

4.0 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS THAT CANNOT BE MITIGATED TO A LEVEL OF INSIGNIFICANCE

The County of Los Angeles Board of Supervisors has determined that, although the Final Environmental Assessment/Environmental Impact Report (Final EA/EIR) recommended mitigation measures that would substantially reduce the level of impact to air quality, noise, and cultural resources resulting from the project, the following impacts would not be reduced to below the threshold of significance: short-term construction impacts to air quality from reactive organic gases (ROG) and oxides of nitrogen (NO_x) emissions, impacts to noise levels from construction activities, and impacts to the historical material identified as character-defining features of the building. All mitigation measures recommended by responsible agencies, organizations, and the public have been evaluated. All feasible mitigation measures have been adopted. In addition, the County of Los Angeles evaluated alternatives capable of avoiding or reducing the unavoidable adverse impacts of the project. While economically and technologically feasible, these alternatives failed to meet most of the basic objectives of the project. The alternatives fail to achieve many of the social benefits that were the basic intent at the proposed improvements. Consequently, in accordance with Section 15093 of the *California Environmental Quality Act (CEQA) Guidelines*, a Statement of Overriding Considerations has been prepared (refer to **Section 9.0, Statement of Overriding Conditions**, of this document) to substantiate the County of Los Angeles Board of Supervisors' decision to accept these unavoidable adverse environmental effects on the ground that they are outweighed by the benefits afforded by the project.

4.1 AIR QUALITY

Significant Impact

Construction emissions associated with two criteria pollutants, ROG, and NO_x emissions, would exceed the adopted threshold established by the South Coast Air Quality Management District (SCAQMD).

Findings

As described in Section 2.0, Air Quality, of the Final EA/EIR, five mitigation measures were proposed for the construction phase of the project to comply with the SCAQMD regulations. Mitigation Measure AQ-1 would be implemented to comply with SCAQMD regulations, specifically Rule 403, to reduce construction-related fugitive dust. Mitigation Measures AQ-2 through AQ-5 would be implemented to reduce ROG and NO_x emissions during construction from vehicles and heavy equipment. Implementation of these mitigation measures would reduce fine particulate matter (PM₁₀) emissions to a

level of insignificance and substantially lessen ROG and NO_x emissions during construction. However, the excess ROG and NO_x emissions cannot be reduced to below a level of significance as defined by the SCAQMD.

Facts

A Statement of Overriding Considerations has been prepared (see **Section 9.0** of this document) to address the short-term unavoidable air quality impacts associated with the ROG and NO_x emissions that would occur during the construction phase of the Hall of Justice Repair and Reuse Project. Implementation of the following mitigation measures would minimize construction impacts to air quality, to the maximum extent practicable.

Measure AQ-1

The project will implement dust control measures consistent with SCAQMD Rule 403 – Fugitive Dust during the construction phases of new project development. The following actions are currently recommended to implement Rule 403 and 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:

- Apply water and/or approved nontoxic chemical soil stabilizers according to manufacturer's specification to all inactive construction areas (previously graded areas that have been inactive for 10 or more days).
- Replace ground cover in disturbed areas as quickly as possible.
- Enclose, cover, water twice daily, or apply approved chemical soil binders to exposed piles with 5 percent or greater silt content.
- Water active grading sites at least twice daily during construction activities.
- Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 miles per hour (mph) over a 30-minute period.
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer), in accordance with Section 23114 of the California Vehicle Code.
- Sweep streets at the end of the day if visible soil material is carried over to adjacent roads.
- Install wheel washers or gravel construction entrances where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip.
- Post and enforce traffic speed limits of 15 mph or less on all unpaved roads.

Measure AQ-2

The project contractor shall require, by contract specifications, that construction equipment engines will be maintained in good condition and in proper tune per manufacturer's specification for the duration of construction.

Measure AQ-3

The project contractor shall require, by contract specifications, that construction operations where feasible rely on the project site's existing electricity infrastructure rather than electrical generators powered by internal combustion engines.

Measure AQ-4

The project contractor shall require, by contract specifications, that construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, be turned off when not in use for more than five minutes.

Measure AQ-5

The project contractor shall encourage contractors to utilize alternative-fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) and low-emission diesel construction equipment, to the extent that such equipment is reasonably available and cost effective.

4.2 NOISE

Significant Impact

Construction activities associated with the proposed project would include exterior work, interior work, and the construction of an on-site parking structure. These activities would result in construction noise that would exceed the standards for noise established by County ordinances. Consequently, construction noise would have a significant impact at adjacent off-site commercial uses.

Findings

As identified in Section 2.0, Noise, of the Draft EA/EIR, the County of Los Angeles Board of Supervisors identified four mitigation measures for the construction phase of the proposed project to reduce noise levels to conform to the County and City noise ordinances, where applicable. Incorporation of Mitigation Measures N-1 and N-3 would minimize the impact of construction noise. However, noise levels would remain a significant impact.

Facts

A Statement of Overriding Considerations has been prepared (see **Section 9.0** of this document) to address the short-term unavoidable noise impacts that would occur during the construction phase of the Hall of Justice Repair and Reuse Project. Implementation of the following mitigation measures would minimize construction impacts on noise.

Measure N-1

All construction equipment, fixed or mobile, that is utilized on the site for more than two working days shall be in proper operating condition and fitted with standard factory silencing features. To ensure that mobile and stationary equipment is properly maintained and meets all federal, state, and local standards, the applicant shall maintain an equipment log. The log shall document the condition of equipment relative to factory specifications and identify the measures taken to ensure that all construction equipment is in proper tune and fitted with an adequate muffling device. The log shall be submitted to the Department of Public Works for review and approval on a quarterly basis. A County Building Official or a designee should spot check to ensure compliance.

Measure N-2

The applicant shall provide adjacent owners with a construction schedule 10 days in advance of activities. The applicant shall submit a copy of the schedule and mailing list to the appropriate County regulatory agency prior to the initiation of construction activities. A County Building Official or a designee should spot check and respond to complaints.

Measure N-3

All construction activity, including grading, transport of material or equipment, and warming-up of equipment, shall be limited to between the hours of 7:00 AM to 7:00 PM, Monday through Friday, and should not occur during Saturday and Sunday unless approved by the County. Non-noise-generating exterior construction activities such as interior work shall not be subject to these restrictions. The work schedule shall be posted at the construction site and modified as necessary to reflect any approved deviations.

Measure N-4

The project applicant shall post a notice at the construction site and along the proposed truck haul route. The notice shall contain information on the type of project, anticipated duration of construction activity, and provide a phone number where people can register questions and complaints. The applicant shall

keep record of all complaints and take appropriate action to minimize noise generated by the offending activity where feasible. A monthly log of noise complaints shall be maintained by the applicant and submitted to the County.

4.3 CULTURAL RESOURCES

Historic Architecture

Significant Impact

The County of Los Angeles fully evaluated significant cultural resources through literature and records search and field reconnaissance. The Hall of Justice has been determined eligible for listing in the National Register of Historic Places (NRHP). The proposed project rehabilitates and repairs some of the character-defining features of the Hall of Justice, but demolishes or alters others. Section 21084.1 of the California Public Resources Code states that "A project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." Consequently, the project would result in significant impacts to historical material identified as character-defining features of the building.

Findings

The County has incorporated mitigation measures to reduce impacts to historic resources to the maximum extent practicable and evaluated two alternatives that would further avoid impacts to historic resources: the No Project Alternative and the Adaptive Reuse of the Existing Building to Secretary of Interior Standards. In their evaluation of the two alternatives to avoid and reduce impacts to cultural resources, the inability to remove hollow clay tile partition walls, demolish floor structures, remove jail cells and other features, remove courtroom suites, and reconfigure the 3rd-7th floors failed to achieve the social benefits that constituted the original intent of the proposed improvements.

As identified in Section 2.0, Historic Architecture, of the Final EA/EIR, the Board of Supervisors identified six mitigation measures for the proposed project to avoid or substantially lessen impacts to cultural resources. Incorporation of Mitigation Measures HA-1 through HA-6 would reduce impacts related to the potential eligibility of the Hall of Justice for listing on the NRHP or the California Register of Historical Resources to the maximum extent practicable. However, the identified mitigation measures would not reduce the impacts to below the threshold of significance.

Facts

A Statement of Overriding Considerations has been prepared (refer to **Section 9.0** of this document) to address the unavoidable cultural resource impact associated with the potential impacts of historic material identified as character-defining features of the building. Implementation of the following mitigation measures would minimize impacts to historical material identified as character-defining features of the building.

Measure HA-1

Prior to the start of construction, the County will conduct a Level 2 Historic American Building Survey and Historic Architecture and Engineering Recordation (HABS/HAER) of the Hall of Justice building, and all spaces therein, in accordance with the Secretary of the Interior's Guidelines for Architectural and Engineering Documentation.

Measure HA-2

The County will provide final archival HABS/HAER documentation to the Los Angeles Public Library, Central Branch.

Measure HA-3

The County will, prior to the start of any construction and following the execution of the Memorandum of Agreement (MOA), provide Federal Emergency Management Agency (FEMA) and State Historic Preservation Office (SHPO) with, and adhere to, a preservation plan that details, both photographically and in narrative form, the phasing, removal, protection, shoring, provenance, storage, and reinstallation of all finishes, walls, doors, floors, ceilings, and fixtures extant in the 1st and 2nd floor Lobby/Loggia, elevator cabs 1-7, the 8th floor library (Room 819), one 8th floor courtroom (Room 816), the two stairwells to be retained and refurbished, the jail cells, and the light courts.

Measure HA-4

The County will clean and restore the building exterior in accordance with the Secretary of the Interior's Standards for Restoration and Guidelines for Restoring Historic Buildings.

Measure HA-5

The County shall give first priority to stabilizing the architectural glazed terra cotta veneer from the office side of the exterior walls in lieu of anchoring through the architectural glazed terra cotta veneer. If the

County is unable to stabilize the architectural glazed terra cotta veneer from the office side of the exterior walls, then the County will submit a proposed alternative stabilization method to FEMA and SHPO for review in accordance with stipulations III.B-E of the MOA. Refer to Appendix A of the Final EA/EIR for a copy of the MOA.

Measure HA-6

The County will retain and rehabilitate all original historic windows in accordance with the Secretary of the Interior's Standards for Restoration and Guidelines for Restoring Historic Buildings.

Measure HA-7

The County will remove all window-mounted air-conditioning units.

Measure HA-8

The County will:

- rehabilitate the 1st and 2nd floor grand lobby/loggia in accordance with the Secretary of the Interior's Standards for the Rehabilitation and Guidelines for Rehabilitating Historic Properties;
- remove existing secondary infill in the 2nd floor lobby/loggia; and
- retain and refurbish elevator cabs 1-7.

Measure HA-9

The County will rehabilitate the 8th floor library (Room 819) in accordance with Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Properties.

Measure HA-10

The County will retain the historic features of the 8th floor courtroom (Room 816) in accordance with Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Properties.

Measure HA-11

The County will relocate a representative grouping of no fewer than two jail cells into the basement or ground floor of the Hall of Justice.

Measure HA-12

The County will develop an interpretive program involving the relocated jail cells and allow periodic public access to the relocated jail cells.

Measure HA-13

The County will retain and refurbish the two stairwells in accordance with Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Properties.

Measure HA-14

The County will retain and refurbish the glazed tiles in the light courts in accordance with the Secretary of the Interior's Standards for Restoration and Guidelines for Restoring Historic Buildings.

Measure HA-15

The County shall give first priority to raising the existing non-original dropped ceilings on floors 3 through 9 clear of window openings. If the County is unable to raise the existing non-original dropped ceilings on floors 3 through 9 clear of window openings, then the County will submit a proposed alternative stabilization method to FEMA and SHPO for review in accordance with stipulations III.B-E of the MOA. Refer to Appendix A of the Final EA/EIR for a copy of the MOA.