

## EXHIBIT D

# CEQA FINDINGS OF FACT FOR THE FINAL EIR FOR THE VALLEY SPECIAL REORGANIZATION LOS ANGELES COUNTY, CALIFORNIA

## 1.0 INTRODUCTION

The Local Agency Formation Commission for Los Angeles County (Commission) hereby certifies and finds that the San Fernando Valley Special Reorganization Project Final Environmental Impact Report (Final EIR), State Clearinghouse Number 2002011070 (which consists of the Draft Environmental Impact Report dated March 2002, the Comments and Response to Comments, and an Addendum to the Draft EIR), which is a Program EIR, has been completed in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.* “CEQA”) and that the Commission received, reviewed, and considered the information contained in the Final EIR, and contained in all hearings and submissions of testimony from the Applicant (as defined below), the public and other agencies, and that the Final EIR reflects the independent judgment of the Commission regarding the environmental impacts of the San Fernando Valley Special Reorganization. Concurrently with the adoption of these Findings, the Commission adopts a Mitigation Monitoring and Reporting Program as part of this Final EIR.

Having received, reviewed, and considered the foregoing information, as well as any and all information in the administrative record, the Commission hereby makes Findings pursuant to and in accordance with Section 21081 of the Public Resources Code as follows:

## 1.1 PROJECT BACKGROUND AND ENVIRONMENTAL IMPACT REPORT PROCESS

The project for the purposes of CEQA is the Commission’s discretionary approval of the proposed San Fernando Valley Special Reorganization (the “Proposed Project”).

**Notice of Preparation.** The Executive Officer initiated the environmental process with circulation of a notice of preparation (“NOP”), which was sent to responsible agencies and interested individuals for a 30-day review period from January 18, 2002 to February 19, 2002. The NOP, identifying the scope of environmental issues, was distributed to 64 organizations, interested parties, and state, federal, and local agencies. The NOP and the responses to the NOP from agencies and individuals are included in Appendix A to the Draft EIR. A total of 12 comment letters were received.

**Initial Study.** An Initial Study for the Proposed Project was presented to the public at the January 23, 2002 Commission hearing. The Initial Study, which identifies the full range of potential environmental effects associated with the Proposed Project, is contained in Appendix B to the Draft EIR.

**Public Scoping Meeting.** A Public Scoping Meeting was held on January 31, 2002, at the Kenneth Hahn Hall of Administration to give the public the opportunity to provide comments as related to the Proposed Project and the issues the public would like addressed in the EIR.

**Draft EIR.** The Draft EIR was distributed for public review on March 14, 2002, for the 45-day review period with the comment period expiring on April 29, 2002. Six comment letters were received at the close of the public comment period. The specific and general responses to comments are in the Final EIR, Appendix C. Responses to public agency comments were distributed to those public agencies on May 13, 2002.

**Notice of Completion.** A Notice of Completion was sent with the Draft EIR to the Governor's Office of Planning and Research State Clearinghouse on March 14, 2002, and notice was provided in newspapers of general and/or regional circulation.

**Final EIR.** The Final EIR was distributed on May 21, 2002.

**Certification.** On May 22, 2002, the Commission held a public hearing on the Special Reorganization of the San Fernando Valley Final EIR and certified the Final EIR.

The Final EIR has been prepared by the Commission in accordance with CEQA, as amended, and State Guidelines for the implementation of CEQA. The Final EIR is a Program EIR prepared in accordance with CEQA Guidelines Section 15168(a). The Commission has relied on Section 15084(d)(2) of the CEQA Guidelines, which allows contracting with another entity, public or private, to prepare the Draft EIR. The Commission has reviewed drafts of all portions of the EIR and subjected them to its own review and analysis. The Draft EIR which was released for public review reflected the independent judgment of the Commission.

## 1.2 PROJECT FINDINGS INTRODUCTION

The Findings made by the Commission on the proposed Valley Special Reorganization in Los Angeles County, California, pursuant to Section 21081 of CEQA, and Section 15091 of the *CEQA Guidelines*, are presented below. All significant impacts of the Proposed Project identified in the Final EIR are described herein and are organized according to the resource affected (solid waste, water resources, and so forth.)

The Findings in this document are for the proposed Valley Special Reorganization and are supported by information and analysis from the EIR, including the responses to all public and agency comments. Where applicable, these Findings note the documents that contain the substantiation for each Finding.

For each significant impact, a Finding must be made as to one or more of the following, as appropriate, in accordance with Public Resources Code Section 21081 and CEQA Guidelines Section 15091:

- A. Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR;
- B. Such changes or alterations are within the responsibility of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency; and/or
- C. Specific economic, legal, social, technological and/or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

For each significant impact identified in the Final EIR, a Finding has been made that changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR. A narrative of supporting facts follows the appropriate Finding.

## 1.3 PROJECT DESCRIPTION AND OBJECTIVES

### 1.3.1 PROJECT DESCRIPTION

The Proposed Project is the Valley Special Reorganization. It consists of a proposed special reorganization of the City of Los Angeles that would result in the formation of a new city (referred to herein as "Valley City") as a separate municipal entity within a portion of what is now the City of Los Angeles. The special reorganization has been proposed by the Valley Study Foundation, Inc. (the "Applicant"), which has submitted a valid petition and application to the Commission to initiate these proceedings.

**Project Location.** The area subject to the proposed Valley Special Reorganization is located generally north of Mulholland Drive, in the City of Los Angeles. The project area encompasses approximately 222 square miles with an estimated population of 1.3 million. It does not include the City of San Fernando, located to the south of the community of Sylmar. To the north of the proposed new Valley City is unincorporated County of Los Angeles territory. To the east are the Cities of Burbank and Glendale, and Universal City (unincorporated). To the West are Ventura County and the Cities of Hidden Hills and Calabasas. To the south are the City of Los Angeles and Universal City.

**Proposed Form of Government.** Consistent with the Cortese-Knox Local Government Reorganization Act of 1985 (the "Cortese-Knox Act"), the Applicant proposes that, upon incorporation, the new city would adopt the ordinances of the City of Los Angeles, including its general plan and zoning ordinances, to govern the new Valley City until such time as the new city prepares and adopts its own ordinances. In the documents submitted, the Applicant has not expressed any intention to materially alter the general plan and zoning ordinances currently in effect. The new City Council would have the discretion to do so. If the Valley Special Reorganization were approved, the San Fernando Valley area would be incorporated as a general law city. The new Valley City would have an elected city council of 14 members and a Mayor.

**Proposed Service Providers.** The Applicant has proposed a transition period of up to three years. The City of Los Angeles has requested that the Commission not set a transition period of more than one year. The Subcommittee on Findings, Terms, and Conditions (Subcommittee) has recommended an 18-month transition period to the Commission, with an effective date of January 1, 2003. For the purposes of analysis, it was assumed that the Proposed Project included an 18-month transition period. The Executive Officer has recommended a one-year transition period with an effective date of July 1, 2003 which shortens the actual transition period, but provides the parties a six-month start-up period before the effective date to prepare for the transition. The Commission has adopted this recommendation, and finds that it does not alter the potential environmental impacts as analyzed in the Final EIR because the recommended transition period is effectively 18 months.

During the transition period, the new Valley City would continue to rely on the City of Los Angeles for the provision of all municipal services until the new city and the City of Los Angeles negotiate for

the new city's assumption of direct responsibility for providing some or all of its own services and/or the establishment of a contractual arrangement between the new Valley City and the City of Los Angeles for the continued provision of some or all municipal services.

For some services currently being performed by the City of Los Angeles, it might not be possible to divide existing infrastructure or equipment between the new Valley City and the City of Los Angeles by the end of the transition period. These City of Los Angeles services, such as utility service, radio systems, and certain computer networks, utilize large-scale systems that have been designed for specific uses, and might be difficult to divide. In such cases, it was assumed that the new Valley City would contract for these particular services.

It is assumed that the City of Los Angeles through a franchise agreement or other type of agreement will provide utility services to the new Valley City, at the service levels currently provided.

The focus of analysis in this Program EIR is on the scenario that occurs after the transition period. Because the City of Los Angeles will continue to provide all municipal services during the transition period, there would be no potential impacts caused by the Proposed Project for that time period. After the transition period, it is assumed that the new Valley City would provide many of its own municipal services and contract for those services it could not provide directly. Table 1 lists the City of Los Angeles departments and those services that the Valley City will likely provide directly and those it would likely seek to have provided through contract.

**Table 1**  
**Service Provision for the New Valley City after Transition Period**

| <b>Department and/or Service</b>                 | <b>Corresponding Services Provided by</b>   |
|--|---|
| City Administrative Offices                      | New Valley City.  |
| Aging  | New Valley City. Los Angeles County would provide OAA-funded services. <sup>1</sup>           |
| Animal Services                                  | New Valley City. Contract services for collection of delinquent license fees.                 |
| Building and Safety                              | New Valley City. Contract services for fencing and parking validation.                        |
| City Attorney                                    | New Valley City. Contract services for outside counsel.                                       |
| City Clerk                                       | New Valley City. Contract services for some administration of Business Improvement Districts. |
| Commission on Children, Youth and their Families | New Valley City. Contract out for miscellaneous professional services.                        |
| Commission on the Status of Women                | New Valley City.  |
| Community Development                            | New Valley City. Contract various office services.  |
| <b>Table 1 (continued)</b>                       |   |
| <b>Department and/or Service</b>                 | <b>Corresponding Services Provided by</b>   |
| Community Redevelopment Agency                   | Not provided by new Valley City.  |
| Controller                                       | New Valley City. Contract out for auditing services and other professional services.          |
| Council  | New Valley City.  |
| Cultural Affairs                                 | New Valley City. Contract out for an assortment of maintenance and professional services.     |
| Disability                                       | New Valley City.  |
| Emergency Preparedness                           | New Valley City.  |

|                                      |  |
|--------------------------------------|--|
| Employees Relations Board            | New Valley City.   |
| Environmental Affairs                | New Valley City.   |
| Ethics Commission                    | New Valley City.   |
| Finance                              | New Valley City.   |
| Fire                                 | New Valley City. Contract out for stress management, emergency medical advisor services, and various other services.   |
| General Services                     | New Valley City. Contract out for security, mail, consulting, and various utility services.  |
| Housing                              | New Valley City.   |
| Human Relations Commission           | New Valley City.   |
| Information Technology Agency        | New Valley City. Contract out for telecommunications service, computer programming, technical training, and information technology project management.   |
| Library                              | New Valley City. Contract out for support of information technology.   |
| Mayor                                | New Valley City.   |
| Neighborhood Empowerment             | New Valley City.   |
| Personnel                            | New Valley City. Contract for employee training, advertising, systems development, executive recruitment, employee benefits consulting, discrimination investigation, benefits administration, contract hospitals, and physician services. |
| Planning                             | New Valley City.   |
| Police                               | New Valley City.   |
| Public Works                         |  |
| Board of Public Works                | New Valley City. Contract out for graffiti removal.  |
| Bureau of Accounting                 | New Valley City.   |
| Bureau Management-Employee Relations | New Valley City.   |
| Contract Administration              | New Valley City.   |
| Bureau of Engineering                | New Valley City.   |
| Bureau of Sanitation                 | New Valley City for solid resources management and storm water services. Contract out for wastewater services.   |
| Bureau of Street Lighting            | New Valley City.   |
| Bureau of Street Services            | New Valley City. Contract out for asphalt recycling, tree trimming, and hauling.   |
| Recreation and Parks                 | New Valley City. Contract out for parking citation processing and parking lot operation.   |
| Transportation                       | New Valley City. Contract out for ATSAC. <sup>2</sup>  |
| Water and Power                      | Contract out for water and power services.   |

Notes: <sup>1</sup>OAA = Older Americans Act  
<sup>2</sup>ATSAC = Automated Traffic Surveillance and Control System.

At the end of the transition period, according to the Applicant, the new Valley City would provide the services currently provided by the City of Los Angeles, whether directly or by contracting with the City of Los Angeles or other entities. During or after the transition period, certain infrastructure, facilities, and assets of the City of Los Angeles may be transferred to the new Valley City. In addition, certain staff may be transferred to the new city, as it assumes direct responsibility for providing services.

**Proposed Number of Employees.** During the transition period, the new Valley City would employ sufficient staff to perform primarily administrative duties. After the transition period, the Applicant proposes that a number of persons staffing each service department of the City of Los Angeles would

be allocated to the Valley City. Identified in the *San Fernando Valley Proposal for Special Reorganization Comprehensive Fiscal Analysis* (Public Financial Management, Inc., January, 2002) by applying benchmarks from budget documents of California cities that have incorporated since 1997, the number of staff that the new city would require is approximately 9,200, based on an apportionment of City of Los Angeles employees that currently serve the Valley.

It is assumed that the general manager or executive director positions that are currently with the City of Los Angeles would likely remain with the City, and the new Valley City would fill its top management positions from other City staff transferred or from outside hiring. It is assumed that other staff positions are most likely to be filled through voluntary transfers of City of Los Angeles staff to the new Valley City.

For the purpose of analysis, it is assumed that approximately 85 percent of the 9,200 new Valley City employees would already be employed in this area. These employees would merely switch jobs. The remaining 15 percent (1,380 employees) would be new hires who never had a job before or who had never worked in the Valley before. Throughout the EIR, this additional number of employees is a focus for impact analysis.

**Proposed Equipment and Facilities.** In addition to a transfer of personnel, the Proposed Project may include a transfer of properties, equipment, vehicles, and maintenance facilities in the Valley, and certain telecommunications, and information technology systems necessary to support those functions. The Program EIR did not address whether or not compensation would be paid for assets that may be transferred pursuant to the Proposed Project. For most departments, the proposed transfer of personnel, facilities, and equipment would give the proposed Valley City the means to provide the services that the Valley area currently receives from the City of Los Angeles.

### 1.3.2 PROJECT OBJECTIVES

On December 9, 1998, the chief petitioners filed petition signatures with the Commission for verification of sufficiency. On March 15, 1999, the Executive Officer certified that the petition was sufficient, as it contained more than the 131,771 valid registered voter signatures required for a sufficiency.

The application requested that a portion of the City of Los Angeles within the San Fernando Valley area be reorganized into a new city separate from the City of Los Angeles. In addition to the application, the Applicant has submitted to the Commission the following documents further elaborating on the Applicant's proposal for Valley Special Reorganization: the *Applicant's Preliminary Vision Statement for a Valley City* (May 2000) and, later, the *Special Reorganization of the San Fernando Valley Reorganization Plan* (May 2001).

As stated in the preliminary vision statement by the Valley Study Foundation, Inc., the:

*[R]esidents of the San Fernando Valley have petitioned for a study of reorganizing Los Angeles into two smaller cities because they seek the following long-term results from local government:*

1. *Greater local control over local neighborhoods and decisions affecting their quality of life;*

2. *Improved basic services;*
3. *Lower Taxes and Fees;*
4. *Safe and Clean Neighborhoods;*
5. *Short, medium and long term planning based on the public's priorities;*
6. *A Business environment that encourages new businesses, seeks to retain existing businesses, and seeks to create new quality jobs;*
7. *Equal Opportunity and fair representation for all residents;*
8. *Equity in the distribution of services and representation; and*
9. *Government that is accessible, accountable, and responsive.*

## 1.4 PROJECT ANALYSIS

The detailed analysis of potential environmental impacts and proposed mitigation measures for the Special Reorganization of the San Fernando Valley is presented in Chapter 3.0 of the EIR. Responses to comments and any clarifications or revisions to the Draft EIR are provided in Appendix C of the Final EIR.

Within the Final EIR is the evaluation of 11 major environmental categories for project specific and cumulative impacts with respect to potential significant adverse impacts. The environmental categories include the following:

- Solid Waste Management
- Wastewater
- Flood Control and Drainage
- Electricity
- Water Resources
- Transportation
- Fire and Emergency Medical Services
- Police Services
- Other Services
- Loss of Certain Revenue Sources
- Potential Boundary Change

Of these environmental categories, the Commission concurs with the conclusions in the Final EIR that the potential impacts described can be mitigated to a level of less than significance. In addition to the environmental categories addressed in the Final EIR, 13 other major categories were found to be non-significant in the Initial Study prepared for the Special Reorganization of the San Fernando Valley. These are as follows:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Recreation

The Commission concurs with the conclusions on these categories as outlined in the Initial Study (Appendix B of the EIR) and finds that no significant impacts have been identified as to those categories

identified in the Initial Study, and no further analysis is required.

## 1.5 PROJECT FINDINGS ORGANIZATION

This Findings document is organized as follows:

- Section 1 – Introduction and Background
- Section 2 – Potential environmental effects of the Proposed Project that are less than significant.
- Section 3 – Potentially significant environmental effects of the Proposed Project that have been mitigated to a level of less than significance.
- Section 4 – Cumulative effects of the Proposed Project that have been mitigated to a level of less than significant.
- Section 5 – Unavoidable Significant Environmental Effects, Irreversible Environmental Impacts, and Growth Inducing Impacts
- Section 6 – Alternatives to the Proposed Project.
- Section 7 – Findings regarding the Mitigation Monitoring and Reporting Program.
- Section 8 – CEQA Guidelines section 15091 and 15092 findings.
- Section 9 – CEQA section 21082.1 (c) findings.
- Section 10 – List of acronyms and references.

## 2.0 POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROPOSED PROJECT THAT ARE LESS THAN SIGNIFICANT

The following issues were identified in the Initial Study (Appendix B of the EIR) as having the potential to cause significant impact and were carried forward to the EIR for detailed evaluation. These issues were evaluated in the Draft EIR and found to have no potential to cause significant impact and, therefore, require no project-specific mitigation measures. In the following presentation, each resource issue is identified and the potential for significant adverse environmental effects is discussed.

### 2.1 ELECTRICITY

**Impact:** The Proposed Project could increase the demand for electricity.

**Finding:** There would be no impacts associated with the Valley Special Reorganization with respect to the provision of electricity in either the Valley Special Reorganization area or the remaining City of Los Angeles.

#### **Facts Supporting the Finding**

The Los Angeles Department of Water and Power (DWP) exists as a separate proprietary agency of the City of Los Angeles. It provides electric service to all residents and businesses located within the city limits of Los Angeles and to portions of the Owens Valley, which is bounded by the Sierra

Nevada on the west and the White and Inyo Mountains on the east. Electricity is distributed through an extensive distribution network. DWP operates receiving and distribution stations, and electricity is distributed to customers through a network of overhead and underground power lines. Currently there are no deficiencies in the distribution system.

No population or employment levels would increase significantly as a result of the Proposed Project; thus, there would be no significant increase in electric power demand. The City of Los Angeles DWP would continue to provide electricity services to the new Valley City.

## 2.2 POTENTIAL BOUNDARY CHANGE

**Impact:** The removal of the Cahuenga Pass area from the boundaries of the Valley Special Reorganization area would eliminate the services of Fire Station 76, which is a paramedic assessment engine company, and tied geographically to the Cahuenga Pass area. The removal of the Cahuenga Pass area would also cause that area to remain within the Los Angeles Police Department Division, which may affect police service levels per 1,000 population.

**Finding:** The inclusion or exclusion of the Cahuenga Pass area would not require alteration of the mitigation measures for fire or police services recommended in Sections 3.7 and 3.8 of the EIR.

### Facts Supporting the Finding

The Cahuenga Pass area is comprised primarily of low-density residential development located in the foothills of the Santa Monica Mountains. The area also includes several commercial and retail establishments. The Cahuenga Pass, a 490-acre "peninsula" located at the southeast corner of the Valley Special Reorganization area, may be excluded from the Valley Special Reorganization. It has a population of 3,498, which represents 0.26 percent of the population within the proposed boundaries of the new Valley City. The *San Fernando Valley Proposal for Special Reorganization Supplemental Report* (Public Financial Management, Inc., February 21, 2002) addresses the potential fiscal impacts of exclusion of the Cahuenga Pass area from the Valley Special Reorganization area. This area is included within the proposed boundaries of the Hollywood Special Reorganization, which has also been analyzed in a Program EIR, and could become part of the new Hollywood City.

Currently, the Cahuenga Pass area is served by City of Los Angeles personnel and facilities located in the San Fernando Valley. The area receives fire service from the Los Angeles Fire Department Station 76 and police service from the Los Angeles Police Department North Hollywood station. There are no libraries or cultural facilities in the area. In general, the Cahuenga Pass does not have dedicated service territories, but shares municipal service with areas to the north that are within the San Fernando Valley.

Regardless of which city the Cahuenga Pass eventually becomes a part of, it would be joined in a variety of agreements with other jurisdictions for cooperative response and management of fires and other emergency incidents. The services are accepted and rendered at the discretion of the respective jurisdictions, depending upon factors such as availability of personnel and equipment. With such emergencies, usually the nearest fire units, regardless of jurisdictional boundaries, respond to fire or emergency medical calls. With mutual aid agreements, personnel and equipment are lent to jurisdictions experiencing major incidents that exceed their resources (*Safety Element*, page II-5).

As for police services, the Cahuenga Pass area service levels would continue to have approximately 1.1 sworn officers per 1,000 population if it were part of the North Hollywood Division and approximately 1.6 sworn officers if it were part of the Hollywood Division. In both instances, the service level per 1,000 population would be well below the national standard of 4.0 sworn officers per 1,000 population, and is an existing condition not caused by the Proposed Project.

### **3.0 POTENTIALLY SIGNIFICANT ENVIRONMENTAL EFFECTS OF THE PROPOSED PROJECT THAT HAVE BEEN MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT**

The following issues were identified in the Initial Study (Appendix B of the EIR) as having the potential to cause significant impact and were carried forward to the EIR for detailed evaluation.

The Commission hereby finds, pursuant to Section 21081 that the following potential environmental impacts can and will be mitigated to below a level of significance, based upon the implementation of the mitigation measures from the Final EIR. Each mitigation measure discussed in this section of the findings is assigned a letter or letters and a number, correlating it with the Mitigation Monitoring and Reporting Program included in the Final EIR and adopted by the Commission to provide for the enforcement of such mitigation measures. Specific findings of the Commission for each category of such impacts are set forth in detail below.

#### **3.1 SOLID WASTE MANAGEMENT**

**Impact:** The creation of an additional number of government employees in the new Valley City could result in a significant impact to solid waste generation.

**Finding:** Implementation of the mitigation measures set forth in Section 3.1 of the Final EIR will ensure that the source of solid waste is reduced, disposal of waste is minimized, and programs are in place for diversion of solid waste, reducing the impact to a less than significant level.

#### **Facts Supporting the Finding**

The potential impacts of increased solid waste volumes are discussed in Section 3.1 of the Final EIR. Four tons per day of additional solid waste would be generated by a possible addition of 1,380 employees. The new Valley City would provide its own solid waste services after the transition period. Conditions contained in the mitigation measures avoid or substantially lessen the significant environmental effects analyzed in the Final EIR such that no significant impacts remain.

The following mitigation measures from the Final EIR will mitigate these impacts to below a level of significance.

- SW1. The new Valley City shall seek to ensure that all mixed solid waste that cannot be reduced, recycled, or composted is collected, transferred, and disposed of in a manner that minimizes adverse environmental impacts.
- SW2. The new Valley City shall maintain an environmentally sound solid waste management system that protects public health, safety, and natural resources and minimizes adverse environmental impacts.

- SW3. The new Valley City shall prepare a 30-year policy plan that provides direction for the solid waste management decision-making process.
- SW4. The new Valley City shall establish citywide diversion objectives.
- SW5. The new Valley City shall define specific programmatic tasks, roles, and responsibilities for source reduction, composting, special waste, and public education goals, as well as an implementation schedule.
- SW6. The new Valley City shall ensure that it acquires adequate landfills and recycling capacities to dispose of solid waste.
- SW7. The new Valley City shall pursue the development of a transfer station in the central Los Angeles area that will allow the new Valley City access to desert rail-haul disposal facilities.

## 3.2 WASTEWATER

**Impact:** The creation of an additional number of government employees in the new Valley City could result in a significant impact to wastewater flow. In addition, the wastewater services that the City of San Fernando currently receives from the City of Los Angeles through contract could be affected if the new Valley City provided wastewater service in the Valley Special Reorganization area.

**Finding:** Implementation of the mitigation measures set forth in Section 3.2 of the Final EIR will reduce potential impacts related to wastewater to a level that is less than significant.

### **Facts Supporting the Finding**

The potential impacts related to wastewater are discussed in Section 3.2 of the Final EIR. Approximately 38,640 gallons per day or approximately 0.04 million gallons per day of additional effluent would be created by a possible addition of 1,380 employees. Wastewater services would be provided by contract after the transition period. Conditions contained in the mitigation measures avoid or substantially lessen the significant environmental effects analyzed in the Final EIR such that no significant impacts remain.

In addition, the City of Los Angeles currently provides wastewater service to the City of San Fernando through a contract for services. The City of San Fernando is completely surrounded by the Valley Special Reorganization area. Although it is assumed that the City of Los Angeles would continue to provide wastewater service to the City of San Fernando and the new Valley City, if the City of Los Angeles did not provide wastewater service to the new Valley City, service to the City of San Fernando could be impacted.

The following mitigation measures from the Final EIR will mitigate this impact to below a level of significance.

- WW1. The new Valley City shall ensure that its own wastewater generation is monitored.
- WW2. The new Valley City shall ensure that its own wastewater flow quantities are monitored in the collection system and are conveyed to the treatment plants.
- WW3. The new Valley City shall ensure that its own wastewater effluent that is discharged into the Los Angeles River and Santa Monica Bay is monitored for compliance with water quality requirements.

- WW4. The new Valley City shall ensure that its own wastewater is collected and treated as required by law and Federal, State, and regional regulatory agencies.
- WW5. The new Valley City shall ensure that its own wastewater treatment capacity is maintained commensurate with population and industrial needs.
- WW6. The new Valley City shall ensure that other means of expanding the wastewater system's capacity are reviewed.
- WW7. The new Valley City shall ensure that its hazardous substances and the total amount of flow entering the wastewater system are reduced.
- WW8. The new Valley City shall ensure that treated wastewater is used for irrigation, groundwater recharge, and other beneficial purposes.
- WW9. Should the new Valley City ever assume responsibility for the provision of wastewater service and operation of the wastewater system within its boundaries, it shall accept the obligations of the City of Los Angeles with respect to any then existing wastewater service agreement with the City of San Fernando, unless the three cities agree otherwise.

### 3.3 FLOOD CONTROL AND DRAINAGE

**Impact:** The Proposed Project would not increase the amount of impervious surface, and thus would not substantially increase stormwater runoff within the Valley Special Reorganization area or the remaining City of Los Angeles. Responsibility for the City of Los Angeles storm drain system in the Valley Special Reorganization area would be transferred to the new city.

**Finding:** Implementation of the mitigation measures set forth in Section 3.3 will ensure that potential impacts would be reduced to a level that is less than significant.

#### Facts Supporting the Finding

The flood control and drainage issues with respect to the Valley Special Reorganization area and the remaining City of Los Angeles are discussed in Section 3.3 of the Final EIR. The new Valley City would take over the responsibility for constructing local interconnecting tributary drains for the Valley Special Reorganization area after the transition period. The Los Angeles County Flood Control District (LACFCD) would continue to construct the major storm drains and open flood control channels as it does currently. The new Valley City would design proposed drainage facilities consistent with the Los Angeles Flood Control District guidelines found in County of Los Angeles Department of Public Works' Hydrology, Hydraulics, and Structural Manuals. The LACFCD would continue to design for a 50-year storm event and the U.S. Army Corps of Engineers for a 100-year event. However, the Proposed Project would not increase the amount of impervious surface, and thus would not substantially increase stormwater runoff within any area.

The following mitigation measures from the Final EIR will mitigate any flood control and drainage impacts to below a level of significance.

- FC1. The new Valley City shall consider appropriate methodologies to protect significant remaining open spaces for resource protection and mitigation of environmental hazards, such as flooding, in and on the territory of the Valley Special Reorganization, with the following incentives:

- a. Use of tax incentives for landowners to preserve their lands;
  - b. Development rights exchanges in the local area; and
  - c. Participation in land banking, public acquisition, land exchanges, and Williamson Act contracts.
- FC2. The new Valley City shall encourage the preservation of floodplains, landslide areas, and steep terrain areas as open space, wherever possible, to minimize the risk to public safety.
- FC3. The new Valley City shall develop a stormwater management system that has adequate capacity to protect its citizens and property from flooding that results from a 10-year storm (or a 50-year storm in sump areas).
- FC4. The new Valley City shall assign the cost of stormwater system improvements proportionately to reflect the level of runoff generated and benefits.
- FC5. The new Valley City shall implement programs to correct any existing deficiencies in the stormwater collection system.
- FC6. The new Valley City shall ensure that the drainage system located within its territory is adequately maintained.
- FC7. The new Valley City shall pursue funding strategies that link the sources of revenues for stormwater system improvement to relevant factors, including sources of runoff and project beneficiaries.
- FC8. The new Valley City shall establish standards and/or incentives for the use of structural and non-structural techniques that mitigate flood hazards and manage stormwater pollution.
- FC9. The new Valley City shall consider a range of strategies designed to reduce flood hazards and manage stormwater pollution. The strategies considered will include, but not necessarily be limited to, the following:
- a. Support regional and local programs that intercept runoff for beneficial uses, including groundwater recharge;
  - b. Protect and enhance the environmental quality of natural drainage features;
  - c. Create stormwater detention and/or retention facilities that incorporate multiple uses, such as recreation and/or habitat;
  - d. Encourage on-site detention/retention and reuse of runoff;
  - e. Mitigate existing flood hazards through structural modifications (flood-proofing) or property buyout;
  - f. Incorporate site design features that enhance the quality of offsite runoff; and
  - g. Encourage the removal from floodways and sumps of inappropriate structures threatened by flooding and establish appropriate land uses that benefit or experience minimal damage from flooding.
  - h. Investigate watershed management opportunities to maximize capture of local rainfall in the new Valley City, eliminate incremental increase in flows to the storm drain system, and provide filtering flows to capture contaminants.
- FC10. The new Valley City shall be actively involved in the regional National Pollutant Discharge Elimination System (NPDES) municipal stormwater permit.

- FC11. The new Valley City shall develop and implement educational outreach programs designed to foster an environmentally aware citizenry.
- FC12. The new Valley City shall investigate management practices that reduce stormwater pollution to identify technically feasible and cost-effective approaches, through the following:
- a. Investigation of sources of pollution using monitoring, modeling, and special studies;
  - b. Prioritization of pollutants and sources;
  - c. Conducting research and pilot projects to study specific management practices for the development of standards; and
  - d. Development of requirements that establish implementation standards for effective management practices.
- FC13. The new Valley City shall submit its Unmet Drainage Needs to the Los Angeles County Public Works' Watershed Management Division.

### 3.4 WATER RESOURCES

**Impact:** The emergency water services that the City of San Fernando currently receives from the City of Los Angeles through contract could be affected if the new Valley City provided water service in the Valley Special Reorganization area.

**Finding:** Implementation of the mitigation measure set forth in Section 3.5 of the Final EIR will reduce potential impacts related to water resources to a level that is less than significant.

#### **Facts Supporting the Finding**

The City of Los Angeles currently provides emergency water service to the City of San Fernando through a contract for services. The City of San Fernando is completely surrounded by the Valley Special Reorganization area. Although it is assumed that the City of Los Angeles would continue to provide water service to the City of San Fernando and the new Valley City, if the City of Los Angeles did not provide water service to the new Valley City, service to the City of San Fernando could be affected.

The following mitigation measure from the Final EIR will mitigate this impact to below a level of significance.

- W1. Should the new Valley City ever assume responsibility for the provision of water service within its boundaries, it shall accept the obligations of the City of Los Angeles with respect to any then existing water service agreement with the City of San Fernando, unless the three cities agree otherwise.

### 3.5 TRANSPORTATION

**Impact:** There could be additional trips within the Valley area caused by an additional 1,380 employees.

**Finding:** Implementation of the mitigation measures set forth in Section 3.6 of the Final EIR will reduce potential impacts related to transportation to a level that is less than significant.

### **Facts Supporting the Finding**

The potential impacts related to transportation are discussed in Section 3.6 of the Final EIR. The analysis concluded that there is the potential to cause additional trips. The Final EIR analysis concluded that the creation of an additional number of government employees in the new Valley City could result in a significant impact to transportation by causing additional trips.

The following mitigation measures from the Final EIR will mitigate this impact to below a level of significance.

- T1. The new Valley City shall continue progress in trip reduction through implementation of Clean Air Program projects seeking to meet or exceed 2010 market levels of ridesharing, transit ridership (10.3 percent of peak hour trips), and telecommuting (6.8 percent of peak hour work trips).
- T2. The new Valley City shall proactively support the regional implementation of market incentives to achieve regional levels of trip reduction in State and Federal Clean Air Acts, while protecting the economic future of the new Valley City and the region. The new Valley City shall develop trip reduction targets.
- T3. The new Valley City shall pursue the creation of regional contingency and/or backstop transportation control measures that utilize market incentives to ensure the ultimate attainment of trip reduction and mobile source emission reduction mandates.
- T4. The new Valley City shall develop an adequate fiber optics infrastructure to enable continued growth in communications technologies and support the practice of telecommuting to achieve a reduction in home-to-work person trips.
- T5. The new Valley City shall work collaboratively with other local, regional, State, and Federal agencies to expand the ridership of the bus system by 5 percent per year.
- T6. The new Valley City shall support the Automated Traffic Surveillance and Control (ATSAC) program throughout the Valley Special Reorganization area.
- T7. The new Valley City shall work collaboratively with other local, regional, State, and Federal agencies on the development of expanded multi-modal transportation capacity between the Valley Special Reorganization area and North Los Angeles County, leading to the implementation of new capacity by 2010.
- T8. The new Valley City shall maintain present levels of parking enforcement, traffic control, and traffic engineering.

### **3.6 FIRE AND EMERGENCY MEDICAL SERVICES**

**Impact:** The service impacts could be significant if certain fire or emergency medical services are not provided or response times are diminished from their present levels in the new Valley City or the remaining City of Los Angeles. In addition, the fire services that the City of San Fernando currently receives from the City of Los Angeles through contract could be affected if the new Valley City provided fire service in the Valley Special Reorganization area.

**Finding:** Implementation of the mitigation measures set forth in Section 3.7 of the Final EIR will reduce potential impacts related to fire and emergency medical services to a level that is less than significant.

**Facts Supporting the Finding**

The potential impacts related to fire services are discussed in Section 3.7 of the Final EIR. The Los Angeles Fire Department's shortages of engine company and truck company service availability is an ongoing existing condition that is not because of the Proposed Project, but would continue to occur with the Proposed Project. The analysis concluded that there is the potential to inherit the shortages of engine company and truck company service availability, and that, dependent on the outcome of negotiations for the continued provision of fire and emergency medical services, service impacts could be significant if certain fire or emergency medical services are not provided or response times are diminished from their present levels in the new Valley City or the remaining City of Los Angeles.

In addition, the City of Los Angeles currently provides fire service to the City of San Fernando through a contract for services. The City of San Fernando is completely surrounded by the Valley Special Reorganization area. Although it is assumed that the City of Los Angeles would continue to provide fire service to the City of San Fernando and the new Valley City for the foreseeable future, if the City of Los Angeles did not provide fire service to the new Valley City, service to the City of San Fernando could be impacted.

The following mitigation measures from the Final EIR will mitigate this impact to below a level of significance.

- F1. The new Valley City shall monitor infrastructure and public service capacities to determine need within each community plan area for improvements based upon planning standards.
- F2. The new Valley City shall determine the level of growth that should correlate with capital, facility, or service improvements that are necessary to accommodate that level of growth.
- F3. The new Valley City shall establish programs for infrastructure and public service improvements to accommodate development in areas that are targeted for growth.
- F4. The new Valley City shall require that the type, amount, and location of development be correlated with the provision of adequate supporting infrastructure and services.
- F5. The new Valley City shall identify areas that have deficient fire facilities and/or service and prioritize the order in which these areas should be upgraded based on established fire protection standards.
- F6. The new Valley City shall develop an acquisition strategy for fire station sites in areas that are deficient in fire facilities.
- F7. The new Valley City shall consider the fire department's concerns and, where feasible, adhere to them, regarding the quality of the area's fire protection and emergency medical services when developing the new general plan and amendments thereto, zoning ordinances and changes in zoning, or considering discretionary land use permits.
- F8. The new Valley City shall engage in fire station development advance planning, acknowledging the amount of time needed to fund and construct these facilities.

- F9. The new Valley City shall enter into mutual aid or mutual assistance agreements with local fire departments to ensure that there is an adequate response in the event of a major earthquake, wildfire, urban fire, fire in areas with substandard fire protection, or other fire emergency.
- F10. The new Valley City shall maintain the continued involvement of the Fire Department in the preparation of contingency plans for emergencies and disasters.
- F11. Should the new Valley City ever assume responsibility for the provision of fire protection service within its boundaries, it shall accept the obligations of the City of Los Angeles with respect to any then existing fire service agreement with the City of San Fernando, unless the three cities agree otherwise.

### 3.7 POLICE SERVICES

**Impact:** The new Valley City could inherit existing inadequate levels of police service.

**Finding:** Implementation of the mitigation measure set forth in Section 3.8 of the Final EIR will reduce potential impacts related to police services to a level that is less than significant.

#### **Facts Supporting the Finding**

The potential impacts related to police services are discussed in Section 3.8 of the Final EIR. The analysis concluded that the new Valley City would inherit existing inadequate levels of service. The national standard is 4 sworn officers per 1,000 population. After special reorganization, the Valley Bureau would have 1.1 sworn officers per 1,000 population. The remaining part of the City of Los Angeles would have 1.59 sworn personnel per 1,000 population, which is higher than the existing 1.42 ratio for the City of Los Angeles, but still far below the national standard. However, the Final EIR also found that there would be no increase in population as a result of the Proposed Project; therefore, the number of sworn officers required would not increase.

The following mitigation measures from the Final EIR will mitigate this impact to below a level of significance.

- P1. The new Valley City shall monitor population, development, and infrastructure and service capacities within each community plan area or other pertinent service area.
- P2. The new Valley City shall monitor and report police statistics, as appropriate, and population projections for the purpose of evaluating police service based on existing and future needs.
- P3.