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OF ALTERNATIVES AND MITIGATION

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SECTION 4.0 ENVIRONMENTAL IMPACT ANALYSIS OF ALTERNATIVES AND MITIGATION

4.0.1 SCOPE OF THE EIS/EIR ANALYSIS

Section 4.0 provides an introduction to the environmental impact analysis of alternatives and mitigation section for each of the following environmental issue areas addressed in this EIS/EIR (**Sections 4.1 through 4.20**):

- 4.0 Environmental Impact Analysis
 - 4.1 Surface Water Hydrology and Flood Control
 - 4.2 Geomorphology and Riparian Resources
 - 4.3 Water Resources
 - 4.4 Water Quality
 - 4.5 Biological Resources
 - 4.6 Jurisdictional Waters and Streams
 - 4.7 Air Quality
 - 4.8 Traffic
 - 4.9 Noise
 - 4.10 Cultural Resources
 - 4.11 Paleontological Resources
 - 4.12 Agricultural Resources
 - 4.13 Geology and Geologic Hazards
 - 4.14 Land Use
 - 4.15 Visual Resources
 - 4.16 Parks, Recreation, and Trails
 - 4.17 Hazards, Hazardous Materials, and Public Safety
 - 4.18 Public Services
 - 4.19 Socioeconomics and Environmental Justice
 - 4.20 Solid Waste

4.0.2 SECTION FORMAT

Each environmental impact analysis section begins with an introduction to each environmental issue area. The introduction includes a description of the proposed Project's relationship to the Newhall Ranch Specific Plan and the VCC and Entrada planning areas, which are encompassed in the Project area. Following the introduction, each section contains: (a) a description of both the applicable regulatory setting and methodology, if applicable; (b) a description of the existing environmental conditions; (c) a listing of the applicable impact significance criteria; (d) an evaluation of the impacts of the proposed

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Project (Alternative 2), a "No Action/No Project" alternative (Alternative 1), and five Project alternatives (Alternatives 3-7); (e) identification of mitigation measures; (f) a summary of significance findings; and (g) a listing of significant unavoidable impacts, if any.

4.0.3 IMPACT TERMINOLOGY

As stated above, this is a joint EIS/EIR, prepared under the direction of the Corps as the federal lead agency and the CDFG as the state lead agency. Both agencies have obligations to disclose all impacts resulting from both their permitted activities and the underlying development that would be facilitated by approval of the proposed Project and alternatives.

Under CEQA and NEPA, the terms "effects" and "impacts" are used synonymously (40 C.F.R. § 1508.8). Direct or primary impacts are those caused on-site by the project itself, and that occur at the same time and place. Indirect impacts are those caused by the project and are later in time or farther removed in distance, but are still reasonably foreseeable. Under CEQA and NEPA, indirect impacts also are referred to as secondary effects. (Cal. Code Regs., tit. 14, § 15358, subd. (a)(1)(2).) Under NEPA, the Corps impact terminology application is slightly different. For example, the Army Corps' Standard Operating Procedures, a national policy guidance document, defines "direct impacts are those that happen in direct response to the permitted activity" while "indirect impacts . . . are those removed in time and/or distance in relation to the permitted activity. (Army Corps of Engineers, Standard Operating Procedures for the Regulatory Program (Oct. 15, 1999), p. 1.) Under the Corps' procedures, the direct impact of construction of a dam is the loss of habitat within the dam footprint, while indirect impacts of dam construction include potential inundation of the area behind the dam. (Corps Standard Operating Procedures, p. 1.) Thus, here, the Corps would, for example, define direct impacts to only cover activities such as construction of the RMDP facilities, while using the term indirect impacts to cover build-out of the Specific Plan. In contrast, CDFG would normally consider the RMDP construction activities and the Specific Plan build-out to both be direct impacts of the proposed Project.

Regardless of the definitional differences, under both NEPA and CEQA, the Corps and CDFG must identify and analyze all impacts resulting from a proposed project and its alternatives, whether direct or indirect, and identify feasible, reasonable, and practical mitigation measures to avoid or minimize those identified impacts. (See 40 C.F.R. § 1502.16; Cal. Code Regs., tit. 14, §§ 15126.2 and 15126.4.) All impacts, whether classified as direct or indirect, must be analyzed at the same level and mitigation must be identified. To satisfy both the Corps and CDFG's informational and analytical needs in one document, this EIS/EIR utilizes the following format in analyzing the potentially significant impacts resulting from the proposed Project and the alternatives:

- (a) **Direct Impacts.** The analysis of direct impacts focuses on the temporary and permanent impacts resulting from the development and use of infrastructure facilities proposed by the RMDP and the establishment of spineflower preserves proposed by the SCP within the Project area. This analysis reflects the Corps' jurisdictional limitations required by the Corps' procedures.
- (b) **Indirect Impacts.** Implementation of the proposed Project (RMDP/SCP) and alternatives would facilitate or enable development within the approved Specific Plan area, the VCC planning area,

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and a portion of the Entrada planning area. This facilitated development is a reasonably foreseeable consequence of approving the proposed Project or the alternatives. Thus, each environmental issue area in **Section 4.0** analyzes the facilitated development as indirect impacts of the proposed Project. Similar to the example from the Corps' Standard Operating Procedures, cited above, direct impacts of the RMDP component of the proposed Project may include any potential loss of sensitive habitat within the footprint of infrastructure improvements (bridges, bank stabilization, *etc.*) in the Specific Plan area, while indirect impacts may include potential loss of additional habitat due to the Specific Plan development facilitated by the proposed Project.

- (c) **Secondary Impacts.** The analysis of secondary impacts from implementation of the proposed Project and alternatives focuses on those reasonably foreseeable impacts that occur off-site or at a later point in time. Please note that the use of the term "secondary impacts" is not ordinarily used by the Corps and CDFG. Normally, the Corps and CDFG would consider secondary impacts as synonymous with indirect impacts. For purposes of this EIS/EIR, however, the Corps is referring to indirect *off-site* impacts as "secondary impacts," and CDFG is following this protocol as well. Regardless of the terminology used, all such impacts are analyzed at the same level.
- (d) **Aggregated Impacts.** The environmental issue areas in **Section 4.0** aggregate, where appropriate, the direct and indirect impacts of the proposed Project, generally in a summary table form. In addition, some environmental issue areas include secondary impacts in the aggregate total. The aggregation of impacts is provided for disclosure and information purposes.

4.0.4 OTHER TERMINOLOGY

Section 4.0 utilizes other terminology to describe environmental effects of the proposed Project and the alternatives. This other terminology is described below:

- (a) **Cumulative Impacts.** Under CEQA, "cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." (Cal. Code Regs., tit. 14, § 15355.) CEQA requires that cumulative impacts be discussed when the "project's incremental effect is cumulatively considerable." (Cal. Code Regs., tit. 14, § 15130, subd. (a).) NEPA regulations define "cumulative impact" as "the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency ([f]ederal or non-[f]ederal) or person undertakes such other actions." (40 C.F.R. § 1508.7.) NEPA states that "[c]umulative impacts can result from individually minor but collectively significant actions taking place over a period of time." (40 C.F.R. § 1508.7.) In this EIS/EIR, cumulative impacts resulting from the proposed Project and alternatives are addressed separately in **Section 6.0**, Cumulative Impacts.
- (b) **Impact Significance Criteria.** In **Section 4.0**, each environmental issue area lists the significance criteria used by the Corps and CDFG to determine at what level an impact would be considered significant. The significance criteria is generally derived from Appendix G of the State CEQA Guidelines. The Corps is using the CEQA significance criteria for purposes of this joint EIS/EIR; however, the Corps generally will not adopt this criteria, and have applied

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additional federal requirements as appropriate in the EIS/EIR. In other limited circumstances, one or more of the environmental issue areas in **Section 4.0** utilize other impact significance criteria, in addition to those in Appendix G, based on factual or scientific information, or criteria based on regulatory standards.

- (c) **Significant Impact.** A project impact is considered significant if it would result in a substantial adverse change in the physical environment. Impact significance criteria (defined above) are identified and project impacts are evaluated in the context of the identified significance criteria.
- (d) **Less-Than-Significant Impact.** A project impact is considered less-than-significant when it does not reach the impact significance criteria; and, therefore, would not cause a substantial change in the physical environment. As a result, no mitigation is required or necessary.
- (e) **Mitigation Measures.** Mitigation measures must be feasible, practical, reasonable, and roughly proportional to the impacts of a proposed project. The mitigation also must avoid, minimize, rectify and/or restore, reduce, or compensate for identified significant impacts to the physical environment.
- (f) **Significant Unavoidable Impact.** A project impact is considered significant and unavoidable if it would result in a substantial adverse change in the physical environment that cannot be feasibly/reasonably avoided or mitigated to a less-than-significant level if the selected project is approved and implemented. Under CEQA, a Statement of Overriding Considerations must be adopted if a proposed project results in one or more significant unavoidable impacts. NEPA has no similar "overriding considerations" requirement.

4.0.5 MITIGATION FRAMEWORK

Each environmental issue area analyzed in **Section 4.0** includes a description of mitigation measures. The framework for the discussion of mitigation measures falls into two categories, mitigation already required at the local level, and additional mitigation proposed by this EIS/EIR. This mitigation framework is described below:

- (a) **Mitigation Measures Already Required.** The Project area encompasses the approved Specific Plan area, the VCC planning area, and a portion of the Entrada planning area. Mitigation measures already have been required for the previously approved Specific Plan in environmental documentation certified by Los Angeles County. This previously adopted mitigation is summarized in table form in the "Introduction" subsection of each environmental issue area in **Section 4.0**. In addition, each environmental issue area in **Section 4.0** includes a "Mitigation Measures" subsection that lists *verbatim* the Specific Plan mitigation measures adopted by Los Angeles County, because such measures are pre-existing requirements applicable to the Specific Plan site.

Further, the County imposed mitigation measures in a certified EIR for the VCC commercial/industrial complex currently under development by the applicant. This previously adopted mitigation also is summarized in table form in the "Introduction" subsection of each environmental issue area in **Section 4.0**. However, it should be noted that Los Angeles County

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has not adopted any new or additional mitigation measures applicable to the VCC planning area at this time. As explained in this EIS/EIR, the applicant has recently submitted to Los Angeles County the last tentative parcel map needed to complete build-out of the remaining undeveloped portion of the VCC planning area. The County will require preparation of an EIR in conjunction with the applicant's development application, which is expected to include additional mitigation for the VCC planning area.

As to the Entrada planning area, the applicant has submitted development applications, which cover the portion of the Entrada planning area facilitated by the SCP component of the proposed Project. However, as of this writing, Los Angeles County has not yet issued or approved an EIR for any portion of Entrada; as a result, there is no underlying local environmental documentation with adopted mitigation for any portion of the Entrada planning area.

- (b) **Additional Mitigation Measures Proposed by the EIS/EIR.** Most environmental issue areas analyzed in **Section 4.0** identify additional mitigation measures proposed by this EIS/EIR.