applicant shall implement the following measures:

- Proposed project activities (including disturbances to native and non-native vegetations, structures and substrates) should take place outside of the breeding bird season which generally runs from March to August 31 (as early as February 1 for raptors) to avoid take (including disturbances that would cause abandonment of active nests containing eggs and/ or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill (Fish and Game Code Section 86).
- If avoidance of the breeding bird season is not feasible, beginning thirty days prior to the disturbance of suitable nesting habitat the project proponent should arrange for weekly bird surveys to detect protected native birds occurring in the habitat that is to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors) as access to adjacent areas allows. The surveys should be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys should continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/ construction work. If a protected native bird is found, the project proponent should delay all clearance/ construction disturbance activities within 300 feet of suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31. Alternatively, the qualified biologist could continue the surveys in order to locate any nests. If an active nests is located, clearing and construction within 200 feet of the nest (within 300 feet for raptor nests) or as determine by a qualified biological monitor, must be postponed until nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest should be established in the field with flagging and stakes or construction fencing marking the protected area 300 feet (or 500 feet) for the nest. Construction personnel should be instructed on the sensitivity of the area. The project proponent should record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds.
- When feasible, all tree removal shall occur between August 30 and February 15 to avoid the breeding season of any raptor species that could be using the area, and to discourage hawks or bats from nesting/roosting in the vicinity of an upcoming construction area. This period may be modified with the authorization of the DFG; or if it is not feasible to remove trees outside this window then, prior to the beginning of mass grading, including

grading for major infrastructure improvements, during the period between February 15 and August 30, all trees and potential burrowing owl habitat within 350 feet of any grading or earthmoving activity shall be surveyed for active raptor nests or burrows by a qualified biologist no more than 30 days prior to disturbance. If active raptor nests are found, and the site is within 350 feet of potential construction activity, a fence shall be erected around the tree at a distance of up to 350 feet, depending on the species, from the edge of the canopy to prevent construction disturbance and intrusions on the nest area. The appropriate buffer shall be determined by the City in consultation with CDFG.

- No construction vehicles shall be permitted within restricted areas (i.e., raptor protection zones), unless directly related to the management or protection of the legally protected species.
- In the event that a nest is abandoned, despite efforts to minimize disturbance, and if the nestlings are still alive, the developer shall contact CDFG and, subject to CDFG approval, fund the recovery and hacking (controlled release of captive reared young) of the nestling(s).
- If a legally protected species nest is located in a tree designated for removal, the removal shall be deferred until after August 30th, or until the adults and young of the year are no longer dependent on the nest site as determined by a qualified biologist.

MM 3.3-2(a) The Applicant, prior to being issued a grading permit, shall submit a tree report prepared by a certified arborist that meets the requirements of the Pasadena Tree Protection Ordinance identifying trees to be removed and trees to be retained. It shall also include the preparation and submission of a tree protection and replacement plan. The tree replacement plan shall include replanting for increased canopy and include a minimum replacement ratio for removed or damaged trees of 1:1. The plan shall be prepared and approved by the City prior to grading or construction and shall include the following:

- The details and procedures required to prepare the restoration site for planting (i.e. grading, soil preparations, soil stocking, etc.).
- The methods and procedures for the installation of the plant materials.
- A complete list of trees to be planted, which shall emphasize, to the extent feasible, planting of tree species native to the Arroyo Seco.
- Guidelines for the maintenance of the mitigation site during the establishment phase of the plantings. The maintenance program shall contain guidelines for the control of nonnative plant species and the replacement of plant species that have failed to recolonize.
- The revegetation plan shall provide for monitoring to evaluate the growth of the trees. Annual monitoring of the replacement trees shall occur for the first five years after which it shall be performed on the seventh and tenth year. Specific success criteria for replaced trees shall include the following:
 - For a replacement ratio greater than 1:1: 90 percent or more of the transplanted/

replacement trees surviving ten years after transplantation with overall no net loss of trees

- For replacement ration of 1:1: 100 percent survival
- Contingency plans and appropriate remedial measures shall also be outlined in the replacement plan should the plantings fail to meet designated success criteria and planting goals.

When construction activities occur near protected tree species that are to be saved, Best Management Practices (BMPs) to avoid damage to the trees shall be implemented, and verified by the City's Code Compliance staff. The BMPs will include, but are not limited to (1) installing protective fencing prior to and during construction, using wire mesh or plastic barrier fencing placed outside the drip line of the tree; (2) avoiding disturbance and trenching within the tree drip line; (3) maintaining the surface grade around the tree; and (4) prohibiting the placement of paving or landscaping requiring summer irrigation in the vicinity of trees.

MM 3.3-2(b) A drainage plan shall be designed in such a way as to avoid changes to hydrology in the vicinity of the protected trees.

MM 3.3-2(c) Construction staging areas shall be designated on the construction plans and parking, loading, and grading during all construction activities shall be prohibited within the root zone of the protected trees.

MM 3.3-3 All lighting along the perimeter of natural areas such as the channel shall be downcast luminaries with light patterns directed away from natural areas, as coordinated with a certified lighting engineer and project biologist.

MM 3.1-3 also applies to this resource area.

iii. Findings Pursuant to CEQA Guidelines Section 15091

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final SEIR.

Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the Final SEIR.

iv. Supporting Explanation

Literature and field surveys updated from the FEIR in 2005 confirm that no endangered, rare, threatened, or special status plant species (or associated habitats) are known to occur or found within the Project site. (FSEIR, p. 3.3-4.) A majority of the Project site is developed and contains ornamental vegetation, and the amount of habitat for wildlife that would be affected by the Project is small. The Project will not alter the Arroyo channel, and includes insignificant amounts of fencing and other new structures, so there is no significant effect on the movement of wildlife through or across the site from current levels. (*Id.* at p. 3.3-5.) While the Project reduces the number of trees to be removed over those in the FEIR, nonetheless potential impacts to bird species protected by the Migratory Bird Treaty Act could be impacted. Implementation of mitigation measure 3.3-1 requires actions that ensure such species are not injured or disturbed by construction in the vicinity of nesting habitat, and reduces this potential impact to below a level of significance. (*Id.* at pp. 3.3-6 and 7.) All trees within the Project boundary are subject to the Tree Protection Ordinance as public trees. Some of the trees may also be protected as landmark, specimen, or native trees as defined in the Ordinance. Tree removal is a potentially significant impact. The Project developer would be required to submit a tree replacement and relocation plan for approval prior to issuance of a grading permit. Strict adherence to best management practices for construction of the Project and successful implementation of a comprehensive tree mitigation and monitoring plan, as outlined in MM 3.1-3, MM 3.3-2a, MM 3.3-2b, and MM 3.3-2c reduces potential impacts to protected tree species to below a level of significance. (*Id.* at pp. 3.3-7 to 9.)

The Project does not include any alterations to the lighting system different from that proposed under the original project, and mitigation measure 3.3-3 ensures that all impacts are less than significant by requiring that lighting is directed away from natural areas. (*Id.* at p. 3.3-9.) Construction activities could lead to increased runoff and erosion on the site, or soil deposition within the Arroyo, and runoff may carry pollutants into the Arroyo. Runoff produced during and after construction is subject to National Pollution Discharge Elimination System Regulations, as well as local water quality and runoff standards, and the applicant will be required to prepare and implement a Stormwater Pollution Prevention Plan (“SWPPP”) which will require Best Management Practices to manage runoff. With these regulations in place, the impact to hydrology and aquatic habitat is less than significant. (*Id.* at p. 3.3-9 and 10.)

v. Cumulative Impacts

The primary effects of the Project, when considered with other future/related projects in the region, would be the cumulative direct loss of natural communities and, in turn, wildlife habitat and movement corridors. Since impacts from the Project would be limited to ornamental and landscaped vegetation, the incremental effect of the loss of these non-native habitats is not cumulatively considerable. These areas are composed of primarily non-native vegetation that offer little if any habitat value or resources for native species. With regard to runoff from the site, the Project’s incremental effect could be significant because they have the potential to substantially reduce the biological value of the Arroyo Seco if urban pollutants are excessive. However, implementation of a SWPPP and use of California Stormwater Best Management Practices is required for the Project, and for each of the cumulative projects, during and after

construction, which reduces these cumulative impacts to less-than-significant levels. (FSEIR, pp. 3.3-10 and 11.)

b. GEOLOGY AND SOILS

i. Potential Significant Impacts

Impact 3.5-1 The Project would not be located on a geologic unit or soil that is unstable or that would become unstable as a result of the Project and result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. This is a less-than-significant impact.

Impact 3.5-2 The Project would not be located on expansive soil. This impact can be mitigated to below a level of significance.

Impact 3.5-3 The Project could expose people or structures to potentially substantial adverse effects from seismic activity or landslides. This impact can be mitigated to below a level of significance.

Impact 3.5-4 The Project would not result in substantial soil erosion or the loss of topsoil. This impact can be mitigated to below a level of significance.

ii. Proposed Mitigation

MM 3.5-1 Site-specific soil suitability analysis and stabilization procedures, and design criteria for foundations and road bases (described in the current Pasadena Building Code Chapters 16, 18, and A33) shall be required, as recommended by a California-registered soil engineer, during the design phase for each site where the existence of unsuitable soil conditions is known or suspected. During the design phase, where the existence of unsuitable soil conditions is known or suspected, the Developer's registered soil engineering consultant shall provide documentation to the City that:

- Site-specific soil suitability and stability analyses have been conducted in the area of the proposed foundations and road bases to establish the design criteria for appropriate foundation or road base type and support
- The recommended criteria have been incorporated in the design of foundation

During grading, the registered soils professional shall be on the site to do the following:

- Observe areas of potential soil unsuitability or instability
- Supervise the implementation of soil remediation or reconstruction programs
- Verify final soil conditions prior to setting the foundations

The registered soils engineering consultant shall prepare an “as built” map/report, to be filed with the City, showing details of the site soils, the location of foundations, retaining walls, subdrains, clean-outs, etc., and the results of suitability/stability analyses and compaction tests.

MM 3.5-2 The Applicant shall incorporate site-specific ground motion criteria, as described in the current Pasadena Building Code Chapters 16, 18, and A33, and reviewed by the city’s California-registered geotechnical and/or structural engineer, in the design of trenches, slopes, foundations, and structures for the project. Implementation of this measure is required by the Building Code and includes the following provisions:

- The minimum seismic-resistant design standards for all proposed facilities shall conform to the California Building Code Seismic Zone 4 Standards.
- Additional seismic-resistant earthwork and construction design criteria shall be incorporated in the project as necessary, based on the site-specific recommendations of a California Certified Engineering Geologist in cooperation with California-registered geotechnical and structural engineering professionals
- During site preparation, the registered geotechnical professional shall be on the site to supervise implementation of the recommended criteria
- The California Certified Engineering Geologist consultant shall prepare an “as built” map/report, to be filed with the City, showing details of the site geology, the location and type of seismic-restraint facilities, and documenting the following requirements, as appropriate
 - Engineering analyses shall demonstrate satisfactory performance of compacted fill or natural unconsolidated sediments where either forms part or all of the support for any structures, especially where the possible occurrence of liquefiable soils exists
 - Access roads, foundations, and underground utilities in fill or alluvium shall be designed to accommodate settlement or compaction estimated by the site-specific geotechnical investigations of the geotechnical consultant

MM 3.5-3 The following actions shall be taken:

- To the extent practicable, project site grading shall be scheduled for the dry season (April through September)
- In addition, NPDES permit requirements shall be fulfilled prior to issuance of building permits
- The Applicant shall submit a soil erosion and sedimentation control plan for the project to the City of Pasadena prior to grading, subject to the following recommendations:

- The Erosion and Sediment Transport Control Plan (as part of the overall SWPPP) shall be submitted, reviewed, implemented, and inspected as part of the approval process for the grading plans
- The Plan shall be designed by the Applicant's erosion control consultant, using concepts similar to those formulated by the state of California, as appropriate, based on the specific erosion and sediment transport control needs of the site where grading, excavation, and construction is to occur. Those concepts include some that apply generally to the entire project area and some that would be appropriate only for specific sites. The possible methods are not necessarily limited to the following items:
 - o Confine grading and activities related to grading (demolition, excavation, construction, preparation and use of equipment and material storage areas and staging areas) to the dry season, whenever possible
 - o Locate staging areas outside streams and drainage ways
 - o Keep the lengths and gradients of constructed slopes (cut or fill) as low as possible
 - o Discharge grading and construction runoff into small drainages at frequent intervals to avoid buildup of large potentially erosive flows
 - o Prevent runoff from flowing over unprotected slopes
 - o Keep disturbed areas (areas of grading and related activities) to the minimum necessary for demolition or construction of the project
 - o Keep runoff away from disturbed areas during grading and related activities
 - o Stabilize disturbed areas as quickly as possible, either by vegetative or mechanical methods
 - o Direct runoff over vegetated areas prior to discharge into public storm drainage systems, whenever possible
 - o Trap sediment before it leaves the site with such techniques as check dams, sediment ponds, or siltation fences
 - o Use interceptor ditches, drainage swales, or detention basins to prevent storm runoff from transporting sediment into drainage ways and to prevent sediment-laden runoff from leaving any disturbed areas
 - o Install silt fences to prevent sedimentation in areas adjacent to grading and down gradients into drainage ways. Design fences using the Universal Soil Loss Equation to calculate their proper storage capacity. The contractor shall implement installation by prior to mass grading and other soil disturbing construction activities on site
 - o The contractor shall be responsible for the removal and disposal of all project-related sedimentation in off-site retention ponds
 - o Use landscaping and grading methods that lower the potential for downstream sedimentation. Modified drainage patterns, longer flow paths,

encouraging infiltration into the ground, and slower stormwater conveyance velocities are examples of effective methods

- o Control landscaping activities carefully with regard to the application of fertilizers, herbicides, pesticides, or other hazardous substances. Provide proper instruction to all landscaping personnel on the construction team
- o During the installation of the erosion and sediment transport control structures, the erosion control professional shall be on the site to supervise the implementation of the designs, and the maintenance of the facilities throughout the demolition, grading, and construction period.

iii. Findings Pursuant to CEQA Guidelines Section 15091

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final SEIR.

Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the Final SEIR.

iv. Supporting Explanation

There are nearly no geological risks associated with soil slips, rock slides, or debris flows at the Project site. (FSEIR, p. 3.5-3.) Mitigation measure MM 3.5-1 requires site-specific soil suitability analysis and stabilization procedures, as well as design criteria for foundations during the design phase for each site where the existence of unsuitable soil conditions is known or suspected. This ensures that any Project impacts arising from weak soils would be less than significant. (*Ibid.*) Similarly, new construction at the Project will comply with applicable Building Codes, as well as mitigation measures MM 3.5-2, and thereby improve the seismic stability of the stadium and result in a beneficial impact. (*Id.* at pp. 3.5-4 and 5.) Option B will require additional internal excavation for construction of the internal concourse, as well as

minimal excavation and grading for the new concession buildings around the perimeter fence line. The Project is required to obtain a National Pollutant Discharge Elimination System (“NPDES”) permit from the Regional Water Quality Control Board, and to comply with the City’s grading ordinances. Soil erosion after construction would be controlled by implementation of an approved landscape and irrigation plan. Mitigation measure 3.5-3 imposes further soil erosion control measures on the Project, ensuring that the Project’s impacts on soil erosion remain less than significant. (*Id.* at pp. 3.5-6 and 7.)

v. Cumulative Impacts

Compliance with the NPDES requirements, as well as the Pasadena Building Code, will be required of all structures built in the City, and will reduce the geologic risks associated with development, including the risk of structural collapse and loss of life in new and retrofitted buildings. New structures constructed on a cumulative basis throughout the region will be built to current, safer seismic standards. As a result, the cumulative geologic effect of the Project and those on the list of projects will not be significant. (FSEIR, p. 3.5-9.)

c. HAZARDS AND HAZARDOUS MATERIALS

i. Potential Significant Impacts

Impact 3.6-1 The Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. This is a less-than-significant impact.

Impact 3.6-2 The Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter mile of an existing or proposed school. This is a less than significant impact.

Impact 3.6-3 Construction and operation of the Project would not expose workers and visitors to a safety hazard from helipad operations. This is a less than significant impact.

Impact 3.6-4 Implementation of the Project would not interfere with response and/or evacuation requirements in the case of an emergency. This is a less than significant impact.

Impact 3.6-5 Operation of the Project would not expose people to a significant risk of loss, injury, or death involving wildland fires. This is a less than significant impact.

ii. Proposed Mitigation -- NONE

iii. Findings Pursuant to CEQA Guidelines Section 15091

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final SEIR.

Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the Final SEIR.

iv. Supporting Explanation

Potential exposure of construction workers or the general public to hazardous materials will remain less than significant through compliance with all applicable codes and regulations governing hazardous materials, such as compliance with Cal/OSHA or South Coast Air Quality Management District regulations. (FSEIR, pp. 3.6-3 and 4.) Chandler School is within ¼ mile of the Project site. However, the Project will not cause hazardous emissions, nor would it introduce new hazardous materials. (*Id.* at p. 3.6-4.) Nearby helipad operations will not be affected by the Project, nor will the Project increase the risk of injury from helipad operations. (*Id.* at p. 3.6-6.) As required by law, the Project will continue to provide adequate access for

emergency vehicles and appropriate evacuation routes, regulate the storage of flammable and explosive materials and their transport within the area, comply with applicable Uniform Fire Code regulations, and provide sufficient water pressure and fire flows for the area. The City has prepared an Emergency Plan for the Rose Bowl which provides specific guidelines in the event of a major emergency at the stadium during which it is occupied, and the Project does not trigger the need for any change to that Plan. No temporary road or lane closures are anticipated during construction, and while part of Rose Bowl Drive will be modified on its west side and will be used for construction staging, the construction staging and improvements would occur off-street, and would not result in alteration to existing access roads. The Project will improve emergency evacuation and response capabilities, since the existing structure would be brought to current Building Code standards for access, exit, and disability requirements, and thus has a beneficial impact. (*Id.* at pp. 3.6-6 and 7.) The Project site is currently developed and there are no adjacent wildlands. Construction-related impacts are, therefore, minimal. Further, implementation of the Project would not place additional people at risk of loss, injury, or death as a result of wildland fires since the total number of seats within the stadium will remain nearly unchanged. The Project will be subject to existing fuel modification guidelines, which substantially minimize the potential for both on-site and off-site fires, and its fire impacts are less than significant. (*Id.* at p. 3.6-8.)

v. Cumulative Impacts

Risks associated with hazardous materials are largely site-specific and localized, and site-specific investigations would be conducted at sites where contaminated soils or groundwater

could occur, to minimize the exposure of workers or the general public to hazardous substances.

As such, the potential for cumulative hazardous materials impacts to occur is limited.

Cumulative development could increase the risk of construction exposure to hazards, but just like the Project, the cumulative list of projects will have to comply with all applicable hazardous materials regulations, and in that way there is no cumulative impact. (FSEIR, pp. 3.6-8 and 9.)

Finally, the Project's incremental effect on hazards associated with wildland fires is not potentially significant, and does not contribute to a cumulatively considerable effect in the area.

d. HYDROLOGY AND WATER QUALITY

i. Potential Significant Impacts

Impact 3.7-1 The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality. This is a less-than-significant impact.

Impact 3.7-2 The Project could create or contribute runoff water which would exceed the capacity or existing or planned stormwater drainage systems, but would not provide substantial additional sources of polluted runoff. Implementation of mitigation measure MM 3.13-2 would reduce this impact to less than significant. The Project would require the construction of new stormwater drainage facilities, the construction of which would not cause significant environmental effects. This impact can be mitigated to below a level of significance.

Impact 3.7-3 The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off site. This is a less-than significant impact.

ii. Proposed Mitigation

MM 3.13-4 The Project Applicant shall provide a storm drainage analysis to ensure that storm drain lines and connections are adequate and that capacity is available to accommodate the anticipated increase in stormwater flows. If the report provides recommendations for on-site storm drainage improvements, the recommendations must be followed and implemented. If

found that off-site improvements would be necessary, the Project Applicant shall pay in-lieu fees to the City for the future construction of those facilities.

iii. Findings Pursuant to CEQA Guidelines Section 15091

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final SEIR.

Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the Final SEIR.

iv. Supporting Explanation

The Project would not reduce flow to the Arroyo Seco or its recharge basins, and so has no impact on groundwater recharge or depletion of groundwater supplies. (FSEIR, p. 3.7-3.) The widening of the tunnels and construction of the internal concourse will require excavation of soil from the site, and by implementing the BMPs set forth by the Standard Urban Stormwater Management Plan, the hydrologic and water quality impacts of the Project are less than significant. Further, the Project will not alter any hydrological conditions that would increase the risk of dam failure/site inundation, or seiche, over that which currently exists at the site. (*Id.* at pp. 3.7-4 to 7.) To address deficiencies in the storm drain system surrounding the Project which could pose flooding problems at the site, mitigation measure MM 3.13-4 ensures adequate stormwater capacity at the site, and specifically requires the Project to either pay in-lieu fees or provide on-site improvements in order to ensure that storm drain lines and connections are adequate and capacity is available to accommodate the anticipated increase in stormwater flows.

As these improvements would be primarily within the urbanized portions of the site or other built locations (i.e. streets) construction will not cause significant environmental impacts. (*Id.* at p. 3.7-4.)

v. Cumulative Impacts

The City is almost entirely developed and a limited amount of impervious surfaces will be added as a result of cumulative development. Each of the related projects would be subject to the federal, state, and local regulations governing these types of impacts. Specifically, all construction activities that involve grading or excavation of sites larger than one acre are required to obtain NPDES permits and implement BMPs to minimize water quality impacts associated with construction. In addition, all projects within the City must be developed in accordance with Section 8.70 (Stormwater Management and Discharge Control) of the Municipal Code. All new development would also submit an Urban Runoff Mitigation Plan that requires projected stormwater runoff to be infiltrated or treated for the new development, thereby reducing water quality impacts associated with operational activities. Finally, after Project-level mitigation, the Project does not incrementally add to stormwater runoff that would exceed the capacity of existing stormwater drainage systems, nor affect existing groundwater recharge activities. (FSEIR, p. 3.7-7 and 8.)

e. LAND USE AND PLANNING

i. Potential Significant Impacts

Impact 3.8-1 The Project would not result in incompatibility with adjacent land uses, or cause a substantial adverse change in existing land use patterns. This is a less-than-significant impact.

Impact 3.8-2 The Project would not result in substantial alteration of the type or intensity of development in the immediate area. This is a less-than-significant impact.

Impact 3.8-3 The Project would not be inconsistent with applicable adopted land use plans, policies, and regulations. This is a less-than-significant impact.

Impact 3.8-4 The Project could interfere with existing uses in the immediate area. This impact can be mitigated to below a level of significance.

Impact 3.8-5 The Project would not result in adverse neighborhood impacts. This is a less than significant impact

ii. Proposed Mitigation

MM 3.8-1 If the parking areas that currently accommodate the monthly Flea Market are unavailable due to construction of the proposed project, the RBOC shall make an alternate location available, and shall notify the Flea Market operators in writing at least 90 days in advance of any such unavailability as well as to advise of the alternative location.

iii. Findings Pursuant to CEQA Guidelines Section 15091

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final SEIR.

Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the Final SEIR.

iv. Supporting Explanation

The upgrade to the stadium will not impact ongoing recreational uses within the Arroyo, and even temporary potential land use conflicts that may arise during construction are not significant. (FSEIR, p. 3.8-2.) The original project proposed in 2005 did have a significant and unavoidable impact as a substantial alteration of the type or intensity of development in the

immediate area. The revised Project, however, reduces the amount of new space (adding approximately 607,000 sf of new space, compared to the original proposal for an additional 816,000 sf plus 308,000 sf of renovated area). No structure would be developed on the east side, and no major advertising signs would be visible from outside the stadium. The Project maintains much more closely the existing massing and height of the stadium than the original project, and would not represent a substantial change in the intensity of development in the Central Arroyo. (*Id.* at p. 3.8-3.) The Project elements are consistent with the City's current land use designation of Open Space under the Land Use Diagram and zoning. (*Ibid.*) Construction staging could interfere with the monthly Rose Bowl Flea Market. However, mitigation measure MM 3.8-1 requires the provision of alternative parking, and reduces this potential impact to below a level of significance. (*Id.* at p. 3.8-4.) The Project will also not result in adverse neighborhood land use impacts because construction traffic will be routed from I-210 directly to the staging area. The number of annual events will remain the same as exists today, and thus there will not be any Project-related increase in traffic or noise. The significant and unavoidable impacts identified for the original project are eliminated with the Project. (*Ibid.*)

v. Cumulative Impacts

The Project's incremental effect arising from the minor intensification of use represented by the Project (added building area; i.e., Hall of Fame Museum) is not cumulatively considerable, since no substantial land use intensification or change of land use are identified for the Arroyo Seco planning area. The Project, in association with other potential renovation projects in the Arroyo Seco planning area, would result in limited changes to the existing land

use environment, and therefore the incremental effect of the Project does not contribute to a cumulatively considerable effect. (FSEIR, p. 3.8-5.)

f. NOISE

i. Potential Significant Impacts

Impact 3.9-1 The Project could expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. This impact can be mitigated to below a level of significance..

ii. Proposed Mitigation

MM 3.9-1 To mitigate potential pile driving or other extreme noise-generating impacts, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. This plan shall be submitted for review and approval by the City to ensure that feasible noise attenuation is achieved to satisfy standards contained in the City of Pasadena Noise Ordinance. These attenuation measures shall include as many of the following control strategies as feasible and shall be implemented prior to any required pile driving activities:

- Implement “quiet” pile driving technology (e.g., cast-in-drilled hole piles, soilmix wall technology, shielded pile drivers, vibratory pile driving or pre-drilled pile holes), where feasible, in consideration of geotechnical and structural requirements and conditions
- Erect temporary plywood noise barriers around the entire construction site
- Adjust the scheduling and duration of pile driving
- Monitor the effectiveness of noise attenuation measures by taking noise measurements during pile driving activities

MM 3.9-2 Prior to the issuance of each building permit, along with the submission of construction documents, the Project Applicant shall submit to the City a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include the following:

- A procedure for notifying City staff
- A plan for posting signs on the project site pertaining to permitted construction days and hours, complaint procedures, and who to notify in the event of a problem
- A listing of telephone numbers (during regular construction hours and off hours)
- The designation of an on-site construction complaint manager for the proposed project
- Notification of residents within 800 feet of the proposed project construction area at least 30 days in advance of pile-driving along with the estimated duration of the activity

MM 3.9-3 (a) Prior to installation of the new sound system, the project operator shall present a noise analysis to the City that demonstrates that the new sound system will meet the City’s Noise Regulations. (b) Stadium noise level in the residential areas surrounding the project site shall be