monitored periodically during the first year of operation by the operator in cooperation with the City. (c) Based on the monitoring results, the operator shall modify operation of the loudspeaker system to reduce noise levels observed at the residential areas to meet City Noise Regulations. Modifications may include adjustments to volumes or relocation of individual loudspeakers and shall ensure any necessary modifications to provide the maximum feasible reduction of noise to the surrounding community.

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

Implementation of the Project will include new and upgraded heating, ventilation, and air conditioning systems in the interior of the Bowl. The nearest residential uses are approximately 600 feet from the edge of the stadium, so any new mechanical equipment would not expose the nearby residential uses to noise levels that exceed the City's exterior standard for single-family residential uses. (FSEIR, p. 3.9-3.) Truck trips associated with construction will move from the site on Seco Street, Mountain Street, and then onto the I-210 freeway, and would not expose residents to noise above the City's threshold. (*Ibid.*) Construction at the site will require demolition and renovation activities, as well as parking, circulation, and landscaping improvements, which will require the use of heavy equipment and smaller power tools, generators, and other sources of noise. The closest single-family dwelling units are

approximately 200 feet from the edge of the stadium's nearest parking lots and 600 feet from the edge of the stadium. These noise levels that attenuate over these distances would not exceed the City's noise standards, and construction activities at the site are limited to 7:00 A.M. to 7:00 P.M. on Monday through Friday and 8:00 A.M. to 5:00 P.M. on Saturday in accordance with the city's Noise Ordinance. Implementation of MM 3.9-1 would ensure that noise attenuation measures are implemented at the site during pile driving to satisfy the noise standards contained in the City of Pasadena Noise Ordinance, while MM 3.9-2 would ensure that the residential uses located around the Rose Bowl stadium would be notified in advance of pile driving and the estimated duration of the activity. Therefore, construction noise impacts are less than significant. (*Id.* at pp. 3.9-3 and 4, 6.) During operation, the primary noise source is from crowd noise and the loudspeaker, similar to the existing baseline noise at events already occurring at the stadium, and thus no additional impacts are expected. However, to ensure that the noise levels generated from the loudspeaker system and potential changed acoustics resulting from renovations meet the City's Noise Regulations, MM 3.9-3 requires the periodic monitoring of stadium noise levels during the first year of operation for special events and, if necessary, the subsequent modification of the sound system at the stadium to reduce the noise levels, thus ensuring that this impact remains less than significant. (*Id.* at p. 3.9-5.) Since the residential properties nearest to the stadium are located approximately 200 feet away from the nearest parking lot, ground-borne vibration levels experienced by these residential uses from construction would be less than significant, and the expected levels of groundborne vibration resulting from construction traffic would be less than the Federal Railway Administration's vibration impact threshold for

residences. Construction noise impacts are less than significant. (*Id.* at p. 3.9-7.) Noise from advertisement related aircraft would not change from the baseline. (*Id.* at p. 3.9-8.) Therefore, noise impacts from the Project are less than significant.

v. Cumulative Impacts

The Project would not increase traffic noise levels over current baseline conditions, and thus does not contribute an incremental effect to an impact that is not otherwise cumulatively considerable. In addition, mitigation measures have been imposed on construction activities and equipment that reduce the incremental effect of the Project to less than significant. Further, in order to achieve a substantial cumulative increase in construction noise and vibration levels, cumulative construction activities would need to occur on a property adjacent to the Rose Bowl site while it is under construction. Because no construction projects are proposed to occur simultaneously on an adjacent property, the Project does not contribute to an impact that is not otherwise cumulatively considerable. (FSEIR, p. 3.9-9.)

h. PUBLIC SERVICES

vi. Potential Significant Impacts

Impact 3.10-1 The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for public services. This is a less-than significant impact.

vii. Proposed Mitigation – NONE

Mitigation measures MM 3.10-1 and MM 3.10-2 in the MMRP for the original project would no longer be required.

viii. 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.

ix. Supporting Explanation

The Project does not propose an increase in the number of displacement events allowed at the stadium, and the number of seats within the stadium will remain substantially the same. The Project improves the exiting capacity and internal circulation under any of the options, and also improves seismic safety at the Bowl. The Project results in an overall beneficial impact on fire and police protection services, and would not result in any impact on schools, libraries, parks, or other public facilities. (FSEIR, p. 3.10-3.)

x. Cumulative Impacts

Fire and police protection services within the City are currently considered adequate. The Fire Department has indicated that renovation activities associated with the Rose Bowl in conjunction with other foreseeable development would not increase demands for fire protection services in the area. The Police Department has indicated that additional development in the area in combination with cumulative visitor-serving commercial uses within the area would increase existing demands. Police levels of service could decrease due to elevated police workload associated with the increased visitor population of cumulative development within the City of

Pasadena. The improvements to fire protection systems, internal access, and ingress/egress in the event of an emergency would be beneficial to police protection as well. (FSEIR, p. 3.10-4.) As the City continues to grow and densify, this potential cumulative impact may become significant in the future. However, each service provider has a separate process for review and upgrade of staff and facilities independent of the development review process. In this manner the City maintains the necessary levels of service, and as such, reduces any significant cumulative impacts to a less than significant level.

g. RECREATION

i. Potential Significant Impacts

Impact 3.11-1 The Project 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. This is a less-than-significant impact.

Impact 3.11-2 The Project would not increase recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. This is a less-than-significant impact.

Impact 3.11-3 The Project would not substantially interfere with or preclude use of existing recreational facilities in the Central Arroyo Seco. 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

The 2005 FEIR found a significant interference with existing recreational activities in the Central Arroyo based on an increase in displacement events. Because the revised Project does not increase the number of displacement events currently allowed, and because the Project does not propose an increase in population or traffic above the existing baseline, the recreational facilities impacts from the Project are less than significant. (FSEIR, p. 3.11-2 and 3.)

v. Cumulative Impacts

The Project does not displace recreational uses in the Arroyo, or lead to a demand for additional recreational facilities. Under buildout of the cumulative projects and the General Plan, and in order to accommodate future cumulative demand for park and recreation facilities, the City will develop additional park and recreation facilities as feasible. Due to uncertainty regarding the size, magnitude, and type of these future facilities, it is not possible to assess the magnitude of cumulative impacts associated with the construction of these facilities, although each will undergo CEQA review and mitigation to the extent feasible. (FSEIR, p. 3.11-4.) In any event, the Project does not contribute an incremental effect to recreational facilities' impacts or demand, and therefore the cumulative impact is less than significant.

h. TRANSPORTATION

i. Potential Significant Impacts

Impact 3.12-1 The Project would not substantially increase hazards due to design features. The revised project would not result in inadequate emergency access or inadequate parking, nor will it conflict with adopted policies supporting alternative transportation. Impacts would be less than significant.

Impact 3.12-2 The Project would not cause an increase in traffic or exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency. Impacts would be less than significant.

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

The Project does not change the impact analysis or significance conclusions of the FEIR related to access to the site during construction, hazardous design features, or parking, alternative transportation policies, or traffic and circulation during operation. (FSEIR, pp. 3.12-3 and 4.) The significant and unavoidable traffic impacts identified in the FEIR resulted from the increased number of displacement events at the stadium under the 2005 project. However, the Project will not increase the number of displacement events and therefore will not change the

existing baseline traffic conditions. The museum and store generated traffic is anticipated to generate a maximum of 13 peak-hour AM and PM trips, which would not be considered significant. (*Id.* at p. 3.12-5; *see also* Errata.) Therefore, traffic impacts of the Project are less than significant.

v. Cumulative Impacts

The potential impact of the Project was evaluated within the context of the cumulative impact of all ongoing development. However, the Project will not change baseline conditions with regard to traffic and parking, and therefore its incremental effect is not cumulatively considerable. (FSEIR, p. 3.12-5.)

i. UTILITIES AND SERVICE SYSTEMS

i. Potential Significant Impacts

Impact 3.13-1 The Project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board and would not require the construction of new facilities. The Project would not exceed the wastewater treatment providers' ability to the serve the project. This is a less than significant impact.

Impact 3.13-2 The Project would not result in an increase in water demand that could affect existing water supplies. This impact is less than significant, and the imposition of mitigation measures will ensure that it remains less than significant.

Impact 3.13-3 The Project would comply with federal, state, and local statutes and regulations related to solid waste. Additionally, the Project would continue to be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. This is a less than significant impact.

Impact 3.13-4 Implementation of the Project could require an increase in electricity and natural gas, but would not require the construction of new energy production or transmission facilities, the construction of which could cause significant environmental effects. This impact can be mitigated to below a level of significance.

Impact 3.13-5 Implementation of the revised project is expected to increase runoff and could potentially overload existing stormwater drainage facilities. This impact can be mitigated to below a level of significance.

ii. Proposed Mitigation

MM 3.13-1 The project Applicant shall install low-flow plumbing fixtures in all new or renovated construction areas.

MM 3.13-2 The project Applicant shall utilize landscape irrigation water conservation methods as feasible, including, but not limited to, weather-based "smart" irrigation controllers and/or drip irrigation.

MM 3.13-3 The RBOC shall implement Water Shortage Plan I (PMC Section 13.10.040) and reduce water usage by taking the following water conservation measures during the time that Plan I is in effect:

- Refrain from hosing or washing sidewalks, walkways, driveways, parking areas, or other paved surfaces
- Refrain from cleaning, filling, or maintaining levels in decorative fountains, ponds, lakes, and similar structures unless such structure is equipped with a water recycling system
- Refrain from serving drinking water, unless at the express request of a customer, in all places in the Stadium where food is sold, served, or offered for sale
- Promptly repair all leaks from indoor and outdoor plumbing fixtures, including, but not limited, to sprinkler systems
- Refrain from allowing water to runoff landscaped areas into adjoining streets, sidewalks, parking lots or alleys
- Refrain from allowing water to run off into adjoining streets, sidewalks, parking lots, or alleys while washing vehicles
- Refrain from landscape watering more often than once every 3 days
- Refrain from landscape watering between the hours of 10:00 A.M. and 5:00 P.M.

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 does not increase the number of annual displacement events. The additional square footage to be constructed under the Project would increase water demand and solid waste and wastewater generation, but remains below the level of development that was found to have a less than significant impact in the 2005 FEIR. Since the number of seats would remain approximately the same as under current conditions, the number of attendees will remain constant and water demand from visitor use will not increase. (FSEIR, p. 3.13-3.) The recently completed locker room renovation incorporated low-flow plumbing fixtures and waterless urinals, and the Project will also utilize low-flow plumbing fixtures and waterless urinals through mitigation measure MM 3.13-1, and reduce landscaping water requirements through mitigation measure MM 3.13-2 to ensure that there will not be an increase in water demand from the Project. Likewise, mitigation measure MM3.13.-3 imposes on the Project the otherwise voluntary Water Shortage Plan I (PMC Section 13.10.040) requirements. Through these measures, the Project's impact on water supply and wastewater demand remains below a level of significance. (*Id.* at pp. 3.13-4 and 5.) Compliance with existing regulations for waste reduction and Section 8.62 of the Pasadena Municipal Code would ensure that construction waste is recycled to the maximum extent practicable, the same as for the original project. (*Id.* at p. 3.13-5.) With the removal of the luxury suites on the east end of the site from the Project description,

electric and natural gas demands are less than originally proposed and are less than significant. Compliance with mitigation measure MM 3.13-4 will ensure that the Project would not impact capacity for energy and gas demands. (*Id.* at p. 3.13-6.)

iv. Cumulative Impacts

With regard to water, the City obtains approximately 60 percent of its water supplies from the Metropolitan Water District ("MWD"), which has indicated that it may have supply challenges in 2008 and in coming years. Cumulative development within the Pasadena Water and Power ("PWP") and MWD service areas could result in a significant cumulative impact. However, the Project does not result in an increased demand on water supplies, and the Project mitigation measures ensure that its incremental effects do not contribute to a potentially cumulative impact. (FSEIR, p. 3.13-7.) Likewise, the water supply infrastructure is adequate to meet current cumulative demands, and the Project does not contribute any incremental demand for upgrades to the system. (*Ibid.*) With regard to wastewater, the existing local and regional sewer system serving the Project has adequate capacity to handle the Project's peak sewage flows, and the increase in wastewater generation from cumulative projects and the Project, when taken together, would not exceed existing capacity. (*Id.* at p. 3.13-8.)

The landfills to which the Project will contribute have adequate capacity to serve the Project, as well as the list of projects. (*Id.* at p. 3.13.8.) All new developments, including the Project, are required to comply with existing NPDES and local regulations, and mitigation measures, regarding minimization of the amount of stormwater runoff that enters the storm drain system. Therefore, the Project's incremental effect would not be cumulatively considerable.

(*Ibid.*) While the Project will require increased power and natural gas, the Pasadena Water and Power Department and the local natural gas provider have indicated an ability to serve the Project as well as the list of projects, and there is no cumulative impact. (*Ibid.*)

IV. RESOLUTION REGARDING ENVIRONMENTAL IMPACTS UNABLE TO BE MITIGATED TO BELOW A LEVEL OF SIGNIFICANCE

The City Council finds that, although mitigation measures have been identified in the FSEIR which reduce the following potentially significant environmental impacts, the impacts cannot be mitigated to below a level of significance.

a. AESTHETICS

i. Potential Significant Impacts

Impact 3.1-1 The Project would not result in a substantial adverse effect on a scenic vista. This is a less-than-significant impact.

Impact 3.1-2A Implementation of Option B of the Project would not substantially change the existing visual character and quality of the site and its surroundings. This impact can be mitigated to below a level of significance.

Impact 3.1-2B Implementation of Options A or C of the Project would change the existing visual character and quality of the site and its surroundings. *This impact remains significant and unavoidable.*

Impact 3.1-3 The Project could substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a scenic highway. This impact can be mitigated to below a level of significance.

Impact 3.1-4 The Project would result in new sources of increased light and glare from new lighting systems. This impact can be mitigated to below a level of significance.

ii. Proposed Mitigation

MM 3.1-1 The City of Pasadena shall require construction contractors to strictly control the staging of construction equipment and the cleanliness of construction equipment stored or driven beyond the limits of the construction work area as a means of minimizing temporal degradation of the visual character of surrounding areas and the associated impact to aesthetics. Prior to completion of final plans and specifications, the City of Pasadena shall review the plans and specifications to ensure that all construction vehicles and equipment shall be parked in designated staging areas when not in use. Vehicles shall be kept clean and free of mud and dust before leaving the project site.

MM 3.1-2 The City of Pasadena shall require construction contractors to provide temporary screening from the present public view site that is at least 6 fee tall around construction work areas, for all improvements that require grading and ongoing construction activities, as a means of minimizing the temporal effects to the visual character of the surrounding area and the associated impacts to aesthetics.

MM 3.1-3 Consistent with the implementation methods MM 3.3-2(a) (see Section 3.3 [Biological Resources]) and the provisions of the Tree Protection Ordinance, the City of Pasadena shall also require that any Replacement Tree Canopy Coverage (for removed or damaged trees) be concentrated on the east side of the stadium. Also replacement plantings (24-inch box minimum) of one tree for every one lost or removed shall be installed along the edges of existing hardscape parking lots within the Arroyo. In addition, vines shall be permanently secured to vertical building wall surfaces on the east side of the stadium. At retaining walls, vines and shrubs shall be installed and spaced so as to completely cover walls when mature. All plantings shall be implemented in accordance with a City approved landscape plan. Planting off site within the Arroyo shall be done under the direction of the City.

MM 3.1-4 The City of Pasadena shall specify the lighting type and placement on the project site to ensure that the effects of security lighting are limited as a means of minimizing night lighting and the associated impacts to aesthetics. Prior to completion of final plans and specifications, the City of Pasadena shall review the plans and specifications to ensure that all light fixtures will use glare-control visors, arc tube suppression caps, and will use a photometric design that maintains 70 percent of the light intensity in the lower half of the light beam.

MM 3.1-5 Prior to opening the stadium, the Applicant shall test the installed field-lighting system to ensure that lighting meets operating requirements in the stadium and minimizes obtrusive spill lighting in the stadium facility. Testing would include light-meter measurements at selected locations in the vicinity to measure spill lighting from field-lighting fixtures, permit adjustment of lighting fixtures, and confirm that spill-lighting effects would not exceed 3 foot-

candles one block from the stadium and no more than 1 foot-candle three blocks from the stadium.

MM 3.1-6 Stadium lighting and advertising (including signage) shall be oriented in such a manner to reduce that amount of light shed onto sensitive receptors and incorporate "cut-off" shields as appropriate to minimize any increase in lighting at adjacent properties.

MM 3.1-7 All interior floodlights, exterior parking lot, and other security lighting shall be directed away from sensitive receptors and towards the specific location intended for illumination. State-of-the-art fixtures shall be used, and all lighting shall be shielded to minimize the production of glare and light spill onto both existing and proposed residential units on the adjacent hillsides. A lighting design plan shall be submitted to the City for approval at plan check.

MM 3.1-8 Landscape illumination and exterior sign lighting shall follow Pasadena Municipal Code guidelines and be accomplished with low-level unobtrusive fixtures.

MM 3.1-9 All facilities shall emphasize the natural setting and use of natural materials. Building color shall be warm and earth-toned. Non-reflective materials shall be used on the exterior surfaces. Where appropriate, arroyo stone shall be incorporated into the design.

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

Scenic Vistas. With respect to views from a scenic vista, the Project as revised from the project analyzed in the FEIR removes the previously proposed east structure, which would have adversely affected the views from inside the stadium to the east. Therefore, the Project reduces

previously identified impacts to below a level of significance. The proposed north scoreboard is smaller than the previously proposed scoreboard, and would block less of the view to the north. Views to the west and south would be the same as under the original project. With respect to the vertical access towers that are proposed under the Project, these are within the development envelope previously analyzed, and would not significantly affect the characteristic views of the stadium from the exterior. (FSEIR, pp. 3.1-3 to 5.)

Visual Character and Quality of the Site. The widening of the vomitoria under the Project is proposed in a symmetrical pattern, and therefore would not disturb the existing symmetrical character of the inside of the Bowl. (FSEIR, p. 3.1-6.) On the exterior, the widening will disturb landscaping. This is a reduced impact compared to the original project and is less than significant. (*Id.* at p. 3.1-29.) Close-up views of the exterior of the stadium would be altered in that concession and restroom structures would be constructed against the fence line, facing inward to the plaza-level concourse. This represents a change from the original project, where these buildings were incorporated into the stadium bowl. Under Options A and C, focal views would be blocked except at the entry gates, creating a potentially significant visual impact. Option B proposes half the number of exterior structures as A and C with inclusion of the internal concourse, and does not block all focal views, so the impact of Option B is less than significant. (*Id.* at 3.1-6.) In addition, Options A and C would remove more landscaping than Option B, but still less than the original project. (*Id.* at p. 3-1.29.) Placement of vertical support columns around the perimeter of the Bowl to support the new horizon level concourse under Options A and C would substantially change the visual appearance of the stadium. This impact

was identified as significant and unavoidable in the FEIR, and would remain significant and unavoidable for the Project. (FSEIR, pp. 3.1-6, 3.1-29.) While construction staging could have short-term impacts on the visual character of the site, with the implementation of mitigation measures 3.1-1 and 3.1-2, these impacts will be managed to the extent possible, and mitigated to below a level of significance. (*Id.* at p. 3.1-29.) Finally, implementation of mitigation measure 3.1-9, requiring emphasis on natural setting and materials, will reduce the visual character impact of the new construction. Review of the Project components will be reviewed by the Design Commission, and thus mitigation measures suggested by the public regarding design standards are duplicative of the City's existing process. (FSEIR, p. 5-64.)

Scenic Resources. The resource of concern here is trees. The Project calls for removal of portions of the landscaped berm around the Bowl, and associated trees. (FSEIR, p. 2-22, 23.) At worst case, no more than 250 trees would be removed as a result of the Project, which is equal to what would have been removed for the original project. The construction of the internal concourse would only affect areas where tree roots encroach within the construction area. Therefore, the Project will not result in new or more substantial impacts to trees than identified in the FEIR. (*Id.* at p. 3.1-31.) If applicable, tree removals will be done in compliance with the City's Tree Protection Ordinance. Mitigation measures MM 3.1-3 (as well as MM 3.3-2(a), discussed in the biology section below, which requires submittal of a tree report and removal plan for an increased canopy and minimum 1:1 replacement) identified in the FEIR carries forward and addresses tree removal/relocation, and reduces this impact to less than significant. (*Ibid.*)

Light and Glare. The same lighting upgrade and lighting improvements that were planned for the original project would be installed for the Project. Mitigation measures MM 3.1-4 through MM 3.1-8 contained in the MMRP applicable to parking, stadium, and security lighting work the ensure that there would be no increased impacts of the Project revisions on lighting compared to the original project, and this impact would remain less than significant. (FSEIR, pp. 3.1-32, 33.)

v. Cumulative Impacts

Even though the Project would have a significant impact on visual quality and character (under Options A and C), this change is limited to the views within the Project. As a result of the lack of proposed changes in land use elsewhere in the Central Arroyo Seco from the list of projects, there is no potential for a cumulative impact, and the Project's incremental effect is not cumulatively considerable. The Arroyo Seco Master Plan contains specific guidelines and policies designed to protect the visual character and quality of the Arroyo Seco as a valuable resource, and these apply to the Project and all others within the Arroyo. With regard to other scenic resources such as rock outcroppings or trees within a California scenic highway, cumulative development in the Central Arroyo would not affect any such resources. Cumulative development in the Arroyo Seco could result in increased sources of light and glare, however, any future development or redevelopment under the Arroyo Seco Master Plan would be required to adhere to the design guidelines and policies contained therein, which are designed to limit adverse visual impacts and preserve the aesthetic character of the Arroyo Seco. Therefore, there

is not a substantial adverse effect with regard to light and glare from cumulative development.

(FSEIR, pp. 3.1-33, 34.)

b. AIR QUALITY

i. Potential Significant Impacts

Impact 3.2-1 The Project would be consistent with the AQMP, and would not conflict with or obstruct implementation of air quality standards. This is a less-than-significant impact.

Impact 3.2-2 Project implementation would not expose sensitive receptors to substantial pollutant concentrations. This is a less-than-significant impact.

Impact 3.2-3 Project implementation would not release significant amounts of toxic air contaminants. This is a less-than-significant impact.

Impact 3.2-4 Project implementation would not create objectionable odors affecting nearby sensitive receptors. This is a less-than-significant impact.

Impact 3.2-5 Site preparation and construction activities would contribute to an existing air quality violation (VOC and NOX only). *This impact remains significant and unavoidable.*

Impact 3.2-6 Project implementation would exceed daily operational emissions thresholds. This is a less than significant impact.

ii. Proposed Mitigation

MM 3.2-1 The project builder(s) shall develop and implement a construction management plan, as approved by the City of Pasadena, which includes the following measures recommended by the SCAQMD, or equivalently effective measures approved by the City of Pasadena:

- Configure construction parking to minimize traffic interference
- Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g., flag person)
- Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the degree practicable
- Consolidate truck deliveries when possible
- Maintain equipment and vehicle engines in good condition and in proper tune as per manufacturers' specifications and per SCAQMD rules, to minimize exhaust emissions

- Use methanol- or natural gas-powered mobile equipment and pile drivers instead of diesel to the extent commercially practical
- Use propane- or butane-powered on-site mobile equipment instead of gasoline to the extent commercially practical

MM 3.2-2 The project builder(s) shall implement all rules and regulations by the Governing Board of the SCAQMD that are applicable to the development of the Project (such as Rule 402—Nuisance and Rule 403—Fugitive Dust) and that are in effect at the time of development. The following measures are currently recommended to implement Rule 403—Fugitive Dust. These measures have been quantified by the SCAQMD as being able to reduce dust generation between 30 and 85 percent depending on the source of the dust generation:

- Water trucks will be utilized on the site and shall be available to be used throughout the day during site grading and excavation to keep the soil damp enough to prevent dust from being raised by the operations
- Wet down the areas that are to be graded or that are being graded and/or excavated, in the late morning and after work is completed for the day
- All unpaved parking or staging areas, or unpaved road surfaces shall be watered three times daily or have chemical soil stabilizers applied according to manufacturers' specifications
- Enclose, cover, water twice daily, or apply approved soil binders to exposed piles (i.e., gravel, sand, and dirt) according to manufacturers' specifications
- The construction disturbance area shall be kept as small as possible
- All trucks hauling dirt, sand, soil, or other loose materials shall be covered or have water applied to the exposed surface prior to leaving the site to prevent dust from impacting the surrounding areas
- Wheel washers shall be installed where vehicles enter and exit unpaved roads onto paved roads and used to wash off trucks and any equipment leaving the site each trip
- Streets adjacent to the project site shall be swept at the end of the day if visible soil material is carried over to adjacent roads
- Wind barriers shall be installed along the perimeter of the site
- All excavating and grading operations shall be suspended when wind speeds (as instantaneous gusts) exceed 25 miles per hour over a 30-minute period
- A traffic speed limit of 15 miles per hour shall be posted and enforced for the unpaved construction roads (if any) on the project site
- Remediation operations, if required, shall be performed in stages concentrating in single areas at a time to minimize the impact of fugitive dust on the surrounding 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

Greenhouse gas emissions. At this time there are no statewide guidelines for analyzing greenhouse gas emission impacts, and there remains debate within the air quality industry on how to analyze such impacts. It is expected that uncertainty in this field will be addressed through the provisions of Senate Bill 97 ("SB 97"), which was enacted in 2007. SB 97 acknowledges that local agencies must analyze the environmental impact of greenhouse gases under CEQA, and the City has complied with this requirement. Furthermore, the bill requires the State Office of Planning and Research ("OPR") to develop CEQA guidelines for the effects and mitigation of greenhouse gas emissions. Unfortunately, the guidelines will not be available for some time as OPR has until July 1, 2009 to draft the new greenhouse gas guidelines, and the State Resources Agency will thereafter have until January 1, 2010 to certify and adopt the regulations. For the purposes of the FSEIR, the lead agency analyzed whether the project would conflict with the state goal of reducing greenhouse gas emissions in California to 1990 levels by 2020, as set forth by the timetable established in AB 32, California Global Warming Solutions

Act of 2006. Embedded in AB 32 are several years of planning and investigation to identify actual action items, restrictions, regulations, etc. To date, the only applicable action items that have been developed are the California Air Resources Board's ("CARB") list of recommended Early Action Measures to Reduce Greenhouse Gas Emissions in California (October 2007). The Project does not pose any apparent conflict with CARB's most recent list of early action strategies, which apply nearly exclusively to the fuel/energy, transportation, agriculture, manufacturing, and forestry sectors. Should state laws or requirements regulating greenhouse gases take effect before the Project permits are issued, the Project will be required to comply with all applicable laws. However, at this time since there are no industry or statewide thresholds of significance, and the City cannot state with any reasonable scientific certainty what may be a potentially significant GHG impact, the required "nexus" and "rough proportionality" legally required for the imposition of mitigation measures is absent. (*See* FSEIR, p. 5-66.)

Greenhouse gases would be emitted during both construction and operation of the Project. (FSEIR, pp. 3.2-2 to 5.) The Project would emit greenhouse gases during construction from the operation of construction equipment and from worker and building supply vendor vehicles. The largest source of greenhouse gas emissions associated with the Project would be motor vehicle use as patrons of the Rose Bowl travel to and from the project site for UCLA football games and other displacement events. (*Ibid.*) The Project does not propose a change to the existing baseline conditions regarding these events, and so would not increase greenhouse gas emissions from travel to such events. Further, the vehicle trips generated by the proposed project have been included in the SCAQMD's 2007 AQMP, the City of Pasadena's General

Plan, and SCAG's Regional Transportation Plan. (*Id.* at p. 3.2-5.) Carbon dioxide emissions, the primary greenhouse gas from mobile sources, were estimated for both construction (4,750.88 tons/yr) and operation (10,515.77 tons/yr). (*Ibid.*) Mitigation measures MM 3.2-1 and MM 3.2-2 included to reduce air quality impacts related to construction would reduce emissions of carbon dioxide during construction from worker trips and construction equipment. Based on Project operational greenhouse gas emissions estimates, it is not anticipated that the Project emissions alone will substantially add to the global inventory of greenhouse gas emissions. The operational emissions of greenhouse gas emissions from the Project (10,515.77 tons), in relation to California's current greenhouse gas emissions (478.65 million tons, according to the 2004 inventory), would be 0.00002% at the buildout year 2011. (*Ibid.*) The operational emissions are well below the minimum reporting limit of 25,000 million tons, and are a small fraction of the State's reduction goal of 174 million metric tons per year. As such, there is no way to state with reasonable scientific certainty that the Project will conflict with AB 32 and its goals. Therefore, the Project's GHG emissions contributions would not be cumulatively considerable. In addition, the Project would comply with all applicable policies, ordinances, and regulations that would reduce greenhouse gas emissions. (*Ibid.*)

Construction impacts. Construction of the Project does not propose the creation of any objectionable odors, and those odors associated with construction equipment exhaust are mitigated through the imposition of standard construction exhaust maintenance requirements. (FSEIR, p. 3.2-9.) Construction activities are expected to occur in several phases, and are expected to occur over a 30-month period. Construction-related activities would generate daily

emissions of VOCs and NOx during the grading and construction phases that exceed SCAQMD significance thresholds. (*Id.* at pp. 3.2-10, 11.) Even with the imposition of mitigation measures 3.2-1 and 3.2-2, which require a construction management traffic plan and South Coast Air Quality Management District rules regarding construction emission reduction, the short term construction impacts remain significant and unavoidable. (*Id.* at p. 3.2-12.) Mitigation measures suggested by commentors to the FSEIR were either duplicative of measures already included, or went beyond CEQA's requirements that mitigation measures be feasible. (*See id.* at p. 5-71.)

Operational impacts. The Project is consistent with the South Coast Air Quality Management District's 2007 Air Quality Management Plan ("AQMP") and would not interfere with attainment of the AQMP goals because Project growth is included in the projections in the AQMP. (FSEIR, p. 3.2-8.) The Project also will not expose sensitive receptors to substantial pollutant concentrations. Future carbon monoxide concentrations near intersections studied in the FSEIR would not exceed federal or state ambient air quality standards, and the Project would not change traffic patterns in the vicinity. (*Id.* at p. 3.2-9.) Operation of the Project does not propose uses that are significant sources of objectionable odors beyond those already existing. (*Ibid.*) Operational emissions from the Project would be generated by both stationary and mobile sources as a result of normal day-to-day activities on the project site after occupation. Stationary area source emissions would be generated by the consumption of natural gas for space and water heating devices, and the operation of landscape maintenance equipment. Mobile emissions would be generated by the motor vehicles traveling to and from the site. While most emissions remain below a level of significance, NOx emissions exceed the SCAQMD's threshold on event

days, as part of the existing baseline. (*Id.* at p. 3.2-13.) However, the Project does not propose an increase in displacement events, and thus does not change the baseline conditions. (*Ibid.; see also* Errata, p. 5.)

v. Cumulative Impacts

As discussed, construction emissions would exceed SCAQMD's thresholds of significance for construction for VOC and NOx, both precursors of ozone, for which the Basin is in nonattainment. As no feasible mitigation measures are available to reduce these impacts to a less-than-significant level, the incremental effect of the Project to a cumulatively significant impact in the South Coast Air Basin is cumulatively considerable. (FSEIR, p. 3.2-14.)

c. CULTURAL AND HISTORIC RESOURCES

i. Potential Significant Impacts

Impact 3.4-1 The Project could cause a substantial adverse change in the significance of an archaeological resource, directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, or disturb any human remains, including those interred outside of formal cemeteries. This is a potentially significant impact which can be reduced to below a level of significant.

Impact 3.4-2 The Project with Option B would not cause alteration of the resource or its immediate surroundings such that the significance of the historical resource would be materially impaired. This is a less-than significant impact.

Impact 3.4-3 The Project would not alter the significance of other historic resources in the project vicinity. This is a less-than-significant impact.

Impact 3.4-4 The Project with Options A or C would cause alteration of the resource or its immediate surroundings such that the significance of the historical resource would be materially impaired. *Even with the imposition of mitigation measures, this impact remains significant and unavoidable.*

Impact 3.4-5 The Project with Options A or C could alter the significance of the Arroyo Seco Cultural Landscape. *Even with the imposition of mitigation measures, this impact remains significant and unavoidable.*

ii. Proposed Mitigation

MM 3.4-1(a) Prior to site preparation or grading activities, the Applicant shall retain a qualified (ROPA-listed) archaeologist to inform construction personnel of the potential for encountering unique archaeological resources and the regulatory framework of cultural resources protection. All construction personnel shall be instructed to stop work within 50 feet of a potential discovery until a qualified (ROPA-listed) archaeologist assesses the significance of the find and implements appropriate measures to protect or scientifically remove the find. Construction personnel shall also be informed that unauthorized collection of archaeological resources is prohibited.

MM 3.4-1(b) The Applicant shall retain a qualified archaeologist to provide spot-checks—on a schedule approved by the City—during grading and excavation activity and to be available on-call in the event of a discovery. In the event of a discovery, the archaeologist shall first determine whether an archaeological resource uncovered during construction is a "unique archaeological resource" under Public Resources Code Section 21083.2(g). If the archaeological resource is determined to be a "unique archaeological resource," the archaeologist shall formulate a litigation plan in consultation with the City that satisfies the requirements of Section 21083.2. If the archaeologist determines that the archaeological resource is not a unique archaeological resource, the archaeologist shall record the site and submit the recordation form to the California Historic Resources Information System South Central Coastal Information Center, and no further investigation of the particular find would be required. The archaeologist shall prepare a report of the results of any study prepared as part of a mitigation plan, following accepted professional practice. Copies of the report shall be submitted to the City and to the California Historic Resources Information System South Central Coastal Information Center.

MM 3.4-2(a) Prior to site preparation or grading activities, the Applicant shall retain a qualified paleontologist to inform construction personnel of the potential for encountering paleontological resources and the regulatory framework of cultural resources protection. All construction personnel shall be instructed to stop work within 50 feet of a potential discovery until a qualified paleontologist assesses the significance of the find and implements appropriate measures to protect or scientifically remove the find. Construction personnel shall also be informed that unauthorized collection of paleontological resources is prohibited.

MM 3.4-2(b) The Applicant shall retain a qualified paleontologist to provide spot-checks—on a schedule approved by the City—during grading and excavation activities and, in the event of a discovery, shall first determine whether a paleontological resource uncovered during construction meets the definition of a "unique archaeological resource" under Public Resources